I. Introduction

The following Findings, the mitigation measures specified herein, and the Mitigation Monitoring and Reporting Program (MMRP) attached hereto are hereby adopted by the Town of Windsor in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21081, 21081.5 and 21081.6, and the CEQA Guidelines, Title 14, California Code of Regulations, Sections 15091 and 15092 for the Estates at Ross Ranch Project (project).

Section 15091 of the CEQA Guidelines states that:

a. *No public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:*
   - *(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
   - *(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
   - *(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that will otherwise occur with implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency.

For those significant effects that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. The CEQA Guidelines state in section 15093 that:

"If the specific economic, legal, social, technological, or other benefits of a propos[ed] project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable."

II. The Project

This section lists the objectives of the proposed project, provides a brief description of the project, and lists the project alternatives evaluated in the Supplemental Environmental Impact Report (SEIR).

A. Project Summary

The project is a 31-lot subdivision of a 17.17-acre parcel (Assessor's Parcel Number 162-020-004) located at 1295 Jensen Lane in the northeastern corner of the Town of Windsor. Subdivided lots would range in size from 12,200 to 40,931 square feet. The project would include a 100-foot agricultural buffer along the southern and eastern boundaries of the project site. The Town of Windsor Zoning Ordinance requires an agricultural buffer of 200 feet from a property that is zoned or used for agriculture. The width of the buffer may be reduced to a minimum of 100-feet in certain circumstances with Town Council approval.

B. Purpose of the Project

The applicant's objective for the project is to provide more housing opportunities within the Town that are consistent with the Estate Residential 2040 General Plan land use designation.

C. Purpose of the SEIR

The SEIR has been prepared to examine the potential environmental effects of the project in comparison to the impacts and findings contained in the Town of Windsor General Plan EIR (SCH No. 2016112065). The purpose of the SEIR is to: assess consistency between the project and 2040 General Plan; compare the project effects to those analyzed in the 2040 General Plan EIR; and provide environmental review required under CEQA in accordance with CEQA Guidelines Section 15183. The project site was taken into consideration under the ER land use designation as part of the Town wide development forecast in the 2040 General Plan EIR. The SEIR assesses project specific level impacts to determine if there are any new or greater impacts than previously analyzed.

D. Procedural Background

Following is an overview of the environmental review process for the project that has led to the preparation of the SEIR.

1. The Town of Windsor adopted the current 2040 General Plan on April 4, 2018, as an update to the Town's 1996 General Plan. The 2040 General Plan includes goals and policies that convey the Town's long-term vision and guide local decision making to reach that vision. The 2040 General Plan EIR was certified in 2018 (State Clearinghouse number 2016112065) and assesses impacts from implementation of the 2040 General Plan. Both the 2040 General Plan and 2040 General Plan EIR are available on the Town's website located at: https://www.townofwindsor.com/843/PlanningDocuments.

2. In accordance with Sections 15063 and 15082 of the CEQA Guidelines, the Town prepared a Notice of Preparation (NOP) of an Environmental Impact Report and filed it with the Office of Planning and Research (OPR) and the Sonoma County Clerk's office on November 23, 2021. The Town of Windsor distributed the NOP of the Supplemental EIR for a 45-day agency and public review period commencing November 23, 2021, to January 6, 2022. In addition, the Town held a Scoping Meeting on December 13, 2021. The meeting was aimed at providing information about the project to members of public agencies, interested stakeholders, and residents/community members. Due to the COVID-19 pandemic, interested parties were able to attend in person or virtually

through the online meeting platform Zoom and call-in number. The Town received five letters from State, regional, and local agencies in response to the NOP during the public review period. One comment was received verbally during the scoping meeting.

