RESOLUTION NO. 2373-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING THE EASTSIDE ROAD STORAGE PROJECT, DIRECTING THAT IT BE PLACED IN THE CAPITAL IMPROVEMENT PROGRAM, AND ADOPTING CEQA MITIGATION FINDINGS AND ALTERNATIVES FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Town of Windsor proposes to build the Eastside Road Storage Project ("Project") consisting of an approximately 215 million gallon recycled water storage pond, an onsite pump station, and approximately ½ mile of pipeline to connect to the Town's existing recycled water distribution system; and

WHEREAS, the Project is located on approximately 28 acres of a 168-acre Town-owned parcel along Eastside Road, northeast of its intersection with Trenton-Healdsburg Road (APN 066-230-067). Another approximately 82 acres of the parcel will be a permanent biological preserve mitigation area; and

WHEREAS, the Project is a component of the Water Reclamation Master Plan for Treatment, Storage and Disposal ("Master Plan"), adopted by the Town Council on March 7, 2001 through Resolution 1006-01. The Town Council certified an EIR for the Master Plan on February 7, 2001 through Resolution 995-01. The Master Plan includes a combination of discharge to Mark West Creek, water treatment plant capacity upgrades, pond storage, disposal by irrigation, and participation in the City of Santa Rosa Geysers Project. The Project implements the pond storage component of the Master Plan and is consistent with the Master Plan pond storage goals and objectives; and

WHEREAS, in compliance with the California Environmental Quality Act ("CEQA"), the Town Council certified a Supplemental EIR for the Project on October 15, 2008 through Resolution 2372-08; and

WHEREAS, the Supplemental EIR identified significant impacts, most of which can be substantially reduced through mitigation measures; therefore, the Project approval includes mitigation findings as set forth in attached Exhibit A; and

WHEREAS, some of the significant impacts in the Supplemental EIR remain significant even after mitigation; therefore, the Project approval includes findings regarding alternatives as set forth in attached Exhibit B, and includes a statement of overriding considerations as set forth in attached Exhibit C. Pursuant to Communities for a Better Environment v. California Resources Agency 103 Cal.App.4th 98 (2002), the statement of overriding considerations also addresses any significant and unavoidable impacts from the 2001 Master Plan approval that are applicable to the Project; and

WHEREAS, the Project approval includes a mitigation monitoring and reporting program for significant impacts identified in the Supplemental EIR as set forth in attached Exhibit D; and

WHEREAS, the Town Council considered a staff report dated October 15, 2008 analyzing the Supplemental EIR and the Project, and also considered the certified Supplemental EIR, the previously certified Master Plan EIR, and all written and oral testimony at a public hearing on October 15, 2008 at which time all interested parties had the opportunity to be heard; and

WHEREAS, throughout the CEQA and Project review processes, the Town provided extensive public outreach and opportunities for public participation. The outreach and participation included public hearings where not otherwise required, staff and consultant meetings with nearby property owners, Town workshops, and other measures as evident from the record of proceedings. The Town also maintained a dedicated website for the Project and published periodic Recycled Water Updates; and

WHEREAS, the following documents referenced in these recitals are incorporated herein by reference and are available for review at Engineer's Office during normal business hours.

a. Resolution 1006-01
b. Resolution 995-01
c. Master Plan EIR (SCH No. 99112034)
d. Resolution 2372-08
e. Supplemental EIR (SCH No. 2007112013, Draft and Final SEIR documents)
f. October 15, 2008 staff report

WHEREAS, the location and custodian of the documents and other materials which constitute the record of proceedings upon which the Eastside Road Storage Project decision is based is the Town of Windsor Public Works Department, 800 Windsor Road, Windsor, CA 95492, attn: Craig Scott.

NOW, THEREFORE, BE IT RESOLVED as follows.

A. Recitals. The foregoing recitals are true and correct and made a part of this resolution.

B. Project approved. The Town Council hereby approves the Eastside Road Storage Project and directs that the Project be placed in the Town's Capital Improvement Program.

C. CEQA findings. The Town Council hereby adopts the mitigation findings in attached Exhibit A, the alternatives findings in attached Exhibit B, the statement of overriding considerations in attached Exhibit C, and the mitigation monitoring and reporting program in attached Exhibit D.

D. Exhibits. Attached Exhibits A-D are incorporated herein by reference.

PASSED, APPROVED AND ADOPTED this 15th day of October 2008, by the following vote:

AYES:	**COUNCILMEMBERS GOBLE, PARKER, SALMON AND MAYOR FUDGE**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**COUNCILMEMBER ALLEN**

Debora Fudge

DEBORA FUDGE, MAYOR

ATTEST:

Maria De La O

MARIA DE LA O, TOWN CLERK

Attachments:
Exhibit A: Mitigation Findings
Exhibit B: Alternative Findings
Exhibit C: Statement of Overriding Considerations
Exhibit D: Mitigation Monitoring and Reporting Program

EXHIBIT A

Mitigation Findings

Pursuant to the California Environmental Quality Act (CEQA) Section 21081 and CEQA Guidelines Section 15091, the following findings address the significant and potentially significant impacts for the Town of Windsor Eastside Road Storage Project (the Project) and means for mitigating those impacts.

General Considerations

Incorporation of Mitigation Measures from Master Plan Environmental Impact Report. In 2001, the Town approved its *Water Reclamation Master Plan for Treatment, Storage, and Disposal* (Master Plan) and certified the *Water Reclamation Master Plan for Treatment, Storage, and Disposal Final Environmental Impact Report* (Master Plan EIR). The Project, formerly known as Pond T, was included in the alternatives studied in the Master Plan EIR and in the alternative ultimately approved by the Town. The Master Plan EIR states that its evaluation of environmental impacts is project-specific with regard to Pond T and that no new CEQA documentation would be required if the project and its impacts were to remain the same as those studied in the document. Due to changes in the former Pond T project as described in the Master Plan EIR, as well as new or changed information on environmental conditions, a Supplemental EIR (SEIR) was prepared to update the analysis in the Master Plan EIR. The Project remains subject to all mitigation measures identified in the Master Plan EIR that are applicable as described in the Draft SEIR. The project is also subject to new or revised mitigation measures, as identified in the Draft SEIR.

Reliance on Record. The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project and its SEIR. The findings and determinations constitute the independent findings and determinations of the Town Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Nature of Findings. Any finding made herein by the Town Council shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by the Town Council, whether or not any particular sentence or clause includes a statement to that effect. The Town Council intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, that any finding required or permitted to be made by the Town Council with respect to any particular subject matter of the Project, shall be deemed made if it appears in any portion of these findings.

Limitations. The Town Council's analysis and evaluation of the Project is based on the best information currently available. It is inevitable that in evaluating a project of the scope and size of the Project that absolute and perfect knowledge of all possible aspects of the Project will not exist. This practical limitation is acknowledged in CEQA Guidelines Section 15151 which states the "sufficiency of an EIR is to be reviewed in light of what is reasonably

feasible." One of the major limitations on analysis of the Project is the Town Council's lack of knowledge of future events, particularly those occurring outside the Town. In some instances, the Town Council's analysis has had to rely on assumptions about areas outside of the political boundaries of the Town. In all instances, best efforts have been made to form accurate assumptions.

Summaries of Facts, Impacts, Mitigation Measures, Alternatives, and other Matters. All summaries of information in the findings to follow are based on the SEIR, the Project and/or other evidence in the record. Such summaries are not intended to be exhaustive recitations of all of the facts in the record upon which they are based. Moreover, the summaries of impacts, mitigation measures and alternatives are only summaries. This document includes only as much detail as may be necessary to show the basis for the findings set forth below.

Cross references to the SEIR and other evidence have been made where helpful, and reference should be made directly to the full text of the SEIR and other evidence in the record for more precise information regarding the facts on which any summary is based.

Adoption of Mitigation Measures. These findings address the numerous mitigation measures recommended in the SEIR for impacts identified as significant or potentially significant. Some of the mitigation measures are implemented by changes incorporated into the Project. In its actions approving the project, the Town Council adopts those mitigation measures recommended in the SEIR, as revised by the Town Council, that have not already been incorporated into the Project. Where multiple mitigation measures are adopted for a single impact, all of the identified measures are required to support the related mitigation finding, unless otherwise specified. The Town Council finds that all the Mitigation Measures now or previously incorporated into the Project are desirable and feasible and shall be implemented in accordance with the adopted Mitigation Monitoring and Reporting Program (MMRP, see Exhibit D).

Significant Unavoidable Adverse Impacts

An adverse and substantial effect on the environment is one that cannot be reduced to a level that is less than significant. There are two project impacts identified in the SEIR that despite mitigation efforts will remain significant and unavoidable adverse impacts.

Biological Resources

Impact 3.2-1: Project construction would result in loss of mixed oak woodland and of oak and other native trees protected by the California Department of Fish and Game (CDFG). (DSEIR p. 3-27.)

Construction of the proposed project would result in the removal of protected native trees, including mature valley oaks, comprising mixed oak habitat communities. The loss of mixed oak woodland is a significant and unavoidable impact. Implementation of the mitigation measures below would reduce the impact of the loss of oak trees and mixed oak woodland, but not below the significance threshold. These mitigation measures emphasize avoidance, minimization, and mitigation, in that order. The mitigation measures employ a

comprehensive approach that incorporates avoidance, preservation of oak woodland, and replanting of oak and other native trees.

Mitigation
The following mitigation measures are hereby adopted and will be implemented as set forth in the MMRP. These measures will mitigate the above impact to the degree feasible; however, impacts would remain significant and unavoidable for implementation of the Project.

Mitigation Measure 3.2-1a: Avoid impacts to trees to the degree feasible. (DSEIR p. 3-27.)

To the extent feasible, the Town shall avoid removal or damage to protected trees regulated under the Town of Windsor Zoning Ordinance Chapter 27.36. Placement of the pipeline trench for construction of the pipeline shall be outside the dripline and away from tree roots to the degree feasible to reduce or avoid damage to protected trees.

Mitigation Measure 3.2-1b: Implement a Tree Protection and Preservation Plan, as described in Zoning Ordinance 27.36 and the Town's Tree Technical Manual, to protect remaining trees. (DSEIR p. 3-27.)

A Tree Protection and Preservation Plan shall be prepared by an arborist, horticulturist, or registered landscape architect and implemented as a condition of Project approval. The Tree Protection and Preservation Plan shall include, but not be limited to, the following, based on the Town of Windsor Tree Technical Manual:

- An arborist shall walk the pipeline route with Project engineers to identify any significant trees that will need to be removed or damaged and identify potential ways in which impacts may be avoided or minimized through construction techniques or site plan changes.
- The site plan shall accurately show the locations of areas of trees to be removed and areas of trees to be avoided (Tree Protection Zones [TPZs]).
- Construction staging areas shall be designated on plans.
- Chain-link fencing shall be installed around TPZs during construction; fencing shall be outside the dripline and away from tree roots in order to reduce or avoid damage to protected trees not designated for removal.
- A pre-construction meeting shall be held with contractors, construction superintendent, and other appropriate personnel to review the plan and require bonding and fines to ensure the replacement of any inadvertently damaged trees.
- Parking, loading, grading and materials storage during construction shall be prohibited within the dripline of trees not designated for removal.
- No attachments or wires shall be attached to a protected tree not designated for removal, other than those of a protective or non-damaging nature.

- For trees that are to be designated to not be removed and are in immediate proximity to a graded slope of 8 percent, Town-approved erosion control or silt barriers shall be installed outside the TPZ to prevent siltation and/or erosion within the TPZ.
- When trees protected by the Town's ordinance are to be removed adjacent to trees to be avoided, removal of trees that extend into the branches or roots of protected trees shall not be attempted by demolition or construction personnel, but by a certified arborist or tree worker.
- Stumps to be removed that may have roots entangled with trees to be preserved shall have their roots severed prior to extraction.
- Measures to reduce stress from dust accumulation and soil compaction shall be included in the Tree Protection and Preservation Plan and shall be implemented.
- A qualified arborist shall be present to monitor vegetation removal activities, to monitor potential root cutting during excavation adjacent to TPZs, and at other times as determined necessary.

Mitigation Measure 3.2-1c: Replant disturbed areas with trees to the degree feasible. (DSEIR p. 3-28.)

A replanting plan to replace native trees removed due to grading, as part of the Oak Woodland Mitigation and Monitoring Plan described below, shall be developed by a qualified biologist and submitted to the appropriate regulatory agencies for review and comment prior to issuance of permits from the agencies. Replanting activities shall be implemented immediately after construction activities have been completed. The replanting plan shall be coordinated with the Stormwater Pollution Prevention Plan (see DSEIR section 3.1.1)

Construction areas where native tree removal occurred, other than those occupied by permanent facilities, shall be replanted as feasible with acorns or seedlings generally of the same species as the removed trees, except in the case of non-native species. Species type and percentages shall be specified in the replanting plan. Source material for tree replacement shall be obtained from a native plant nursery or from source material on-site. Specific replanting areas and specifications shall be developed by a qualified arborist and/or restoration biologist. The planting plan will include the species, source of plant material, type of plant material, the number of trees to be planted, site map, irrigation plans, and success criteria. Trees shall be spaced as deemed appropriate for each species.

A multi-year maintenance and monitoring program shall be implemented; the specific time period shall be determined in coordination with the resource agencies and stipulated in the replanting plan. The replanted areas shall be monitored at least annually using standard ecological methods to document tree survival rates and growth characteristics. Monitoring shall be conducted by a qualified biologist or arborist. Performance standards for tree replacement and other revegetation may include, as appropriate: (1) targeted survival rate of trees; (2) no excessive rills, gullies or other erosion features; and (3) irrigation, as necessary, either by water truck or irrigation system for a maximum of two years. Maintenance requirements during this period shall include irrigation during dry seasons; repair of tree cages/shelters; and replacement of dead trees as appropriate.

Mitigation Measure 3.2-1c will ultimately result in replacement of a small portion of the trees removed during Project construction. However, these plantings would not be sufficient to replace the lost habitat qualities of the mixed oak woodland. Therefore, additional mitigation is needed.

Mitigation Measure 3.2-1d: Preserve mixed oak woodland on the Town's Project parcel. (DSEIR p. 3-29.)

To help offset the loss of mixed oak woodland, the Town of Windsor shall permanently preserve a portion of its parcel north of the Project site. This area contains mixed oak woodland habitat similar in quality and species to the habitat that will be lost on the Project site. Preservation of mixed oak woodlands will require a conservation easement or other tool for ensuring that preservation is in-perpetuity.

