

Quail Acres Development Project

Revised General Plan Consistency Checklist Pursuant to *CEQA Guidelines* Section 15183

prepared by

Town of Windsor
Community Development Department
9291 Old Redwood Highway
Windsor, California 95492
Contact: Kimberly Jordan, Planner III

prepared with the assistance of

Rincon Consultants, Inc.
4825 J Street, Suite 200
Sacramento, California 95819

March 2025

RINCON CONSULTANTS, INC. SINCE 1994

Table of Contents

General Plan Consistency Checklist 1
1. Project Title 1
2. Lead Agency Name and Address 1
3. Lead Agency Contact Person and Phone Number 1
4. Project Location 1
5. Project Sponsor's Name and Address 1
6. General Plan Designation 1
7. Zoning 1
8. Description of Project 4
9. Surrounding Land Uses and Setting 11
10. Project Approvals 13
Environmental Factors Potentially Affected 15
Determination 15
Environmental Checklist 17
1 Aesthetics 19
2 Agriculture and Forestry Resources 25
3 Air Quality 29
4 Biological Resources 43
5 Cultural Resources 53
6 Energy 57
7 Geology and Soils 61
8 Greenhouse Gas Emissions 69
9 Hazards and Hazardous Materials 75
10 Hydrology and Water Quality 83
11 Land Use and Planning 89
12 Mineral Resources 93
13 Noise 95
14 Population and Housing 107
15 Public Services 109
16 Recreation 115
17 Transportation 117
18 Tribal Cultural Resources 127
19 Utilities and Service Systems 131
20 Wildfire 137
21 Mandatory Findings of Significance 143
References 147

Bibliography 147
List of Preparers 150

Tables

Table 1 Summary of Lot Types 4
Table 2 Surrounding Land Uses 13
Table 3 BAAQMD Air Quality Thresholds of Significance 31
Table 4 Maximum Construction Period Emissions 35
Table 5 Estimated Average Daily Operational Emissions (lbs/day) 36
Table 6 Estimated Maximum Annual Operational Emissions (tons/year) 37
Table 7 Estimated Construction GHG Emissions 70
Table 8 Combined Annual GHG Emissions 71
Table 9 Project Construction Noise Levels 97
Table 10 Off-Site Project Traffic Noise Increases 101
Table 11 Off-Site Project Traffic Noise Increases with Potential School 102
Table 12 Construction Vibration Levels 103
Table 13 Future Mitigated Peak Hour Intersection Levels of Service – Year 2040 Cumulative Conditions with 2040 General Plan 118
Table 14 Vehicle Miles Traveled Analysis Summary 121
Table 15 Cumulative Vehicle Miles Traveled Analysis Summary with No School in the North of Arata Community Area 122
Table 16 Estimated Water Demand 133

Figures

Figure 1 Regional Location 2
Figure 2 Project Site Location 3
Figure 3 Project Site Plan 5
Figure 4 Proposed Los Amigos Road Extension 8
Figure 5 Phasing Plan 12
Figure 6 Sensitive Receptors Closest to the Project Site 38

Appendices

Appendix A Applicable Windsor 2040 General Plan Policies
Appendix B Air Quality and Greenhouse Gas Emissions Modeling Results
Appendix C Special-Status Plant Report and Aquatic Resources Delineation
Appendix D Special-Status Species Potential to Occur Tables
Appendix E Arborist Report
Appendix F Geotechnical Investigation
Appendix G Phase I Environmental Site Assessment
Appendix H Wildfire Impact Analysis Memorandum
Appendix I Storm Water Low Impact Development Submittal
Appendix J Preliminary Drainage Report
Appendix K Noise Modeling Results
Appendix L Traffic Impact Study
Appendix M Addendum to the Transportation Impact Study

This page intentionally left blank.

General Plan Consistency Checklist

1. Project Title

Qual Acres Development Project

2. Lead Agency Name and Address

Town of Windsor
9291 Old Redwood Highway
Windsor, California 95492

3. Lead Agency Contact Person and Phone Number

Kimberly Jordan, Planner III
Town of Windsor, Planning Division
(707) 838-5331

4. Project Location

The Project site is located in the northern portion of the Town of Windsor at 325 and 259 Arata Lane and within the approximately 116 acres north of Arata Lane annexed into the Town in May 2019. The Project site is approximately 59 acres and comprises Assessor's Parcel Numbers 161-020-053, -058, and -060 (Project site). The Project site is located approximately 0.2 mile east of Highway 101. Figure 1 shows the location of the site in the region and Figure 2 depicts the Project site boundaries.

5. Project Sponsor's Name and Address

Willow Glen Homes, Ben Vanzutphen
P.O. Box 2357
Healdsburg, California 95448

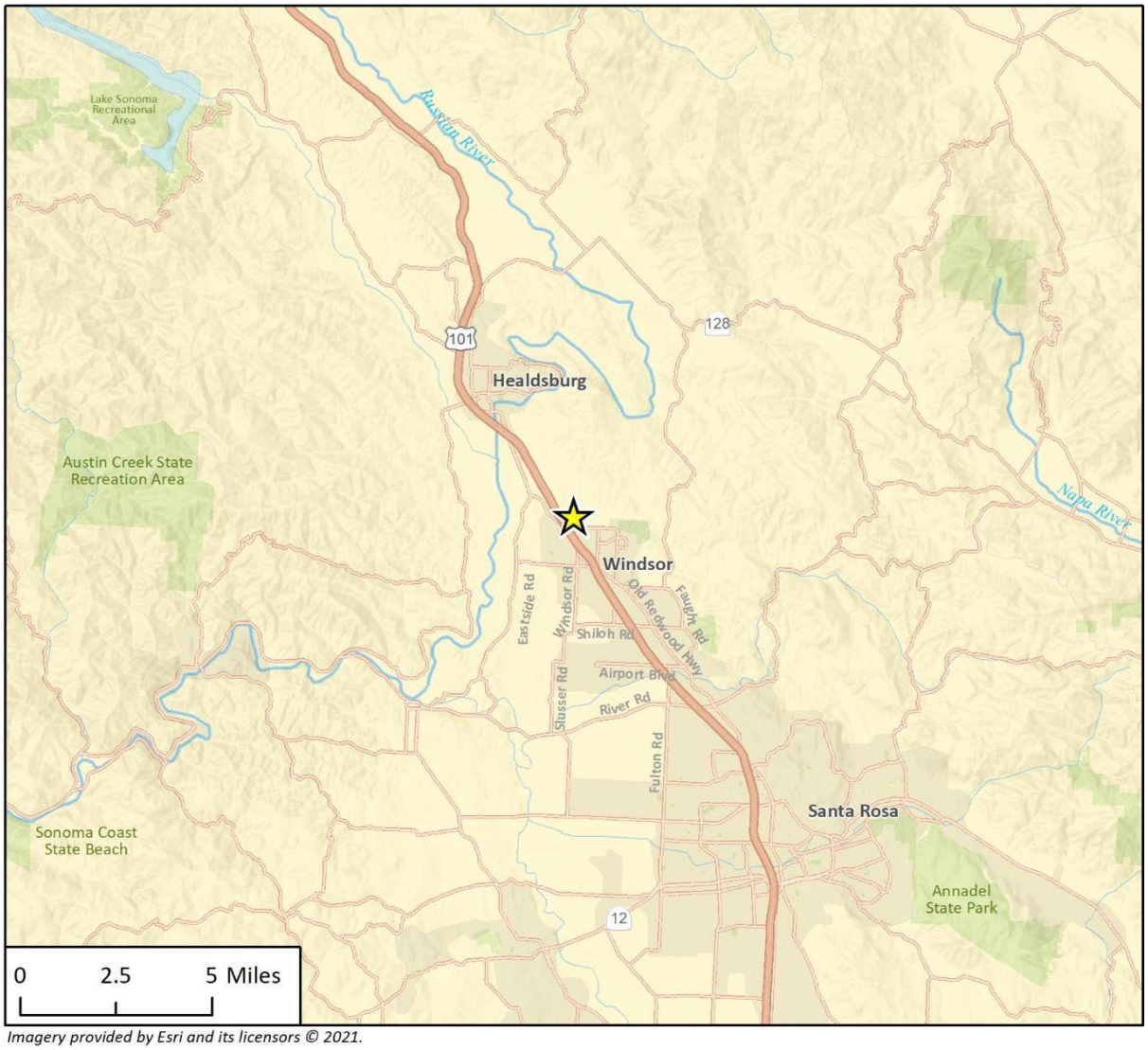
6. General Plan Designation

The Project site is designated Very Low Density Residential (VLDR), Low Density Residential (LDR), Medium Density Residential (MDR), and Neighborhood Commercial Mixed-Use (NCMU) in the 2040 General Plan (Town of Windsor 2018a).

7. Zoning

The Project site is zoned Surrounding Residential, Village Residential, Medium Density Residential, and Neighborhood Commercial.

Figure 1 Regional Location



Imagery provided by Esri and its licensors © 2021.

Project Location

N

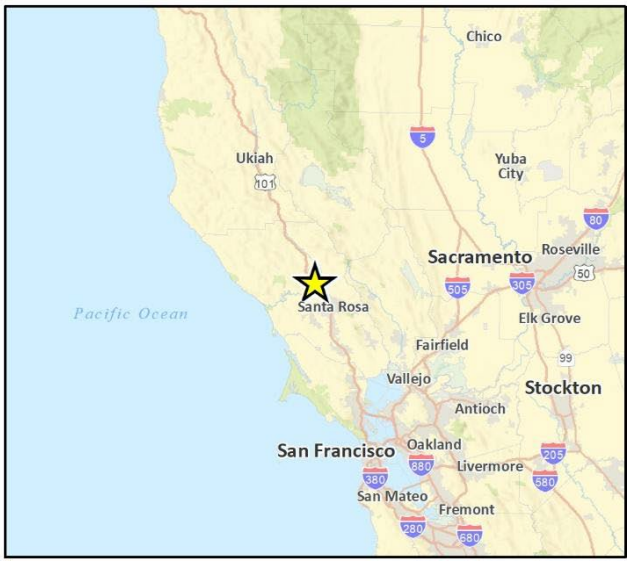
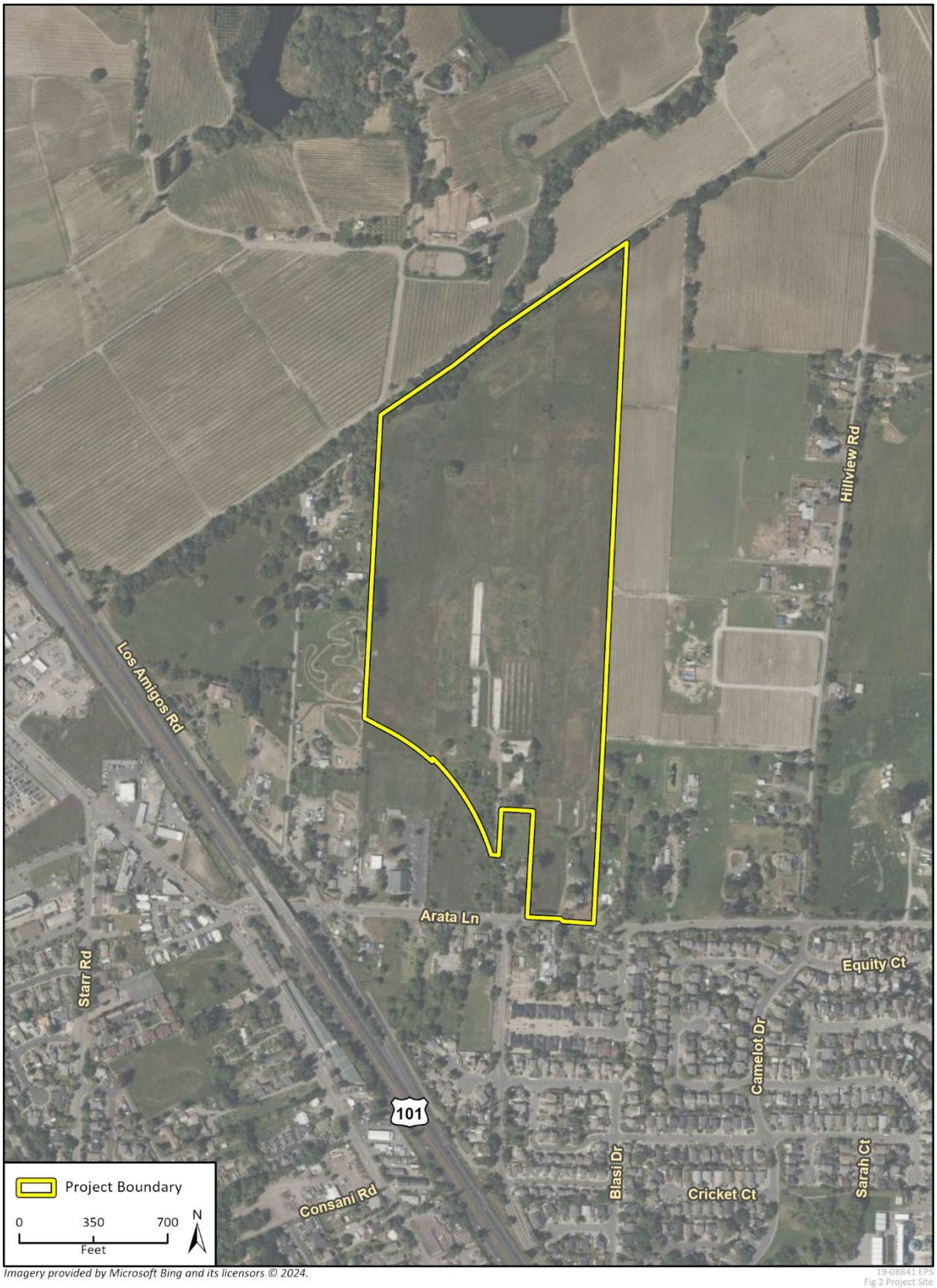


Figure 2 Project Site Location



8. Description of Project

The Project would develop a residential neighborhood including a variety of residential densities organized around a central park and interconnected streets, with a range of amenities. The Project would include a subdivision to accommodate 301 residential units; the residential units would be comprised of six residence types across three zoning districts. The Project would include the following components:

- 255 single-family detached residences within the Surrounding Residential and Village Residential zoning districts;
- 46 single-family attached residences within the Neighborhood Center Commercial, Medium Density Residential, Surrounding Residential, and Village Residential zoning districts;
- 98 optional accessory dwelling units (ADU);
- 119 optional junior ADUs;
- 3.12-acre Community Park; and
- a 4.99-acre Neighborhood Linear Park bordering the northern and eastern edges of the Project site.

Home types generally follow the zoning of the site, which has the lowest density in the northern portion of the site transitioning to the highest density in the southern portion of the site. Larger sized lots are proposed closest to the northern Project site boundary, with smaller lot sizes in the center of the site, and the higher density units located in the southernmost portion of the site adjacent to and north of Arata Lane.

Table 1 provides a summary of the lots included in the Project. The Project site plan is shown in Figure 3.

Table 1 Summary of Lot Types

Unit Type Product Name	Approximate Lot Size (square feet)	Unit Type	Number of Lots
Creek Homes	7,000 sf (70-ft x 100-ft)	SFD	20
Vineyard Homes	5,000 sf (50-ft x 100-ft)	SFD	121
Park Homes	4,104 sf (48-ft x 108-ft)	SFD	45
Village Homes	4,080 sf (48-ft x 63-ft)	SFD	69
Park Duets	2,295 sf (27-ft x 85-ft) to 3,400 sf (40-ft x 85-ft)	SFA	34 (18*)
Village Duets	1,984.5 sf (31.5-ft x 63-ft)	SFA	12*
Total			**301**

*Affordable lots

sf = square feet; ft = feet; SFD = single family detached; SFA = single family attached

Figure 3 Project Site Plan



Source: Civil Design Consultants, Inc.

Affordable Housing, Waivers, and Concessions

The proposed Project is a "housing development project" as defined in the Housing Accountability Act (the "HAA") (Gov. Code §65589.5) and the Housing Crisis Act (the "HCA" or "SB 330"), and is eligible under the California State Density Bonus Law (the "SDBL") (Gov. Code §65915) for applicable density bonus, one incentive or concession, unlimited waivers of development standards, and specified parking ratios and requirements. In order to provide the proposed for sale housing development with the associated affordable housing units, the Project is requesting parking standards and ratios pursuant to the SDBL and waivers for modification in development standards for the agricultural buffer, lot size, lot width, lot depth, building envelope depth, lot coverage, house setbacks, garage setbacks, garage width as a percentage of the width of the homes, lot coverage, height of accessory dwelling units located about a detached garage, and to allow ground floor residential and residential without commercial in the area of the site zoned Neighborhood Center. The Project is not requesting a density bonus. (See "Project Approvals" section for a full list of required approvals for the Project.)

The Project includes ten percent of the units (30 units) as for sale affordable units. Fifteen units will be for sale to low-income households and 15 units will be for sale to moderate-income households. The affordable units will be dispersed throughout the project. The affordable residences would consist of 12 Village Duets and 18 Park Duets. Based on the level of affordability provided, the Project is entitled to a five percent density bonus, one incentive or concession, waivers of development standards, and specified parking ratios and accommodations. The Project is not currently requesting a density bonus or a concession/incentive under the SDBL.

Architectural Style

Farmhouse, Traditional, Craftsman, Bungalow, and Italianate styles would be used in the design of residences in the Project. The Farmhouse style includes main roofs that are often gabled, facing the sides, with a high-pitched gable facing the front; walls are primarily covered with board and batten accented with white-painted window trims and wood-like vents at gable ends. The Traditional style includes main roofs that are gabled or hipped with an intermediately pitched gable facing the front; beaded horizontal siding makes up most of the exterior walls. The Craftsman style is characterized by the rustic texture of the building materials, broad overhangs, and exposed rafter tails at the eaves. The roofs largely consist of front-facing, low-pitched gables (occasionally hipped) with decorative beams or braces. The walls are primarily covered in horizontal siding and sometimes shingles, with board and batten directly under the gables. The front elevations are emphasized with stone piers at the porch columns and the occasional stone wainscot along the walls. The Bungalow includes roofs that are comprised of low-pitched front-facing gables and hips. Similarly to the Craftsman, the gables are accented with decorative beams and braces and have a vertical trim below, meant to appear as a large gable vent. The main distinguishing feature of the Bungalow style is the amount of stucco that covers the walls. The Italianates are covered with hipped roofs that are slightly raised to allow for pairs of decorative brackets to rest below the eaves. The walls consist of a smooth horizontal siding and accented by the ornate railing style at the porch.