3. An environmental checklist was prepared for the project to determine issue areas to be discussed in the SEIR. The Initial Study was circulated for public review with the Notice of Preparation from November 23, 2021 to January 6, 2022.
4. The Draft SEIR and a Notice of Availability (NOA) of a Draft SEIR was made available for public review for a 48-day comment period that began on September 6, 2022 and ended on October 24, 2022. The NOA was posted with the County Clerk, sent to the State Clearinghouse, published on the Town's website, and mailed to responsible agencies. The Town also held a virtual and in person public meeting along with the Planning Commission as an opportunity for the public to submit verbal comments on the SEIR at 5:30 p.m. on September 13, 2022. During the 48-day public review period described above, the Town of Windsor received seven comment letters on the Draft SEIR.
5. The Final SEIR is available on the Town's website at https://www.townofwindsor.com/1318/Estates-at-Ross-Ranch. Hard copies are available at the Town's Community Development Department office.
6. Pursuant to Public Resources Code Section 21092.5, the Town provided a written response in the form of the Final SEIR to all public agencies commenting on the Draft SEIR, at least 10 days prior to certifying the SEIR.
7. On [February 14, 2023], the Town's Planning Commission reviewed the Final SEIR and recommended that the Town Council certify the SEIR and approve the Project.
8. On [DATE], the Town Council reviewed the Final SEIR and the recommendations of the Town's Planning commission and voted to certify the Final SEIR and approve the Project.

E. Certification of Final EIR

The Town Council hereby finds that the Final SEIR has been completed in compliance with the requirements of CEQA. The Town Council further finds that the Final SEIR was presented to it and that it considered the information contained in the Final SEIR prior to approving the project. Finally, the Town Council finds that the Final SEIR reflects the Town's independent judgment and analysis.

III. Discretionary Actions

The project involves the following discretionary actions and approvals from the Town of Windsor:

- Approval of a Tentative Subdivision Map
- Approval of a reduced agricultural buffer

IV. Findings Regarding Monitoring/Reporting of CEQA Mitigation Measures

A Mitigation Monitoring and Reporting Program (MMRP), which is attached as Exhibit B to this Resolution, was prepared for the project and was approved by the Town Council by the same resolution that has adopted these findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1); CEQA Guidelines, § 15097.) The Town will use the MMRP to track compliance with project mitigation measures. The MMRP will remain available for public review during the compliance period.

V. Findings Regarding Environmental Impacts and Mitigation Measures

A. Effects Not Found to Be Significant

Based on the discussion in the Final SEIR, and other supporting information in the record, the Town Council finds that the project would have no impact associated with the specific issues identified below, as addressed in the SEIR and Initial Study.

Initial Study

1. Aesthetics Impact B: The project would not have a substantial effect on the surrounding scenic corridors that include mountain ranges and agricultural lands, thus, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR, and impacts would be less than significant regarding scenic resources.
2. Agriculture and Forestry Impact B: There are no Williamson Act contract lands located in the Town and the project site is not located under a Williamson Act contract. No impact to Williamson Act contract lands would occur.
3. Agriculture and Forestry Impact C: The project site does not have a forest land designation. Therefore, the project would not conflict with existing zoning or cause rezoning of forest land, timberland, or timberland zoned Timberland Production.
4. Agriculture and Forestry Impact D: The project site does not contain forest land or timberland. Therefore, the project would have no impact to forest land.
5. Geology and Soils Impact E: The construction or operation of septic tanks or other alternative wastewater disposal systems is not included as part of the project. Therefore, no impacts from septic systems or alternative wastewater disposal systems would occur.
6. Hazards and Hazardous Materials Impact C: There are no existing or proposed schools located within 0.25 miles from the project site. Furthermore, residential land uses are not considered to be hazardous waste generators and would not pose a threat to nearby schools. There would be no impact.