A Habitat Equivalency Analysis (HEA) was used to determine an appropriate preservation ratio for mixed oak woodlands, based on the habitat value of the mixed oak woodland that will be lost. The HEA indicated that mitigation should occur at mitigation ratio of approximately 2.92-to-1 to offset the services lost, resulting in a preservation area of approximately 82 acres. Most or all of the 82-acre preservation goal can be achieved through preservation of mixed oak woodland on other portions of the Town's 168-acre parcel. Any portion of the 82-acre preservation goal that cannot be accommodated on the Town's parcel will be addressed through preservation of suitable off-site mixed oak woodland habitat through acquisition, conservation easement, and/or other tools such as contribution to an oak preservation fund or restoration of oak woodlands.

The Town of Windsor shall prepare an Oak Woodland Mitigation and Monitoring Plan (OWMMP) in coordination with CDFG that will include the requirements for preservation, enhancement, and long-term management of the preserve, and will include other mitigation strategies for long-term preservation as required by CDFG.

Implementation of the OWMMP and the tree replanting in Mitigation Measure 3.2-1c would not result in any significant impacts. The parcel is designated for public use and the preserve and replanting would not conflict with that use. Activities required to execute the mitigation would entail minor soils work to plant trees and perform maintenance. Native species will be used for replanting.

Findings

Based on the SEIR and the entire record before the Town Council, the Town Council finds that changes or alterations have been required in, or incorporated into, the Project. However, even with these changes, the impact will not be avoided or substantially lessened to less than significant. Specific economic, legal, social, technological, or other considerations make infeasible the project alternatives identified in the SEIR; therefore, a statement of overriding considerations must be adopted upon approval of the Project.

Rationale

The mitigation measures in the SEIR will reduce the loss of mixed oak woodland and native trees by focusing project construction on avoiding, then minimizing, then mitigating for the loss of habitat, in that priority order. These measures will guide the Town as it prepares

detailed design-level plans and are likely to reduce the amount of woodland and tree loss, but not to a level of insignificance.

Impact 3.2-2: Project construction would result in loss of trees protected by the Town of Windsor Zoning Ordinance (DSEIR p. 3-30.)

Vegetation removal would result in the loss of approximately 2,200 trees protected under the Town of Windsor Zoning Ordinance Chapter 27.36. The loss of trees protected by the Town of Windsor is a significant and unavoidable impact. Implementation of the mitigation measures below would reduce the significance of the loss of trees protected by the Town Ordinance, but not below the significance threshold. These mitigation measures, which emphasize preservation, onsite replanting of trees in disturbed areas, and offsite mitigation of mixed oak woodland, provide the maximum feasible mitigation as required under the Town's tree ordinance for the general loss of protected trees and their aesthetic values.

Mitigation

Mitigation Measures 3.2-1a through 3.2-1d described above are hereby adopted and will be implemented as set forth in the MMRP. These measures will mitigate Impact 3.2-2 to the degree feasible; however, impacts would remain significant and unavoidable for implementation of the Project.

Findings

Based on the SEIR and the entire record before the Town Council, the Town Council finds that changes or alterations have been required in, or incorporated into, the Project. However, even with these changes, the impact will not be avoided or substantially lessened to less than significant. Specific economic, legal, social, technological, or other considerations make infeasible the project alternatives identified in the SEIR; therefore, a statement of overriding considerations must be adopted upon approval of the Project.

Rationale

The mitigation measures in the SEIR will reduce the loss of ordinance-protected trees by focusing project construction on avoiding, then minimizing, then mitigating for the loss of trees, in that priority order. These measures will guide the Town as it prepares detailed design-level plans and are likely to reduce the amount of tree loss, but not to a level of insignificance.

Potentially Significant Adverse Impacts Reduced to Less Than Significant Level by Mitigation Measures Incorporated into the Project

The SEIR identifies significant impacts that are reduced to a "less than significant" level by the inclusion in the Project approval of the mitigation measures identified in the SEIR. Based on the SEIR and the entire record before the Town Council, the Council determines that each of the impacts referenced below will be avoided or substantially lessened to a less than significant level by including the related mitigation measures in the Project approval.

Biological Resources

Impact 3.2-3: Project construction would result in temporary impacts to intermittent drainages under the jurisdiction of the USACE, RWQCB, and CDFG. (DSEIR p. 3-31.)

Because the pipeline is planned for installation in the northbound lane of Eastside Road, trenching activities may require excavation or other construction activities directly within portions of the drainage channel to provide adequate trench width. Up to approximately 3,455 linear feet (0.234 acre) of the roadside drainages along Eastside, Trenton-Healdsburg, and Mark West Station Roads could be impacted in this manner during pipeline construction. With implementation of Mitigation Measures 3.2-3a and 3.2-3b, impacts from construction activities within drainages would be less than significant.

Mitigation

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Mitigation Measure 3.2-3a. Minimize impacts to drainages that cannot be avoided. (DSEIR p. 3-32.)

To the extent practicable, the Town shall implement the following measures to minimize temporary impacts to drainages that cannot be avoided.

- Work in or near active waterways shall occur during the low-flow period (April 15 to October 15), unless otherwise approved by USACE, RWQCB, and CDFG as applicable.
- A sediment filter shall be installed below the construction zone and cleaned on a regular basis to preserve integrity.
- Refueling of heavy equipment and vehicles shall only occur within designated bermed area where potential spills can be readily contained.
- Equipment operating in or near drainages shall be checked and maintained to prevent leaks of fuel, lubricants or other fluids into drainages.
- Litter and construction debris shall be removed from drainages and disposed of at an appropriate site.

Mitigation Measure 3.2-3b. Re-grade and re-vegetate drainages in which pipeline trenching activities occur. (DSEIR p. 3-32.)

Immediately following pipeline installation, the Town's contractor shall re-grade the drainage to its original contours/capacity. The contractor shall re-seed the drainage with appropriate native species. These measures shall be included in the detailed mitigation and monitoring plan described in Mitigation Measure 3.2-4.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

The mitigation measures identified above provide construction timing, site and equipment management measures to minimize erosion and other temporary impacts to drainages, as

well as restoration of drainages to their original condition, thereby reducing potential impacts to less than significant.

Impact 3.2-4: Project construction would result in permanent impacts to intermittent drainages under the jurisdiction of the USACE, RWQCB, and CDFG (DSEIR p. 3-32.)

Construction of the storage pond would result in the permanent fill of Drainage T and its six tributaries, for a total permanent fill of approximately 3,529 linear feet (0.20 acre) of intermittent drainage. An additional 100 feet (<0.01 acre) of the roadside drainage would be permanently filled for the construction of the pump station access road.

Permanent fill would affect drainages with "beneficial uses," such as wildlife habitat, water quality enhancement, and freshwater replenishment, that are protected against water quality degradation under the California Porter-Cologne Water Quality Control Act. Permanent impact to a total of 3,629 linear feet of intermittent drainage would be a potentially significant impact; however, with implementation of Mitigation Measure 3.2-4, impacts would be less than significant.

Mitigation
The following mitigation measure is hereby adopted and will be implemented as set forth in the MMRP. This measure will mitigate the above impact to a less than significant level.

Mitigation Measure 3.2-4. Implement projects that offset the permanent loss of beneficial uses resulting from fill of intermittent drainages (DSEIR p. 3-33; FSEIR p. 3-2.)

To the extent practicable, the Town shall:

- Avoid permanent impacts to jurisdictional features, for example by siting the primary access road to avoid Seasonal Wetlands #1 and #2.
- Where impacts cannot be avoided, they shall be minimized, for example by minimizing the width of the pump station access road that crosses the Eastside Road drainage.
- For impacts to Drainage T and the roadside drainages that cannot be avoided, the Town shall obtain the required permits or authorizations from the USACE (404 Individual Permit), RWQCB (Section 401 Certification), and CDFG (SAA) prior to start of construction activities and shall implement the associated on- or off-site mitigation, as described below.

A mitigation and monitoring plan for temporary and permanent impacts to all drainages shall be prepared in consultation with USACE, RWQCB, and CDFG during the permitting process. The mitigation plans shall reflect new USACE regulations for prioritizing mitigations.

The mitigation ratio for drainage impacts shall be determined during coordination with resource agencies during the permitting process and will depend upon the type of mitigation planned (preservation, restoration, creation, or combination of mitigation types), project location, and other mitigation variables. The Town will mitigate permanent impacts to drainages (stream areas with existing and potential beneficial uses) in terms of acreage, function, and value at a mitigation ratio of at least 1:1, unless otherwise agreed upon by the RWQCB and other regulatory agencies during the permitting process. To assist in the

development of a mitigation ratio and mitigation plan, an HEA shall be prepared in coordination with the resource agencies. Application of the HEA has been tentatively approved by CDFG and has been brought up for discussion with RWQCB and USACE representatives.

The types of mitigation available for impacts to drainages include in-kind, meaning providing same (or similar) habitat benefits, or out-of-kind, meaning providing other habitat benefits, or some combination of these two mitigation types. On-site mitigation includes preservation, restoration, or creation of habitat or habitat functions within the Town's parcel. Off-site mitigation includes mitigation either within Guerneville and/or Mark West sub-watersheds or contiguous and/or remote sub-watersheds within the Russian River watershed. Typically off-site mitigations have either been created at the sponsor's discretion with coordination with resources agencies, at established and designated mitigation banks, through in-lieu fee programs, or through easement arrangements.

The mitigation or suite of mitigation projects shall be designed to meet the resource agencies' (USACE, RWQCB, and CDFG) objectives and goals. Drainage functions of improvement of water quality, water supply, and sediment reduction shall be the highest priority goals in identifying potential mitigation opportunities because these will replace the beneficial uses associated with the impacted drainages. The Town shall coordinate with resource agency personnel to ensure that appropriate mitigation projects will be identified for the Project that fully meet the obligation to mitigate Project impacts.

Due to the lack of on-site opportunities, the Town has focused on identifying meaningful opportunities off-site, including adjacent and non-adjacent watersheds. Examples of some mitigation projects the Town can consider include mitigation projects focused on Windsor Creek (preferably within the Mark West Creek watershed) and at locations owned by the Town or other publicly-owned properties. Town and publicly-owned properties are favored so as to allow the protection of the mitigation project in perpetuity.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

The mitigation measures identified above include road location and design planning to avoid or minimize permanent impacts to drainages, and include a comprehensive suite of measures such as onsite preservation and restoration, and compensatory offsite restoration and/or creation of drainages to offset the beneficial uses lost, thereby reducing potential impacts to less than significant.

Impact 3.2-5. Construction of the Project could result in loss of potential northern spotted owl foraging and sheltering habitat (DSEIR p. 3-35.)

Construction and operation of the Project could result in loss of potential northern spotted owl (NSO) foraging and sheltering habitat. There would be no impacts to NSO breeding habitat due to the lack of large tracts of wooded and forested areas in the vicinity of the Biological Study Area (BSA) that are suitable for nesting.

USFWS uses the CAL FIRE Forest Practice Rules (FPR) to evaluate NSO habitat and impacts to NSO. Significant reductions in NSO foraging or sheltering habitat would constitute a "take" for this species. The Project would result in the removal of approximately 28 acres of oak-woodland habitat that could potentially provide foraging and sheltering habitat to the NSO. However, based on lack of suitable nesting habitat in the area, NSO is not likely to occur. NSO dispersing from areas west of the Russian River could use the BSA for foraging and sheltering; however, due to the fragmented nature of wooded areas in the vicinity, it is not likely that NSO rely upon areas within the BSA for prey and shelter, and impacts to NSO are not likely to occur. However, in the event that USFWS determines that the Project would result in a "take" of NSO, Mitigation Measure 3.2-5 would be implemented to reduce impacts.

Mitigation
The following mitigation measure is hereby adopted and will be implemented as set forth in the MMRP. This measure will mitigate the above impact to a less than significant level.

Mitigation Measure 3.2-5: Implement measures to protect NSO foraging and sheltering habitat. (DSEIR p. 3-36.)

In order to confirm that impacts to NSO are not expected, the Town shall consult with the USFWS and a biological assessment shall be prepared and submitted to USFWS. If USFWS determines that the Project would result in a "take" of NSO, the Town will enter into formal FESA Section 7 consultation with USFWS. Any measures included in the resulting biological opinion shall be implemented to reduce impacts to NSO.

Findings
Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale
The identified measures require consultation with USFWS and a biological assessment to confirm that impacts will not occur. In the event that the USFWS determines that significant reductions in foraging or sheltering habitat would occur, formal Section 7 consultation with USFWS will identify any other measures needed to reduce potential impacts to NSO to a less than significant level.

Impact 3.2-6: Project construction would result in loss of roosting habitat of special-status bat species and could disturb roosting bats during construction (DSEIR p. 3-36.)

Project construction would result in the loss of approximately 28 acres of mixed oak woodland containing potential roosting habitat for special-status bat species, including the pallid bat and western red bat. Although roosting habitat for special-status bat species would be lost, existing adjacent areas would provide alternate roosting habitat for bats. With implementation of Mitigation Measure 3.2-1d (preservation of mixed oak woodland), some of these alternative habitats would be conserved in perpetuity, providing alternate roosting opportunities. Construction activities could result in impacts to roosting bats. With preservation of mixed oak woodlands and Mitigation Measure 3.2-6, impacts to special-status bat species would be less than significant.

Mitigation

The following mitigation measures are hereby adopted and will be implemented as set forth in the MMRP. The measures will mitigate the above impact to a less than significant level.

Mitigation Measure 3.2-1d: As described above.

Mitigation Measure 3.2-6: Implement measures to protect special-status bat species during construction (DSEIR p. 3-36.)

Mitigation Measure 3.2-6 replaces that portion of Master Plan EIR Mitigation Measure 4.4.3 addressing special-status bats in accordance with the updated impact analysis.

- Prior to any construction activity, a survey to identify trees suitable for bat roosting shall be conducted. These trees shall be mapped by a qualified biologist and shall also be identified on-site with flagging materials.
- To prevent disturbing bat roosting trees, any proposed removal of the trees and other vegetation in the construction footprint shall be completed between October 1 and February 28 (outside of the breeding season, generally March 1-September 30), as feasible.
- If vegetation removal is required during the roosting season, the following procedures shall be implemented:
  - If construction activities require the removal of any bat roosting tree between March 1 and September 30, pre-construction surveys shall be conducted by a qualified biologist sufficient (as determined in coordination with CDFG) to determine that no bats are roosting.
  - If surveys identify an active bat roost, a buffer zone of 100 feet shall be established around the tree and tree removal shall be avoided until after September 30.
  - If removal of a tree with an active bat roost is unavoidable, the bat species present shall be identified and the Town shall consult with CDFG and/or USFWS to determine the appropriate mitigations required, depending upon the species and timing of tree removal.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

The identified measures require a pre-construction survey and avoidance of roosting season for special status bat species. In the event that roosting activities are identified as potentially present onsite, establishment of construction buffers and deferred tree removal will avoid impacts to the roosting bats. If a tree with an active roost must be removed, the Town shall consult with and implement appropriate mitigations as determined by the resources agencies. These avoidance, buffer and consultation measures will reduce potential impacts to a less than significant level.