Green Building, Energy, and Water

The Project would incorporate CALGreen requirements, including adopted Tier 1 Standards and Energy STAR appliances pursuant to California Building Code (CBC) requirements. These features would include energy and water efficient design measures such as low-flow fixtures, the installation

of garage electric vehicle (EV) charging outlets, cool roof material, exterior cladding that does not ignite when exposed to direct flame and does not contribute fuel to a fire, and water efficient landscaping. The residences would include photovoltaic (PV) solar panels, high efficiency lighting, energy efficient appliances and low volatile organic compound (VOC) paint to improve indoor air quality. The PV solar panel areas would be located on each roof and a 50-amp charging circuit would be included with each garage. Residences would incorporate SMART home systems as well as optional upgrade features.

The Project would include low flow and innovative fixtures to conserve and reduce the water use of each unit. Landscaping would consist of climate appropriate and drought tolerant species, street trees are all classified as Low or Very Low water use, and all landscape would comply with the criteria of the Town's Water Efficient Landscape Ordinance (WELO). Ground water recharge would be implemented site-wide with stormwater best management practices (BMP), constructed in street parkways and in basins along the Community Park, Linear Park, and Los Amigos Extension. Specialized swales, planters, and raingardens (bioretention planters) would slow, spread, and allow runoff to infiltrate permeable surfaces.

Off-Site Infrastructure Improvements

The proposed Project involves public infrastructure improvements designed to serve the Project. The improvements include:

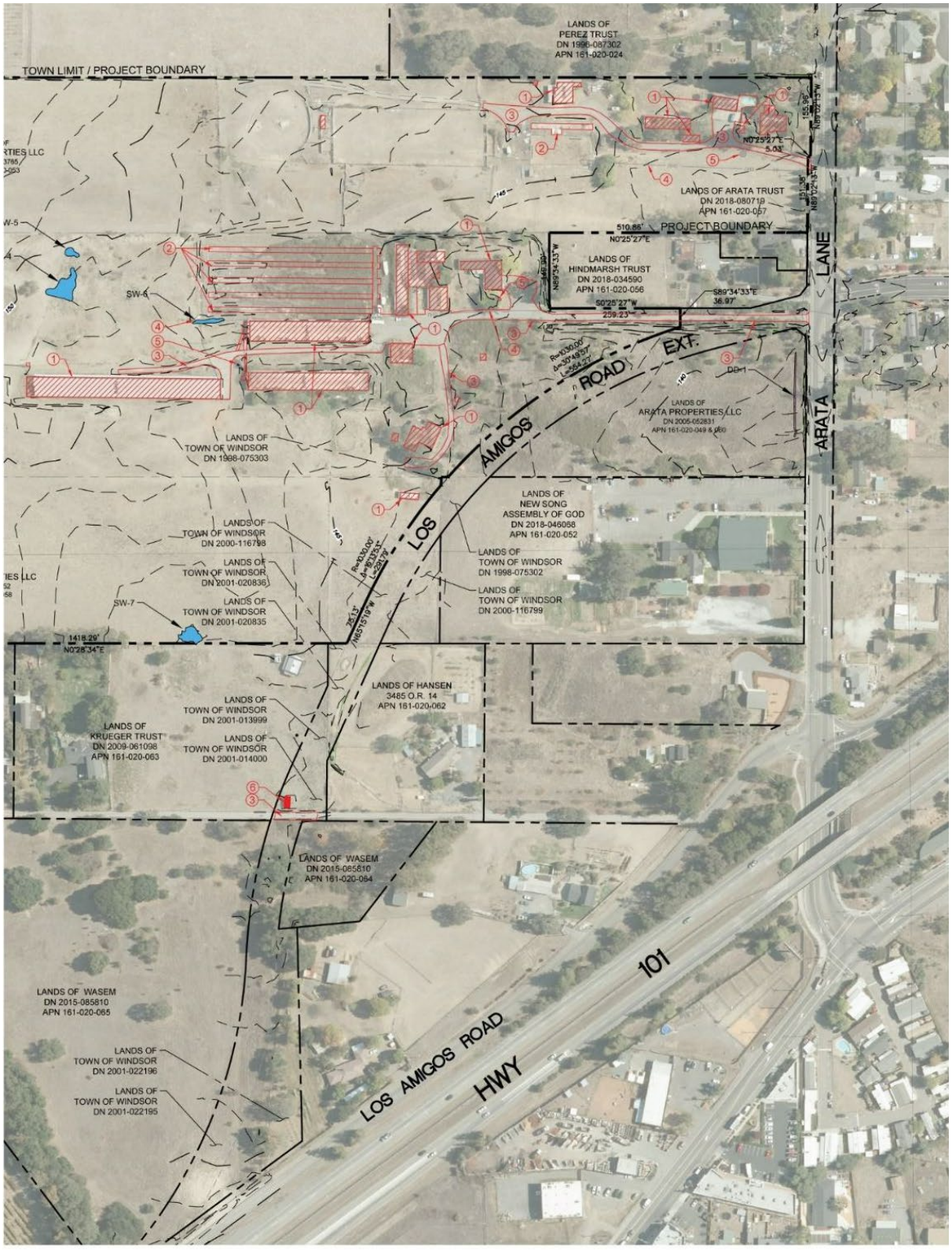
- Extension and realignment of Los Amigos Road from Arata Lane, in the south, to the Town Limit in the north. The extension and realignment of Los Amigos Road would be located within Town right-of-way (Figure 4). The Town of Windsor's Capital Improvement Program (CIP) Adopted Budget has identified this transportation improvement project as T-17 the "Arata Lane Interchange Phase 2B for Los Amigos Road Realignment" as a Town project necessary for the completion of the future Arata Lane Interchange at Highway 101. This CIP in the current budget is for design and environmental work only. The realigned Los Amigos Road would connect to the section of Los Amigos Road that runs parallel to Highway 101 from Windsor to Healdsburg. The new street would be constructed per Town Standards and would meet road access requirements as required by the Fire Department. The Los Amigos Road extension would include all necessary utilities. The proposed roadway extension is shown on Figure 4.
- Prior to completion of Phase 2 (see "Construction Phasing" section below), the developer would provide funds to Town for development and implementation of school period signal timing parameters at the intersection of Old Redwood Highway and Starr Road.

Access and Circulation

Access to the Project site would be via Arata Lane and the realigned Los Amigos Road (described above under "Off-Site Infrastructure Improvements" and shown on Figure 4). The intersection of Arata Lane and Los Amigos Road would be controlled with a traffic signal, which would be installed as part of Phase 1 (see "Construction Phasing" section below). Arata Lane would be improved to include a two-way center left turn lane.

A new street (B Street) would be constructed along the eastern property line and would connect to Arata Lane. This intersection would be stop sign controlled and improved with a crosswalk and rectangular rapid flashing beacon (RRFB). These improvements would be installed as part of Phase 1. Two internal streets (A Street and D Street) would connect to Los Amigos Road and would provide access into the subdivision. These intersections would be stop sign controlled.

Figure 4 Proposed Los Amigos Road Extension



Source: Civil Design Consultants, Inc. 03/2023

The internal street layout is designed as a grid pattern that would provide future street connections to the properties to the west and east. Proposed streets include the following:

- Los Amigos Road north of Arata Lane: Two Lane Boulevard
- Streets within the majority of the development: Residential Streets
- Streets within the area zoned Neighborhood Center Commercial (NC): narrow residential streets

Alleys and proposed dead-ends/emergency access areas would not include parking within the area zoned Village Residencial and Neighborhood Center Commercial. All other streets would have standard on-street parking.

Project streets would accommodate multiple modes of travel. Street widths would allow for plantings including strategically placed bulb-outs at corners to slow traffic. Landscaping would be between the sidewalk and street to create a more attractive public realm, and to promote walking and bicycling. The Project would include a network of streets, sidewalks, trails, and paths for pedestrians and bicyclists. The combination of trails within the Linear Parks and gridded street layout would provide pedestrian and bicyclist access to the greater Project site.

In order to provide pedestrian access from the Project site to the Sonoma County Transit stop (Route 66) located in front of New Song Church (167 Arata Lane), the project includes an interim pedestrian path across APN 161-020-049. The path will provide a connection from the public sidewalk at the Arata Lane/Los Amigos Road intersection to the public sidewalk on the eastern boundary in front of New Song Church.

Agricultural Buffer

The Project would include a 100-foot agricultural buffer along the eastern and northern property lines. The Town of Windsor Zoning Ordinance Section 27.24.020 requires an agricultural buffer of 200 feet, but allows the width of the buffer to be reduced to a minimum of 100 feet in certain circumstances with Town Council approval. The applicant has requested a waiver to reduce this development standard as allowed under the State Density Bonus Law. The Town of Windsor Zoning Ordinance allows the reduction of a 200-foot agricultural setback to 100 feet if certain factors are met. The proposed project's 100-foot agricultural buffer would include: hedgerows; new tree plantings; a trail along the eastern and northern boundaries of the Project site; a new street; and a portion of the front setback for the residences located in the areas of the parcels zoned Surrounding Residential and Village Residential.

Park and Recreation Spaces and Additional Parcels

The Project would include 8.1 acres of park/outdoor spaces, including 3.12 acres of Community Park. To minimize downstream drainage deficiencies, a portion of the community park would function as a flood control detention basin. During high-flow winter storms the detention basin would become inundated and allowed to drain over time as the storm subsides. The Community Park would include play fields, an apiary themed playground, and other amenities. The park's public restrooms would be designed as a placemaking focal point and discreetly integrate Park Department's storage, as well as providing restrooms and a covered picnic area. The structure would provide opportunities for community engagement such as interpretive learning exhibits.

The Project would include approximately five acres of Neighborhood Linear Park space along the east and north Project boundaries, located within the 100-foot agricultural buffer**.** Perimeter linear parks would consist of Class I multi-use trails accompanied by canopy trees and informal hedgerows

buffering the Project from adjacent agricultural uses. Trails would include cut-outs with benches and trash receptacles, as well as views of the surrounding area and hillsides.

The project includes two private parcels 'E' and 'F' which would be owned and maintained by the applicant. Both parcels would be subject to future development. Parcel 'E' is anticipated to be part of a future Commercial Center. Parcel 'F' is proposed as a 0.23-acre Oak Tree Preserve for the life of the existing tree in that location. Additional public outdoor space would include a 0.32-acre plaza in the area zoned NC area, which would include central shade arbor, an informal play area, recreation amenities, a sharing library/community kiosk, and a multitude of flexible seating options along with lighting and multi-use space.

Landscaping and Tree Preservation

Landscaping would include a mix of native and Mediterranean climate plants to create drought tolerant and durable streetscapes and front yards.

The Project includes 286 total trees of which 223 trees are on the residential development part of the Project site and 61 trees are in the area for the Los Amigos Road realignment within Town right-of-way. There are also 86 trees in close proximity to the Project site and roadway realignment area. The Project would involve preserving oak woodland in the northern part of the Project site within the agricultural buffer and linear park. A total of 129 trees (122 on the residential part of the Project site and 7 within the roadway realignment area) would be preserved and 157 trees (103 trees on the main part of the Project site and 54 in the roadway realignment area) would be removed. Of the 103 trees being removed on the residential area of the Project site, 61 are protected trees. Of the 54 trees being removed within the Los Amigos Road right-of-way, all 54 are protected trees.

The Project includes a Tree Mitigation Planting Plan that includes planting 323 trees throughout the project site and within the Los Amigos Road right-of-way. Planted trees would include 181 Valley Oak trees, 51 Blue Oak trees, and 91 Coast Live Oak trees.

Potential School

General Plan policy LU-14.1 requires a Planning Study to address a number of land use considerations. In order to address Planning Study Item D, an area has been delineated on Sheet TM3 along with a special note as follows:

> "This 12 acre area is designated for General Plan Policy LU-14.1(d): a school site may be identified, in consultation with the Windsor Unified School District, if the school district determines this is an appropriate location for a school in cooperation with the property owner."

The Project includes a potential 12-acre future school site that could be included as part of the project if the site were to be acquired by the Windsor Unified School District (WUSD). The developer does not propose a school site. The 12-acre site includes the 3.12-acre community park. The phasing plan includes the potential school site as Phase 1B. In the event the potential school moves forward, approximately nine acres within the area identified as a potential school site would be allocated for use by the Windsor Unified School District (WUSD). The 3.12-acre community park located within this area would remain part of the Project as a town park. The town park could be joint use between the Town of Windsor and WUSD, similar to other Town parks located adjacent to WUSD schools, though details on any such arrangement are not a part of the project. If WUSD decides to move forward with a school at this location, 65 residential units would be omitted. Phased construction is proposed, so that portions of the Project can be built and occupied prior to committing to the

potential school site. In the event the potential school site is transferred to WUSD, WUSD would need to conduct the required environmental review and obtain the necessary permits for construction of a school.

Construction Phasing

Figure 5 shows the proposed phasing plan. The Project would include phased construction spread across three to four phases, including:

- Phase 1: 44 units, community park, southern portion of eastern linear park
- Phase 1B: 93 units and plaza (Parcel D) or WUSD school site, 28 units, and plaza (Parcel D)
- Phase 2: 88 units
- Phase 3: 76 units, northern portion of eastern linear park, and northern linear park

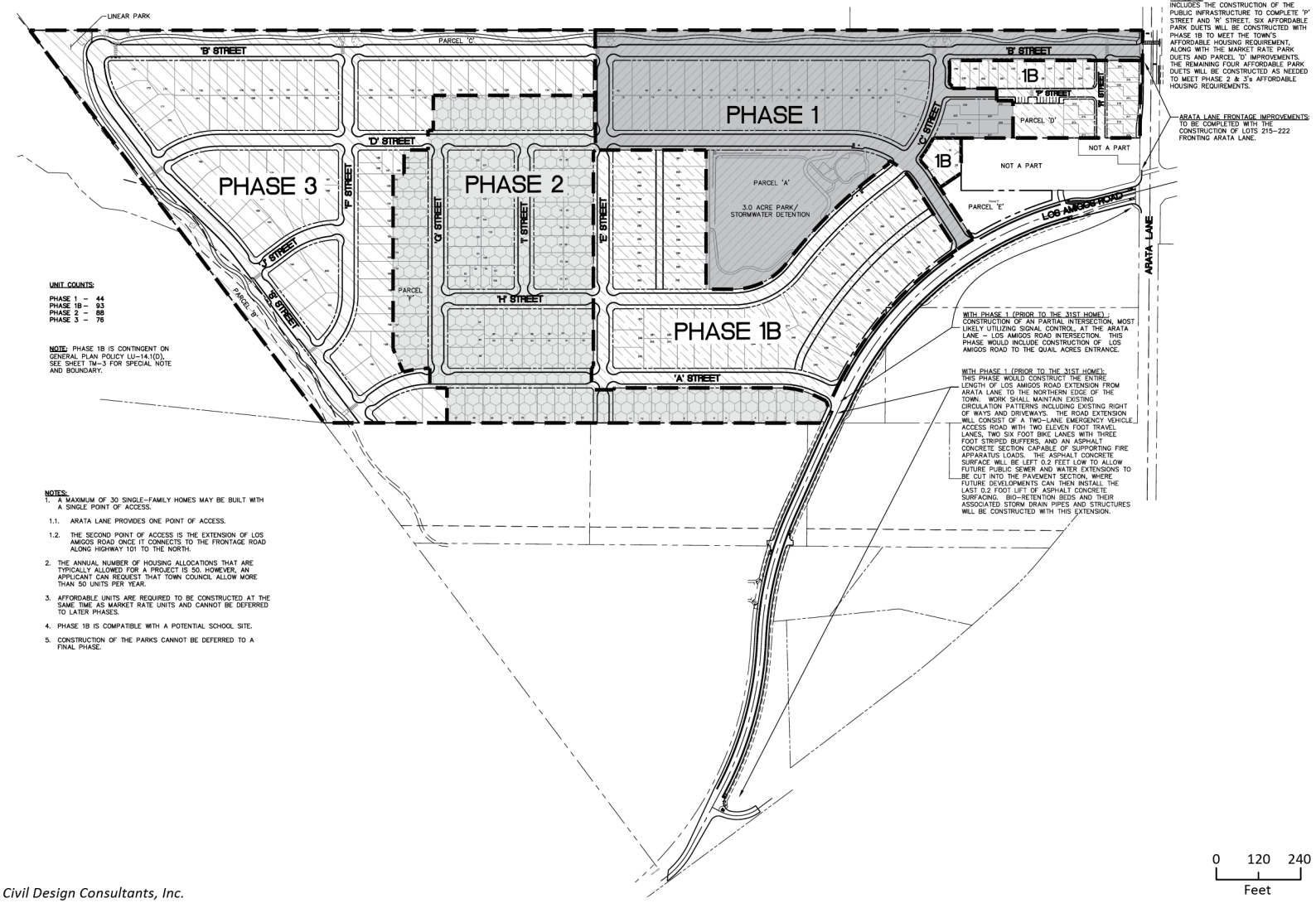
The Los Amigos Road extension would occur during Phase 1 because the road extension would be required to be built before the 31st home is constructed to meet Fire Code requirements. The Fire Code requires that a maximum of 30 single-family homes may be built with a single point of access. Arata Lane provides one point of access and Los Amigos Road extension would service as the second point of access once it connects to the frontage road along Highway 101.