7. Hazards and Hazardous Materials Impact D: The project site is not included on a list compiled pursuant to Section 65962.5 of the Government Code; thus, no impact would occur.
8. Hazards and Hazardous Materials Impact E: The project site is not located within an airport land use plan area, or within two miles of a public or private airport and would not result in hazards associated with airport operations.
9. Hydrology and Water Quality Impact D: The project area is not located in a flood zone, tsunami inundation area, nor is there a water body near the project area capable of seiche. There would be no impact regarding release of pollutants due to project inundation in a flood hazard, tsunami, or seiche zone.
10. Mineral Resources Impacts A and B: The project site is not zoned or designated for mining uses and no active mining operations are in the project area or vicinity. The project would not result in the loss of availability of a known mineral resource that would be of value to the residents of the state and the region, nor would it result in loss of a locally important mineral resource recovery site. There would be no impact to mineral resources.
11. Noise Impact C: The project site is not located within an airport land use plan area, or within two miles of a public or private airport. There would be no impact regarding exposure of people residing or working in the project area to excessive noise levels.
12. Population and Housing Impact B: The project site is mostly vacant with one single-family residence that would be demolished as part of the project. The project would provide 30 new single-family residences, increasing the number of residential units at the site by 29. Therefore, the project would not displace a substantial number of existing people or housing. There would be no impact.
13. Public Resources Impact A4 and Recreation Impact B: The project does not propose the construction or expansion of recreational facilities. There would be no impact.

B. Less-Than-Significant Impacts Without Mitigation

Based on the Final EIR and the record, the Town Council finds that the project would have less-than-significant environmental impacts associated with the specific issues identified below, as addressed in the SEIR and Initial Study.

SEIR

1. Impact BIO-4: Implementation of the project would not impact wildlife movement due to the location of the project site in an area of existing development and agricultural use.
2. Impact BIO-5: Impacts would be less than significant regarding impact to any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, as the project would be required to adhere to tree removal review requirements in the Town's Zoning Ordinance.
3. Impact TRA-1: The project would not conflict with applicable policies addressing transit, bicycle, and pedestrian facilities. Impacts related to transit, bicycle and pedestrian facilities would be less than significant.

4. Impact TRA-4: The project would not result in inadequate emergency access to the project site and would not substantially affect response times.
5. Impact WF-1: The project site is not within a very high Fire Hazard Severity Zone (FHSZ) or State Responsibility Area (SRA). The project site is directly adjacent to a medium FHSZ and was nearly burned and evacuated during the 2017 Tubbs Fire and 2019 Kincade Fire. However, development of single-family residences would not substantially impair an adopted emergency response or evacuation plan. Impacts would be less than significant.

Initial Study

14. Aesthetics Impact A: The project would not have a substantial effect on the views of surrounding mountain ranges, thus, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR and impacts would be less than significant regarding scenic vistas.
15. Aesthetics Impact C: The project site does not contain any unique features and is not subject to any peculiar circumstances that would result in new impacts related to the existing visual character or scenic quality relative to what has been analyzed in the 2040 General Plan EIR. Compliance with established standards and applicable 2040 General Plan policies would ensure that new development complements and enhances the Town's existing visual character, while protecting public views. Impacts regarding scenic quality would be less than significant.
16. Air Quality Impact A: The project is consistent with the 2040 General Plan. Therefore, it would not conflict with or obstruct the implementation of an applicable air quality plan, consistent with findings in the 2040 General Plan EIR, and impacts regarding the potential to conflict with an applicable air quality plan would be less than significant.
17. Air Quality Impact C: The project would not exceed vehicle trips per day screening thresholds, construction emissions thresholds, or particulate matter thresholds and impacts regarding exposing sensitive receptors to substantial pollutant concentrations would be less than significant.
18. Air Quality Impact D: During construction activities, heavy equipment and vehicles would emit odors associated with vehicle and engine exhaust and during idling. However, these odors would be intermittent and temporary and would cease upon completion, and odors disperse with distance. Overall, project construction and operation would not generate other emissions, such as those leading to odors, that would affect a substantial number of people. Impacts regarding the creation of objectionable odors would be less than significant.
19. Energy Impacts A and B: The project would comply with applicable 2040 General Plan policies, as well as other State energy standards, which would ensure that construction and operation of the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local plan for renewable energy or energy efficiency.
20. Geology and Soils Impact A 1-3: Adherence to 2040 General Plan policies would reduce substantial adverse effects involving rupture of a known earthquake fault, seismic ground shaking, and seismic ground failure to less than significant levels.