Impact 3.2-7: The Project could introduce or spread the Sudden Oak Death pathogen. (DSEIR p. 3-37.)The fungal pathogen that causes Sudden Oak Death (SOD) could be introduced to the Project site, if it is not already present, or spread it further if it is present. Although gross evidence (e.g., bleeding trunk cankers) of SOD was not observed on the Project site during tree other surveys, the proposed Project is located in a known region of SOD infestation and SOD has been documented in the vicinity.

Project activities that could cause the spread of SOD include the transportation of SOD-infected plant material or soil by the tires of trucks or on equipment or worker's boots used during construction. Construction equipment previously used on other sites that are infected with *P. ramorum* could transmit or spread the pathogen to the Project site. This would be a significant impact. However, with implementation of Mitigation Measure 3.2-7, impacts from Sudden Oak Death would be less than significant.

Mitigation

The following mitigation measure is hereby adopted and will be implemented as set forth in the MMRP. This measure will mitigate the above impact to a less than significant level.

Mitigation Measure 3.2-7: Implement BMPs to minimize the risk of introduction and spread of SOD (DSEIR p. 3-37.)

BMPs shall include measures to reduce the potential introduction or spread of SOD. Prior to the start of construction, the Town of Windsor shall coordinate with the U.C. Cooperative Extension and/or California Oak Mortality Task Force to determine the most current preventative measures to reduce the risk of spreading SOD or its pathogen during construction activities. Preventative measures shall include, but are not limited to, the following:

- Crews shall be informed about the implications of SOD and sanitation practices.
- When feasible, work shall be conducted during the dry season (April - October), when the SOD pathogen is unlikely to spread through water-borne transportation
- Crews previously working in areas of known infestations and/or within a known region of infestation as designated by the California Oak Mortality Task Force shall clean boots and gloves and other personal work gear with a 10 percent bleach and water solution.
- All equipment, including hand-held tree pruning equipment, shall be sanitized with a 10 percent bleach and water solution before working in the Project area.
- Construction vehicles (including trucks and all terrain vehicles) previously operating in areas of known infestations and/or within a known region of infestation as designated by the California Oak Mortality Task Force shall remove soil and dirt clods from tires by pressure washing before entering the Project site.

All suspected cases of Sudden Oak Death shall be reported to the local county agricultural commissioner.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

The mitigation measures identified above include consultation with the U.C. Cooperative Extension and/or California Oak Mortality Task Force regarding the most current BMPs to minimize the risk of spreading SOD or its pathogen. The BMPs include a comprehensive range of measures, such as seasonal limitations on construction and cleaning procedures for workers, equipment and vehicles, specifically designed to prevent introducing or spreading the SOD pathogen, thereby reducing potential impacts to a less than significant level.

Visual Resources

Impact 3.4-1: Implementation of the Project could degrade the existing visual character or quality of the Project site and its surroundings (DSEIR p. 3-77.)

Analysis of the change in visual character from two observation points is based on the FHWA rating methodology. Only one observation point was determined to have a potentially significant impact, which is discussed below.

Observation Point 1 – View from Eastside Road looking eastward toward the proposed Project. A pump station would be constructed along Eastside Road, just west of the storage pond dam. The pumps would be housed inside a concrete building approximately 10 feet high. A gravel area would be provided for parking. The pump station building and parking area would be surrounded by a 6-foot-high chain-link fence with vertically threaded plastic strips and barbed wire on top. The pump station building would have a concrete block wall with a non-reflective green or brown raised ridge metal roof. Approximately 230 linear feet of vegetation would be removed along Eastside Road to accommodate construction of the pump station, parking lot, and fence. The dam face may be briefly visible from the roadway when vehicles pass directly west of this gap in the vegetation along Eastside Road. The dam face would be constructed of earthen materials, and would be surfaced with native grasses to reduce visual effects. Vegetation behind the pump station area would also be removed during construction of the emergency overflow pipeline; this area would be revegetated with native grasses following construction.

The pump station facilities would blend fairly well into the surrounding landscape since they would be neutrally toned and would be further screened by the chain-link fence with brown slats. However, the removal of vegetation would represent a significant change in the character of the view to roadway users. Eastside Road has a continuous corridor of tree cover and the vegetation gap would be obvious to drivers even at high speeds.

Reasonable efforts will be made to preserve existing trees along Eastside Road that would screen the pump station and, if visible, the dam face. In the event that trees are unable to be preserved, the quality of the view from this segment of Eastside Road would change from high to average as a result of the Project. The character would change from rural to somewhat engineered. Regular roadway users will be highly sensitive to this change in view; for less-frequent travelers, the vegetation gap and presence of the building and fence would be variations in the otherwise rural conditions along this stretch of roadway. With implementation of Mitigation Measure 3.4-1, impacts will be less than significant.

Mitigation

The following mitigation measure is hereby adopted and will be implemented as set forth in the MMRP. This measure will mitigate the above impact to a less than significant level.

Mitigation Measure 3.4-1: Prepare and implement a landscaping plan to replant area around the pump station with native species (DSEIR p. 3-79; FSEIR p. 3-4.)

Reasonable efforts shall be made to preserve the existing trees along Eastside Road that would screen the pump station. However, if it is necessary to clear trees to allow for construction, a landscape plan shall be prepared for replanting with native trees and shrubs typical of the mixed oak woodland in the Project vicinity. This would partially screen the pump station from view of the road and thus minimize the change in visual character and quality. Landscaping species that could be used include coast live oak (*Quercus agrifolia*), toyon (*Heteromeles arbutifolia*), and redwood (*Sequoia sempervirens*). Coast live oaks shall be 24-inch box size at planting and would be expected to reach 15-18 feet after 10 years. Toyon shall be 5-gallon size at planting and would be expected to reach 10 feet after 10 years. Redwoods shall be 24-inch box size at planting and would be expected to reach 35 feet after 10 years. All landscaping species are expected to require watering for the first several years and will then be considered self-sufficient. The landscape plan shall include irrigation and monitoring standards for the first five years after planting to ensure successful replanting. Mitigation Measure 3.4-1 replaces Master Plan EIR Mitigation Measure 4.10.1b in accordance with the updated impact analysis.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

Implementation of the identified mitigation measure would reduce potential visual effects by preserving existing trees that provide screening of the pump station as feasible; where infeasible, the required landscape plan will provide for revegetation with trees and shrubs that will blend in with existing vegetation, provide screening and will minimize changes in the visual character at the pump station. The plan will also include irrigation and monitoring procedures to ensure that the replanting is successful.

Geology, Soils, and Seismicity

Impact 3.5-1: The Project could expose structures to potential adverse effects, involving landslides (DSEIR p. 3-91.)

Shallow landslides/slumps and erosion gullies occur at numerous locations on-site. Field observations indicate the landslides/slumps are typically shallow (less than 5 feet), with some approximately 10-15 feet thick. In addition to its highly erodible nature, the shallow, north-tipping beds of the Wilson Grove Formation make structural cuts on the north slope of the Project site difficult.

Slope failures are common in the Wilson Grove Formation and occur typically in the surficial mantle (colluvium) overlying the more competent bedrock. Some historic slope failures, including shallow landslides and debris flows, were observed on the slopes surrounding the proposed dam site. Reservoir slopes overlain by unstable colluvial materials would be most susceptible to failure and erosion, especially under conditions of fluctuating water levels and strong ground shaking from an occurrence of earthquake on nearby seismic sources.

When full, an unlined pond would be expected to cause saturation of near surface soils or weathered bedrock; during subsequent pond drawdown, water would tend to drain from these soils and weathered bedrock, increasing the risk of slope failures on the exposed pond slope. In addition, seepage from an unlined pond might also travel through a more pervious bedrock layer through one of the perimeter ridges around the pond, or through the dam abutment, daylighting on an exposed slope and increasing risk of failure of natural slopes. Slope failure could affect operation and capacity of the pond.

Mitigation
The following mitigation measure is hereby adopted and will be implemented as set forth in the MMRP. This measure will mitigate the above impact to a less than significant level.

Mitigation Measure 3.5-1: Design the dam and pond according to site-specific geotechnical design recommendations and California Division of Safety of Dams (DSOD) standards and requirements (DSEIR p. 3-92.)

Due to the size of the dam and the volume of the impounded water, the Project is subject to DSOD jurisdiction. DSOD standards require that pond slopes and dams be designed to provide slope stability for site-specific geologic conditions, expected operational scenarios and potential seismic loading conditions for the Project area. DSOD standards have been established to provide protection to life and safety.

The general approach for assuring slope stability on the Project is based on geologic mapping and subsurface exploration of the site during preliminary analysis as well as supplemental ongoing investigations analysis to support preliminary design. During Project construction, loose surficial soils and slide debris shall be overexcavated from the pond footprint. Underdrains shall be installed on a localized basis to drain perched groundwater that might be encountered. Based on preliminary engineering analysis, it was determined that a geomembrane liner would be preferred rather than a compacted clay liner covered with riprap erosion protection and shall be installed during Project construction.

Preliminary geotechnical engineering analysis indicates that the following slopes will be required to assure stability and shall be included in final design plans:

- Pond slopes – 3 horizontal to 1 vertical (3H:1V)
- Dam slopes – 3H:1V upstream and 2.5H:1V downstream
- Access Road cut/fill slopes – 2H:1V minimum, plus benching or further flattening in select areas or to facilitate maintenance

Final design of dam embankment and pond slopes shall be based on design-level site investigations subject to detailed review and approval of DSOD. In addition, DSOD oversight of construction is required to assure that the construction complies with the approved designs.

Findings
Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

The mitigation measures identified above reflect completed preliminary soils and geotechnical analysis and incorporate related recommendations, such as a geomembrane pond liner, and pond, dam and access road slopes, into the project design to provide soil and slope stability and minimize the potential for landslides. The mitigation measures also reflect ongoing technical investigations as well as regulatory oversight from DSOD during dam planning, design and construction. Implementation of the design and oversight process included in the mitigation measures insures that any Project potential for soils instability and landsliding is reduced to less than significant.

Traffic

Impact 3.6-1: The number of vehicle trips in the Project area would temporarily increase as a result of construction vehicles (DSEIR p. 3-98.)

The Draft SEIR estimates daily vehicle trips associated with construction; assuming the worst-case scenario that all 110 daily vehicle-trips occurred on a single road to reach the Project site, the increase in vehicle trips on any particular road could affect traffic flow on Trenton-Healdsburg and Eastside Road. The movement of construction trucks would also result in short-term and intermittent reduction of roadway capacities due to slower movements and larger turning radii of the construction vehicles compared to passenger vehicles. To minimize impacts on area roadways, Mitigation Measure 3.6-1 will be implemented.

Mitigation

The following mitigation measure is hereby adopted and will be implemented as set forth in the MMRP. This measure will mitigate the above impact to a less than significant level.

Mitigation Measure 3.6-1. Prepare and implement a construction Traffic Control Plan. (DSEIR p. 3-99.) A detailed Traffic Control Plan shall be prepared by a licensed traffic engineer for project-affected roadways. The Traffic Control Plan shall comply with applicable Sonoma County and Town of Windsor requirements, and would include, but not be limited to, the following elements:

- A haul route shall be designated from U.S. 101 along River Road to the construction site.
- To the extent possible, the contractor(s) shall schedule truck trips outside of the peak commute hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.
- As needed, noticing and signage requirements shall be provided for road closures and detours.
- Pipeline installation in Trenton-Healdsburg Road shall be done at a separate time than Eastside Road to help maintain access.
- One lane of Trenton-Healdsburg Road shall remain open during installation of pipeline in that roadway.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

Preparation of a Traffic Control Plan for construction activities, including establishment of a range of appropriate traffic control measures, such as non-commute construction hours where possible, designated haul routes, and staggered construction timing for project area roadways provides a mechanism for Project trips to minimize competition with local traffic for roadway space during the construction period. To the extent the mitigations establish haul routes, provide notification and signage for road closure and detours, they provide local drivers with a measure of predictability, allowing them the opportunity to plan their trips to avoid the affected construction areas where possible. Collected into a detailed Traffic Control Plan, these and other Plan measures tailored to the Project's construction and local traffic characteristics ensure that potential impacts will be reduced to a less than significant level.

Impact 3.6-2: The number of vehicle trips in the Project area would temporarily increase as a result of Eastside Road closure during pipeline installation (DSEIR p. 3-99.)

As part of the Project, Eastside Road is likely to be closed to through traffic between the Project site and Trenton-Healdsburg Road for approximately 2 months during pipeline installation. During that period, the approximately 1,960 vehicles per day on Eastside Road north of Trenton-Healdsburg Road would be routed onto a detour. This could result in a substantial increase in traffic on Mark West Station Road, Windsor River Road, and Windsor Road; however, impacts would be temporary. With implementation of Mitigation Measure 3.6-2 below, impacts would be reduced to a less than significant level. Access to residences on Eastside Road north of the Project site would not be affected by the closure.

Mitigation

The following mitigation measure is hereby adopted and will be implemented as set forth in the MMRP. This measure will mitigate the above impact to a less than significant level.

Mitigation Measure 3.6-2. Provide public noticing and signing of the Eastside Road detour (DSEIR p. 3-100.) To minimize the effects of traffic increases from the detour onto Mark West Station Road, Windsor River Road, and Windsor Road, the community along the detour shall be notified at least two months in advance of the closure. General noticing shall be placed in local newspapers ahead of the closure and periodically during construction to allow drivers to incorporate the detour into their plans. The Project website shall also be updated to include current detour information. Postings regarding the detour shall be placed on the Town's and Project's respective websites. The detour itself shall be clearly signed from the intersection of Eastside Road and Windsor River Road through the length of the detour to the intersection of Eastside Road and Trenton-Healdsburg Road.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

Public noticing of the Eastside Road detour, employing a wide range of techniques and including noticing in local newspapers, updating the Project website, and signage on affected roadways will allow area drivers to plan their travel in advance. Drivers could adjust their plans, e.g., by allowing for more travel time, or taking alternate routes. Through

implementation of the mitigation measure, the potential impact is reduced to a less than significant level.

Impact 3.6-3: During Project construction, there is the potential for a temporary increase in hazards due to the presence of heavy construction vehicles and equipment on Eastside Road (DSEIR p. 3-100.)

Heavy construction vehicles using Eastside Road and turning in and out of the Project site could present a hazard due to the existing conditions of Eastside Road and typical travel speeds that occur on Eastside Road. With implementation of Mitigation Measures 3.6-1 (Traffic Control Plan, described above) and 3.6-3, impacts would be less than significant.

Mitigation

The following mitigation measures are hereby adopted and will be implemented as set forth in the MMRP. These measures will mitigate the above impact to a less than significant level.

Mitigation Measure 3.6-1: As described above.