Construction is expected to begin in 2025 and continue through 2031 to comply with the Town's Growth Control Ordinance, which limits the number of units per project per year to 50 market rate units. Affordable housing units are exempt from the Growth Control Ordinance.

9. Surrounding Land Uses and Setting

The Project site is mostly vacant with four existing structures (a residence, detached garage, and two sheds), a pool, and the foundation remains of two buildings or structures. The site was previously used as agricultural land and slopes from north to south, draining into Starr and Windsor Creeks. The one residence on the Project site is currently occupied. The Project site is located west of Marcella Lane and north and east of New Song Church. Sotoyome Creek borders the Project site to the north, which is the Town limit and Urban Growth Boundary. APN 161-020-053 (325 Arata Lane) has frontage on Arata Lane. Residential county lands and agriculture border the site to the east, the proposed Los Amigos Road extension and rural residential border the site to the west, Sotoyome Creek and agricultural land border the site to the north, and Arata Lane and single-family residences border the site to the south. Table 2 shows the existing land uses, 2040 General Plan designation, and zoning of surrounding parcels.

Figure 5 Phasing Plan



Source: Civil Design Consultants, Inc.

Table 2 Surrounding Land Uses

Direction	Existing Land Use Jurisdiction	2040 General Plan Land Use Designation	Zoning
North	Sotoyome Creek[1], Vineyards	N/A – Outside Urban Growth Boundary	N/A – Outside Urban Growth Boundary
South	Very Low Density Residential[2]	Public/Quasi Public, General Business, Neighborhood Commercial Mixed-Use, Low Density Residential	Public/Institutional, Community Commercial, Neighborhood Center Commercial, Village Residential
East	Vineyards, Single-family residential[1]	Very Low Density Residential, Low Density Residential, Medium Density Residential	N/A – Outside Town limits, inside Urban Growth Boundary
West	Single-family residential, New Song Church, vacant land[2]	Very Low Density Residential, Low Density Residential, General Business, Neighborhood Commercial Mixed-Use	Surrounding Residential Village Residential, Community Commercial, Neighborhood Center Commercial

[1] Sonoma County

[2] Town of Windsor

N/A = not applicable

Source: Town of Windsor 2018a

10. Project Approvals

The Town of Windsor is the lead agency with responsibility for approving the Project. Approval from other public agencies is not required.

The Project would require the following discretionary approvals from the Town of Windsor:

- Tentative Subdivision Map approval
- Request for approval of waivers pursuant to State Density Bonus Law for the following:
  - Reduction in the agricultural buffer from 200 feet to 100 feet
  - Reduction in lot size
  - Reduction in lot width
  - Reduction in lot depth
  - Reduction in building envelope depth
  - Reduction in front setback
  - Increase in front setback
  - Reduction in garage setback from property line
  - Reduction in garage setback from front wall of the house
  - Increase in lot coverage for one lot (lot 92 affordable duet)
  - Remove the requirement for wraparound porches on corner lots
  - Allow zero lot line/no side setback for duet homes
  - Increase the allowed height of an accessory dwelling unit (ADU) above a detached garage
  - Reduction in uncovered parking space depth
  - Reduction in the side yard setback for parcels zoned Neighborhood Center Commercial that are adjacent to parcels zoned residential to allow duet units
  - Allow residential without commercial in area zoned Neighborhood Center Commercial
  - Allow ground floor residential in area zoned Neighborhood Center Commercial

This page intentionally left blank.

Environmental Factors Potentially Affected

This Project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology and Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology and Water Quality	☐ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities and Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Determination

Based on this initial evaluation:

■ I find that the proposed Project WOULD NOT result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time of the prior EIR. Pursuant to *CEQA Guidelines* section 15183, the Project is consistent with a Community Plan or Zoning. New effects would be substantially mitigated under uniformly applicable development policies or standards. NO FURTHER REVIEW is required.

☐ I find that the proposed Project WOULD result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time of the prior EIR. I find that FURTHER ENVIRONMENTAL REVIEW is necessary to analyze those effects that are subject to CEQA, and therefore, this Project is not consistent with a Community Plan or Zoning pursuant to *CEQA Guidelines* Section 15183.

Signature

3/31/2025
Date

Kim Jordan
Printed Name

Planner III
Title

This report follows a checklist format that outlines performance standards for Projects eligible for streamlined review under the California Environmental Quality Act (CEQA). (Pub. Res. Code, § 21083.3; *CEQA Guidelines*, § 15183. A consistency checklist is prepared by a lead agency to streamline the environmental review process for eligible Projects by limiting the topics subject to review for all projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified. For such projects, *CEQA Guidelines* Section 15183 requires the lead agency to limit its examination of environmental impacts to those which are (1) "peculiar to the project or the parcel on which the project would be located"; (2) were not analyzed in the prior EIR that established the development density; (3) are potentially significant off-site impacts and cumulative impacts that were not analyzed in the prior EIR that established the development density; or (4) are previously identified significant impact which, as a result of substantial new information which was not known at the time the prior EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Furthermore, *CEQA Guidelines* Section 15183 mandates that the lead agency not consider an impact to be significant if uniformly applicable development policies or standards would substantially mitigate such effects. With respect to the effects that are subject to additional CEQA review, the lead agency is to prepare an EIR if the written checklist shows that the effects of the Project would be potentially significant.

The checklist concludes that the Project would not have any significant effects on the environment that either have not already been analyzed in a prior EIR or are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate.

This *CEQA Guidelines* Section 15183 Consistency Checklist has been prepared in accordance with Public Resources Code Section 21000 et seq. and the *CEQA Guidelines*, California Code of Regulations Section 15000 et seq.

Environmental Checklist

Pursuant to *CEQA Guidelines* Section 15183, CEQA mandates that Projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified may not require additional review unless there may be Project-specific effects that are peculiar to the Project or site that were not adequately addressed in the EIR for the 2040 General Plan. In approving a Project meeting the requirements of Section 15183 of the *CEQA Guidelines*, a public agency shall limit its examination of environmental effects to those the agency determines, in an Initial Study or other analysis:

1. Are peculiar to the Project or the parcel on which the Project would be located
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the Project is consistent
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR

The purpose of this checklist is to assess consistency between the proposed Project and 2040 General Plan and to compare the proposed Project with the effects above to determine if additional environmental review is required under CEQA in accordance with *CEQA Guidelines* Section 15183.

The analysis provides a review to determine if project-specific impacts would occur that are 1) peculiar to the project or the parcel on which the project is located; 2) were not previously analyzed in a previous environmental documents as significant effects; 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents; or 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Relationship of the Proposed Project to Previous EIR Analysis

The Town of Windsor adopted the current 2040 General Plan and certified the 2040 General Plan EIR on April 4, 2018. The 2040 General Plan updated the Town's 1996 General Plan and 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 assessed impacts from implementation of the 2040 General Plan.

Consistency of the Project with Adopted Town Plans and Ordinances

Town of Windsor 2040 General Plan

The Project would be located entirely in the Town of Windsor and 2040 General Plan area. The 2040 General Plan is the fundamental document governing land use development and includes goals and policies relating to economic development, land use, transportation, public health, open space, conservation, safety, noise, public facilities, and utilities. The Project would be required to abide by all applicable goals and policies in the adopted 2040 General Plan. The 2040 General Plan land use

designations for the Project site include a mix of Very Low Density Residential (VLDR), Low Density Residential (LDR), Medium Density Residential (MDR), and Neighborhood Commercial Mixed-Use (NCMU).

The Project is consistent with the VLDR, LDR, and MDR land use designations. These designations provide for a broad range of residential uses. The project is inconsistent with NCMU and has asked for a waiver under the Density Bonus Law of the commercial standards to allow only residential in the area designated NCMU. Under the Density Bonus Law and court cases applying the Density Bonus Law to CEQA analyses, the Town is required to treat the project as being consistent with the NCMU unless the waiver of the standard would cause a significant impact to public health and safety. The proposed waiver of the commercial standards would not result in such an impact to public health and safety. The Project would be consistent with Goal LU-2 to promote the development of residential neighborhoods that provide a variety of housing types, densities, and designs that address the diverse needs of Windsor residents of all ages and socioeconomic groups. Consistent with the 2040 General Plan, the Project would develop a residential community with affordable housing and amenities available to the public, such as a Community Park.

The 2040 General Plan Land Use Diagram (Figure LU-1) includes a Potential School Site symbol and a Proposed Park symbol on the Project site. According to the land use diagram, a potential school site should be approximately 10 acres. The Project plans identify a potential school site of 12 acres, which would include the 3.12-acre community park included as part of the Project. As discussed above, the developer does not propose a school or school site.

Town of Windsor Zoning Ordinance

The Project would be required to comply with applicable provisions of the Town of Windsor Zoning Ordinance and would be required to obtain the permit approvals described above under *Project Approvals*. As described in that section, the Project is requesting several waivers as an affordable housing project. Pending approval of the requested waivers, the Project would not conflict with the Zoning Ordinance.

1 Aesthetics

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Except as provided in Public Resources Code Section 21099, would the project:					
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■	☐
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	■	☐
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☐	■	■

Analysis in Previous Environmental Document

Impacts to aesthetics were analyzed on pages 49 through 64 of the 2040 General Plan EIR. Aesthetic impacts related to scenic vistas, scenic resources, and visual character were determined to be less than significant, while impacts related to light and glare were determined to be less than significant with implementation of the following mitigation measure:

AES-1 Nighttime Lighting Measures

Land Use Policy LU-1.13 shall be updated to read:

> **Design to Protect Night Skies.** The Town shall protect dark/night skies by requiring outdoor lighting to be shielded and/or directed downward to limit overspill and glare, without compromising the safety and security of the community, through implementation of lighting standards in a "Dark Skies" ordinance with guidance from the Model Lighting Ordinance approved by the International Dark-Sky Association and the Illuminating Engineering Society of North America.

Project-Specific Impacts

a. Would the project have a substantial adverse effect on a scenic vista?

The scenic quality of the Town is characterized by its location in the Santa Rosa Plain, between the Mayacamas mountain range to the east and the Coastal Range ridgeline to the north (Town of Windsor 2018a). Because of Windsor's relatively level terrain, the hills and ridges to the east, west, and north form a scenic backdrop for the town. The scenic resources that contribute to Windsor's setting include surrounding foothills; open space areas such as agricultural lands, creeks, and woodlands; and oak trees, which are the most distinctive vegetation in Windsor. The 2040 General Plan EIR finds that near the northern gateway to Windsor by Highway 101 there would be changes in the type of urban development and redevelopment from existing agricultural land uses. However, with implementation of 2040 General Plan policies that include detailed development review along scenic corridors; preservation of views of foothills, ridgelines, and mature vegetation; preservation of scenic oak woodlands; and a transition between active farmland at the Town's edge and development within the Town these impacts were determined to be less than significant.

The Project site is located in the northern portion of the Town adjacent to agricultural land uses with views of the surrounding hills and ridgelines. Accordingly, the Project may affect scenic vistas. General Plan Figure ER-1 (Scenic Corridors) identifies the roadways within and outside of the Town identified as scenic corridors. The Project site is not adjacent to a scenic corridor. The closets scenic corridors are Highway 101, Los Amigos Road, where it runs parallel to Highway 101, and Arata Lane east of the Project site, from approximately Hillview Road to Hembree Lane.

The Project would be required to comply with 2040 General Plan Policies LU-1.7 and LU-1.8 (listed in Appendix A) requiring compatible design for new development including compatibility with scale, mass, and height of the surrounding residencies.

The Project would construct residential development within the Town's allowable densities. In addition, the proposed residences would not exceed the maximum permitted height of 35 feet permitted by the Town's Zoning Ordinance for development in the Surrounding Residential (SR), Village Residential (VR), and Medium Density Residential (MDR) zones or the height of 45 feet permitted in the Neighborhood Center Commercial (NC) zone. While this would be greater than the height of existing residences south of the Project site across Arata Lane, existing trees on and adjacent to the Project site exceed this height, and the proposed buildings up to 35 feet in height within the Project site would not be tall enough to significantly obstruct views of the surrounding hills and ridgelines. Furthermore, the proposed Los Amigos Road extension would realign the existing street and would not substantially affect the scenic vista. Should the potential school be developed, it is anticipated it would be similar in height to proposed residences and would not substantially affect the scenic vista.

Furthermore, Implementation of 2040 General Plan policies, such as LU-1.1, LU-1.2, ER-6.7, ER-6.8, and ER-9.5 (listed in Appendix A) would reduce adverse effects of scenic vistas through preservation of views of foothills, ridgelines, and mature vegetation; preservation of scenic oak woodlands along the creek on the northern portion of the site; and a transition between active farmland at the Town's edge and development within the Town. As described in the *Description of Project* the Project would include an agricultural buffer that would provide a transition between farmland and development and mature trees and would be preserved in the buffer.

For the reasons described above, the Project would not have a substantial effect on the views of surrounding hillsides and ridgelines and this impact would be less than significant, consistent with the findings of the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no officially designated state Scenic Highways in the Windsor area, nor is the Project site located in a scenic corridor (California Department of Transportation [Caltrans] 2021). The nearest eligible scenic highway to the Town, State Route 128, is located approximately 6 miles northeast of the Project site. There are no scenic highways within the scope of the Project, therefore the Project would have no impact to scenic highways. The Project would not have a substantial effect on the surrounding scenic corridors that includes mountain ranges and agricultural lands and this impact would be less than significant.

As analyzed in Section 5, *Cultural Resources*, the buildings on-site are not considered historic resources. Therefore, as analyzed in the 2040 General Plan EIR, there would be no damage to scenic resources in a state Scenic Highway and this impact would be less than significant. The Project would not result in more severe adverse impacts than discussed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The Project site is not located in an urbanized area[1]; therefore, the Project is evaluated for its potential to degrade the existing visual character or quality of public views of the site and its surroundings. The current visual character of the area around the north, east, and west of the site is that of a rural/semi-rural landscape with limited development, cultivated vineyards, and open undeveloped areas with clusters of mature trees that give way to longer-distance views of eastern hillsides. The visual character of the area south of the Project site includes single-family residential development.

Public views of the site are available from roadways surrounding the site including from Highway 101, Los Amigos Road, and Arata Lane. From Highway 101 and the current Los Amigos Road right-of-way, drivers traveling north and south on the roadway currently have views looking east across the Project site of the undeveloped land, clusters of mature trees, and the distant hillsides to the east. Visual quality in this area is moderately high with some panoramic views available of the rural landscape with background views of eastern hillsides. After implementation of the proposed Project, buildings associated with the Project would be largely screened from view by landscaping included existing and proposed new trees. Furthermore, new development would be under 35 feet in height and therefore would not be tall enough to obscure views of the distant hillsides. In addition, views of the Project from motorists traveling on these roadways would be fleeting and the

[1] Defined as an incorporated city with a population of more than 100,000 persons, or an incorporated city with a population of less than 100,000 persons if the population of that city and not more than two contiguous cities combined equals at least 100,000 persons, per Section 21071 of the Public Resources Code. The Town of Windsor has a population of 27,855 in January 2021 (DOF 2021). Windsor is not adjacent to any incorporated cities.

overall view and visual character would not be substantially altered. Therefore, views from public roadways east of the Project site such as Highway 101 and Los Amigos Road would not experience substantial degradation due to Project implementation.

From Arata lane west of the Project site, distant views of hillsides are largely blocked by mature trees and rural residential development, including barns and other farm buildings, however intermittent views of hillsides are available. The visual quality in this area is high with views of undeveloped land, mature trees, intermittent hillsides, and rural residential land uses. With development of the Project, new residential buildings would be somewhat visible beyond the tree line in the middle ground and only slightly change in the longer-range vista as the buildings are designed to blend in with the landscape in terms of color palette, shape, and massing. Furthermore, the proposed development would retain some of the rural agricultural style of the surrounding area.

From Arata Lane east of the Project site, existing residences and mature trees line the road. While some places on Arata Lane afford drivers traveling west on the road views of north/northeasterly undeveloped land and hillsides in the background, in the immediate vicinity of the site views are obscured by existing residential or church buildings. Visual quality is moderate as expansive views of undeveloped areas and distant hillsides are not available. With the Project, landscaping would be installed that would be designed to fit with the rest of the Project and with adjacent residential uses (i.e., south of Arata Lane), which includes single-family homes with landscaping around the residences and along pedestrian walkways.

As the Project would also install pedestrian walkways and landscaping, its implementation would unify the overall look of the built environment. Overall, the project would not conflict with the visual character of the area surrounding the site to the south and east.

Overall, the Project would alter the existing visual character and quality of the site by introducing new residential buildings and a potential school in the place of undeveloped land and existing, one-story single-family residential buildings. The 2040 General Plan EIR analyzed buildout of the area north of Arata Lane and concluded that the conversion of undeveloped and predominately agricultural land may impact visual character. Policies and guidelines within the 2040 General Plan are designed to protect and enhance visual character in the north of Arata Lane area, including the Project site. Policies in the 2040 General Plan would promote the preservation of scenic natural resources and the development of visual transitions to the Town. Implementation of 2040 General Plan Policy LU-1.1 (listed in Appendix A) would provide a sense of transition between active farmland at the Town's edge and development within the Town. Policies pertaining to the Town's Urban Growth Boundary (UGB) would also protect agricultural open space outside the General Plan Area, preserving farmland surrounding Windsor that contributes to the Town's rural visual character. Adherence to the 2040 General Plan policies would reduce impacts to the visual character of the Project site, in the north of Arata Lane area. While Project implementation would change the visual character of the area, it would not substantially reduce the visual quality.