21. Geology and Soils Impact A4: The project site is not located near steep hills and not subject to risk from landslides. Thus, there is a less than significant impact to the risk of loss, injury, or death involving landslides.
22. Geology and Soils Impact B: Adherence to best management practices (BMPs), the National Pollutant Discharge Elimination System (NPDES), and applicable 2040 General Plan policies would ensure the project is designed to support erosion control. Impacts regarding soil erosion would be less than significant.
23. Geology and Soils Impact C: The project is not located in an area with a high possibility of subsidence, nor is it located in area that would be susceptible to lateral spreading or liquefaction. Impacts regarding being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project would be less than significant.
24. Geology and Soils Impact D: Compliance with the 2040 General Plan policies, California Building Code, and implementation of project specific soil investigation recommendations would reduce impacts related to soil expansion to less than significant levels.
25. Greenhouse Gas Emissions Impact A: Because the project is consistent with the land use designation of the 2040 General Plan, as well as 2040 General Plan policies that target the reduction of greenhouse gas emissions, the project's impacts to greenhouse gas emissions was included in the buildout analysis of the 2040 General Plan EIR, which concluded that GHG impacts were less than significant.
26. Greenhouse Gas Emissions Impact B: The project would not conflict with any applicable plan, policy, or regulation adopted to reduce greenhouse gas emissions and impacts would be less than significant.
27. Hazards and Hazardous Materials Impacts A and B: The project would be consistent with the site's 2040 General Plan land use designation, and limited hazardous material use associated with buildout of the project site has been anticipated by the Town and analyzed in the 2040 General Plan EIR. Impacts related to creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials would be considered less than significant.
28. Hydrology and Water Quality Impact A: With adherence to the Town of Windsor Municipal Code requirements for new development, including BMPs, such as erosion control, revegetation detailed in the Town's Phase II NPDES Stormwater Management Plan; 2040 General Plan policies; and NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, impacts to water quality standards or waste discharge requirements would be less than significant.
29. Hydrology and Water Quality Impact B: With adherence to 2040 General Plan policies and the proposed addition of rain gardens, permeable concrete gutters, and bioretention basins, impacts to groundwater supplies would be less than significant.
30. Hydrology and Water Quality Impact D: The project would not interfere with water quality control plans or sustainable groundwater management plans and impacts would be less than significant.
31. Hydrology and Water Quality Impact E: The proposed project would not interfere with water quality control plans or sustainable groundwater management plans. Impacts would be less than significant.

32. Land Use and Planning Impact A: The project would not divide the currently established community and impacts would be less than significant.
33. Land Use and Planning Impact B: The project is consistent with the Town's 2040 General Plan land use designation and land use policies, and the project would not conflict with any federal or state policies or regulations. Impacts would be less than significant.
34. Population and Housing Impact A: potential impacts from population growth associated with buildout of the project site have been anticipated by the Town and analyzed in the 2040 General Plan EIR. Impacts would be less than significant.
35. Public Resources Impacts A1-3 and A5: Impacts regarding fire services, police services, schools, and library services are within those anticipated by the 2040 General Plan and impacts would be less than significant.
36. Recreation Impact A: Impacts regarding parks are within those anticipated by the 2040 General Plan and impacts would be less than significant.
37. Utilities Impacts A through E: Impacts related to water, wastewater treatment, solid waste, and stormwater drainage facilities were found to be less than significant.