Mitigation Measure 3.6-3: Post caution signs or other noticing along Eastside Road to alert drivers to the construction activity (DSEIR p. 3-100.) As part of the implementation of the Traffic Control Plan, the contractor shall post caution signs or other noticing along Eastside Road to alert drivers to the construction activity. If appropriate, post a temporary lower speed limit on Eastside Road in the vicinity of the Project site.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

Implementation of the required public noticing of the Eastside Road detour, including signage on affected roadways and temporary posting of a lower speed limit, if necessary, will alert area drivers to the potential presence of heavy construction vehicles and equipment. This measure, combined with Mitigation Measure 3.6-1, will ensure that the required notice is included in the Project Traffic Control Plan and will reduce potential impacts to a less than significant level.

Impact 3.6-4: The Project may result in inadequate emergency access (DSEIR p. 3-100.)

The temporary closure of Eastside Road, if required, during pipeline installation could lead to a delay in emergency access through use of the detour. With implementation of Mitigation Measure 3.6-1 described above and Mitigation Measure 3.6-4 below, impacts would be less than significant.

Mitigation

The following mitigation measures are hereby adopted and will be implemented as set forth in the MMRP. These measures will mitigate the above impact to a less than significant level.

Mitigation Measure 3.6-1: As described above.

Mitigation Measure 3.6-4. Coordinate Eastside Road closure with emergency service providers (DSEIR p. 3-100.) Emergency service providers in the Town and County shall be consulted at least two months prior to the start of construction activities. Emergency

service providers shall be informed of the Eastside Road detour. During the construction phase of the Project, construction activities would be halted and emergency vehicles would be given right-of-way, if needed and sufficiently safe. These measures to maintain adequate emergency access shall be included in the Traffic Control Plan required by Mitigation Measure 3.6-1.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

The required coordination of the Eastside Road closure with emergency service providers provides a mechanism for emergency access to continue even during road closure. This measure, combined with inclusion in the Traffic Control Plan per Mitigation Measure 3.6-1, would reduce potential impacts to a less than significant level.

Paleontology

Impact 3.8-1: The Project could cause an adverse change in the significance of a paleontological resource as defined in Public Resources Code Section 15064.5 of the CEQA Guidelines (DSEIR p. 3-124.)

The marine Wilson Grove Formation is the primary unit underlying the Project site and is considered to possess high paleontological sensitivity. Fossils, including clay-filled shell casts within siltstone and sandstone, local well-cemented shell beds, and shells dispersed through a sandstone matrix, have been observed onsite during geotechnical analysis. Buried paleontological deposits are likely to be discovered during Project construction. Any single marine invertebrate (a shell or shell fragment) encountered would possess minimal scientific significance. However, new fossil assemblages could increase understanding of the geological and environmental history of this portion of California, and could have potentially substantive scientific significance should they be collected from a carefully measured stratigraphic section. The scientific significance of paleontological deposits would be determined at the time of discovery; if they were determined to be scientifically significant, Mitigation Measure 3.8-1 would be implemented so as to avoid a substantial adverse change in the significance of paleontological resources.

Mitigation

The following mitigation measures are hereby adopted and will be implemented as set forth in the MMRP. These measures will mitigate the above impact to a less than significant level.

Mitigation Measure 3.8-1: Prepare and Implement a Paleontological Resources Monitoring and Mitigation Program (PRMMP) (DSEIR p. 3-125.)

A qualified paleontologist shall be retained as Project paleontologist to design the PRMMP prior to any ground disturbance and implement the PRMMP during Project-related earth-moving activities. The PRMMP shall be reviewed and approved by the Town prior to implementation, and will include, at a minimum:

- Preconstruction coordination and planning requirements
- The construction monitoring plan including coordination requirements for monitoring

- Fossil discovery procedures for construction personnel
- Plans for salvage, sampling and data recovery
- Minimum requirements for museum storage including specimen preparation, data requirements, and curation costs
- Reporting requirements, to include monthly monitoring reports as well as a final report

Prior to any ground-disturbing activities, a qualified paleontologist shall review excavation plans to determine where sensitive stratigraphic units will be disturbed by earth-moving activities, and during what phases of construction this will occur. Earth moving construction activities shall be monitored where they will disturb previously undisturbed sediment of the Tertiary Wilson Grove Formation, or paleontologically sensitive Quaternary sediment. Monitoring will not be conducted in areas where the ground will not be disturbed, and when only sediment or fill of low or no paleontological sensitivity will be disturbed. Those operations that are expected to have no impacts to paleontological resources, such as clearing and grubbing, will be identified as requiring no monitoring.

Prior to working on the site for the first time, all personnel involved in earth-moving activities shall be provided with Paleontological Resources Awareness Training. They shall be informed that fossils may be encountered and be provided with information on the appearance of fossils, the role of paleontological monitors, and proper notification procedures.

Because the Project will be affecting a known fossil resource (the Tertiary Wilson Grove Formation), paleontological sampling shall be conducted during excavations. The sampling shall be coordinated in such a fashion as to avoid interference with construction-related activities. Per standard paleontological techniques (SVP, 1995; 1996), it shall involve bulk sampling of at least 200 lbs and as much as 6,000 lbs of sediment for screen washing and sorting of fossil materials. A construction contractor's front-end loader is usually used to transport a single large scoop of material to a temporary stockpile area, where the sediment is screen-washed for fossils by a paleontological technician or monitor.

Design of the sampling program shall maximize the probability that the specimens collected will come from different strata affected by the Project, and that sample sizes be sufficient to provide a data source to address important geological and paleontological questions that remain outstanding. Along with bulk sampling for mitigation purposes, "discovery" procedures for construction equipment encounters with paleontological specimens, and procedures for the collection of other scientifically important materials such as volcanic ash or paleobotanical materials, shall be described in the PRMMP.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

The identified measures provide for systematic assessment, avoidance, and recordation of known and unknown paleontological resources. Development of a Paleontological Resources Monitoring and Mitigation Program will promote avoidance and/or proper recordation of known paleontological resources, provide for suspension of construction

activities and assessment of resources in the event of resource discovery during construction, and require worker education prior to construction. Implementation of these measures would reduce potential impacts to paleontological resources to a less than significant level.

Noise

Impact 3.9-1: Construction of the Project facilities would result in temporary and localized noise impacts (DSEIR p. 3-128; FSEIR p. 3-5.)

Construction would involve ground clearing activities, grading and excavation, material delivery and hauling, and other construction activities. Different types of construction equipment would predominate during different phases of construction. Equipment used during construction would be typical of land clearing and earthwork type activity: backhoe, wood chipper/grinder, compactor, crane, dozer, dump truck, generator, water truck, and others. Noise levels at 100 feet for most equipment without controls beyond those normally used would range from 73 to 80 dBA; only trucks, at 85 dBA, are listed in Master Plan Draft EIR with noise levels greater than 80 dBA. Noise levels at 100 feet with controls (e.g., improved mufflers; equipment redesign; use of silencers, shields, shrouds, ducts, and/or engine enclosures) could typically be 5 to 10 dBA lower. No blasting or impact activities such as pile driving or aggregate crushing will be performed during construction.

Construction noise would be exempt under the Town of Windsor noise ordinance. Because the properties surrounding the Project site are located within the County jurisdiction, the County's noise standard of 60 dBA (CNEL) was used to evaluate impacts. Without use of additional controls, maximum construction noise at the nearest residence would be approximately 69 to 76 dBA. These noise levels would occur only when construction was occurring near the property line at the closest point to the noise sensitive property. With use of additional controls, construction noise at the nearest residence would be 5 to 10 dBA less. Staging areas, which will generate noise throughout construction, are located well away from any residences. In addition, due to the temporary nature of construction, normal construction hours between hours of 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 7 p.m. on Saturday, and implementation of noise controls (see Mitigation Measure 3.9-1a), noise impacts would be less than significant. Mitigation Measure 3.9-1b is also included to minimize impacts from extended work hours, which may be required occasionally. Mitigation Measures 3.9-1a and 3.9-1b replace Master Plan EIR Mitigation Measure 4.9.1a in accordance with the updated impact analysis.

Mitigation

The following mitigation measures are hereby adopted and will be implemented as set forth in the MMRP. These measures will mitigate the above impact to a less than significant level.

Mitigation Measure 3.9-1a: Prepare and implement a Noise Control Plan during construction (DSEIR p. 3-129.)

To reduce daytime noise impacts due to construction, the Town shall require that the construction contractor prepare a Noise Control Plan that describes how he or she will implement measures to muffle or otherwise control noise from construction equipment through implementation of best management practices such as the following:

- Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers; equipment redesign; use of intake silencers, ducts, engine enclosures and/or acoustically-attenuating shields or shrouds) wherever feasible and necessary.
- Stationary construction noise sources shall be located as far from sensitive receptors as possible. If they must be located near sensitive receptors, they shall be muffled to the extent feasible and enclosed within temporary sheds.
- Construction noise exposure shall be limited to the degree feasible at the nearest residences.

Mitigation Measure 3.9-1b: Notify nearby property owners if extended work hours are required (DSEIR p. 3-129.)

The Town will provide notice to nearby property owners as soon as it is determined that extended work hours are required. To the degree feasible, notice will be provided at least 24 hours in advance.

Findings

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the SEIR.

Rationale

Implementation of the identified mitigation measures would establish construction limitations and noise control measures to reduce noise generation during construction and to keep noise sources as far away from sensitive receptors as possible, thereby allowing distance to provide noise attenuation. In the event that extended work hours are required, nearby property owners would be notified in advance. These measures would reduce potential impacts to a less than significant level.

EXHIBIT B

Alternatives Findings

Introduction

The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project..." (CEQA Guidelines Section 15126.6(a)). If a project alternative will substantially lessen the significant environmental effects of a proposed project, the decisionmaker should not approve the proposed project unless it determines that specific economic, legal, social, technological, or other considerations,... make the project alternative infeasible" (CEQA Section 21002, CEQA Guidelines Section 15091(a)(3)). The Supplemental EIR (SEIR) for the Town of Windsor Eastside Road Storage Project (the Project) evaluated alternative approaches to accomplishing the objectives of the Project. The findings with respect to the alternatives identified in the SEIR are set forth below.

Project Objectives

CEQA requires the SEIR to describe a reasonable range of feasible alternatives to a project that could feasibly attain most of the basic project objectives and would avoid or substantially lessen significant environmental impacts of the project. To meet wastewater treatment, storage and recycled water needs to serve the Town through its projected build-out, the Town needs to implement multiple components of the approved *Water Reclamation Master Plan for Treatment, Storage, and Diversion* (Master Plan) to achieve the needed effective recycled water storage. These components may include the Geysers Recharge Project, additional recycled water storage, and increased use of recycled water for irrigation.

As a key component of the Master Plan, the Project has several objectives that were considered in selecting a range of alternatives to evaluate:

- Continue implementation of the Master Plan to address the buildout recycled water flows of 3.0 million gallons per day (mgd).
- Provide a minimum of 125 million gallons (MG) of additional recycled water storage capacity by water year 2012 (October 2011-September 2012).
- Provide the maximum pond storage capacity consistent with the Master Plan, in a cost-effective manner and in compliance with applicable regulations.

Alternatives Evaluated in the SEIR

The purpose of the alternatives analysis in the SEIR is to evaluate alternatives to the proposed Eastside Road Storage Project within the context of the approved Master Plan and the Master Plan EIR. Specifically, the approved "Alternative 4X" identified a suite of projects to reach the stated Master Plan objectives, including the Geysers Recharge Project, expansion of the Windsor Water Reclamation Plant, additional storage, additional irrigation, and additional irrigation infrastructure. It is important to note that these approved activities (such as the Geysers Recharge Project) will be pursued by the Town *in addition to* the proposed Project to meet Town water storage objectives; they are not alternatives to the proposed Project.

Alternatives to the Project that were analyzed in the SEIR include the following, as further addressed below.

- No Project Alternative
- Smaller Footprint Alternative
- Pond S Alternative

No Project Alternative (DSEIR p. 5-2, -3, -4, -5; FSEIR p. 3-5.)

The purpose of describing and analyzing a No Project Alternative is to allow decision-makers the opportunity to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The No Project Alternative represents ongoing activities and operations as outlined in the State CEQA Guidelines, Section 15126, as "a condition that would be reasonably expected to occur if the project were not approved," based on current plans and consistent with available infrastructure and community services.

In the case of this Project, the No Project Alternative is the case where the proposed Project, as defined and located, would not occur. The Master Plan would be carried out as approved by the Town Council in 2001, but without the additional storage provided by the proposed Project. The objectives of the Project would not be met by the No Project Alternative. The Town would be unable to provide a minimum of 125 MG of additional recycled water storage capacity by water year 2012 and would not provide any of the additional storage capacity included in the Master Plan.

Environmental Impacts

The No Project Alternative could result in environmental impacts greater than for the proposed Project in some resource areas:

- Water Quality. The Town would be unable to make up its current and future water storage deficit and the result could be periodic (depending upon annual weather variations) discharge of treated wastewater into Mark West Creek in violation of the Town's NPDES discharge permit.
- Biological Resources. Degradation of water quality in Mark West Creek could be greater for the No Project Alternative than for the proposed Project because it would not always

be possible to comply with treated wastewater discharge limitations into Mark West Creek, as mentioned above, and this could affect sensitive aquatic resources in the creek.

- Land Use. The inability of the Town to meet discharge permit requirements would likely affect overall buildout of the *Town' of Windsor General Plan – 2015* and have a substantial adverse effect on planned land use. Projected development could become sharply limited as the Town would need to consider limitations, up to and potentially including a moratorium, on sewer connections.

- Utilities. Significant impacts to utilities would be expected to occur with a No Project Alternative due to the water storage deficit. The existing wastewater system would be faced with meeting the discharge permit requirements without sufficient water storage facilities to meet all anticipated weather conditions. Alternative storage and disposal facilities would be required.

Assuming no development were to occur on the 168-acre parcel, impacts to, including loss of, mixed oak woodland, other biological resources, hydrology, groundwater, visual resources, geology, soils, seismicity, noise, and traffic associated with the proposed Project would not occur with the No Project Alternative. However, if the Town did not use the parcel for utility purposes, it would be required to sell it. The future use of the parcel under other ownership (private or public) would be unknown.

Findings

The No Project alternative would avoid the Project's significant loss of mixed oak woodland and native trees, and ordinance-protected trees but would not feasibly meet any of the basic objectives of the project, for the following reasons:

- The No Project Alternative would not implement the essential water storage component of the Master Plan or increase effluent storage capacity towards the total capacity anticipated by the Master Plan.

- The No Project Alternative would not supply 125 MG of additional water storage capacity by 2012.

- By limiting recycled water storage capacity, the No Project Alternative would also limit reuse opportunities, contrary to the Master Plan.