Accordingly, this impact would be less than significant. The Project would not substantially degrade the existing visual character or quality of the site and its surroundings beyond what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Due to the mostly vacant nature of the Project site, existing sources of light and glare are limited on site. Several existing sources of light currently exist in the Project vicinity, including headlights from vehicles travelling on nearby roadways and exterior lighting associated with nearby residential uses. As addressed in the General Plan EIR, new development that could introduce new sources of light and glare in Windsor, resulting in increased ambient nighttime lighting. Potential lighting for the Project would include streetlights, exterior building illumination, interior lighting passing through building fenestration, lighting associated with school uses, and outdoor lighting at recreational facilities. Adherence to Policy LU-1.13 of the 2040 General Plan, which was amended under General Plan EIR Mitigation Measure AES-1, would minimize sky glow and would ensure that new sources of outdoor lighting associated with the Project would be shielded and/or directed downward to limit nighttime sky glow. Alley lighting would be compliant with the standards of the International Dark Sky Association and would therefore result in minimal nighttime sky glow. This policy also would minimize light spillover to nearby properties where people may be sensitive to ambient lighting conditions. Consistent with General Plan Policy LU-1.13 and Mitigation Measure AES-1 from the 2040 General Plan EIR, the following uniformly applicable development policy to reduce potential impacts to light and glare and protection of wildlife from spillover effects, included below, shall be implemented as COA.

Condition of Approval

Project design shall include LED, downcast, shielded lighting and lighting that would be directed towards building walls in order to limit overspill and glare from the project, without compromising the safety and security of the community, and protecting wildlife in the Project area from spillover effects. The Town shall review and approve the lighting design prepared by the applicant.

Therefore, based on the Project's consistency with 2040 General Plan policies as well as the COA, impacts of the proposed Project to light and glare would be consistent with the findings of the 2040 General Plan EIR.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

Conclusion

The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts to aesthetics and visual resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects that were not discussed in the prior environmental document. Furthermore, there are no previously identified significant effects which, as a result of substantial new information not known at the time of the previous environmental review, have been determined to have a more severe adverse impact than those discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

2 Agriculture and Forestry Resources

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■	☐
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■	☐
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	■	☐
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■	☐
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts to agriculture were analyzed on pages 65 through 78 of the 2040 General Plan EIR. Impacts related to the conversion of farmland to non-agricultural use were determined to be significant and unavoidable, while impacts related to change in the existing environment that could result in the conversion of farmland to non-agricultural use were determined to be less than significant. The 2040 General Plan EIR includes the following example mitigation measures, but determines them to be infeasible to mitigate the General Plan itself:

- Granting perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the qualifying entity which has been approved by the Town to account for any farmland that is converted to non-agricultural uses.
- Making an in-lieu fee payment to a qualifying entity to be applied toward the future purchase of farmland to mitigate for the losses related to farmland, together with an endowment amount as may be required.
- Making an in-lieu payment to a qualifying entity to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanisms to preserve farmland in the Town.
- Establishing a Town agricultural mitigation fund for the payment of in-lieu fees.
- Extension of the Urban Growth Boundary for 30 to 50 years.

Project-Specific Impacts

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

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. According to the California Department of Conservations (DOC) Important Farmland Map, the Project site and proposed area for the realigned Los Amigos Road is designated on Farmland of Local Importance, Other Land, and Urban and Built-Up Land (DOC 2021a). The Project site is within the area north of Arata Lane, and as stated in the 2040 General Plan EIR "Development in accordance with the land use designations of the 2040 General Plan would reduce existing agriculture production in the 2040 General Plan Area, specifically in areas north of Arata Lane and north and south of Jensen Lane" (Town of Windsor 2018b). Because the Project site and proposed area for the realigned Los Amigos Road is partially designated as Farmland of Local Importance, the Project would result in conversion of farmland. Therefore, similar to the findings in the 2040 General Plan EIR for the Project site, because the site has a Farmland designation and would be converted to non-agricultural use, impacts would be significant and unavoidable. Policies included in the 2040 General Plan would not create new agricultural lands to mitigate agricultural land lost as a result of development under the 2040 General Plan. With implementation of 2040 General Plan policies to encourage the ongoing use of farmland, designated farmland on the Project site would still be converted to non-agricultural uses, as analyzed as part of the 2040 General Plan EIR and impacts would remain significant and unavoidable. However, given that the Project would be consistent with the site's 2040 General Plan land use designation and the Project would include a 100-foot buffer between the proposed residences and existing agricultural uses located to the north and east of the project in accordance with Chapter 27.24 (Agricultural Preservation) of the Town's Zoning Ordinance, 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 Project is required to comply with the requirements of Zoning Ordinance Chapter 27.24 (Agricultural Preservation), the purposes of which are to preserve and protect agricultural uses, support continued agricultural operations, alert prospective residents to the importance of agricultural land preservation, and provide suitable methods of land use separation and buffering provisions." Zoning Ordinance Section 27.24.030 (Disclosure) requires the presence of agricultural operations to be disclosed through a statement on the final map, within Covenants, Conditions and Restrictions (CC&Rs) if prepared, and through the recordation of a separate acknowledgement. The disclosure applies to the subdivision of land and new structures requiring a building permit located within 1,000 feet of land zoned or used for agriculture.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

There are no Williamson Act contract lands located in the town and the Project site and proposed area for the realigned Los Amigos Road is not located under a Williamson Act contract (County of Sonoma 2018; County of Sonoma 2021). No impact to Williamson Act contract lands would occur.

The Project site and proposed area for the realigned Los Amigos Road are zoned Surrounding Residential, Village Residential, Medium Density Residential, and Neighborhood Commercial pursuant to the Town Zoning Code and adjacent to vineyards to the north and east (refer to Table 2). Chapter 27.24, Agricultural Preservation, of the Town of Windsor Zoning Ordinance requires an agricultural buffer of 200-feet at the time of subdivision or development for any parcel adjacent to lands zoned or used for agriculture. The Project would include a 100-foot buffer along the north and east property lines, which is less than the required buffer size. The applicant has requested a waiver to reduce the buffer size to the minimum allowed by the Zoning Ordinance. The Project provides the minimum 100-foot buffer and satisfies the criteria to reduce the buffer to the minimum by including hedgerows, new tree plantings, linear parks, and neighborhood streets and retaining existing trees and creek corridor.

The 2040 General Plan anticipated that new development would result in conversion of agricultural lands compared to the existing conditions and that future development would focus on underdeveloped areas, such as the Project site. Additionally, the 2040 General Plan permits low density land uses to be adjacent to agricultural lands, such as buildout of the VLDR and LDR land use designations associated with the Project site. Furthermore, as discussed above, the applicant has requested a waiver to reduce the size of the agricultural buffer and satisfies the criteria to do so by including hedgerows, new tree plantings, existing trees and creek corridor, linear parks, and neighborhood streets. Based on the above, this impact would be consistent with the findings of the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

As discussed in the 2040 General Plan EIR there are no areas in the Town that meet the definition of a forestry resource, as defined by California Public Resources Code Section 12220(g). 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. No impact would occur and the Project would not result in more severe adverse impacts than discussed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

As described under *criterion c*, the Project site (including the area for the realigned Los Amigos Road) does not contain forest land or timberland. The 2040 General Plan concluded that there are no areas within the Town of Windsor that would meet the definition of a forestry resource (Town of Windsor 2018a). Therefore, the Project would have no impact to forest land and the Project would not result in more severe adverse impacts than discussed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) is consistent with analysis in the 2040 General Plan EIR. The Project would have no new significant or substantially more severe or peculiar impacts to agriculture and forestry resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

3 Air Quality

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	■	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	■	■
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	■	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts to air quality were analyzed on pages 79 through 99 of the 2040 General Plan EIR. Impacts related to the temporary generation of air pollutants during construction were found to be significant but mitigable with implementation of Mitigation Measure AQ-1, included below. Impacts related to violation of an air quality standard, net increase of a criteria pollutant, exposure of sensitive receptors to pollutant concentrations, conflict with implementation of an air quality plan, and creation of objectionable odors were found to be less than significant.

AQ-1 Construction Emissions Measures

The Town shall require that development projects incorporate the Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures to reduce construction emissions for reactive organic gases, nitrogen oxides, and particulate matter (PM10 and PM2.5). The Town shall require the following to be adhered to during Project construction to reduce air quality impacts.

During construction activities:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, with priority given to the use of recycled water for this activity when feasible.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Overview of Air Pollution

The federal and State Clean Air Acts (CAA) mandate the control and reduction of certain air pollutants. Under these laws, the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for "criteria pollutants" and other pollutants. Some pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere, including carbon monoxide, volatile organic compounds (VOC)/reactive organic gases (ROG),[2] nitrogen oxides (NO_X), particulate matter with diameters of ten microns or less (PM_{10}) and 2.5 microns or less ($PM_{2.5}$), sulfur dioxide, and lead. Other pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between ROG and NO_X. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog).

Air pollutant emissions are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories:

- Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat.
- Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products.

Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and can also be divided into two major subcategories:

[2] CARB defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term ROG is used in this IS.

- On-road sources that may be legally operated on roadways and highways.
- Off-road sources include aircraft, ships, trains, and self-propelled construction equipment.

Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

Air Quality Standards and Attainment

The Project site is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District's (BAAQMD). As the local air quality management agency, the BAAQMD is required to monitor air pollutant levels to ensure that the NAAQS and CAAQS are met and, if they are not met, to develop strategies to meet the standards. Depending on whether the standards are met or exceeded, the SFBAAB is classified as being in "attainment" or "nonattainment." BAAQMD is in non-attainment for the state and federal ozone standards, the state and federal $PM_{2.5}$ standards and the state PM_{10} standards and is required to prepare a plan for improvement (BAAQMD 2017a).

Air Quality Management

Because the SFBAAB currently exceeds the federal ozone and $PM_{2.5}$ standards and the state ozone, PM_{10}, and $PM_{2.5}$ standards, the BAAQMD is required to implement strategies to reduce pollutant levels to achieve attainment of the NAAQS and CAAQS. The 2017 Plan provides a regional strategy to protect public health and the climate. Consistent with the greenhouse gas (GHG) reduction targets adopted by the state, the 2017 Plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. To fulfill state ozone planning requirements, the 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors (ROG and NO_X) and reduce transport of ozone and its precursors to neighboring air basins. In addition, the 2017 Plan builds upon and enhances the BAAQMD's efforts to reduce emissions of fine particulate matter and toxic air contaminants (TAC) (BAAQMD 2017b).

Air Pollutant Emission Thresholds

The BAAQMD has adopted guidelines for quantifying and determining the significance of air quality emissions in its *California Environmental Quality Act Air Quality Guidelines* (BAAQMD 2017c). Table 3 presents the significance thresholds for construction- and operation-related criteria air pollutant and precursor emissions used for the purposes of this analysis. These represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. For the purposes of this analysis, the Project would result in a significant impact if emissions would exceed any of the thresholds shown in Table 3.

Table 3 BAAQMD Air Quality Thresholds of Significance

Pollutant/Precursor	Construction: Average Daily Emissions (lbs/day)	Operation: Average Daily Emissions (lbs/day)	Operation: Maximum Annual Emissions (tpy)
ROG	54	54	10
NO_X	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10

Note: lbs/day = pounds per day; tpy = tons per year

The BAAQMD does not have quantitative thresholds for fugitive dust emissions during construction. Instead, the BAAQMD recommends Best Management Practices (BMPs) be implemented to reduce fugitive dust emissions. In the absence of a qualified Community Risk Reduction Plan, BAAQMD has established the following *Thresholds of Significance* for local community risks and hazards associated with TACs and $PM_{2.5}$ for assessing individual source impacts at a local level. Impacts would be significant if:

- The Project would result in an increased cancer risk of > 10 in one million
- The Project would result in an increased non-cancer (i.e., Chronic or Acute) risk of > 1.0 Hazard Index
- The Project would result in an ambient $PM_{2.5}$ concentration increase of > 0.3 $\mu g/m^3$ annual average

A project would be considered to have a cumulatively considerable impact if the aggregate total of current and proposed TAC sources within a 1,000 feet radius of the Project fence-line in addition to the Project would exceed the *Cumulative Thresholds of Significance*. Impacts would be significant if:

- The Project would result in an increased cancer risk of > 100 in one million
- The Project would result in an increased non-cancer (i.e., Chronic or Acute) risk of > 10 Hazard Index
- The Project would result in an ambient $PM_{2.5}$ concentration increase of > 0.8 $\mu g/m^3$ annual average

Excess cancer risks are defined as those occurring in excess of or above and beyond those risks that would normally be associated with a location or activity if toxic pollutants were not present. Non-carcinogenic health effects are expressed as a hazard index, which is the ratio of expected exposure levels to an acceptable reference exposure level.

BAAQMD defines sensitive receptors as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and the chronically ill. These facilities include residences, school playgrounds, child-care centers, retirement homes, and convalescent homes.

The Project would result in a less than significant impact to localized CO concentrations if the following screening criteria is met:

- Project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.
- The Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The Project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Methodology

Air pollutant emissions generated by the proposed Project were estimated using the most recently available version of the California Emissions Estimator Model (CalEEMod)[3]. CalEEMod uses Project-specific information, including the Project's land uses, square footages for different uses (e.g., residential, park, and school), and location, to model a Project's construction and operational emissions. The analysis reflects the construction of the Project as described in the Project Description.

Construction emissions modeled include emissions generated by construction equipment used on-site and emissions generated by vehicle trips associated with construction, such as worker and vendor trips. CalEEMod estimates construction emissions by multiplying the amount of time equipment is in operation by emission factors. Construction of the Project was analyzed based on the applicant-provided construction schedule and construction equipment list. Construction would occur intermittently over approximately seven years, with four phases of building construction. Cut and fill would be balanced on the site. It is assumed that all construction equipment used would be diesel-powered, capable of meeting Tier 4 emissions standards, except for air compressors, which were assumed to be electric. This analysis assumes that the Project would comply with all applicable regulatory standards.

Operational emissions modeled include mobile source emissions (i.e., vehicle emissions), energy emissions, and area source emissions. Mobile source emissions are generated by vehicle trips to and from the Project site. For the purpose of this analysis, trip generation rates were conservatively calculated using CalEEMod defaults. Emissions attributed to energy use include natural gas consumption by appliances as well as for space and water heating. Area source emissions are generated by landscape maintenance equipment, consumer products and architectural coatings.

Project-Specific Impacts

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The California Clean Air Act requires that air districts create a Clean Air Plan that describes how the jurisdiction will meet air quality standards. The most recently adopted air quality plan is the BAAQMD 2017 Plan. The 2017 Plan updates the most recent Bay Area plan, the 2010 Clean Air Plan, pursuant to air quality planning requirements defined in the California Health and Safety Code. To fulfill state ozone planning requirements, the 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors—ROG and NO_X—and reduce transport of ozone and its precursors to neighboring air basins. The 2017 Plan builds upon and enhances the BAAQMD's efforts to reduce emissions of fine particulate matter and TACs. The 2017 Plan does not include control measures that apply directly to individual development projects. Instead, the control strategy includes control measures related to stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants.

The 2017 CAP focuses on two paramount goals:

- Protect air quality and health at the regional and local scale by attaining all national and state air quality standards and eliminating disparities among Bay Area communities in cancer health risk from TACs

[3] The most recent version of CalEEMod at the time of technical work commencement was Version 2022.1.

- Protect the climate by reducing Bay Area GHG emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050

Under BAAQMD's methodology, a determination of consistency with the 2017 Plan should demonstrate that a project:

- Supports the primary goals of the air quality plan
- Includes applicable control measures from the air quality plan
- Does not disrupt or hinder implementation of any air quality plan control measures

As addressed in the 2040 General Plan EIR, buildout of the General Plan would be consistent with the Bay Area Air Quality Management District's (BAAQMD) 2017 Clean Air Plan (Town of Windsor 2018b). Consistency with BAAQMD quantitative thresholds is interpreted as demonstrating support for the 2017 Clean Air Plan goals. Goals and policies of Land Use and Community Design Element and the Transportation and Mobility Element of the 2040 General Plan are aimed at reducing the air quality impacts associated with population growth in the Town by supporting the Town's Growth Control Ordinance, promoting alternative transportation through land use design, reducing the number of vehicle trips, and reducing energy use. As shown in Table 12 of the 2040 General Plan EIR, projects (including the Project) under the General Plan would be consistent with the 2017 Clean Air Plan control measures. Additionally, the Project would be required to be consistent with BAAQMD rules and regulations, including dust and diesel particulate matter reduction measures and would not otherwise cause the disruption, delay or otherwise hinder the implementation of any air quality plan control measure. The Project is consistent with the 2040 General Plan. Therefore, the Project would be consistent with the 2017 Plan and would not conflict with or obstruct the implementation of an applicable air quality plan, consistent with findings in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Construction Emissions

Project construction would generate temporary air pollutant emissions associated with fugitive dust (PM_{10} and $PM_{2.5}$) and exhaust emissions from heavy construction equipment and construction vehicles in addition to ROG emissions that would be released during the drying phase of architectural coating. Table 4 summarizes the estimated construction emissions of pollutants during Project construction – including those for both the Project as well as the potential school development –were calculated using CalEEMod *(*Appendix B). As shown therein, construction-related emissions would not exceed BAAQMD thresholds. Therefore, Project construction would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Table 4 Maximum Construction Period Emissions

Construction Year	ROG	NO_x	PM_{10} Exhaust	$PM_{2.5}$ Exhaust
Project Emissions (lbs/day)				
Maximum Average Daily Emissions	19	9	<1	<1
BAAQMD Thresholds	54	54	82	54
Threshold Exceeded?	**No**	**No**	**No**	**No**
Project with Potential School Emissions (lbs/day)				
Maximum Average Daily Emissions	21	13	<1	<1
BAAQMD Thresholds	54	54	82	54
Threshold Exceeded?	**No**	**No**	**No**	**No**

lbs/day = pounds per day; ROG = reactive organic gases, NO_x = nitrogen oxides, PM_{10} = particulate matter 10 microns in diameter or less, $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

Emissions reported are higher of Winter and Summer emissions.

Notes: Emissions modeling completed using CalEEMod. See Appendix B for modeling results. Some numbers may not add up due to rounding.

The 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 Mitigation Measure AQ-1 of the 2040 General Plan EIR, the following uniformly applicable development policy to reduce potential impacts to fugitive dust emissions, included below, shall be implemented as COA.