C. Less-Than-Significant Impacts with Mitigation Incorporated

The following findings are hereby made by the Town of Windsor for the significant environmental effects identified in the SEIR and Initial Study that would be reduced to a less than significant level through incorporation of mitigation measures. The Town finds for each of the significant or potentially significant impacts identified in this section that based upon substantial evidence in the record, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the SEIR and Initial Study and, thus, that adoption of the mitigation measures set forth below will reduce these significant or potentially significant effects to less-than-significant levels. Adoption of the mitigation measures will effectively make the mitigation measures part of the project. In addition, compliance with Town and other applicable regulations will further reduce project impacts.

SEIR

1. Impact BIO-1: Implementation of the proposed project may impact special-status species and their habitat during construction and/or operation. This impact would be less than significant with adherence to Mitigation Measures BIO-1 through BIO-3.
2. Impact BIO-2: Implementation of the project would impact sensitive natural communities during construction and/or operation**.** These impacts would be less than significant with adherence to Mitigation Measure BIO-4.
3. Impact BIO-3: Implementation by the project would impact potentially jurisdictional state or federally protected wetlands during construction and/or operation. These impacts would be less than significant with adherence to Mitigation Measure BIO-4.
4. Impact BIO-6: Implementation of the project within the Santa Rosa Plain Conservation Strategy Area would not conflict with the Plan, with implementation of Mitigation Measure BIO-4 to compensate for losses of seasonal wetlands habitat in accordance with the

Programmatic Biological Opinion (PBO) for the Santa Rosa Plain. Impacts would be less than significant with mitigation.

5. Impact CUL-1: The project site contains archaeological resources and could possibly be a prehistoric archaeological site. Although the farmstead does not qualify as a historical resource, Mitigation Measures CUL-1 through CUL-3 would be required to reduce impacts to historical resources to a less than significant level. Impacts would be less than significant with mitigation incorporated.
6. Impact CUL-2: Records search results identify a prehistoric site outside of the project site. The project site also contains archaeological resources and possibly buried human remains. Since the project would involve ground disturbance, Mitigation Measure CUL-4 would be required to reduce impacts to human remains. Impacts would be less than significant with mitigation incorporated.
7. Impact TRA-3: The project would not introduce design features or incompatible uses that could increase traffic hazards. However, there would be inadequate sight distance at the Vinecrest Road/Portland Way intersection. Implementation of Mitigation Measure TRA-2 would be required. This impact would be less than significant.
8. Impact TCR-1: The project site has been identified as a prehistoric site and development on the project could adversely impact tribal cultural resources. Mitigation Measure TCR-1 would be required to reduce impacts to tribal cultural resources to a less than significant level.

Initial Study

1. Aesthetics Impact D: Despite compliance with the Town Zoning Ordinance regulating light and glare, the project would still generate more light and glare than on the mostly undeveloped site. Impacts would be less than significant with implementation of Mitigation Measure AES-1 to reduce light and glare.
2. Air Quality Impact B: The Bay Area Air Quality Management District (BAAQMD) does not have quantitative thresholds for fugitive dust emissions during construction. Instead, the BAAQMD recommends BMPs be implemented to reduce fugitive dust emissions. Consistent with the 2040 General Plan EIR, the project would implement Mitigation Measure AQ-1 to reduce fugitive dust emissions as required by BAAQMD. With implementation of Mitigation Measure AQ-1 the project would not result in a cumulatively considerable net increase of any criteria pollutant.
3. Geology and Soils Impact F: The project site is located in an area identified as having Low to High Paleontological Sensitivity. As such, the project would be required to implement Mitigation Measure CR-3. Impacts would be less than significant with implementation of Mitigation Measure CR-3.
4. Noise Impact A: Impacts from construction and operational noise would be less than significant with implementation of Mitigation Measure N-1.
5. Noise Impact B: Impacts to groundborne vibration or groundborne noise levels would be less than significant with adherence to mitigation measure N-2.

For a detailed description of impacts and mitigation measures, see the appropriate text in the Final SEIR.