- The Town would continue to operate its effluent reuse and disposal system with its limited storage capacity that relies on current mutual agreements with neighboring recycled water systems at the Airport and Santa Rosa for storage and irrigation assistance. This limited storage capacity and variations in annual weather patterns, along with incremental wastewater flows (if they were to occur) would directly reduce the reliability of the Town's system to comply with discharge limitations to Mark West Creek.

- The No Project Alternative would not provide adequate storage capacity to support development under the General Plan - 2015. This could limit development planned for in the General Plan, and if planned land uses were not developed in the Town due to inadequate wastewater disposal, there could be pressure for potentially increased development within the county unincorporated area, with subsequent

increases in the use of septic systems. This approach to wastewater management would not likely be permitted by the North Coast Regional Water Quality Control Board.

For the above reasons and as further documented in the record, the No Project Alternative is not a feasible alternative and is hereby rejected.

Smaller Footprint Alternative (DSEIR pp. 5-3, -4, -5.)

The Smaller Footprint Alternative would include construction of a smaller pond on the proposed Project site. Therefore, a smaller pond alternative of 140 MG of storage (compared to 215 MG for the proposed Project) was evaluated during the preliminary engineering phase of the Eastside Road Storage Project. This alternative would meet most of the Project objectives, although it would provide less storage than the Project towards meeting the goal of providing the maximum pond storage capacity consistent with the Master Plan, in a cost-effective manner and in compliance with applicable regulations.

Environmental Impacts

The Smaller Footprint Alternative would reduce the amount of mixed oak woodland and ordinance-protected trees that would require removal compared to the proposed Project by decreasing the total area of construction impact. However, approximately 20 acres of mixed oak woodland and ordinance-protected trees would still be permanently lost; this is a significant impact. Impacts to some resources could be greater than for the proposed Project:

- Water Quality. In the long term, the Town may not be able to make up future water storage deficit due to the small size of this alternative, and the result could be the discharge of treated wastewater into Mark West Creek in violation of the Town's discharge permit. While this impact would be less than for the No Project Alternative, it is greater than the impact to water quality under the proposed Project.

- Land Use. The inability of the Town to meet discharge permit requirements could affect buildout of the *Town of Windsor General Plan – 2015* and have an adverse effect on planned land use. Projected development could be limited as the Town might need to consider a moratorium on sewer connections in order to provide adequate wastewater services to residential, commercial, and industrial activities.

- Utilities. In the longer term, significant utilities impacts could be expected with a Smaller Footprint Alternative due to the water storage deficit. The existing wastewater system would be faced with meeting the discharge permit requirements without sufficient water storage facilities. Alternative storage and disposal facilities may be required.

Impacts to traffic, noise, air quality, hydrology, groundwater, visual resources, geology, soils, and seismicity for the Smaller Footprint Alternative would be somewhat reduced but generally similar to those for the proposed Project. Mitigation measures identified for the Project would apply to this Alternative as well.

Findings

The Smaller Footprint Alternative would involve construction of a smaller pond on the proposed Project site, but would not avoid the significant unavoidable biological impacts

identified in the SEIR. The potential loss of mixed oak woodland and ordinance-protected trees would be reduced compared to the Project, but not to a level of less than significance. The Smaller Footprint Alternative would provide less storage than the Project towards meeting the goal of providing the maximum pond storage capacity consistent with the Master Plan, in a cost-effective manner and in compliance with applicable regulations. The Smaller Footprint Alternative could result in greater impacts compared to the Project as it could:

- Result in the discharge of treated wastewater into Mark West Creek in violation of the Town's discharge permit. There could be biological impacts beyond those of the Project due to degradation of water quality in Mark West Creek if discharge exceeded permitted levels.
- Result in inadequate treatment, storage and disposal capacity to support development under the General Plan – 2015.
- Result in significant utilities impacts due to the water storage deficit. Alternative storage and disposal facilities may be required.

For the above reasons and as further documented in the record, the Smaller Footprint Alternative is not a feasible alternative that would avoid or reduce the Project's significant unavoidable biological impacts to less than significance and is hereby rejected.

Pond S Alternative (DSEIR p. 5-4, -5.)

Pond S, with a feasible storage volume of approximately 125 MG, would meet most of the Project objectives, although it would provide less storage than the Project towards meeting the goal of providing the maximum pond storage capacity consistent with the Master Plan, in a cost-effective manner and in compliance with applicable regulations.

Environmental Impacts

Although a smaller acreage of mixed oak woodland (approximately 16 acres) would be removed compared to the Project, the Master Plan EIR found that the loss of mixed oak woodland and trees from construction of Pond S would be a significant and unavoidable impact, even with implementation of mitigation measures.

Construction of a comparable storage pond at the Pond S site was included in preliminary feasibility analysis of the two storage pond sites. Most impacts from Pond S would be similar to impacts from the proposed Project. As with the Project, construction impacts to noise, air quality, and traffic would be significant but mitigable. Construction of Pond S would result in permanent impacts to a smaller quantity of intermittent drainages compared to the Project, but would also result in substantial adverse impacts to seasonal wetlands that would not occur with the proposed Project. Impacts to visual resources from Pond S would be substantially greater than for the Project because the Pond S west dam would be much more visible from Eastside Road; in addition, the Pond S east dam would be visible from Mark West Station Road. The Pond S Alternative would result in water quality, land use, and utilities impacts similar to the Smaller Footprint Alternative.

Findings

The Pond S Alternative would reduce the Project's significant loss of mixed oak woodland and ordinance-protected trees, but not to a less than significant level. This alternative would also result in substantially greater impacts than the Project by disturbing seasonal wetlands, whereas no seasonal wetlands are present on the Project site. Visual impact for this alternative would also be substantially greater than the Project in that the Pond S dam would be much more visible from public roadways, including Eastside Road and Mark West Station Road. Pond S requires two dams, with related increases in earthwork and impact footprint compared to the Project. There could be also be biological impacts beyond those of the Project due to degradation of water quality in Mark West Creek if discharge exceeded permitted levels.

This alternative would minimally comply with the Project objectives of providing at least 125 MG of additional storage to resolve the potential for a water storage deficit by water year 2012. This alternative would not contribute towards meeting the Master Plan total water storage capacity beyond 2012. Further, the Town's preliminary analyses show the proposed Project site is more topographically efficient than Site S and will have significantly lower construction costs per million gallons of storage. For these reasons and with only minimal contribution to short term storage needs, and little if any contribution to long term storage needs per the Master Plan, the Town Council determines that the Pond S Alternative does not avoid or substantially reduce the Project's significant impacts to less than significance and will result in additional impacts beyond the Project impacts. Further, the alternative is not feasible because it does not provide storage capacity in a cost-effective manner compared to the Project. For the reasons stated above and as further documented in the record, the Pond S alternative is not a feasible alternative that would avoid or reduce the Project's significant unavoidable biological impacts to less than significance and is hereby rejected.

Evaluation of Other Project Alternatives

Chapter 5 of the Draft SEIR also identified alternatives to the Project that were initially considered but removed from further consideration because they did not meet the Project objectives or were determined to be infeasible (Draft SEIR, pp. 5-5 to 5-6). These include Alternative Locations, Both Ponds S and T, and an Alternative Liner, as summarized below. Pursuant to CEQA Guidelines 15126.6 (c), the Draft SEIR explains the reasons these alternatives were not further analyzed.

Alternative Locations

As noted in the Draft SEIR, the Master Plan EIR evaluated a number of alternative pond locations, some owned by the Town, some not. The Town forecasted a need for additional recycled water storage by water year 2012 or the potential for violation of the discharge permit would persist. To avoid this risk of regulatory infraction, the adopted Master Plan did not consider project sites not currently under Town ownership. The adopted Master Plan focused on Town-owned pond sites because of the additional acquisition costs and time required for other sites and because other sites would not maximize the use of existing,

available infrastructure to provide an economically efficient program for effluent treatment, storage, and disposal.

Three potential pond locations were included in the approved Master Plan (Ponds S, T [the proposed Project site], and Z). These locations are currently owned by the Town. Pond Z would consist of expansion of an existing pond and would provide the smallest increment of additional storage at 38 MG. The reason this alternative was not further analyzed is that available storage volume at Pond Z is inadequate to meet the Project objectives of 125 MG, and the site was determined to be geotechnically infeasible.

Both Ponds S and T

Pond S was included in the detailed preliminary feasibility analysis. A range of storage capacities for both ponds was considered in this analysis. The feasibility study recommended that the Town proceed with preliminary design and CEQA environmental review for a storage pond at Site T, while preserving the option for an additional future storage pond at Site S. By taking advantage of economies of scale, but avoiding approaching potential site constraints for the largest pond size, pursuit of a medium-size pond at Site T (the proposed Project) that could provide approximately 215 MG of additional recycled water storage would alleviate the current need for simultaneous development of Pond S.

The reason this alternative was not further analyzed is that development of the proposed Project should be sufficient to satisfy the Town's storage needs for approximately 10-20 years while deferring construction of additional storage (and associated environmental impacts) until it is needed.

Alternative Liner

A variety of liner types to restrict pond leakage were evaluated. The proposed Project includes the use of a geomembrane liner that could be covered for added protection or left exposed. Another option considered was a processed clay liner. This clay liner would consist of a native soils mixed onsite with imported bentonite (for strength and impermeability). The clay liner would be covered with a 2-foot thick layer of riprap and bedding to protect it from erosion and desiccation cracking due to sun exposure and weather.

The reason this alternative was not further analyzed is that the clay liner had the poorest performance at the highest cost of the options under consideration, and would require significantly greater import of construction materials.

EXHIBIT C

Statement of Overriding Considerations

Section 15093 of the California Environmental Quality Act (CEQA) Guidelines establishes the following requirements for a Statement of Overriding Considerations:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considerable "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

Pursuant to the CEQA Guidelines Section 15093, the Town Council adopts and makes this Statement of Overriding Considerations regarding the significant unavoidable impacts of the Eastside Road Storage Project (the Project) and the anticipated economic, legal, social, technological, environmental, and other benefits of the Project.

In approving the Project, the Town Council has weighed the benefits of the Project against the adverse impacts identified in the Master Plan EIR and the Supplemental Environmental Impact Report (SEIR) as significant and potentially significant that have not been avoided or substantially lessened through mitigation to a level of less than significant. The Town Council hereby determines that the benefits of the Project outweigh the unmitigated adverse impacts and the Project should be approved. The Town Council finds that to the extent that the identified significant or potentially significant adverse impacts have not been avoided or substantially lessened, there are specific economic, legal, social, technological or other considerations which support approval of the project.

Unavoidable Significant Adverse Impacts

Master Plan Environmental Impact Report

In 2001, the Town approved its *Water Reclamation Master Plan for Treatment, Storage, and Disposal* (Master Plan) and certified the *Water Reclamation Master Plan for Treatment, Storage, and Disposal Final Environmental Impact Report* (Master Plan EIR). The Project, formerly known as Pond T, was included in the alternatives studied in the Master Plan EIR and in the alternative ultimately approved by the Town. The Master Plan EIR states that its evaluation

of environmental impacts is project-specific with regard to Pond T and that no new CEQA documentation would be required if the project and its impacts were to remain the same as those studied in the document.

The Town determined that implementation of the Master Plan would cause significant unavoidable impacts through the removal of protected, native trees and through cumulative long-term impacts to biological resources as disclosed in the Master Plan EIR. The selected Master Plan alternative (Alternative 4X) included the construction of Ponds S and T. [Pond T is part of the Eastside Road Storage Project.] According to the Master Plan EIR, construction of Pond S or Pond T would result in significant unavoidable tree loss impacts (Impact 4.4.1) and significant unavoidable cumulative long-term impacts to biological resources through loss of trees and related woodland habitat in the Windsor area (Impact 5.2). More specifically, construction of Pond S and Pond T would result in the removal of protected native trees, including mature valley oaks, compromising mixed oak riparian and mixed evergreen habitat communities. On a cumulative level, this loss would contribute to the cumulative loss of mixed oak woodland habitat as development occurs and other infrastructure projects are built in the Windsor area.

The Town Council determined that these impacts could not be fully mitigated by changes or alterations to the project and adopted a Statement of Overriding Considerations supporting approval of the Master Plan (see Resolution 1006-01.)

Supplemental Environmental Impact Report

Because of changes in the former Pond T project as described in the Master Plan EIR, as well as new or changed information on environmental conditions, a Supplemental EIR (SEIR) was prepared to update the analysis in the Master Plan EIR. The Town Council has determined that the Eastside Road Storage Project would cause significant unavoidable impacts because of the loss of mixed oak woodland and the removal of protected, native trees as disclosed in the SEIR. These impacts (described below) supplement the corresponding impact from the Master Plan EIR addressing oak woodland habitat and protected trees (Impact 4.4.1). Impact 5.2 from the Master Plan EIR – significant unavoidable long-term impacts to biological resources through loss of trees and related woodland habitat in the Windsor area – remains unchanged by the SEIR.

- Impact 3.2.1. Construction of the proposed project would result in the removal of protected native trees, including mature valley oaks, comprising mixed oak habitat communities. The loss of mixed oak woodland is a significant and unavoidable impact. Implementation of mitigation measures 3.2-1a-d would reduce the significance of the loss of oak trees and mixed oak woodland, but not below the significance threshold. These mitigation measures emphasize avoidance, minimization, and mitigation, in that order. The mitigation measures employ a comprehensive approach that incorporates avoidance, preservation of oak woodland, and replanting of oak and other native trees.

- Impact 3.2.2. Vegetation removal would result in the loss of approximately 2,200 trees protected under the Town of Windsor Zoning Ordinance Chapter 27.36. The loss of trees protected by the Town of Windsor is a significant and unavoidable impact. Implementation of mitigation measures 3.2-1a-d would reduce the significance of the loss of trees protected by the Town Ordinance, but not below the significance threshold.

These mitigation measures, which emphasize preservation, onsite replanting of trees in disturbed areas, and offsite mitigation of mixed oak woodland, provide the maximum feasible mitigation as required under the Town's tree ordinance for the general loss of protected trees and their aesthetic values.

The SEIR identifies mitigation measures that will reduce these impacts. Even with implementation of these mitigation measures, however, these impacts will not be avoided or reduced to less than significant. See additional discussion in Exhibit A: Mitigation Findings.

The No Project Alternative would avoid the significant biological impacts incurred by the proposed project. However, as described in Exhibit B: Alternatives Findings, the Town Council finds the No Project Alternative unable to meet any of the project objectives and is considered infeasible. Neither of the pond alternatives in the SEIR would avoid or reduce the significant biological impacts to less than significant.

Adoption of Overriding Considerations

The Town Council adopts these Overriding Considerations and finds that: a) as part of the approval , the Project has eliminated or substantially lessened all significant effects on the environment where feasible; and b) the remaining significant unavoidable biological impacts of the Project identified in the Master Plan EIR and the SEIR are acceptable in light of the environmental, economic, legal, social, technological, and other considerations set forth herein, because the benefits of the Project outweigh the significant and adverse impacts of the Project, as noted below.