Condition of Approval

The Project shall incorporate the Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures to reduce construction emissions for reactive organic gases, nitrogen oxides, and particulate matter (PM_{10} and $PM_{2.5}$). The Town shall require the following to be adhered to during Project construction to reduce air quality impacts.

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, with priority given to the use of recycled water for this activity when feasible.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Operational Emissions

The 2040 General Plan EIR assesses air quality impacts on a programmatic level and recognizes that site-specific impacts would be assessed during Project review. Operation of the Project would generate criteria air pollutant emissions associated with area sources (e.g., fireplaces, architectural coatings, consumer products, and landscaping equipment), energy sources (i.e., use of natural gas for space and water heating and cooking), and mobile sources (i.e., vehicle trips to and from the project site).

Table 5 summarizes the Project's maximum daily operational emissions by emission source, and Table 6 summarizes the Project's maximum annual operational emissions by emission source.[4] Both tables show emissions associated with the Project as proposed as well as the Project should the potential school be developed (which would also result in 65 fewer residential units being built). As shown therein, operational emissions would not exceed BAAQMD thresholds for criteria pollutants. Therefore, Project operation would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment, and impacts would be less than significant. Therefore, the Project would not result in more severe adverse impacts than discussed in the 2040 General Plan EIR.

Table 5 Estimated Average Daily Operational Emissions (lbs/day)

Emissions Source	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Project Emissions (lb/day)						
Mobile	9	7	58	<1	15	4
Area	14	<1	8	<1	<1	<1
Energy	<1	3	1	<1	<1	<1
Total	**23**	**10**	**67**	**<1**	**15**	**4**
BAAQMD Thresholds	54	54	n/a	n/a	82	54
Threshold Exceeded?	**No**	**No**	**n/a**	**n/a**	**No**	**No**
Project with Potential School Emissions (lb/day)						
Mobile	9	7	61	<1	16	4
Area	13	<1	8	<1	<1	<1
Energy	<1	2	1	<1	<1	<1
Total	**22**	**9**	**70**	**<1**	**16**	**4**
BAAQMD Thresholds	54	54	n/a	n/a	82	54
Threshold Exceeded?	**No**	**No**	**n/a**	**n/a**	**No**	**No**

lbs/day = pounds per day; ROC = reactive organic compounds, NO_X = nitrogen oxides, CO = carbon monoxide, SO_2 = sulfur dioxide, PM_{10} = particulate matter 10 microns in diameter or less, $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

Notes: Emissions modeling conducted using CalEEMod. See Appendix B for modeling results. Some numbers may not add up due to rounding.

[4] Note, because the proposed Los Amigos Road realignment would not induce travel but would accommodate travel for Project residents, it would not itself result in additional operational emissions. Emissions associated with vehicle trips from proposed new residents are accounted for in Table 5 and Table 6.

Table 6 Estimated Maximum Annual Operational Emissions (tons/year)

Emissions Source	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Project Emissions (tons/year)						
Mobile	2	1	11	<1	3	1
Area	3	<1	2	<1	<1	<1
Energy	<1	<1	<1	<1	<1	<1
Total	**5**	**1**	**13**	**<1**	**3**	**1**
BAAQMD Thresholds	10	10	n/a	n/a	15	10
Threshold Exceeded?	**No**	**No**	**n/a**	**n/a**	**No**	**No**
Project with Potential School Emissions (tons/year)						
Mobile	2	1	11	<1	3	1
Area	2	<1	1	<1	<1	<1
Energy	<1	<1	<1	<1	<1	<1
Total	**4**	**1**	**12**	**<1**	**3**	**1**
BAAQMD Thresholds	10	10	n/a	n/a	15	10
Threshold Exceeded?	**No**	**No**	**n/a**	**n/a**	**No**	**No**

lbs/day = pounds per day; ROC = reactive organic compounds, NO_X = nitrogen oxides, CO = carbon monoxide, SO_2 = sulfur dioxide, PM_{10} = particulate matter 10 microns in diameter or less, $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

Notes: Emissions modeling completed using CalEEMod. See Appendix B for modeling results. Some numbers may not add up due to rounding.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Certain population groups, such as children, the elderly, and people with health problems, are particularly sensitive to air pollution. Therefore, the majority of sensitive receptor locations are schools, hospitals, and residences. As shown on Figure 6, sensitive receptors in the Project vicinity include single-family residences located immediately east and west of the Project site and the single-family neighborhood south of the project site across Arrata Lane.

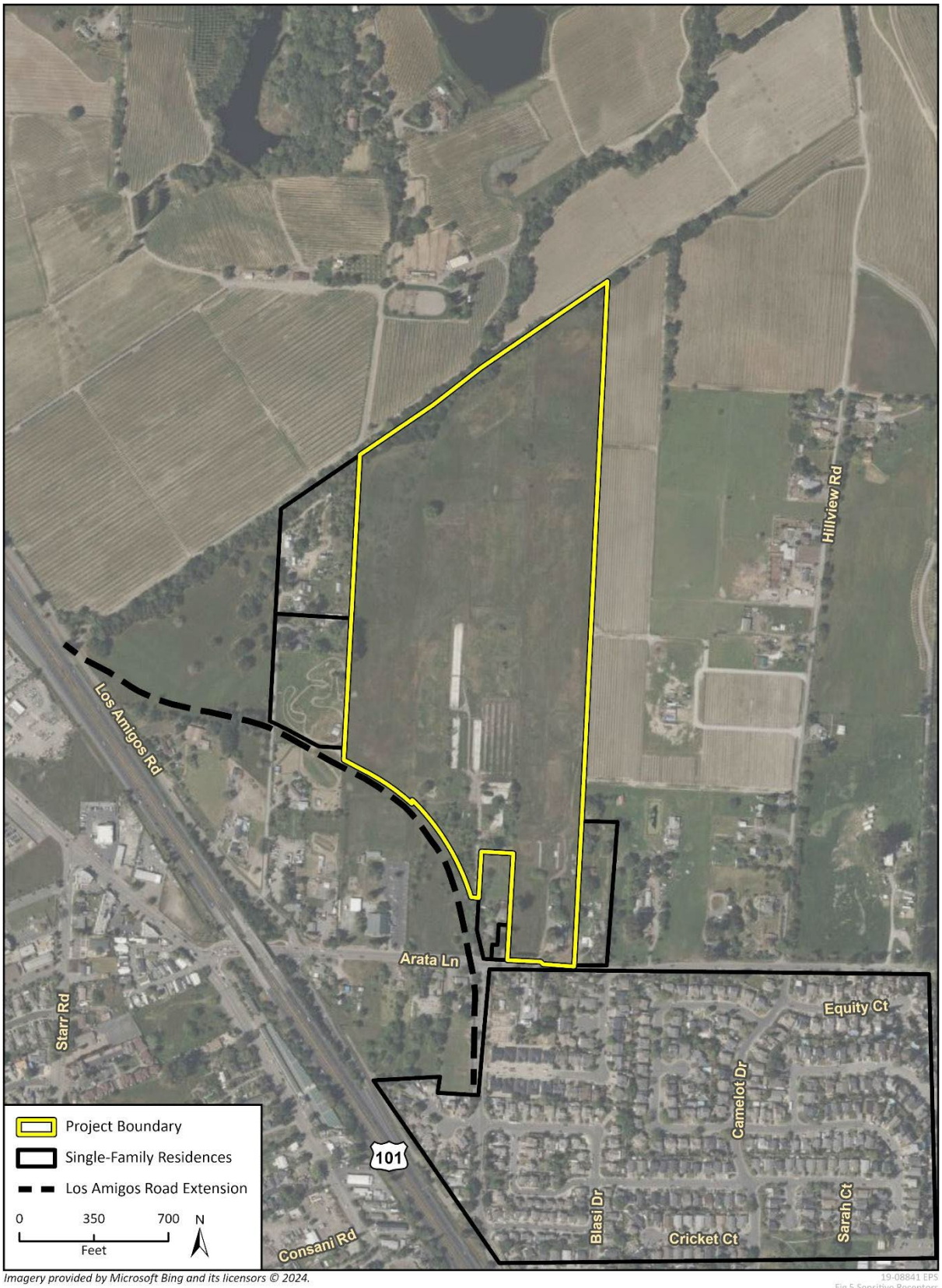
The Project also includes the siting of new sensitive receptors in the form of new residences and a potential school. Localized air quality impacts to sensitive receptors typically result from CO hotspots and TACs, which are discussed in the following subsections.

Carbon Monoxide Hotspots

A CO hotspot is a localized concentration of CO that is above a CO ambient air quality standard. Localized CO hotspots can occur at intersections with heavy peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local CO concentration exceeds the federal one-hour standard of 35.0 ppm or the federal and state eight-hour standard of 9.0 ppm (CARB 2016).

Based on the traffic impact study, the Project is expected to generate an average of 2,951 trips per day and the Project with the potential school would generate an average of 3,425 trips per day (Appendix M). The addition of Project traffic would not exceed 24,000 vehicles per hour at any intersection, due to the low existing use of local intersections. The additional daily trips to area roadways would not exceed the screening thresholds listed above. Therefore, the impact of localized CO emissions would not be significant.

Figure 6 Sensitive Receptors Closest to the Project Site



Imagery provided by Microsoft Bing and its licensors © 2024.

19-08841 EPS
Fig 5 Sensitive Receptors

Toxic Air Contaminants

TACs are defined by California law as air pollutants that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. The following subsections discuss the Project's potential to result in impacts related to TAC emissions during construction and operation.

Construction

Construction-related activities would result in temporary Project-generated emissions of diesel particulate matter (DPM) exhaust emissions from off-road, heavy-duty diesel equipment for site preparation, grading, building construction, and other construction activities. DPM was identified as a TAC by CARB in 1998 (CARB 2017). The potential cancer risk from the inhalation of DPM (discussed in the following paragraphs) outweighs the potential non-cancer health impacts (CARB 2021) and is therefore the focus of this analysis.

Although construction activity is short-lived, it may increase TAC concentrations in the short term at nearby sensitive receptors. DPM is the primary contaminant of concern for the Project and would be the TAC emitted in the largest quantity, thus health risks were assessed as they relate to DPM exposure. The Project assumes that Tier 4 emissions controls will be applied to offroad construction equipment, further reducing TAC emissions and minimizing health risk.

As shown in Figure 6, the nearest sensitive receptors are the single-family residences east, west, and south of the Project site. Single-family residences proposed by the Project would be constructed in phases as shown on the Project's phasing plan. Therefore, due to the short duration of construction for each residence and the application of Tier 4 emissions controls, sensitive receptors would not be exposed to significant amounts of TACs from Project construction. Additionally, Table 4 provides estimated construction emissions, which are below BAAQMD thresholds.

The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period of time. According to the California Office of Environmental Health Hazard Assessment, health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the Project. Thus, the duration of proposed construction activities (which is approximately 59 months of construction activity within an 84-month construction schedule) is approximately 16.3 percent of the total exposure period used for 30-year health risk calculations. Current models and methodologies for conducting health-risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities, resulting in difficulties in producing accurate estimates of health risk (BAAQMD 2017c).

The maximum PM_{10} and $PM_{2.5}$ emissions would occur during demolition, site preparation, and grading activities. These activities would last for approximately 232 days and would be greatly reduced through the application of Tier 4 emissions controls. PM emissions would decrease for the remaining construction period because construction activities such as building construction and architectural coating would require less intensive construction equipment. While the maximum DPM emissions associated with demolition, site preparation, and grading activities would only occur

for a portion of the overall construction period, these activities represent the worst-case condition for the total construction period. This would represent approximately two percent[5] of the total 30-year exposure period for health risk calculation. Given the aforementioned discussion, DPM generated by Project construction would not create conditions where the probability is greater than ten in one million of contracting cancer for the Maximally Exposed Individual or to generate ground-level concentrations of non-carcinogenic TACs that exceed a Hazard Index greater than one for the Maximally Exposed Individual. Therefore, Project construction would not expose sensitive receptors to substantial TAC concentrations, and impacts would be less than significant.

Operational Impacts

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) provides recommendations regarding the siting of new sensitive land uses near potential sources of air toxic emissions (e.g., freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities). CARB guidelines recommend siting distances both for the development of sensitive land uses in proximity to TAC sources and for the addition of new TAC sources in proximity to existing sensitive land uses. Residential, park, and school land uses are not considered land uses that generate substantial TAC emissions based on review of the air toxic sources listed in CARB's guidelines. It is expected that quantities of hazardous TACs generated on-site (e.g., cleaning solvents, paints, landscape pesticides, etc.) for the types of proposed land uses would be below thresholds warranting further study under the California Accidental Release Program. Because the Project would not include substantial TAC sources and is consistent with CARB guidelines, it would not result in the exposure of off-site sensitive receptors to significant amounts of carcinogenic or toxic air contaminants. Impacts would be less than significant. Therefore, the Project would not result in more severe adverse impacts than discussed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

As addressed in the 2040 General Plan EIR, buildout of the 2040 General Plan, such as the north of Arata Lane Development, would not create objectionable odors affecting a significant number of people (Town of Windsor 2018b). The 2040 General Plan Land Use Map would ensure consistency of surrounding land uses with odor producing land uses. According to the BAAQMD, odor-generating projects include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants, none of which are proposed (BAAQMD 2017c). The Project does not include any of these uses. Therefore, the Project would not result in more severe adverse impacts than discussed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

[5] 232 days / 10,800 days in a year * 100 = 2 percent.

Conclusion

With incorporation of Tier 4 emissions control as well as the COA requiring implementation of Mitigation Measure AQ-1 from the 2040 General Plan EIR as well as General Plan policies discussed under Impact (a), the Project would have no new significant or substantially more severe or peculiar impacts to air quality, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

4 Biological Resources

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■	■
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■	■
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■	■
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	■	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts to biological resources were analyzed on pages 101 through 118 of the 2040 General Plan EIR. Impacts related to direct and indirect impacts to special-status species, riparian habitats, or sensitive natural communities were found to be less than significant with implementation of Land Use Policy LU-1.13 (updated under Mitigation Measure AES-1) to reduce impacts from lighting, and Environmental Resources Policy ER-6.12 (updated under Mitigation Measure BIO-1) to protect nesting birds. Impacts related to migratory fish or wildlife species were found to be less than significant with incorporation of Environmental Resources Element Policy ER-1.2 (updated under Mitigation Measure BIO-2). Impacts related to federally protected wetlands, conflicts with tree preservation policies, and conflicts with habitat preservation or natural community conservation plans were found to be less than significant. Mitigation Measures BIO-1 and BIO-2 are listed below:

BIO-1 Nesting Bird Protection Policy

> The Town shall require project applicants to retain the services of a qualified biologist(s) to conduct a pre-construction nesting bird survey during the nesting season (February 1 through August 31) prior to all new development that may remove any trees or vegetation that may provide suitable nesting habitat for migratory birds or other special-status bird species. If nests are found the qualified biologist(s) shall identify appropriate avoidance measures.

BIO-2 Wildlife Movement Corridors Protection Policy

The 2040 General Plan Environmental Resources Element Policy ER-1.2 shall be updated to read:

> **Policy ER-1.2 Sensitive Habitat Preservation.** The Town shall encourage the preservation of sensitive environmental habitat areas, such as oak woodlands, productive farmlands, and riparian (creekside) corridors, and important wildlife movement corridors through measures such as clustering development and conservation easements.

Methodology

A Special-Status Plant Report and an Aquatic Resources Delineation were prepared by Salix Consulting, Inc. (Salix) in June 2018 and June 2021, respectively, which are included as Appendix C. The Special-Status Plant Report details the results of a rare plant survey conducted on the Project site. The Aquatic Resources Delineation report assesses and maps aquatic resources within the Project site and identifies potential wetland areas within the Project site. Salix also prepared a letter in February 2024 (Aquatic Resources Permitting for the Quail Acres Project) confirming results of the 2021 Aquatic Resources Delineation and outlining potential permitting scenarios.[6] Salix prepared Biological Resources Addenda, one in March 2022 and a second in June 2022 (Appendix C). The June 2022 report addressed biological and aquatic resources along the 5-acre corridor for the proposed realignment of Los Amigos Road.

In addition, Rincon Consultants, Inc. conducted a query of the California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS) in October 2023 to determine the potential for special-status plant and animal species to be located on the Project site. The results of these queries are included in Appendix D. Furthermore, An Arborist Report was prepared by Horticultural

[6] Note that Scenario 1 in this document is not valid due to a new rule issued in September 2023 amending the definition of the "waters of the U.S.". This rule was issued to conform with the U.S. Supreme Court ruling in *Sackett v. Environmental Protection Agency*. Under the new rule, only the "relatively permanent test" may be used to determine whether waters or wetlands are federally jurisdictional, and only wetlands with a "continuous surface connection" to a relatively permanent tributary are federally jurisdictional. Thus, isolated wetlands are no longer jurisdictional under Section 404 of the Clean Water Act.

Associates in March 2024 and revised in June 2024, which is included in Appendix E). The impact analysis incorporates the findings of these studies.

Project-Specific Impacts

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The General Plan EIR determined that future development would have a less than significant impact on special-status species with implementation of General Plan policies and compliance with Mitigation Measure AES-1 related to reduction of light and glare and Mitigation Measure BIO-1 related to nesting birds.

Special-status species include plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). ESA and CESA afford protection to listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern, and CDFW special status invertebrates are all considered special status species. Although CDFW Species of Special Concern generally do not have special legal status, such species are given consideration under CEQA. In addition to regulations for special status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act (MBTA) of 1918. Under the MBTA, destroying active nests, eggs, and young is illegal. Plant species on CNPS Lists 1 and 2 are also considered special status plant species and must be considered under CEQA.