D. Significant Environmental Impacts That Cannot be Mitigated to a Less than-Significant Level

The following findings are hereby made by the Town of Windsor for the significant environmental effects identified in the SEIR and Initial Study related to agricultural resources, transportation and wildfire. The following impacts associated with the project would be significant and unavoidable, as addressed in the SEIR and Initial Study.

SEIR

1. Impact TRA-2. The project would not meet the applicable significance threshold for VMT. Impacts would be significant and unavoidable.

    a. **Mitigation Measure TRA-1: Vehicle Miles Traveled Reductions.**
    The applicant shall implement the following measures aimed at achieving a reduction in overall vehicle trips to and from the site:

    - Bulbouts: The project applicant shall incorporate bulbouts at new or reconfigured intersections.
    - Pedestrian and Bicycle Network Improvements: The project applicant shall construct an enhanced pedestrian crossing including a refuge median on the west leg of the Vinecrest Road/Foothill Drive intersection.

    Finding: Even with implementation of Mitigation Measure TRA-1, the project would not fall below the applicable VMT per capita threshold. Thus, this impact would remain significant and unavoidable.

    The Town of Windsor finds that although this impact would be significant and unavoidable, the impact is acceptable when weighed against the considerations set forth in the *Statement of Overriding Considerations.*

2. Impact WF-2. The project site is not within a very high FHSZ or SRA but is directly adjacent to a medium FHSZ and there were spot fires on the site during the 2019 Kincade Fire. The proposed project would expose residents and structures to wildfire risks. It is not possible to prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires. Impacts would be significant and unavoidable.

    a. **Mitigation Measure WF-1: Wildfire Risk Reduction During Construction.**

    The Town shall require the applicant to take the following measures to reduce risk of loss, injury, or death from wildfire during construction of the proposed project:

    1. Construction equipment powered by internal combustion engines shall be equipped with spark arresters. The spark arresters shall be maintained pursuant to manufacturer recommendations to ensure adequate performance.
    2. Certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location shall be prohibited. Example activities that shall be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings.

3. Fire extinguishers shall be required to be onsite during project construction. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher.

   At the Town's discretion, additional wildfire risk reduction requirements may be required. The Town shall review and approve the project-specific methods to be employed prior to building permit approval.

b. Mitigation Measure WF-2: Fire Suppression Requirements. During project design, the applicant shall ensure that all fire hydrants on the project site are able to satisfy the Town's minimum fire flow requirements. Compliance shall be verified by the Town prior to occupancy clearance.

c. Mitigation Measure WF-3: California Building Code Chapter 7A Compliance.

During project design, the applicant shall ensure that materials and construction methods outlined in Chapter 7A of the California Building Code are followed. Compliance shall be verified by the Town prior to building permit approval.

d. **Mitigation Measure WF-4 Fire Resistant Vegetation and Landscaping.** The Town shall require that fire-resistant vegetation native to Sonoma County and/or the local microclimate of the site are planted by the applicant and shall prohibit the use of fire-prone species especially non-native, invasive species. No vegetation or wood fences, gates, or ornamental landscaping shall be allowed within five feet of residences or other structures. Metal or other fire-resistant materials shall be used for fences and gates within five feet of residences or other structures. At the Town's discretion, additional wildfire risk reduction requirements may be required. The Town shall review and approve the project-specific methods to be employed prior to building permit approval.

Finding: It is not possible to prevent a significant risk of wildfires or fully protect people and structures from the risks of wildfires, despite implementation of mitigation. Thus, this impact would remain significant and unavoidable.

The Town of Windsor finds that although this impact would be significant and unavoidable, the impact is acceptable when weighed against the considerations set forth in the *Statement of Overriding Considerations.*

Initial Study

1. Agriculture and Forestry Resources Impacts A and E. The 2040 General Plan EIR concluded that buildout of the Town's 2040 General Plan would result in significant and unavoidable impacts related to the conversion of Farmland. Because the site has a Farmland designation and would be converted to non-agricultural use, impacts regarding the conversion of Farmland to non-agricultural use would be significant and unavoidable.