The Town Council finds that each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the Project outweigh its significant adverse environmental impacts and is an overriding consideration warranting approval of the Project. These matters are supported by substantial evidence in the record that includes, but is not limited to, the SEIR, staff reports and analyses, oral and written testimony, and other documents referenced in this Statement of Overriding Considerations and its adopting Resolution.

Benefits of the Eastside Road Storage Project

The Project cannot be implemented in a way that accomplishes the basic project objectives without removal of mixed oak woodland and ordinance-protected trees at the project site. The Town Council finds that the following economic, legal, social, technological or other benefits of the Project outweigh its unavoidable environmental impacts.

1. Continue to provide recycled water storage in an environmentally sound manner in compliance with all applicable federal, state and local regulations.
2. Develop adequate storage facilities to meet projected effluent generation associated with buildout under the adopted General Plan.
3. Avoid a recycled water storage capacity shortfall as documented in the NPDES permit (NPDES No. CA0023345, Order No. R1-2007-0013).

4. Maximize the use of existing or available infrastructure to provide an economically efficient program for recycled water storage, distribution, and reuse. Implement the Master Plan goals to emphasize the reclamation and reuse of treated wastewater
5. Construct the most economically efficient storage pond available to the Town. The topographic efficiency of the Project also results in economic efficiencies from less earthwork, lower construction costs and a smaller impact footprint as compared to other pond alternatives, such as Pond S.
6. Provide the Town with the ability to implement storage ponds on lands that are under Town ownership.
7. Use a topographically efficient site for storage pond construction, thereby reducing environmental impacts.
8. Preserve water quality in Mark West Creek by enabling the Town to adhere to its existing discharge permit.
9. Reduce demand on regional potable water supplies by providing additional recycled water for irrigation.
10. Provide a site and pond capacity that is located near many of the Town's irrigation customers, the recycled water pipeline, and the Town's existing discharge facilities at Mark West Creek.
11. Provide job opportunities for local workers during construction of the Project.

Conclusion

The Town Council has considered the public record of proceedings on the Project, and has weighed the above benefits of the Project against the unavoidable and adverse biological impacts identified in the Master Plan EIR and SEIR. The Town Council hereby determines that these benefits outweigh the environmental impacts, and further determines that these environmental impacts are acceptable.

EXHIBIT D

Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Supplemental Environmental Impact Report (SEIR) for the Eastside Road Storage Project (ERSP, or Project). All SEIR sections and impacts that have mitigation measures are listed below, along with specific implementation procedures to ensure compliance. The MMRP describes monitoring actions, monitoring responsibilities, and monitoring schedules for each of the implementation procedures.

ERSP SEIR - BIOLOGICAL RESOURCES

ERSP Impact 3.2-1: Project construction would result in loss of mixed oak woodland and of oak and other native trees protected by CDFG; and **ERSP Impact 3.2-2:** Project construction would result in the loss of trees protected by the Town of Windsor Zoning Ordinance.

ERSP Mitigation Measure 3.2-1a: Avoid impacts to trees to the degree feasible.

To the extent feasible, the Town shall avoid removal or damage to protected trees regulated under the Town of Windsor Zoning Ordinance Chapter 27.36. Placement of the pipeline trench for construction of the pipeline shall be outside the dripline and away from tree roots to the degree feasible to reduce or avoid damage to protected trees.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Avoid removal or damage to protected trees when establishing horizontal and vertical locations of facilities to the extent feasible.	1. Review and approve plans and specs	1. Town Public Works	1. During development of plans and specs	
2. Place the pipeline trench outside the dripline and away from tree roots to the degree feasible.	2. Review and approve plans and specs	2. Town Public Works	2. During development of plans and specs	

ERSP Mitigation Measure 3.2-1b: Implement a Tree Protection and Preservation Plan, as described in Zoning Ordinance 27.36 and the Town's Tree Technical Manual, to protect remaining trees.

A Tree Protection and Preservation Plan shall be prepared by an arborist, horticulturist, or registered landscape architect and implemented as a condition of Project approval. The Tree Protection and Preservation Plan shall include, but not be limited to, the following, based on the Town of Windsor Tree Technical Manual:

- An arborist shall walk the pipeline route with Project engineers to identify any significant trees that will need to be removed or damaged and identify potential ways in which impacts may be avoided or minimized through construction techniques or site plan changes.
- The site plan shall accurately show the locations of areas of trees to be removed and areas of trees to be avoided (Tree Protection Zones [TPZs]).
- Construction staging areas shall be designated on plans.

- Chain-link fencing shall be installed around TPZs during construction; fencing shall be outside the dripline and away from tree roots in order to reduce or avoid damage to protected trees not designated for removal.
- A pre-construction meeting shall be held with contractors, construction superintendent, and other appropriate personnel to review the plan and require bonding and fines to ensure the replacement of any inadvertently damaged trees.
- Parking, loading, grading and materials storage during construction shall be prohibited within the dripline of trees not designated for removal.
- No attachments or wires shall be attached to a protected tree not designated for removal, other than those of a protective or non-damaging nature.
- For trees that are to be designated to not be removed and are in immediate proximity to a graded slope of 8 percent, Town-approved erosion control or silt barriers shall be installed outside the TPZ to prevent siltation and/or erosion within the TPZ.
- When trees protected by the Town's ordinance are to be removed adjacent to trees to be avoided, removal of trees that extend into the branches or roots of protected trees shall not be attempted by demolition or construction personnel, but by a certified arborist or tree worker.
- Stumps to be removed that may have roots entangled with trees to be preserved shall have their roots severed prior to extraction.
- Measures to reduce stress from dust accumulation and soil compaction shall be included in the Tree Protection and Preservation Plan and shall be implemented.
- A qualified arborist shall be present to monitor vegetation removal activities, to monitor potential root cutting during excavation adjacent to TPZs, and at other times as determined necessary.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Prepare and implement a Tree Protection and Preservation Plan. The Tree Protection and Preservation Plan shall include, but not be limited to, the following Implementation Procedures 2-13.	1a. Review and approve plans and specs	1a. Town Public Works	1a. During development of plans and specs	
	1b. Approve Plan	1b. Town Public Works	1b. Prior to construction	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
2. An arborist shall walk the pipeline route with Project engineers to identify any significant trees that will need to be removed or damaged and identify potential ways in which impacts may be avoided or minimized through construction techniques or site plan changes.	2a. Review and approve plans and specs	2a. Town Public Works	2a. During development of plans and specs	
	2b. Onsite inspection	2b. Town Public Works	2b. Prior to construction	
3. The site plan shall accurately show the locations of areas of trees to be removed and areas of trees to be avoided (Tree Protection Zones).	3. Review and approve plans and specs	3. Town Public Works	3. During development of plans and specs	
4. Construction staging areas shall be designated on plans.	4. Review and approve plans and specs	4. Town Public Works	4. During development of plans and specs	
5. Chain-link fencing shall be installed around Tree Protection Zones during construction; fencing shall be outside the dripline and away from tree roots in order to reduce or avoid damage to protected trees not designated for removal.	5a. Review and approve plans and specs	5a. Town Public Works	5a. During development of plans and specs	
	5b. Onsite inspection	5b. Town Public Works	5b. Prior to and during construction	
6. A pre-construction meeting shall be held with contractors, construction superintendent, and other appropriate personnel to review the plan and require bonding and fines to ensure the replacement of any inadvertently damaged trees.	6a. Review and approve plans and specs	6a. Town Public Works	6a. During development of plans and specs	
	6b. Pre-construction meeting	6b. Town Public Works	6b. Prior to construction	
7. Parking, loading, grading and materials storage during construction shall be prohibited within the dripline of trees not designated for removal.	7a. Review and approve plans and specs	7a. Town Public Works	7a. During development of plans and specs	
	7b. Onsite inspections	7b. Town Public Works	7b. During construction	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
8. No attachments or wires shall be attached to a protected tree not designated for removal, other than those of a protective or non-damaging nature.	8a. Review and approve plans and specs	8a. Town Public Works	8a. During development of plans and specs	
	8b. Onsite inspections	8b. Town Public Works	8b. During construction	
9 For trees that are to be designated to not be removed and are in immediate proximity to a graded slope of 8 percent, Town-approved erosion control or silt barriers shall be installed outside the Tree Protection Zone to prevent siltation and/or erosion within the Zone.	9a. Review and approve plans and specs	9a. Town Public Works	9a. During development of plans and specs	
	9b. Onsite inspections	9b. Town Public Works	9b. During construction	
10. When trees protected by the Town's ordinance are to be removed adjacent to trees to be avoided, removal of trees that extend into the branches or roots of protected trees shall not be attempted by demolition or construction personnel, but by a certified arborist or tree worker.	10a. Review and approve plans and specs	10a. Town Public Works	10a. During development of plans and specs	
	10b. Onsite inspections	10b. Town Public Works	10b. During construction	
11. Stumps to be removed that may have roots entangled with trees to be preserved shall have their roots severed prior to extraction.	11a. Review and approve plans and specs	11a. Town Public Works	11a. During development of plans and specs	
	11b. Onsite inspections	11b. Town Public Works	11b. During construction	
12. Measures to reduce stress from dust accumulation and soil compaction shall be included in the Tree Protection and Preservation Plan and shall be implemented.	12a. Review and approve plans and specs	12a. Town Public Works	12a. During development of plans and specs	
	12b. Onsite inspections	12b. Town Public Works	12b. During construction	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
13. A qualified arborist shall be present to monitor vegetation removal activities, to monitor potential root cutting during excavation adjacent to Tree Protection Zones, and at other times as determined necessary by the Town.	13a. Review and approve plans and specs	13a. Town Public Works	13a. During development of plans and specs	
	13b. Onsite inspections	13b. Town Public Works	13b. During construction	

ERSP Mitigation Measure 3.2-1c: Replant disturbed areas with trees to the degree feasible.

A replanting plan to replace native trees removed due to grading shall be developed by a qualified biologist and submitted to the appropriate regulatory agencies for review and comment prior to issuance of permits from the agencies. Replanting activities shall be implemented immediately after construction activities have been completed. The replanting plan shall be coordinated with the Stormwater Pollution Prevention Plan.

Construction areas where native tree removal occurred, other than those occupied by permanent facilities, shall be replanted as feasible with acorns or seedlings generally of the same species as the removed trees, except in the case of non-native species. Species type and percentages shall be specified in the replanting plan. Source material for tree replacement shall be obtained from a native plant nursery or from source material on-site. Specific replanting areas and specifications shall be developed by a qualified arborist and/or restoration biologist. The planting plan will include the species, source of plant material, type of plant material, the number of trees to be planted, site map, irrigation plans, and success criteria. Trees shall be spaced as deemed appropriate for each species.

A multi-year maintenance and monitoring program shall be implemented; the specific time period shall be determined in coordination with the resource agencies and stipulated in the replanting plan. The replanted areas shall be monitored at least annually using standard ecological methods to document tree survival rates and growth characteristics. Monitoring shall be conducted by a qualified biologist or arborist. Performance standards for tree replacement and other revegetation may include, as appropriate: (1) targeted survival rate of trees; (2) no excessive rills, gullies or other erosion features; and (3) irrigation, as necessary, either by water truck or irrigation system for a maximum of two years. Maintenance requirements during this period shall include irrigation during dry seasons; repair of tree cages/shelters; and replacement of dead trees as appropriate.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. A Replanting Plan shall be prepared by a qualified arborist and/or restoration biologist who will determine success criteria. The Replanting Plan shall include, but not be limited to, the following Implementation Procedures 2-7.	1. Review and approve plans and specs	1. Town Public Works	1. During development of plans and specs	
2. Specify tree types, numbers, and percentages in Replanting Plan.	2. Review and approve plans and specs	2. Town Public Works	2. During development of plans and specs	
3. Specify where the replanting will occur, using a site map.	3. Review and approve plans and specs	3. Town Public Works.	3. During development of plans and specs	
4. Use acorns or seedlings generally of the same species as the removed trees.	4. Review and approve plans and specs	4. Town Public Works	4. After construction	
5. Use a native plant nursery or source material from the site.	5. Review and approve plans and specs	5. Town Public Works	5. After construction	
6. Include irrigation plans in the Replanting Plan.	6. Review and approve plans and specs	6. Town Public Works	6. During development of plans and specs	
7. Include a maintenance and monitoring program as part of the Replanting Plan,	7. Review and approve plans and specs	7. Town Public Works	7. During development of plans and specs	
8. Consult with resource agencies to determine duration of maintenance and monitoring program,	8. Sign-off on consultation with resource agencies	8. Town Public Works	8. During development of plans and specs	
9. Coordinate the Replanting Plan with the SWPPP.	9. Review and approve plans and specs	9. Town Public Works	9. During development of plans and specs	
10. Submit the Replanting Plan for approval,	10. Approval of Replanting Plan by regulatory agencies	10. Town Public Works and regulatory agencies	10. Prior to issuance of permits	
11. Implement the Replanting Plan.	11. Onsite inspection	11. Town Public Works	11. After construction	
12. Implement maintenance activities as appropriate,	12. Onsite inspection	12. Town Public Works	12. After construction	
13. Monitor compliance with success criteria using standard ecological methods.	13. Onsite inspection	13. Town Public Works	13. After construction	

ERSP Mitigation Measure 3.2-1d: Preserve mixed oak woodland on the Town's Project parcel.

To help offset the loss of mixed oak woodland, the Town of Windsor shall permanently preserve a portion of its parcel north of the Project site. Preservation of mixed oak woodlands will require a conservation easement or other tool for ensuring that preservation is in-perpetuity. The Habitat Equivalency Analysis prepared specifically for the Project's mixed oak woodlands indicated that mitigation should occur at mitigation ratio of approximately 2.92-to-1 to offset the services lost, resulting in a preservation area of approximately 82 acres. Most or all of the 82-acre preservation goal can be achieved through preservation of mixed oak woodland on other portions of the Town's 168-acre parcel. Any portion of the 82-acre preservation goal that cannot be accommodated on the Town's parcel will be addressed through preservation of suitable off-site mixed oak woodland habitat through acquisition, conservation easement, and/or other tools such as contribution to an oak preservation fund or restoration of oak woodlands.