Based on the results of the CNDDB and CNPS searches and review of the prior reports prepared by Salix (Appendix C), 72 special-status plant species and 25 special-status wildlife species have occurrence records within the nine USGS quadrangles containing and surrounding the Project site. This list was reviewed and refined according to the potential for species to occur on the project site based on the presence and quality of habitats within the project site. Evaluation of potential to occur differed slightly between Rincon's desktop review (Appendix D) and Salix's biological reports (Appendix C). Considering database results, Salix's reports, and the fact that no sensitive species were observed during the multiple surveys on the Project site over many years, Rincon assessed eight (8) plant and nine (9) special-status wildlife species as having a low potential to occur on the project site (Appendix D). Because these species have low potential to occur and were not observed on site, they are not analyzed further. As discussed in Section 1, Aesthetics, the proposed project would be required to comply with the COA regarding light and glare, which would reduce the lighting impacts from the Project, and their associated impacts on special-status species. Furthermore, General Plan Policies including LU-2.7 and -2.8 regarding residential densities, ER-1.1, -1.2, and -1.7 concerning open space and ER-6.1, ER-6.3, and -6.5 requiring detailed inventory and assessment of sensitive resources and implementation of mitigation or conditions of approval consistent with the recommendations of a Project-specific biological study would apply to the Project (policies are listed in Appendix A). As described above, all special-status species have low or no potential to occur within the Project site.

The Project site contains mature trees and therefore there is potential for nesting birds protected under the MBTA and California Fish and Game Code to be present. Consistent with General Plan

Policy ER-6.12, amended under General Plan EIR Mitigation Measure BIO-1, the Project applicant would be required to conduct pre-construction nesting bird surveys during nesting season prior to all new development and this shall be implemented as a COA.

Condition of Approval

Nesting Birds. If construction is to be conducted during the breeding season of migratory birds (February 1 to August 31), a qualified biologist shall conduct a preconstruction breeding bird survey in areas of suitable habitat within 7 days prior to the onset of construction activity. Nesting bird surveys shall cover the construction footprint and adjacent areas. If bird nests are found, appropriate buffer zones shall be established around all active nests to protect nesting adults and their young from direct or indirect impacts related to project construction disturbance. Size of buffer zones shall be determined per recommendations of the qualified biologist based on site conditions and species involved. No construction or earth-moving activity shall occur within the established buffer zone until it is determined by the qualified biologist that the young have fledged or that the nesting cycle is determined to be complete based on monitoring of the active nest.

With implementation of this COA, if nests are found, the appropriate avoidance measures shall be implemented. Implementation of this measure would reduce potential impacts to nesting birds. Overall, with implementation of General Plan policies, impacts would be less than significant, consistent with the findings of the 2040 General Plan EIR.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

As discussed in the Aquatic Resources Delineation (ARD; Appendix C), a tributary to the Russian River, Sotoyome Creek, is located along the northern boundary of the Project site. This intermittent stream (which is 0.266 acres in size within the Project site) does not support continuous riparian vegetation, per the ARD (Appendix C). It is surrounded by oak woodland habitat that occurs on the northern boundary of the Project site, which may be considered riparian habitat by CDFW. Other aquatic resources on the Project site include seven seasonal wetlands (0.137 acre combined). The seasonal wetlands are scattered throughout the northern, central, and western portions of the Project site and the drainage ditch is located at the southern portion of the Project site adjacent to Arata Lane.

The 2040 General Plan EIR evaluated the potential for buildout to affect protected wetlands. As noted in the 2040 General Plan EIR, wetland and waterway areas may be subject to USACE jurisdiction. Impacts related to federally protected wetlands were found to be less than significant in the 2040 General Plan EIR with implementation of General Plan policies and existing laws and regulations. Compliance with the requirements of the Clean Water Act would be required for any project proposed under the 2040 General Plan.

The proposed Project would result in the loss of on-site mapped seasonal wetlands. The seasonal wetlands found on the Project site are not expected to be subject to USACE jurisdiction. However, they would likely be under RWQCB jurisdiction as waters of the State under the Porter-Cologne Water Quality Contral Act. In addition, the seasonal wetlands may be subject to CDFW jurisdiction pursuant to CFGC Section 1600 et seq. The proposed Project would adhere to General Plan Policies ER-1.1, ER-1.2, ER-1.7, ER-3.1 through ER-3.3, and ER-6.1 through ER-6.6 (listed in Appendix A). Implementation of these policies would reduce impacts to State protected wetlands and riparian habitat through purchase of mitigation credits or preservation and enhancement of wetland and riparian habitats. Requirements of these policies include, but are not limited to, use of low impact development principles, implementation of creek setbacks, maintenance of natural waterways, and prohibition of certain activities in riparian habitats including dumping, confinement of livestock, and structural improvements.

The Project would also involve development near Sotoyome Creek. Sotoyome Creek and its associated riparian oak woodland would likely be subject to RWQCB and CDFW jurisdiction to the furthest extent of the riparian canopy. The Project would be required to comply with Section 27.20.040 (Creekside Development) of the Town of Windsor Zoning Ordinance which includes development standards and requirements for development near creeks. Accordingly, no structures, roads, parking, or paved areas would be located within the creek or creek setback area. Pursuant to Policy ER-3.2, and Section 27.20.040 of the Zoning Ordinance, the Project includes a creek setback within the linear park and agricultural buffer area along the northern Project site boundary which would avoid impacts to the creek and minimize the discharge of sediment and pollutants in the intermittent stream. In addition, as described in the Storm Water Low Impact Development Submittal (Appendix I), the Project would implement low impact development BMPs to minimize water pollutants, including implementation of bioretention beds. The bioretention beds would stop suspended solids and hydrocarbons in runoff from moving to downstream receiving waters. Fine particle pollutants would be collected within vegetated buffers strips of the bioretention beds. The Project would not involve dumping, livestock confinement, or other structural improvements in riparian habitat.

According to Zoning Ordinance Section 27.20.040(D)(2), paths or trails may be located within a creek setback. Project plans include a trail that occurs below the riparian canopy and several trees may be required for removal which have the potential to impact riparian areas subject to RWQCB and CDFW jurisdiction. However, impacts to riparian habitat under RWQCB and CDFW jurisdiction would be offset through adherence to adhere to relevant General Plan Policies to reduce impacts to State protected wetlands and riparian habitat through purchase of mitigation credits or preservation and enhancement of wetland and riparian habitats.

Consistent with General Plan Policy ER-6.5, *Applicant Mitigation Obligation* (provided below) to reduce potential impacts to jurisdictional waters or wetlands the following shall be implemented as COA.

Policy ER-6.5 Applicant Mitigation Obligation. The Town shall ensure the protection or restoration of sensitive biological resources that is required as a condition or mitigation of a development project is closely monitored at the cost of the project applicant to determine compliance with the condition or mitigation and to evaluate the effectiveness of the measure.

Condition of Approval

Aquatic Resources. Where permanent impacts to jurisdictional aquatic resources (seasonal wetlands and riparian habitat) cannot be avoided, impacts shall be offset through purchase of credits at a RWQCB and CDFW-approved mitigation bank for creation at a minimum 1:1 ratio. If the Project falls outside of RWQCB and CDFW-approved mitigation bank service areas, or mitigation bank credits are not available, impacts to jurisdictional aquatic resources shall be offset through habitat restoration and/or enhancement Consistent with General Plan Policy ER-6.5. Prior to issuance of a grading permit, the Applicant shall prepare a site-specific Habitat Restoration/Enhancement Plan (HREP). The HREP shall provide for restoration of any jurisdictional wetlands, waters, or riparian habitat temporarily impacted by the Project. Impacts shall be offset through habitat restoration and/or enhancement on- or off-site at a minimum ratio of 1:1 (habitat restored and/or enhanced to habitat impacted) in accordance with the HREP and in coordination with regulatory agencies. The HREP shall be prepared by a qualified biologist and submitted to the Town for review and approval prior to submittal to CDFW, USACE, and the North Coast RWQCB (depending on jurisdictional requirements) for review and approval prior to the issuance of any permits. The qualified biologist shall develop the HREP pursuant to the requirements listed below.

The HREP shall include the following components, as applicable:

- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
- Goal(s) of the compensatory mitigation project (i.e., the type/types and area/areas of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type/types to be established, restored, enhanced, and/or preserved);
- Description of the proposed compensatory mitigation-site (i.e., location and size, ownership status, existing functions and values of the compensatory mitigation-site);
- Implementation plan for the compensatory mitigation site (the plan will include rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan, including plant species to be used, container sizes, and seeding rates);
- Construction activities during the monitoring period, including jack and bore, excavation, and trenching as appropriate (the plan will include activities, responsible parties, and schedule);
- Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year; the plan will include performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports;
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type;
- An adaptive management program and remedial measures to address negative impacts to restoration efforts;
- Notification of completion of compensatory mitigation and agency confirmation; and
- Contingency measures (e.g., initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

Pursuant to Policy ER-6.5, the Project applicant shall adhere to any conditions of approval designated for the Project that would be required to minimize impacts related to impacts to jurisdictional waters or wetlands. Therefore, with implementation of General Plan policies, this impact would be less than significant, consistent with the findings of the 2040 General Plan EIR.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Pursuant to the General Plan EIR, open space areas within the town, such as Foothill Regional Park, provide discontinuous habitat blocks and patches, facilitating wildlife movement. New growth and development under the General Plan would recognize the Town's natural resources and would occur where existing roads, water, and sewer are in place, thus avoiding development in large open space areas that are used as wildlife corridors. The General Plan EIR concluded that with implementation of applicable policies such as ER-1.2 (updated through Mitigation Measure BIO-2), which encourages preservation of sensitive environmental habitat areas including important wildlife movement corridors, impacts to migratory corridors and wildlife nursery sites would be reduced to less-than-significant levels.

The Project site is bordered by existing residential development and roads to the south and rural residential to the west; however, there is undeveloped land and agricultural land to the north and east of the Project site which could provide for wildlife movement. The Project site is not located with a Natural Landscape Block or Essential Connectivity Area, defined by the California Department of Fish and Wildlife (California Department of Fish and Wildlife 2023). Therefore, no significant wildlife movement corridors or habitat linkages are present at the Project site. Due to the Project site being surrounded by existing development and adjacent to existing roadways, the Project would not have substantial potential to impact wildlife corridors or interfere substantially with the movement of native resident or migratory wildlife species. This impact would be less than significant. Therefore, the Project would not result in more severe adverse impacts than discussed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The General Plan EIR concluded that with compliance with applicable General Plan policies, implementation of the General Plan would result in a less-than-significant impact related to conflicting with local policies or ordinances protecting biological resources, including Chapter 27.36, Tree Preservation and Protection, of the Town Zoning Ordinance. The General Plan includes open space policies to protect natural resources including sensitive habitats (Policies ER-1.1 and ER-1.2), and policies to protect biological resources including oak groves and woodlands, riparian woodlands, and heritage trees (Policies ER-1.2, -6.1, -6.2, -6.3, -6.7, -6.8) (policies are listed in Appendix A).

Pursuant to Chapter 27.36 of the Town Zoning Ordinance, "protected trees" are defined as certain native oak tree species with a diameter at breast height (dbh) of six inches or greater, California bay with a dbh of six inches or greater, and California buckeye with a dbh of 12 inches or greater. Multiple trunk trees must possess at least one trunk with the above dbh (based on species) to be

considered protected. Section 27.36.061, Tree Mitigation, is an amendment to the Ordinance. The amendment will "generally replace a smaller quantity of larger trees by replanting a larger quantity of smaller trees, with the goal of restoring the original canopy area and volume after ten years." The General Plan EIR concluded that with implementation of applicable policies and adherence to the Town's Zoning Ordinance the General Plan would comply with applicable local regulations and impacts would be reduced to a less than significant level.

The Project includes 286 total trees of which 223 trees are on the residential development part of the Project site and 61 trees are in the area for the Los Amigos Road realignment within Town right-of-way (Appendix E). There are also 86 trees in close proximity to the Project site and roadway realignment area. The Project would involve preserving oak woodland in the northern part of the residential project site within the agricultural buffer and linear park. A total of 129 trees (122 on the residential part of the Project site and 7 within the roadway realignment area) would be preserved and 157 trees (103 trees on the residential part of the Project site and 54 in the roadway realignment area) would be removed. Of the 103 trees being removed on the residential area of the Project site, 61 are protected trees. Of the 54 trees being removed within the Los Amigos Road right-of-way, all 54 are protected trees.

While tree removal would occur, the Project includes a tree mitigation planting plan that includes the planting of 323 total trees provided to minimize the environmental impact of tree removal, in accordance with Chapter 27.36 of the Town Zoning Ordinance. The replacement trees would consist of 177 36-inch box trees 146 48-inch box trees consisting of a mix of 181 valley oak, 51 blue oak, and 91 coast live oak trees. In addition, Chapter 27.36 requires payment of in lieu fees for any protected tree removal that cannot be mitigated through a mitigation plan. In the event the Town determines that portions of the mitigation planting plan are found to be infeasible, the Town would require payment of in lieu fees for any protected trees not mitigated through the mitigation planning plan. With adherence to the Town Zoning Ordinance, this impact would be less than significant, consistent with the findings of the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Windsor is located within the planning area for the Santa Rosa Plain Conservation Strategy, which is overseen by the United States Fish and Wildlife Service. The Conservation Strategy creates a long-term conservation program sufficient to mitigate potential adverse effects on listed species due to future development on the Santa Rosa Plain. The Project site is located at the northeastern portion of the Santa Rosa Plain Conservation Strategy Study Area. However, the site is not a part of an existing or pending mitigation or preservation site. Additionally, the site does not interfere with the Windsor Listed Plant Conservation Area, or any other Conservation and Preservation Areas in the Windsor area delineated by the California Department of Fish and Wildlife (California Department of Fish and Game 2005). The Project site is not located in any other adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, this impact would be less than significant, consistent with the findings of the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

Application of General Plan Policy ER-6.3 and ER-6.5 through conditions of approval for the Project (including the Los Amigos Road realignment) would result in no new significant or substantially more severe or peculiar impacts to biological resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

5 Cultural Resources

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	■	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	■	■
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	■	■

Analysis in Previous Environmental Document

The General Plan EIR analyzes cultural resources on pages 119 through 131. The General Plan EIR determined that impacts to historical and unique archeological resources would be reduced to less than significant levels with implementation of the following mitigation measures:

CR-1 Cultural Resources Study Implementation Program

The following Implementation Program shall be added to the 2040 General Plan:

> If the preliminary reconnaissance required under Policy ER-7.10 suggests that significant historic resources, cultural resources, or tribal cultural resources may exist or for any other Project requiring discretionary approval where there will be substantial ground disturbance by the Project, the applicant shall retain a qualified archaeologist meeting the Secretary of the Interior's (SOI) Professional Qualification Standards (PQS) in archaeology and/or an architectural historian meeting the SOI PQS standards in architectural history to complete a Phase 1 cultural resources inventory of the Project site (NPS 1983). A Phase 1 cultural resources inventory should include a pedestrian survey of the Project site and sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Archival research should include a records search conducted at the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search conducted with the Native American Heritage Commission (NAHC). The technical report documenting the Phase 1 cultural resources inventory shall include recommendations to avoid or reduce impacts to cultural resources.

CR-4 Human Remains

> If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Furthermore, pursuant to California Public Resources Code Section 5097.98(b) remains shall be list in place and free from disturbance until a final decision as to the treatment and

disposition has been made. If the County Coroner determines that remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98).

A Cultural Resources Study was prepared by Rincon Consultants, Inc. (Rincon) in May 2021 (confidential and on file with the Town). The study includes searches of the California Historical Resources Information System (CHRIS) and Native American Heritage Commission (NAHC) Sacred Lands File (SLF), background and archival research, a built environment and archaeological field survey, and preparation of this report. The following discussion incorporates the findings of this study.

Project-Specific Impacts

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Pursuant to Mitigation Measure CR-1 from the 2040 General Plan EIR, a Cultural Resources Study was prepared by Rincon Consultants, Inc. in May 2021. As discussed in the Cultural Resources Study, the CHRIS search identified 50 previously recorded cultural resources within 0.5 mile of the Project site, including one partially located within the Project site. All of the previously recorded resources in the vicinity of the proposed Project site are built environment resources, specifically single-family residential properties, constructed between 1945 and 1979 that were previously recommended ineligible for listing in the NRHP due to a lack of historical or architectural significance.

The property at 259 Arata Lane contains one utilitarian building, the foundational remains of at least nine demolished buildings and/or structures, and several building debris and soil/gravel piles. The property was previously recorded and evaluated and found ineligible for listing in the NRHP. The property at 325 Arata Lane contains one historic-period refuse deposit, the foundational remains of at least two buildings and/or structures, and a complex of buildings and structures (residence, garage, pool, two sheds) that span in their date of construction from the early to the late twentieth century. Both properties were determined to be ineligible for listing in the NRHP, CRHR, and local designation and are not considered a historical resource. No additional historic-period archaeological deposits are expected to be present within the Project site.

The Cultural Resources Study concluded that no significant archaeological deposits are expected to be present within the Project site; however, unanticipated discoveries during construction remain a possibility. Unanticipated discoveries during construction of the Los Amigos Road realignment would also be possible. In the event that buried archaeological materials are encountered, all soil disturbing work would be halted at the location of any discovery until a qualified archaeologist completes a significance evaluation of the find(s) pursuant to Section 106 of the National Historic Preservation Act (36 CFR 60.4). Consistent with Policy ER-7.2 of the 2040 General Plan to reduce potential impacts to archaeological, historical, and tribal cultural resources and consistent with the findings of the Project's Cultural Resources Study, the following shall be implemented as a COA:

Condition of Approval

If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology shall be contacted immediately to evaluate the find. If the discovery proves to be significant under National Historic Preservation Act and/or the California Environmental Quality Act, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any significant impacts.

With adherence to the Cultural Resources Study recommendation regarding unanticipated archaeological discoveries required by the COA, impacts related to archaeological resources associated with ground disturbance for the Project (including ground disturbance for the Los Amigos Road realignment) would be less than significant.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

Project buildout (including the Los Amigos Road realignment) would involve ground disturbance and would thus have the potential to disturb human remains. The discovery of human remains is always a possibility during ground disturbing activities. The Project would be subject to Policy ER-7.4 of the 2040 General Plan, which requires no further disturbance of any encountered human remains until the County Coroner has made the necessary findings as to origin, as well as compliance with California Public Resources Code Section 5097.98. In addition, consistent with Mitigation Measure CR-4 of the 2040 General Plan EIR to reduce potential impacts to human remains and consistent with the findings of the Project's Cultural Resources Study, the following shall be implemented as a COA:

Condition of Approval

If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Furthermore, pursuant to California Public Resources Code Section 5097.98(b) remains shall be list in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the County Coroner determines that remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98).