   Finding: The project would result in the conversion of Farmland to non-agricultural use, which would result in significant and unavoidable impacts. Given that the project would be consistent with the site's 2040 General Plan land use designation, potential impacts to conversion of agriculture from buildout of the project site have been anticipated by the

Town and analyzed in the 2040 General Plan EIR and would thus result in the same impacts as previously analyzed. The Town of Windsor finds that although this impact would be significant and unavoidable, the impact is acceptable when weighed against the considerations set forth in the *Statement of Overriding Considerations.*

For a detailed description of impacts and mitigation measures, see the appropriate text in the Final SEIR.

VI. Feasibility of Project Alternatives

As required by the California Environmental Quality Act (CEQA), the SEIR examines a reasonable range of alternatives to the proposed project. The following alternatives are evaluated in detail in the SEIR:

- Alternative 1: No Project, No Build
- Alternative 2: No Project, Build to Existing Land Use Designation
- Alternative 3: Trail instead of extension of Jensen Lane
- Alternative 4: Maximum Density

A. Alternative 1: No Project Alternative

The CEQA Guidelines stipulate that an EIR specifically include a "No Project" alternative. The purpose in including a No Project Alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project.

Alternative 1 would involve no modification of the existing parcel. The vacant residential development would remain, and no subdivisions or subdivision improvements would occur.

B. Alternative 2: No Project Alternative, Build to Lowest Density of Existing Land Use Designation

Alternative 2 would involve maintaining the existing parcel and would not allow for a subdivision into 31 lots. The 17.17-acre parcel would still be viable for development under the ER zoning designation, allowing residential development of one single-family residence, accessory dwelling unit (ADU), and Junior ADU. This alternative would not impact existing conditions but would allow for demolition of the existing residence on the site and construction of the single-family residence, Junior ADU, and ADU. However, this development would be below the lowest allowable site density of 0.2 dua. Any new development would be required to comply with current State and local regulations for energy efficiency, such as green building practices in the California Green Building Standards Code (CALGreen).

C. Alternative 3: Trail instead of Jensen Lane Extension

Alternative 3 would involve the same subdivision of the 17.17-acre parcel as the proposed project into 31 lots. However, development under Alternative 3 would include a Class I shared-use trail, which would replace Jensen Lane along the eastern boundary of the site, as proposed under the project. A Class I trail is a separated path with right-of-way for pedestrians and bicyclists. Access to lot 28 would be provided from Vinecrest Road. Access to lots 29 and 30 would be provided via an access easement from Portland Way between lots 21 and 22. Access to lot 31 would be provided from Prince George Way. Portland Way would still be constructed, and Prince George Way would still be extended under Alternative 3. The trail would be located along the eastern boundary of the parcel and extend from Vinecrest Road to the south property line, with the same alignment as Jensen Lane under the proposed project. The shoulders of the trail would be landscaped with

various vegetation, including trees, shrubs, grasses, perennials, and groundcover. The trail would connect to the sidewalks of Prince George Way and Vinecrest Road. No additional trail connections would be provided.

D. Alternative 4: Maximum Buildout

Alternative 4 would involve maximum lot subdivision on the site as and subsequent buildout as permitted under the Town of Windsor 2040 General Plan land use designation of ER. Buildout of the site under the ER land use would result in a subdivision of 37 lots. Based on the maximum allowed ER density of 3 dua, the subdivision would be 51 lots, but the 2040General Plan Eastern Edge Community Place Area Policy LU-15.7, described under Section 6.1, *Alternatives Considered But Rejected*, decreases the maximum subdivision to 37 lots. Under this alternative, construction of all 37 lots is presumed to include an accessory dwelling unit (ADU) in addition to each single-family home on all 37 lots to assume maximum buildout of the site. Therefore, Alternative 4 would create 74 new dwelling units, assuming each lot includes one single-family residence and one ADU. Other than new roads (creation of Portland Way and extension of Prince George Way and Jensen Lane) already discussed within the SEIR, no other new roads or infrastructure would be constructed under Alternative 4. The site plan for Alternative 4 is shown in Figure 6-1. Alternative 4 would fulfill the project's objective to provide more housing opportunities in the Town of Windsor and would provide maximum housing as allowed under the 2040 General Plan.