The Town of Windsor shall prepare an Oak Woodland Mitigation and Monitoring Plan in coordination with CDFG that will include the requirements for preservation, enhancement, and long-term management of the preserve, and will include other mitigation strategies for long-term preservation as required by CDFG.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Acquire a conservation easement (or equivalent) to permanently preserve 82 acres of mixed oak woodland on Town parcel.	1. Sign-off on conservation easement or equivalent	1. Town Public Works	1. Prior to project completion	
2. Determine if offsite mitigation is necessary.	2. Approval of determination	2. Town Public Works	2. Prior to project completion	
3. Prepare an Oak Woodland Mitigation and Monitoring Plan in coordination with CDFG.	3. Town/CDFG review and approval	3. Town Public Works	3. Prior to project completion	

ERSP Impact 3.2-3: Project construction would result in temporary impacts to intermittent drainages under the jurisdiction of the USACE, RWQCB, and CDFG.

ERSP Mitigation Measure 3.2-3a. Minimize impacts to drainages that cannot be avoided.

To the extent practicable, the Town shall implement the following measures to minimize temporary impacts to drainages that cannot be avoided.

- Work in or near active waterways shall occur during the low-flow period (April 15 to October 15), unless otherwise approved by USACE, RWQCB, and CDFG as applicable.

- A sediment filter shall be installed below the construction zone and cleaned on a regular basis to preserve integrity.
- Refueling of heavy equipment and vehicles shall only occur within designated bermed area where potential spills can be readily contained.
- Equipment operating in or near drainages shall be checked and maintained to prevent leaks of fuel, lubricants or other fluids into drainages.
- Litter and construction debris shall be removed from drainages and disposed of at an appropriate site.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Work in or near waterways only from April 15 to October 15 unless otherwise approved by USACE, RWQCB, and CDFG as applicable.	1a. Review and approve plans and specs	1a. Town Public Works	1a During development of plans and specs	
	1b. USACE, RWQCB, and CDFG approval	1b Town Public Works, USACE, RWQCB, CDFG	1b. Prior to construction	
2. A sediment filter shall be installed below the construction zone and cleaned on a regular basis to preserve integrity.	2a. Review and approve plans and specs	2a. Town Public Works	2a. During development of plans and specs	
	2b. Onsite inspection	2b. Town Public Works	2b. During construction	
3. Refueling of heavy equipment and vehicles shall only occur within designated bermed area where potential spills can be readily contained.	3a. Review and approve plans and specs	3a. Town Public Works	3a. During development of plans and specs	
	3b. Onsite inspection	3b. Town Public Works	3b. During construction	
4. Equipment operating in or near drainages shall be checked and maintained to prevent leaks of fuel, lubricants or other fluids into drainages.	4a. Review and approve plans and specs	4a. Town Public Works	4b. During construction	
	4b. Onsite inspection	4b. Town Public Works	4a. During development of plans and specs	
5. Litter and construction debris shall be removed from drainages and disposed of at an appropriate site.	5a. Review and approve plans and specs	5a. Town Public Works	5a. During development of plans and specs	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
	5b. Onsite inspection	5b. Town Public Works	5b. During construction	

ERSP Mitigation Measure 3.2-3b. Re-grade and re-vegetate drainages in which pipeline trenching activities occur.

Immediately following pipeline installation, the Town's contractor shall re-grade the drainage to its original contours/capacity. The contractor shall re-seed the drainage with appropriate native species.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Re-grade the drainage to its original contours/capacity.	1a. Review and approve plans and specs	1a. Town Public Works	1a. During development of plans and specs	
	1b. Onsite inspection	1b. Town Public Works	1b. During construction	
2. Re-seed the drainage with appropriate native species.	2a. Review and approve plans and specs	2a. Town Public Works	2a. During development of plans and specs	
	2b. Onsite inspection	2b. Town Public Works	2b. During construction	

ERSP Impact 3.2-4: Project construction would result in permanent impacts to intermittent drainages under the jurisdiction of the USACE, RWQCB, and CDFG.

ERSP Mitigation Measure 3.2-4. Implement projects that offset the permanent loss of beneficial uses resulting from fill of intermittent drainages.

To the extent practicable, the Town shall:

- Avoid permanent impacts to jurisdictional features, for example by siting the primary access road to avoid Seasonal Wetlands #1 and #2.
- Where impacts cannot be avoided, they shall be minimized, for example by minimizing the width of the pump station access road that crosses the Eastside Road drainage.

- For impacts to Drainage T and the roadside drainages that cannot be avoided, the Town shall obtain the required permits or authorizations from the USACE (404 Individual Permit), RWQCB (Section 401 Certification), and CDFG (SAA) prior to start of construction activities and shall implement the associated on- or off-site mitigation.

A mitigation and monitoring plan for temporary and permanent impacts to all drainages shall be prepared in consultation with USACE, RWQCB, and CDFG during the permitting process.

The mitigation ratio for drainage impacts shall be determined during coordination with resource agencies during the permitting process and will depend upon the type of mitigation planned (preservation, restoration, creation, or combination of mitigation types), project location, and other mitigation variables. The Town will mitigate permanent impacts to drainages (stream areas with existing and potential beneficial uses) in terms of acreage, function, and value at a mitigation ratio of at least 1:1, unless otherwise agreed upon by the RWQCB and other regulatory agencies during the permitting process. To assist in the development of a mitigation ratio and mitigation plan, a Habitat Equivalency Analysis (HEA) shall be prepared in coordination with the resource agencies. An HEA is an economic valuation method that quantifies ecological services flowing from habitats over time. In order to complete the mitigation and monitoring plan required for the Project's drainage impacts, the HEA shall be used to:

- Confirm the spatial extent of the impact (currently estimated at 3,529 linear feet, or 0.20 acre), including secondary impacts.
- Verify the quantified loss of the drainages' ecological service flows over time from the project.
- Verify the net gains in ecological service flows over time from each restoration project.
- With agency consultation and approval, select the appropriate restoration project(s) that wholly compensate and mitigate for the drainages' ecological service losses.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Avoid or minimize permanent impacts to jurisdictional features when laying out facilities.	1. Review and approve plans and specs	1. Town Public Works	1. During development of plans and specs	
2. Determine the mitigation ratio for drainage impacts using an HEA, which will be prepared in coordination with the resource agencies. The mitigation ratio shall be at least 1:1 unless otherwise agreed upon.	2. Resource agencies review and approve HEA	2. Town Public Works	2. During the permitting process	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
3. Prepare a mitigation and monitoring plan in consultation with USACE, RWQCB, and CDFG.	3. USACE, RWQCB, and CDFG reviews and approvals	3. Town Public Works	3. Prior to start of construction	
4. Obtain the required permits or authorizations from the USACE (404 Individual Permit), RWQCB (Section 401 Certification), and CDFG (SAA).	4. USACE, RWQCB, and CDFG permit reviews and approvals	4. Town Public Works	4. Prior to start of construction	

ERSP Impact 3.2-5. Construction of the Project could result in loss of potential northern spotted owl foraging and sheltering habitat.

ERSP Mitigation Measure 3.2-5: Implement measures to protect NSO foraging and sheltering habitat.

In order to confirm that impacts to northern spotted owls are not expected, the Town shall consult with the USFWS and a biological assessment shall be prepared and submitted to USFWS. If USFWS determines that the Project would result in a "take" of northern spotted owls, the Town will enter into formal Section 7 consultation with USFWS. Any measures included in the resulting biological opinion shall be implemented to reduce impacts to northern spotted owls.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Prepare a biological assessment.	1. Resource agency review and approval	1. Town Public Works	1. During the permitting process	
2. Incorporate measures to reduce impacts to northern spotted owl.	2a. Review and approve plans and specs	2a. Town Public Works, USFWS	2a. During development of plans and specs	
	2b. Onsite inspection	2b. Town Public Works	2b. During construction	

ERSP Impact 3.2-6: Project construction would result in loss of roosting habitat of special-status bat species and could disturb roosting bats during construction.

ERSP Mitigation Measure 3.2-6: Implement measures to protect special-status bat species during construction.

- Prior to any construction activity, a survey to identify trees suitable for bat roosting shall be conducted. These trees shall be mapped by a qualified biologist and shall also be identified on-site with flagging materials.
- To prevent disturbing bat roosting trees, any proposed removal of the trees and other vegetation in the construction footprint shall be completed between October 1 and February 28 (outside of the breeding season, generally March 1-September 30), as feasible.
- If vegetation removal is required during the roosting season, the following procedures shall be implemented:
  - If construction activities require the removal of any bat roosting tree between March 1 and September 30, pre-construction surveys shall be conducted by a qualified biologist sufficient (as determined in coordination with CDFG) to determine that no bats are roosting.
  - If surveys identify an active bat roost, a buffer zone of 100 feet shall be established around the tree and tree removal shall be avoided until after September 30.
  - If removal of a tree with an active bat roost is unavoidable, the bat species present shall be identified and the Town shall consult with CDFG and/or USFWS to determine the appropriate mitigations required, depending upon the species and timing of tree removal.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1 Conduct a survey to identify trees suitable for bat roosting.	1. Review and approval	1. Town Public Works	1. Prior to construction	
2. Prohibit tree removal between March 1 and September 30, as feasible.	2. Review and approve plans and specs	2. Town Public Works	2. During development of plans and specs	
3. If construction activities require the removal of any bat roosting tree between March 1 and September 30, conduct a preconstruction survey sufficient to determine that no bats are roosting.	3. Review and approve plans and specs	3. Town Public Works	3. During development of plans and specs	
4. If removal of a tree with an active bat roost is unavoidable, the bat species present shall be identified and the Town shall consult with CDFG and/or USFWS to determine the appropriate mitigations required, depending upon the species and timing of tree removal.	4. Review and approve plans and specs	4. Town Public Works	4. During development of plans and specs	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
5. If surveys identify an active bat roost, a buffer zone of 100 feet shall be established around the tree and tree removal shall be avoided until after September 30.	5. Review and approve plans and specs	5. Town Public Works	5. During development of plans and specs	

ERSP Impact 3.2-7: The Project could introduce or spread the Sudden Oak Death pathogen.

ERSP Mitigation Measure 3.2-7: Implement BMPs to minimize the risk of introduction and spread of SOD.

BMPs shall include measures to reduce the potential introduction or spread of SOD. Prior to the start of construction, the Town of Windsor shall coordinate with the U.C. Cooperative Extension and/or California Oak Mortality Task Force to determine the most current preventative measures to reduce the risk of spreading SOD or its pathogen during construction activities. Preventative measures shall include, but are not limited to, the following:

- Crews shall be informed about the implications of SOD and sanitation practices.
- When feasible, work shall be conducted during the dry season (April - October), when the SOD pathogen is unlikely to spread through water-borne transportation
- Crews previously working in areas of known infestations and/or within a known region of infestation as designated by the California Oak Mortality Task Force shall clean boots and gloves and other personal work gear with a 10 percent bleach and water solution.
- All equipment, including hand-held tree pruning equipment, shall be sanitized with a 10 percent bleach and water solution before working in the Project area.
- Construction vehicles (including trucks and all terrain vehicles) previously operating in areas of known infestations and/or within a known region of infestation as designated by the California Oak Mortality Task Force shall remove soil and dirt clods from tires by pressure washing before entering the Project site.
- All suspected cases of Sudden Oak Death shall be reported to the local county agricultural commissioner.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Determine the most current preventative measures to reduce the risk of spreading SOD or its pathogen in coordination with the U.C. Cooperative Extension and/or California Oak Mortality Task Force.	1. Review and approval	1. Town Public Works	1. During development of plans and specs	
2. Crews shall be informed about the implications of SOD and sanitation practices.	2a. Review and approve plans and specs	2a. Town Public Works	2a. During development of plans and specs	
	2b. Sign-off on information given to crew	2b. Town Public Works	2b. During construction	
3. When feasible, work shall be conducted during the dry season (April - October), when the SOD pathogen is unlikely to spread through water-borne transportation.	3a. Review and approve plans and specs	3a. Town Public Works	3a. During development of plans and specs	
	3b. Sign-off on work being performed only during dry season	3b. Town Public Works	3b. During construction	
4. Crews previously working in areas of known infestations and/or within a known region of infestation as designated by the California Oak Mortality Task Force shall clean boots and gloves and other personal work gear with a 10 percent bleach and water solution.	4a. Review and approve plans and specs approval	4a. Town Public Works	4a. During development of plans and specs	
	4b. Sign-off on crew compliance	4b. Town Public Works	4b. During construction	
5. All equipment, including hand-held tree pruning equipment, shall be sanitized with a 10 percent bleach and water solution before working in the Project area.	5a. Review and approve plans and specs	5a. Town Public Works	5a. During development of plans and specs	
	5b. Onsite inspection	5b. Town Public Works	5b. During construction	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
6. Construction vehicles (including trucks and all terrain vehicles) previously operating in areas of known infestations and/or within a known region of infestation as designated by the California Oak Mortality Task Force shall remove soil and dirt clods from tires by pressure washing before entering the Project site.	6a. Review and approve plans and specs	6a. Town Public Works	6a. During development of plans and specs	
	6b. Onsite inspection	6b. Town Public Works	6b. During construction	
7. All suspected cases of Sudden Oak Death shall be reported to the local county agricultural commissioner.	7. Onsite inspection	7a. Town Public Works	7a. During construction	
8. Implement other preventative measures as necessary.	8a. Review and approve plans and specs	8a. Town Public Works	8a. During development of plans and specs	
	8b. Onsite inspection	8b. Town Public Works	8b. During construction	

ERSP SEIR - VISUAL RESOURCES

ERSP Impact 3.4-1: Implementation of the Project could degrade the existing visual character or quality of the Project site and its surroundings.

ERSP Mitigation Measure 3.4-1: Prepare and implement a landscaping plan to replant area around the pump station with native species.

Reasonable efforts shall be made to preserve the existing trees along Eastside Road that would screen the pump station. However, if it is necessary to clear trees to allow for construction, a landscape plan shall be prepared for replanting with native trees and shrubs typical of the mixed oak woodland in the Project vicinity. This would partially screen the pump station from view of the road and thus minimize the change in visual character and quality. Landscaping species that could be used include coast live oak (*Quercus agrifolia*), toyon (*Heteromeles arbutifolia*), and redwood (*Sequoia sempervirens*). Coast live oaks shall be 24-inch box size at planting and would be expected to reach 15-18 feet after 10 years. Toyon shall be 5-gallon size at planting and would be expected to reach 10 feet after 10 years. Redwoods shall be 24-inch box size at planting and would be expected to reach 35 feet after 10 years. All landscaping species are expected to require watering for the first several years and will then be considered self-sufficient. The landscape plan shall include irrigation and monitoring standards for the first five years after planting to ensure successful replanting.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Make reasonable efforts to preserve existing trees along Eastside Road that would screen the pump station.	1. Review and approve plans and specs	1. Town Public Works	1. During development of plans and specs	
2. Prepare a landscaping plan to screen the pump station along Eastside Road.	2. Review and approve plans and specs	2. Town Public Works	2. During development of plans and specs	
3. Use native trees and shrubs in the landscape plan.	3. Review and approve plans and specs	3. Town Public Works	3. During development of plans and specs	
4. Include irrigation standards in the landscape plan.	4. Review and approve plans and specs	4. Town Public Works	4. During development of plans and specs	
5. Include monitoring standards in the landscape plan for the first five years after planting.	5a. Review and approve plans and specs	5a. Town Public Works	5a. During development of plans and specs	
	5b. Onsite inspections	5b. Town Public Works	5b. After construction	

ERSP SEIR - GEOLOGY, SOILS AND SEISMICITY

ERSP Impact 3.5-1: The Project could expose structures to potential adverse effects, involving landslides.