With adherence to the 2040 General Plan policies, the California Public Resources Code, and the COA, the Project would not disturb human remains and this impact would be less than significant.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

Conclusion

With the implementation of uniformly applicable development policies and standards through COAs, the Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts to cultural resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

6 Energy

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	■	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts to energy were analyzed on pages 349 through 354 of the 2040 General Plan EIR. This issue was discussed under Section 5.3, Energy Effects, of the EIR as there were no significance thresholds related to Energy when the Final EIR was adopted. Impacts related to the wasteful or inefficient use of energy during construction and operation were found to be less than significant.

Project-Specific Impacts

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The Project would involve the use of energy during construction, including fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting, as well as temporary grid power. The Project would also use energy during operation due to permanent grid connections for electricity and natural gas, and fuel consumption from increased vehicle trips associated with the Project's new residences, the Los Amigos Road extension, and potential school. The 2040 General Plan EIR forecasted electricity, natural gas, and fuel consumption estimates for buildout of the Town under the 2040 General Plan. The Project is consistent with the 2040 General Plan buildout, therefore, electricity, natural gas, and fuel consumption estimates from the 2040 General Plan EIR apply to the Project.

The main forms of available energy supply are electricity, natural gas, and oil. Electricity and natural gas are currently provided to the Project site by PG&E. In 2013, the Town of Windsor joined Sonoma Clean Power (SCP), a Community Choice Aggregation, which allows the purchase of electricity from renewable sources through PG&E infrastructure. Therefore, future residents and the proposed school would have convenient access to renewably sourced electricity to meet Project energy demand.

Construction

All construction equipment and operation thereof would be regulated per the CARB In-Use Off-Road Diesel Vehicle Regulation, which imposes limits on idling, requires all vehicles to be reported to CARB, restricts the addition of older vehicles into fleets, and requires fleets to reduce emissions by retiring, replacing, or repowering older engines, or installing exhaust retrofits. Compliance with CARB regulations would improve fuel efficiency of construction vehicles.

Construction equipment for construction of the Project (including the Los Amigos Road realignment) would be subject to the USEPA Construction Equipment Fuel Efficiency Standard, which would minimize inefficient fuel consumption. These construction equipment standards are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Electrical power would be consumed during demolition and construction activities, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the region.

The Project would also adhere to the latest CALGreen (California Code of Regulations, Title 24, Part 11), which mandates that future infrastructure projects comply with construction waste management practices to divert a minimum of 65 percent of construction and demolition debris. These practices would result in efficient use of energy during construction. Based on the above, the temporary increase in energy use during construction of the Project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. The Project would be required to comply with all applicable regulations related to energy conservation and fuel efficiency, which would help to reduce the temporary increase in demand. Furthermore, the Project would be consistent with the site's existing 2040 General Plan land use designation and proposed Los Amigos Road realignment; thus, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

Operation

Energy use associated with operation of the Project would be typical of residential uses, requiring electricity for interior and exterior building lighting, heating, ventilation, and air condition (HVAC) systems, and operation of fixtures and appliances. Should the potential school be included, energy use associated with operation of the school would also be typical of educational uses and similar to residential uses would include interior and exterior lighting and HVAC systems. Maintenance activities during operations, such as landscape maintenance, would involve the use of electric or gas-powered equipment. In addition to on-site energy use, the Project would result in transportation energy use associated with vehicle trips generated by future residents and visitors, or potential school staff and visitors should the school be included.

The Project would be subject to all relevant provisions of the most recent update of the CBC, including the Building Energy Efficiency Standards, which would ensure that proposed structures would consume energy efficiently. Additionally, each proposed unit would include Energy STAR appliances, LED light fixtures, low VOC paint, cool roof material, low-flow water fixtures, electric vehicle (EV) plug-in outlets, and photovoltaic solar panels, consistent with the requirements of 2040 General Plan Policy ER-5.10 (listed in Appendix A). Furthermore, residents would have access to electricity generated from renewable sources through SCP. Even if residents choose to opt out of SCP, electricity supplied by PG&E is required to comply with the State's Renewable Portfolio Standard (RPS), which requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 60 percent

by 2030. Thus, even if residents opt out of SCP and use PG&E electricity exclusively, a portion of the energy consumed during Project operations would originate from renewable sources.

Based on the above, through compliance with the State's Building Standards Code and proposed Project design features, the Project would implement all necessary energy efficiency regulations. There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) would not involve development in areas not analyzed previously in the General Plan EIR and would have no new significant or substantially more severe or peculiar impacts regarding energy, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

7 Geology and Soils

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	■	☐
2. Strong seismic ground shaking?	☐	☐	☐	■	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	☐	■	■
4. Landslides?	☐	☐	☐	■	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	■	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	■	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The 2040 General Plan EIR discusses geology and soils impacts on pages 141 through 155 and concludes that in the event of a major earthquake in the region, surface fault rupture and seismic ground shaking impacts would potentially injure people and cause collapse or structural damage to existing and proposed structures. Fault-rupture and ground shaking could potentially expose people and property to seismic-related hazards, including localized liquefaction and related ground failure. However, impacts were determined to be less than significant, with mitigation. Mitigation Measure GEO-1 included in the General Plan EIR is reproduced below.

GEO-1 Soil Investigations for Septic Systems Policy

The following policy shall be added to the Public Facilities and Services Element under Goal PFS-3, Wastewater and Water Reclamation System:

> **Policy PFS-3.12 Soil Investigations for Septic Systems.** For new Rural Residential (RR) development or other residential development projects not connected to the sewer system and requiring the use of septic tanks or alternative wastewater disposal systems, the Town shall require that a soil investigation be submitted for review and approval that demonstrates the capability of the underlying soils to support the use of septic tanks or alternative wastewater disposal systems.

Impacts to paleontological resources were analyzed on pages 119 through 139 of the General Plan EIR. Paleontological resource impacts were determined to be less than significant with mitigation. Mitigation included in the General Plan EIR is reproduced below.

CR-3 Paleontological Resource Studies

The following Implementation Program shall be added to the 2040 General Plan:

For any development in Windsor that occurs within high sensitivity geologic units, whether they are mapped at the surface or hypothesized to occur in the subsurface, the Town shall require a paleontological assessment, and avoidance and/or mitigation for potential impacts to paleontological resources. The Town shall require the following specific requirements for projects that could disturb geologic units with high paleontological sensitivity, whether they are mapped at the surface or hypothesized to occur in the subsurface.

1. **Retain a Qualified Paleontologist**. Prior to initial ground disturbance within highly sensitive geologic units, the applicant shall retain a project paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) (2010) standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources. A qualified paleontologist (Principal Paleontologist) is defined by the SVP standards as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year.
2. **Paleontological Mitigation and Monitoring Program.** Prior to construction activity a qualified paleontologist should prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity for the proposed project. This program should outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration, salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications.

3. **Paleontological Worker Environmental Awareness Program (WEAP).** Prior to the start of construction, the project paleontologist or his or her designee, shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The WEAP shall be fulfilled at the time of a preconstruction meeting at which a qualified paleontologist shall attend. In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. If it is determined that the fossil(s) is(are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources.
4. **Paleontological Monitoring.** Ground disturbing construction activities (including grading, trenching, foundation work and other excavations) at the surface in areas mapped as high paleontological sensitivity and exceeding 5 feet in depth in areas overlying potentially high paleontological sensitivity units should be monitored on a full-time basis by a qualified paleontological monitor during initial ground disturbance. The Paleontological Mitigation and Monitoring Program shall be supervised by the project paleontologist. Monitoring should be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources. The duration and timing of the monitoring will be determined by the project paleontologist. If the project paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new or unforeseen deeper ground disturbances are required and reduction or suspension would need to be reconsidered by the Supervising Paleontologist. Ground disturbing activity that does not occur in areas mapped as high sensitivity or that do not exceed 5 feet in depth in areas overlying potentially high sensitivity units would not require paleontological monitoring.
5. **Salvage of Fossils**. If significant fossils are discovered, the project paleontologist or paleontological monitor should recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Work may continue outside of a buffer zone around the fossil, usually 50-100 feet (specific distance may be determined by the project paleontologist).
6. **Preparation and Curation of Recovered Fossils**. Once salvaged, significant fossils should be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.
7. **Final Paleontological Mitigation Report**. Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist should prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report should include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

A geotechnical investigation report was prepared for the Project by Miller Pacific Engineering Group in September 2021 (Appendix F). The report explored the subsurface soil and groundwater conditions, evaluated geologic hazards that may affect the planned development, and provide geotechnical design criteria for the Project. The contents of this investigation inform the following discussions.

Project-Specific Impacts

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The most significant active regional faults in the region include the Rodgers Creek, Maacama, San Andreas, Collayomi, and West Napa Faults. The Rodgers Creek Fault Zone, a designated Alquist-Priolo Earthquake Fault Zone, is located approximately 1.5 miles northeast of the Project site. The Project site is not within an Alquist-Priolo earthquake fault zone (CGS 2021), and there are no known site-specific geologic hazards particular to the Project area.

The 2040 General Plan EIR evaluated the potential for fault rupture and strong seismic ground shaking from seismic events. As noted in the 2040 General Plan EIR, construction and occupancy of new buildings and structures under the General Plan could result in exposure of people or structures to loss, injury, or death from seismic events. However, adherence to 2040 General Plan policies and the California Building Code would reduce impacts to less than significant. Implementation of 2040 General Plan goals and policies would result in the avoidance of siting critical facilities or other structures within areas susceptible to fault rupture (Policies PFS-7.8, ER-1.3, PHS-1.2, PHS-2.1, PHS-2.3, and PHS-2.5), would require more detailed review of design and construction plans and incorporation of additional structural safety features as necessary for structures that would be located in areas subject to seismic hazards (Policies ER-1.3, PHS-2.2, PHS-2.3, and PHS-2.7), would ensure that adequate emergency response is available during an earthquake (Policy PHS-2.6), and would educate the public on earthquake preparedness (Policy PHS-2.8). Additionally, the Project would be required to be constructed in compliance with the California Building Code, including Section 1803 Geotechnical Investigations.

The Project site (including the area for the proposed Los Amigos Road realignment) is not within an earthquake fault zone (Appendix F) and there are no known site-specific geologic hazards particular to the Project site. There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Areas of high susceptibility to liquefaction within the town are closely associated with stream channels such as Windsor Creek and Pool Creek (United States Geological Survey [USGS] 2006). Substantial areas of moderate liquefaction potential exist in the northern and eastern portions of the Town, generally parallel to and west of the foothills to the east (USGS 2006).

The Project site is located in an area of moderate liquefaction susceptibility (Association of Bay Area Governments [ABAG] 2020). The geotechnical investigation also uncovered saturated, granular deposits which have the potential to result in liquefaction when subject to seismic shaking (Appendix F). The 2040 General Plan EIR includes several policies that would reduce the risk of seismic-related ground failure through more detailed review of design and construction plans and incorporation of additional structural safety features as necessary for structures in areas subject to seismic hazards, such as liquefaction (Policies ER-1.3, PHS-2.3, and PHS-2.7). Consistent with Policy PHS-2.7 of the 2040 General Plan provided below to reduce potential impacts to geology and soils, the following COA shall be implemented.

> **Policy PHS-2.7:** Geotechnical Hazards Report. For parcels that partially lie within seismically active areas that are designated with the extreme or heavy ground shaking intensity areas shown in Figures PHS-3 and PHS-4 or that are susceptible to liquefaction shown in Figures PHS-5 and PHS-6, the Town shall require a geotechnical hazards report, prepared by a certified engineering geologist or geotechnical engineer, to identify the most appropriate building areas and corrective measures to minimize potential hazards. Recommendations from these investigations, or equivalent measures deemed acceptable by the Town, shall be incorporated as conditions of any project approval.

Condition of Approval

The project applicant shall be required to implement the recommendations outlined in the Geotechnical Investigation Report prepared by Miller Pacific Engineering Group in September 2021.

With adherence to these General Plan policies and the COA, the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The Project site is located in a generally flat area and not surrounded by substantial slopes. Consistent with the findings of the 2040 General Plan EIR, the risk of landslides on-site is low and impacts due to landslide would be less than significant for the Project. Thus, there is a less than significant impact to the risk of loss, injury, or death involving landslides. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project result in substantial soil erosion or the loss of topsoil?

As stated in the 2040 General Plan EIR, the majority of soil groups in the Town have a moderate to low susceptibility to erosion (Town of Windsor 2018b) Thus, the potential for soil erosion over a large part of the Town is low. Soils on the Project site have a moderate potential for erosion (NRCS 2021). The Project site is located in a generally flat area and would not have potential for substantial soil erosion or loss of topsoil. Development under the 2040 General Plan, including the Project, would involve construction activities such as stockpiling, grading, excavation, paving, and other earth-disturbing activities. Loose and disturbed soils are more prone to erosion and loss of topsoil by wind and water. The geotechnical investigation did not discover soil conditions on the Project site that are susceptible to erosion; however, the geotechnical investigation notes there is some potential for localized erosion due to concentrated surface water flows (Appendix F).

Construction of the Project would be required to adhere to applicable 2040 General Plan policies, such as Policy PFS-4.5 (included in Appendix A) supporting erosion control measures. Building codes including the CBC Section 1804 *Excavation, Grading, and Fill*, along with the necessary implementation of a Stormwater Pollution Prevention Plan (SWPPP) would be required under the National Pollutant Discharge Elimination System (NPDES) program. The SWPPP would contain best management practices (BMP) to control sediment and reduce erosion during construction.

Following construction, most of the Project site would be developed with structures and landscaping, and areas of exposed soils would be minimal. Adherence to BMPs, the NPDES, and applicable 2040 General Plan policies would ensure the Project is designed to support erosion control. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

The Project site contains Cole clay loam and Huichica loam. Cole clay loam has a fine particle size and is typically found on alluvial fans and floodplain steps. This soil is somewhat poorly drained with a moderate potential for erosion and a low runoff classification (NRCS 2021). Huichica loam has a fine particle size and is typically found on terraces. This soil is moderately well drained with a moderate potential for erosion and a high runoff classification (NRCS 2021). The Project site is in a generally flat area where landslides are unlikely and not in an area with high or very high liquefaction potential (ABAG 2020, USGS 2006). The 2040 General Plan EIR concluded that with compliance with applicable 2040 General Plan policies, including Policies ER-1.3, PHS-2.2, PHS-2.3, and PHS-2.4 (listed in Appendix A), as well as the CBSC, lateral spreading and subsidence/settlement hazards would be less than significant. Given that the Project would be consistent with the site's 2040 General Plan land use designation, potential liquefaction and lateral spreading risks associated with buildout of the Project site have been anticipated by the Town and analyzed in the 2040 General Plan EIR. Therefore, impacts related to being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse were adequately addressed in the 2040 General Plan EIR. Thus, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

According to the geotechnical investigation, soils on the Project site consist of low plasticity silty and clayey sand which are not expansive and pose a low risk of damage (Appendix F). The 2040 General Plan EIR analyzes the potential for expansive soils to create risks to life and property and finds this impact to be less than significant with incorporation of CBC standards to reduce impacts. All new development, including the Project, would be required to comply with the standards of the CBC, which would ensure that expansive soils are remediated or that foundations and structures are engineered to withstand the forces of expansive soil. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils. Compliance with the requirements of the CBC would reduce impacts related to expansive soils (Town of Windsor 2018b). Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The Project would connect to existing Town utilities for wastewater disposal. The Project does not include a septic tank or alternative wastewater disposal. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The 2040 General Plan determined that ground-disturbing activities in geologic units with high paleontological sensitivity have the potential to damage or destroy paleontological resources that may be present. Per Figure 10, Paleontological Sensitivity of Geologic Units within the 2040 General Plan Area, of the 2040 General Plan EIR, the Project site is located in an area identified as having Low Paleontological Sensitivity. As such, the Project would not have a significant impact to paleontological resources, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

Implementation of General Plan policies and compliance with the CBC would reduce potential impacts to less than significant levels. The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts to geology and soil resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental document. Accordingly, no additional review is required.

This page intentionally left blank.

8 Greenhouse Gas Emissions

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?:	☐	☐	☐	■	☐
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts to greenhouse gas (GHG) emissions were analyzed on pages 157 through 172 of the 2040 General Plan EIR. Impacts related to the generation of GHG emissions that may have a significant impact on the environment and conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs were found to be less than significant. The 2040 General Plan EIR found that the total GHG emissions per service population per year of 5.58 MT CO_2e would not exceed BAAQMD's threshold of 6.6 MT CO_2e per service population per year.

Methodology

GHG emissions associated with Project construction and operation were estimated using the most recently available version of CalEEMod, with the assumptions described under Section 3, *Air Quality*. A Project's service population is defined as a Project's residents plus employees. The Project's per person GHG emissions were calculated by dividing total GHG emissions by the Project's service population (for this residential project this involves project residents only). Average household size varies throughout California; therefore, the service population attributed to this Project is based on average household size data specific to the Town. The average household size in the Town is 2.75 persons per household (DOF 2023). As such, the Project would potentially add an estimated 828 residents (301 units x 2.75 persons per unit) to the Town. Therefore, the Project's service population would be 828 persons.

Significance Thresholds

Individual projects do not generate sufficient GHG emissions to influence climate change directly. However, physical changes caused by a project can contribute incrementally to significant cumulative effects, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means the incremental effects of

an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines Section 15064[h][1]).