E. Environmentally Superior Alternative

CEQA requires identification of the environmentally superior alternative among the alternatives to the proposed project. The environmentally superior alternative must be an alternative that reduces some of the proposed project's environmental impacts, regardless of the financial costs associated. Identification of the environmentally superior alternative is an informational procedure and the alternative identified as the environmentally superior alternative may not be that which best meets the objective of the proposed project. In assessing alternatives, an EIR must meaningfully discuss alternatives to meet the goal of fostering informed decision-making (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 402–403.). "But whether to reject or approve any of the alternatives is a decision only for the decisionmakers. They may reject alternatives that are undesirable from a policy standpoint as well as alternatives that fail to meet project objectives" (*Ocean Street Extension Neighborhood Assn. v. City of Santa Cruz* (2021) 73 Cal.App.5th 985, 1016 (citations omitted).). "While it is up to the EIR preparer to identify alternatives as potentially feasible, the decision-making body 'may or may not reject those alternatives as being infeasible' when it comes to project approval. Rejection by the decision-makers does not undermine the validity of the EIR's alternatives analysis." (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 999 [99 Cal.Rptr.3d 572, 602 (citations omitted).) Table 6-1 indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the proposed project for each of the issue areas studied. Based on the analysis of alternatives in this section, the No Project Alternatives are the environmentally superior alternatives as they would either avoid or lessen the severity of most impacts of the proposed project. Because the No Project Alternatives would involve minimal development or subdivision, impacts related to biological resources, cultural resources, transportation tribal cultural resources, and wildfire would be reduced compared to the proposed project. However, Alternative 1 would not meet the project's objective, as it would not provide more housing opportunities within the Town, and Alternative 2

would not provide as many housing opportunities as the proposed project or the remaining alternatives.

If the No Project Alternative is determined to avoid or reduce more impacts than any other alternative, CEQA requires that the EIR identify an environmentally superior alternative among the other alternatives (*CEQA Guidelines* Section 15126.6[e]). Of the other alternatives evaluated in this EIR, Alternative 3 (Trail instead of Jane Lane Extension to be Constructed) would adversely impact the fewest number of environmental impact categories. Because this alternative would result in less ground disturbance where the Jensen Lane extension would have been constructed, impacts to biological resources, cultural resources, and tribal cultural resources would be reduced compared to the proposed Project. However, the magnitude of impacts to transportation and wildfire under Alternative 3 would be greater than under Alternative 4 (Maximum Buildout), since the removal of the Jensen Lane extension would have substantial evacuation and emergency access impacts. Jensen Lane would provide essential access to the site for emergency vehicles during a wildfire and allow additional evacuation for residents. Therefore, Alternative 3 would result in significant impacts to residents on the project site and would increase wildfire risk. Additionally, Alternative 3 would be inconsistent with the 2040 General Plan, since Jensen Lane is designated a Rural Lane and a trail would be inconsistent with that designation. Therefore, Alternative 4 is considered the environmentally superior alternative. Alternative 4 would achieve the project objectives similar to the proposed project, as it would accommodate more dwelling units than the proposed project.

VII. Recirculation Not Required

No new or substantial changes to the SEIR were proposed as a result of the public comment process. The Final SEIR responds to comments and makes only minor technical changes, clarifications, or additions to the EIR, as described in Section 9 of the Final SEIR. Changes were made to Mitigation Measure BIO-3 to respond to comments received from the California Department of Fish and Wildlife. This does not constitute significant new information that would trigger recirculation.