ERSP Mitigation Measure 3.5-1: Design the dam and pond according to site-specific geotechnical design recommendations and California Division of Safety of Dams (DSOD) standards and requirements.

This mitigation measure replaces Master Plan EIR Mitigation Measure 4.1.2a for the Project. Due to the size of the dam and the volume of the impounded water, the Project is subject to DSOD jurisdiction. DSOD standards require that pond slopes and dams be designed to provide slope stability for site-specific geologic conditions, expected operational scenarios and potential seismic loading conditions for the Project area. DSOD standards have been established to provide protection to life and safety.

During Project construction, loose surficial soils and slide debris shall be overexcavated from the pond footprint. Underdrains shall be installed on a localized basis to drain perched groundwater that might be encountered. A geomembrane liner shall be installed during Project construction.

The following slopes will be required to assure stability and shall be included in final design plans:

- Pond slopes— 3 horizontal to 1 vertical (3H:1V)
- Dam slopes— 3H:1V upstream and 2.5H:1V downstream
- Access Road cut/fill slopes— 2H:1V minimum, plus benching or further flattening in select areas or to facilitate maintenance

Final design of dam embankment and pond slopes shall be based on design-level site investigations subject to detailed review and approval of DSOD. In addition, DSOD oversight of construction is required to assure that the construction complies with the approved designs.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Incorporate DSOD standards in design of dam.	1. DSOD review and approvals	1. Town Public Works and DSOD	1. During development of plans and specs	
2. DSOD construction inspections.	2. DSOD review and approvals	2. Town Public Works and DSOD	2. During construction	

ERSP SEIR - TRAFFIC

ERSP Impact 3.6-1: The number of vehicle trips in the Project area would temporarily increase as a result of construction vehicles.

ERSP Mitigation Measure 3.6-1. Prepare and implement a construction Traffic Control Plan. A detailed Traffic Control Plan shall be prepared by a licensed traffic engineer for project-affected roadways. The Traffic Control Plan shall comply with applicable Sonoma County and Town of Windsor requirements, and would include, but not be limited to, the following elements:

- A haul route shall be designated from U.S. 101 along River Road to the construction site.
- To the extent possible, the contractor(s) shall schedule truck trips outside of the peak commute hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.
- As needed, noticing and signage requirements shall be provided for road closures and detours.
- Pipeline installation in Trenton-Healdsburg Road shall be done at a separate time than Eastside Road to help maintain access.
- One lane of Trenton-Healdsburg Road shall remain open during installation of pipeline in that roadway.

ERSP Impact 3.6-2: The number of vehicle trips in the Project area would temporarily increase as a result of Eastside Road closure during pipeline installation.

ERSP Mitigation Measure 3.6-2. Provide public noticing and signing of the Eastside Road detour. To minimize the effects of traffic increases from the detour onto Mark West Station Road, Windsor River Road, and Windsor Road, the community along the detour shall be notified at least two months in advance of the closure. General noticing shall be placed in local newspapers ahead of the closure and periodically during construction to allow drivers to incorporate the detour into their plans. The Project website shall also be updated to include current detour information. Postings regarding the detour shall be placed on the Town's and Project's respective websites. The detour itself shall be clearly signed from the intersection of Eastside Road and Windsor River Road through the length of the detour to the intersection of Eastside Road and Trenton-Healdsburg Road (see Figure 3.6-1). This mitigation measure replaces Master Plan EIR Mitigation Measures 4.7.2a and 4.7.2b for traffic impacts from pipeline installation for the Project.

ERSP Impact 3.6-3: During Project construction, there is the potential for a temporary increase in hazards due to the presence of heavy construction vehicles and equipment on Eastside Road.

ERSP Mitigation Measure 3.6-3: Post caution signs or other noticing along Eastside Road to alert drivers to the construction activity. As part of the implementation of the Traffic Control Plan, the contractor shall post caution signs or other noticing along Eastside Road to alert drivers to the construction activity. If appropriate, post a temporary lower speed limit on Eastside Road in the vicinity of the Project site.

ERSP Impact 3.6-4: The Project may result in inadequate emergency access.

ERSP Mitigation Measure 3.6-4. Coordinate Eastside Road closure with emergency service providers. Emergency service providers in the Town and County shall be consulted at least two months prior to the start of construction activities. Emergency service providers shall be informed of the Eastside Road detour. During the construction phase of the Project, construction activities would be halted and emergency vehicles would be given right-of-way, if needed and sufficiently safe. These measures to maintain adequate emergency access shall be included in the Traffic Control Plan required by Mitigation Measure 3.6-1.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Require the contractor to prepare a Traffic Control Plan. The Traffic Control Plan shall include, but not be limited to, the following Implementation Procedures 2-10.	1a. Review and approve plans and specs	1a. Town Public Works	1a. During development of plans and specs	
	1b. Approval of Traffic Control Plan	1b. Town Public Works	1b. Prior to construction	
2. A haul route shall be designated from U.S. 101 along River Road to the construction site.	2a. Review and approve plans and specs	2a. Town Public Works	2a. During development of plans and specs	
	2b. Onsite inspections	2b. Town Public Works	2b. During construction	
3. To the extent possible, the contractor(s) shall schedule truck trips outside of the peak commute hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.	3a. Review and approve plans and specs	3a. Town Public Works	3a. During development of plans and specs	
	3b. Onsite inspections	3b. Town Public Works	3b. During construction	
4. Pipeline installation in Trenton-Healdsburg Road shall be done at a separate time than Eastside Road to help maintain access.	4a. Review and approve plans and specs	4a. Town Public Works	4a. During development of plans and specs	
	4b. Onsite inspections	4b. Town Public Works	4b. During construction	
5. One lane of Trenton-Healdsburg Road shall remain open during installation of pipeline in that roadway.	5a. Review and approve plans and specs	5a. Town Public Works	5a. During development of plans and specs	
	5b. Onsite inspections	5b. Town Public Works	5b. During construction	
6. The community along the Eastside Road detour shall be notified of road closure.	6a. Review and approve plans and specs	6a. Town Public Works	6a. During development of plans and specs	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
	6b. Sign off that the notification has occurred	6b. Town Public Works	6b. At least two months in advance of road closure	
7. The detour itself shall be clearly signed from the intersection of Eastside Road and Windsor River Road through the length of the detour to the intersection of Eastside Road and Trenton-Healdsburg Road.	7a. Review and approve plans and specs	7a. Town Public Works	7a. During development of plans and specs	
	7b. Onsite inspection	7b. Town Public Works	7b. During construction	
8. Post caution signs along Eastside Road to alert drivers to the construction activity.	8a. Review and approve plans and specs	8a. Town Public Works	8a. During development of plans and specs	
	8b. Onsite inspection	8b. Town Public Works	8b. During construction	
9. If appropriate, post a temporary lower speed limit on Eastside Road in the vicinity of the Project site.	9a. Review and approve plans and specs	9a. Town Public Works	9a. During development of plans and specs	
	9b. Onsite inspection	9b. Town Public Works	9b. During construction	
10. Coordinate with emergency service providers.	10a. Review and approve plans and specs	10a. Town Public Works	10a. During development of plans and specs	
	10b. Onsite inspection	10b. Town Public Works	10b. At least two months prior to the start of construction	

ERSP SEIR - PALEONTOLOGY

ERSP Impact 3.8-1: The Project could cause an adverse change in the significance of a paleontological resource as defined in Public Resources Code Section 15064.5 of the CEQA Guidelines.

ERSP Mitigation Measure 3.8-1: Prepare and Implement a Paleontological Resources Monitoring and Mitigation Program (PRMMP).

A qualified paleontologist shall be retained as Project paleontologist to design the PRMMP prior to any ground disturbance and implement the PRMMP during Project-related earth-moving activities. The PRMMP shall be reviewed and approved by the Town prior to implementation, and will include, at a minimum:

- Preconstruction coordination and planning requirements
- The construction monitoring plan including coordination requirements for monitoring
- Fossil discovery procedures for construction personnel
- Plans for salvage, sampling and data recovery
- Minimum requirements for museum storage including specimen preparation, data requirements, and curation costs
- Reporting requirements, to include monthly monitoring reports as well as a final report

Prior to any ground-disturbing activities, a qualified paleontologist shall review excavation plans to determine where sensitive stratigraphic units will be disturbed by earth-moving activities, and during what phases of construction this will occur. Earth moving construction activities shall be monitored where they will disturb previously undisturbed sediment of the Tertiary Wilson Grove Formation, or paleontologically sensitive Quaternary sediment. Monitoring will not be conducted in areas where the ground will not be disturbed, and when only sediment or fill of low or no paleontological sensitivity will be disturbed. Those operations that are expected to have no impacts to paleontological resources, such as clearing and grubbing, will be identified as requiring no monitoring.

Prior to working on the site for the first time, all personnel involved in earth-moving activities shall be provided with Paleontological Resources Awareness Training. They shall be informed that fossils may be encountered and be provided with information on the appearance of fossils, the role of paleontological monitors, and proper notification procedures.

Because the Project will be affecting a known fossil resource (the Tertiary Wilson Grove Formation), paleontological sampling shall be conducted during excavations. The sampling shall be coordinated in such a fashion as to avoid interference with construction-related activities. Per standard paleontological techniques, it shall involve bulk sampling of at least 200 lbs and as much as 6,000 lbs of sediment for screen washing and sorting of fossil materials. A construction contractor's front-end loader is usually used to transport a single large scoop of material to a temporary stockpile area, where the sediment is screen-washed for fossils by a paleontological technician or monitor.

Design of the sampling program shall maximize the probability that the specimens collected will come from different strata affected by the Project, and that sample sizes be sufficient to provide a data source to address important geological and paleontological questions that remain outstanding. Along with bulk sampling for mitigation purposes, "discovery" procedures for construction equipment encounters with paleontological specimens, and procedures for the collection of other scientifically important materials such as volcanic ash or paleobotanical materials, shall be described in the PRMMP.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Retain a Project Paleontologist.	1. Town coordinates procurement of specialist	1. Town Public Works	1. During development of plans and specs	
2. Project Paleontologist will prepare a Paleontological Resources Monitoring and Mitigation Program (PRMMP).	2. Review and approve PRMMP	2. Town Public Works	2. Prior to construction	
3. Project Paleontologist will implement the PRMMP.	3. Onsite inspections	3. Town Public Works	3. During construction	
4. Review excavation plans.	4. Review and approve plans and specs	4. Town Public Works	4. During development of plans and specs	
5. Prepare and implement discovery procedures for construction equipment encounters with paleontological specimens.	5a. Review and approve plans and specs	5a. Town Public Works	5a. During development of plans and specs	
	5b. Onsite inspections	5b. Town Public Works	5b. During construction	
6. Provide Paleontological Resources Awareness Training to all personnel involved in earth-moving activities.	6. Sign-off on Paleontological Resources Awareness Training	6. Town Public Works	6. During construction	
7. Develop a paleontological monitoring program and conduct monitoring.	7a. Review and approve plans and specs	7a. Town Public Works	7a. During development of plans and specs	
	7b. Onsite inspections	7b. Town Public Works	7b. During construction	
8. Develop a sampling program and conduct sampling during excavations.	8a. Review and approve plans and specs	8a. Town Public Works	8a. During development of plans and specs	
	8b. Onsite inspection	8b. Town Public Works	8b. During construction	

ESRP SEIR - NOISE

ERSP Impact 3.9-1: Construction of the Project facilities would result in temporary and localized noise impacts.

ERSP Mitigation Measure 3.9-1a: Prepare and implement a Noise Control Plan during construction.

To reduce daytime noise impacts due to construction, the Town shall require that the construction contractor prepare a Noise Control Plan that describes how he or she will implement measures to muffle or otherwise control noise from construction equipment through implementation of best management practices such as the following:

- Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers; equipment redesign; use of intake silencers, ducts, engine enclosures and/or acoustically-attenuating shields or shrouds) wherever feasible and necessary.
- Stationary construction noise sources shall be located as far from sensitive receptors as possible. If they must be located near sensitive receptors, they shall be muffled to the extent feasible and enclosed within temporary sheds.
- Construction noise exposure shall be limited to the degree feasible at the nearest residences.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Require the construction contractor to prepare a Noise Control Plan. The Noise Control Plan shall include, but not be limited to, the following Implementation Procedures 2-5.	1. Review and approve plans and specs	1. Town Public Works	1. During development of plans and specs	
2. Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers; equipment redesign; use of intake silencers, ducts, engine enclosures and/or acoustically-attenuating shields or shrouds) wherever feasible and necessary.	2a. Review and approve plans and specs	2a. Town Public Works	2a. During development of plans and specs	
	2b. Onsite inspection	2b. Town Public Works	2b. Town Public Works	
3. Stationary construction noise sources shall be located as far from sensitive receptors as possible. If they must be located near sensitive receptors, they shall be muffled to the extent feasible and enclosed within temporary sheds.	3a. Review and approve plans and specs	3a. Town Public Works	3a. During development of plans and specs	
	3b. Onsite inspection	3b. Onsite inspection	3b. Onsite inspection	

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
4. Construction noise exposure shall be limited to the degree feasible at the nearest residences.	4a. Review and approve plans and specs	4a. Town Public Works	4a. During development of plans and specs	
	4b. Onsite inspection	4b. Onsite inspection	4b. Onsite inspection	
5. Implement other preventative measures as necessary.	5a. Review and approve plans and specs	5a. Town Public Works	5a. During development of plans and specs	
	5b. Onsite inspection	5b. Town Public Works	5b. During construction	

ERSP Mitigation Measure 3.9-1b: Notify nearby property owners if extended work hours are required.

The Town will provide notice to nearby property owners as soon as it is determined that extended work hours are required. To the degree feasible, notice will be provided at least 24 hours in advance.

Implementation Procedure	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule	Completion Date and Initials
1. Notify Town if extended work hours are required.	1a. Review and approve plans and specs	1a. Town Public Works	1a. During development of plans and specs	
	1b. Contractor notifies Town	1b. Town Public Works	1b. During construction	
2. Prepare a notice to nearby property owners if extended work hours are required.	2. Sign-off on notice preparation	2. Town Public Works	2. As soon as it is determined that extended work hours are required	
3. Distribute notice to nearby property owners.	3. Sign-off on notice distribution	3. Town Public Works	3. At least 24 hours in advance of extended work hours	