For consistency with the 2040 General Plan EIR, the GHG significance threshold used therein is also used in this analysis. Therefore, the BAAQMD GHG efficiency threshold of 6.6 MT CO_2e per person per year is applied to the Project. Emissions greater than 6.6 MT CO_2e per person per year may conflict with substantial progress toward GHG reduction targets, and the Project's cumulative contribution of emissions would be considered significant.

Project-Specific Impacts

a. Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction and operation of the Project would generate GHG emissions. The Project's density and land uses are consistent with those analyzed in the General Plan EIR. Therefore, GHG emissions impacts were analyzed in the General Plan EIR. Although not required, a Project specific analysis has been provided. This analysis considers the combined impact of GHG emissions from both construction and operation. Calculations of CO_2, methane, and nitrous oxide emissions are provided to identify the magnitude of potential Project effects.

Construction of the Project would generate temporary GHG emissions primarily as a result of operation of construction equipment on-site as well as from vehicles transporting construction workers to and from the project site and heavy trucks to transport building materials and soil export. As shown in Table 7, construction of the Project or the Project with the potential school would generate an estimated maximum total of 2,744 MT of CO_2e.

Table 7 Estimated Construction GHG Emissions

Year	Emissions (MT of CO_2e)
Project Emissions	
Total Emissions	2,744
30-Year Amortized	91
Project with Potential school Emissions	
Total Emissions	2,714
30-Year Amortized	91

MT = metric tons; CO_2e = carbon dioxide equivalents

Notes: Emissions modeling was completed using CalEEMod. See Appendix B for modeling results. Annual emissions were summed for each construction phase.

Operation of the Project would generate GHG emissions from area sources (e.g., landscape maintenance), energy and water usage, vehicle trips, and wastewater and solid waste generation. As shown in Table 8, maximum annual operational emissions generated by the Project with amortized construction emissions would total approximately 3,467 MT of CO_2e per year, or approximately 4.1 MT of CO_2e per service person per year, which would not exceed the threshold of 6.6 MT of CO_2e per year. Additionally, the General Plan EIR estimated an emissions per service person of 5.85 MT of CO_2e per year. At 4.1 MT of CO_2e per service person per year, impacts would be less than those analyzed in the prior EIR and therefore less than significant. With the potential school, operational emissions would total approximately 3,577 MT of CO_2e per year, or

approximately 5.2 MT of CO_2e per service person per year, which would not exceed the threshold of 6.6 MT of CO_2e per year.

Table 8 Combined Annual GHG Emissions

Emission Source	Annual Emissions (MT of CO_2e per year)
Project Emissions	
Mobile	2,554
Area	4
Energy	741
Water	19
Solid Waste	58
Refrigerants	1
Total Emissions	**3,376**
Amortized Construction Emissions	91
Total Project Emissions	**3,467**
Service Population (Residents)[1]	828
Emissions per Service Person	**4.1**
Project with Potential School Emissions	
Mobile	2,705
Area	4
Energy	683
Water	20
Solid Waste	75
Refrigerants	1
Total Emissions	**3,486**
Amortized Construction Emissions	91
Total Project Emissions	**3,577**
Service Population (Residents + School Employees)[2]	679
Emissions per Service Person	**5.2**
Threshold	**6.6**
Threshold Exceeded?	**No**

MT = metric tons; CO_2e = carbon dioxide equivalents, numbers may not add due to rounding

Emissions modeling was completed using CalEEMod. See Appendix B for modeling results.

[1] For the project the service population is estimated at 828 residents (301 units x 2.75 persons per unit)

[2] Should the Project be developed with the potential school, the Project would involve 65 fewer housing units. Therefore, the residential portion of the service population was assumed to be 649 residents (236 units x 2.75 persons per unit). The number of employees is estimated assuming 17.7 students per teacher average from CA Dept of Education data for elementary schools and an assumed student population of 500 students, consistent with the Traffic Impact Study (W-Trans 2024), equating to approximately 30 employees. Therefore, the total service population is 679 (649 + 30).

Source: https://www.cde.ca.gov/ds/ad/ceffingertipfacts.asp

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

This impact is addressed by assessing the Project's consistency with the Town of Windsor 2040 General Plan (Town of Windsor 2018a), the Town of Windsor Greenhouse Gas Emissions Reduction Action Plan Update, and CARB's adopted 2022 Scoping Plan Update (CARB 2022).

The Project would include sidewalks and pedestrian infrastructure constructed along proposed roadways on the project site. There are also existing bike lanes along Arata Lane and Los Amigos Road, and a transit stop located west of the Arata Lane and Los Amigos Road intersection, southwest of the project site. In addition, the Project would be required to comply with the most recent building standards included in Title 24, such as water saving devices, that would reduce GHG emissions. The Project would also include installation of garage EV charging outlets, high efficiency lighting (LED), energy-efficient appliances, low VOC paint to improve indoor air quality, and PV solar panels located on each roof. The Project would not conflict with any policies contained in the 2040 General Plan to reduce GHG emissions, including Policy ER-5.4, which encourages compact, pedestrian and bicycle friendly, transit-oriented development that reduces VMT, and promotes energy efficient building enhancements; Policy ER-5.10, which outlines energy performance standards for new construction; Policy ER-5.14, which outlines compliance with State energy regulations governing energy consumption and the use of solar; Policy M-1.4, which requires all new development that constructs or extends streets to develop a transportation network that complements and contributes to the town's multimodal system, maximizes connections, and minimizes barriers to connectivity; and Policy M-2.8, which ensures all on-site and off-site transportation facility improvements provide connected facilities for all modes of transportation.

As described previously, the Project is consistent with the land use designation of the 2040 General Plan, which contains GHG reduction targets that align with AB 32 and SB 32, as well as CARB's 2022 Scoping Plan, and calls for communities in California to reduce emission levels to 1990 levels by 2020 and 40 percent below 1990 levels by 2030.

The Project would comply with the California Green Building Standards Code, including requirements to increase recycling, reduce waste, reduce water use, install solar panels, increase bicycle use, and other measures that will reduce GHG emissions. Motor vehicle emissions associated with the Project would be reduced through compliance with mandatory State regulations on fuel efficiency and fuel carbon content. Emissions related to Project electricity consumption would be reduced as the electric utility, Sonoma Clean Power and PG&E, are required to comply with the Renewable Portfolio Standard, which requires utilities to procure an incrementally increasing portion of electricity from renewable energy sources with the goal of achieving totally carbon-free energy by the year 2045.

Therefore, the Project would not conflict with any applicable plan, policy, or regulation adopted to reduce GHG emissions. Impacts to GHG emissions would the same, less than significant, for this Project. There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project would have no new significant or substantially more severe or peculiar impacts to greenhouse gas emissions, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

9 Hazards and Hazardous Materials

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	■	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	■	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	■	☐
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	■	☐
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the Project site?	☐	☐	☐	■	☐
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The 2040 General Plan EIR discusses hazardous materials impacts on pages 173 through 194 and finds that impacts related to hazardous materials use in the Town and impacts regarding potential for exposure of people or the environment to hazardous materials or hazardous waste associated with future development would be less than significant.

Project-Specific Impacts

a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

b. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The 2040 General Plan EIR concluded that, given compliance with applicable 2040 General Plan policies, as well as State and federal regulations related to hazardous waste, impacts would be less than significant.

Construction

During grading and construction activities limited quantities of hazardous substances, such as gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, would be used by heavy machinery and brought onto the site. However, the Project would comply with policies in the 2040 General Plan that are designed to eliminate potential significant hazards to the public or the environment from the routine transport, use, or disposal of hazardous materials. Adherence to 2040 General Plan policies would ensure safe transportation of hazardous waste by maintaining designated truck routes for the transport of hazardous materials. Other policies in the 2040 General Plan would ensure proper storage and disposal of hazardous materials to reduce potential contamination impacts (Policies PHS-5.1, PHS-5.3, and PHS-5.4). Furthermore, the 2040 General Plan Goal PHS-5 encourages proper use of hazardous materials through policies to enforce hazardous materials regulations and provide setbacks between sensitive uses and hazardous materials. During construction, ground-disturbing activities would occur on land that has been used for agricultural production. However, ground disturbance during construction would not result in exposure of contaminated soil due to pesticide use as historic pesticide application has been regulated by the Sonoma County Agricultural Commissioner, and the Phase I Environmental Site Assessment prepared by Trans Tech Consultants on April 15, 2021 (Appendix G) for the Project did not identify any past releases of hazardous materials that has contaminated the soil at the Project site. General Plan Policy PHS-5.9 (listed in Appendix A) requires the Town to consider the constraints posed by past uses of a Project site and restrict uses that could result in human exposure to contamination and require remediation to reduce health risks. In the event the Town determines pesticide contamination is present, remediation would be required prior to construction.

Lastly, construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws. Additionally, the construction SWPPP would include BMPs to control accidental spills of equipment fluids and measures for cleanup. Adherence to General Plan policies, other regulatory requirements, and the SWPPP would ensure that impacts related to the use of hazardous materials during construction would be less than significant.

Asbestos and Lead

The proposed project involves demolition of structures which, due to their age, may have asbestos-containing materials or lead-based paint. However, the demolition of the existing buildings and structures on the Project site would require compliance with BAAQMD Regulation 11, Rule 1 to limit discharge of lead and BAAQMD Regulation 11, Rule 2 to ensure proper handling of asbestos-containing materials which would ensure impacts associated with demolition would be less than significant.

Operation

Operation of residential uses proposed by the Project and potentially future school uses typically do not use or store large quantities of hazardous materials except for typical uses such as landscaping and cleaning. Therefore, operation of the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or risk the release of such materials during due to accident or upset conditions.

Exposure of Future Residences

The Project would not be developed in an area in close proximity to existing and/or future industrial development such that future residents or potential future school users would be exposed to hazardous materials associated with industrial uses. However, future residents and potential students if the potential school is developed may be exposed to hazards for agricultural land uses to the north and east of the Project site. The Project would include a 100-foot agricultural buffer along the northern and eastern property lines. The Town of Windsor Zoning Ordinance Chapter 27.24 requires an agricultural buffer of 200 feet but allows the width of the buffer to be reduced to a minimum of 100 feet in certain circumstances with Town Council approval. As discussed in the Project Description, the applicant has requested a waiver to reduce the buffer size and satisfies the criteria to do so by including Hedgerows, new tree plantings, existing trees and creek corridor, linear parks, and neighborhood streets. While some portions of front yards of proposed residences would be located within the 100-foot buffer, no residential structures would be located within the 100-foot agricultural buffer.

Furthermore, the regulation of pesticide storage, application, and waste disposal is under the jurisdiction of the County Agricultural Commissioner. The Sonoma County Agricultural Commissioner regulates agriculture and pesticide use in the Town and unincorporated County and pesticide application permits must be renewed yearly. In addition, regulated commercial applications of pesticides are documented on a monthly basis in an annual report submitted to the County. Agriculture production adjacent to the Project site would comply with all California Department of Pesticide Regulations (Cal-DPR) pesticide regulations including pesticide registration and work requirements.

The Project is required to comply with the requirements of Zoning Ordinance Chapter 27.24 (Agricultural Preservation), the purposes of which are to preserve and protect agricultural uses, support continued agricultural operations, alert prospective residents to the importance of agricultural land preservation and provide suitable methods of land use separation and buffering provisions." Zoning Ordinance Section 27.24.030 (Disclosure) requires the presence of agricultural operations to be disclosed through a statement on the final map, within CC&Rs if prepared, and through the recordation of a separate acknowledgement. The disclosure applies to the subdivision

of land within and new structures requiring a building permit located within land zoned or used for agriculture. The required disclosure states:

> "The property(ies) within this subdivision is(are) located within 1,000 feet of land utilized or zoned for agricultural operations and residents/occupants of the property may be subject to inconvenience or discomfort arising from use of agricultural chemicals, including acaricides, fertilizers, fungicides, herbicides, insecticides, predacides, and rodenticides; and from the pursuit of agricultural operations, including crop protection, cultivation, harvesting, plowing, processing, pruning, shipping, and spraying, which may generate dust, light, noise, odor, smoke, and traffic. The Town has adopted policies to encourage and preserve agricultural lands and operations in the vicinity of the Town. Residents/occupants of property(ies) within this subdivision should be prepared to accept inconveniences or discomfort as normal and necessary to on-going agricultural operations."

With compliance with state, federal, and local regulations as well as 2040 General Plan policies, impacts related to creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and reasonably foreseeable upset and accident conditions would be considered less than significant. No new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

There are no schools located within 0.25 mile of the Project site. However, the Project includes a potential option for a 9-acre school site, as analyzed in the 2040 General Plan EIR. Should the school be developed, uses within 0.25 mile of the proposed school associated with the project would involve residential and recreational uses that typically do not use or store large quantities of hazardous materials. Therefore, the Project would not involve hazardous emissions or materials within 0.25 mile of the potential school.

Agricultural operations occur over 900 feet north and over 400 feet east of the potential school site. However, the potential school and existing agricultural operations would be separated by single-family residences, a community park, and the 100-foot agricultural buffer. Furthermore, as discussed under *criteria a-b* above, the regulation of pesticide storage, application, and waste disposal is under the jurisdiction of the County Agricultural Commissioner and agriculture production adjacent to the Project site would comply with all Cal-DPR pesticide regulations including pesticide registration and work requirements. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The following databases compiled were checked, pursuant to Government Code Section 65962.5, on November 30, 2021, for known hazardous materials contamination in the Project site.

- California Department of Toxic Substances Control (DTSC) EnviroStor Hazardous Waste and Substances Site List per Government Code Section 65962.5(a) (DTSC 2023)
- State Water Resources Control Board (SWRCB) GeoTracker List of Leaking Underground Storage Tank (LUST) Sites per Government Code Section 65962.5(c)(1) (SWRCB 2023)
- California Environmental Protection Agency list of solid waste disposal sites identified by Water Board per Government Code Section 65962.5(c)(2) (CalEPA 2023a)
- California Environmental Protection Agency list of "active" Cease and Desist Orders and Clean-up and Abatement Orders per Government Code Section 65962.5(c)(3) (CalEPA 2023b)

The Project site is not included on a list compiled pursuant to Section 65962.5 of the Government Code. In addition, the Phase I Environmental Site Assessment prepared for the Project did not reveal any hazardous substances or petroleum product at the Project site (Appendix G). This impact would be less than significant and there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the Project site?

There are no public or private airports located within two miles of the Project site. The nearest airport is the Charles M. Schulz Sonoma County Airport, located approximately 3.1 miles south of the Project site. Pursuant to Exhibit C4, Safety Zones, of the Sonoma County Airport Comprehensive Airport Land Use Plan, the Project site is located outside of all identified Safety Zones and the Primary Referral Area Boundary (Sonoma County Airport Land Use Commission 2016). 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. There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Public Health and Safety Element of the 2040 General Plan directs the Town to accommodate safety needs when planning and designing, while increasing the resiliency of the Town's residents and businesses to respond to and be prepared for potential emergencies. This would include emergency vehicle access and location of emergency response facilities. Specifically, Policy PHS-1.3 requires adequate primary and alternative access for emergency vehicles for all new developments. In addition, the Sonoma County Fire District (SCFD) would review the Project to ensure that emergency access meets Town standards.

The Project would not alter travel lanes on roadways carrying emergency vehicles. The Project would include an extension of Los Amigos Road, which would provide additional emergency access and evacuation from the site. In addition, as shown on the Phasing Plan on Figure 5, each phase of construction would include two access (ingress/egress) points via Arata Lane and Los Amigos Road which would facilitate evacuation in the event of an emergency. The second point of access, Los Amigos Road, would be built prior to construction of the 31st home, in order to provide the second point of access required by the Fire Code and General Plan policy PHS-1.3. Each phase of the Project provides evacuation for residents and construction workers and emergency access. In addition, consistent with General Plan Policy PHS-4.12 (listed in Appendix A) and other Town requirements, roadways and alleys would be paved and designed to accommodate turning movements for fire trucks and would be paved. Therefore, construction and operation of the Project would not directly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, or involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation. The Project would not block access or permanently constrain evacuation routes adopted in an emergency response plan or emergency evaluation plan. As a result, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

This analysis is informed by the Wildfire Impact Analysis Memorandum, prepared by FirstCarbon Solutions, Inc. in October 2023 (Appendix H).

As discussed in Section 20, *Wildfire*, of this Checklist, the Project would not exacerbate wildfire risk. Areas surrounding the Project site consist of urban and agricultural lands. Agricultural lands reduce the available fuel load for fire to spread and provide terrain on which fire suppression efforts can be implemented. Urban lands with denser development have reduced vegetative fuel load for fire as compared to the hillsides in the vicinity of the Project site. Furthermore, B Street along the eastern Project site boundary, S Street along the northern Project site boundary, Arata Lane at the southern Project site boundary, and Los Amigos Road at the southwestern portion of the site serve as fire breaks to the Project site.

In addition, consistent with the California Fire Code (adopted into the Town's Municipal Code under Title VI, Fire Prevention and Protection, Chapter 1, Article 2), Project design would implement fire protection systems and equipment, defensible space, and vegetation management. In accordance with Title VI of the Town of Windsor Municipal Code, the Project would use ignition-resistant construction materials, roofing, vents, exterior coverings, and decking which would reduce the risk of fire to spark at the Project site. Furthermore, consistent with regulations for development in Moderate Fire Hazard Severity Zones as outlined by the CBC and adopted by the Town of Windsor, Project design would be required to include vegetation and landscaping features that would reduce fire risk, and which are intended to slow or stop the spread of wildfire while providing increased protection for residences from embers, direct flame contact, and radiant heat. Landscaping would be installed consistent with the Firewise Guide to Landscape and Construction by the National Fire Protection Association. In addition, consistent with the California Fire Code, the Project would be required to meet minimum fire flow requirements for residential structures, thereby ensuring sufficient water for firefighting purposes.

In terms of emergency access and evacuation, as shown on the Phasing Plan on Figure 5, Project design for each phase of construction includes two points of emergency access via Arata Lane and Los Amigos Road that have been reviewed and approved by the Town's Fire Marshal, which would allow for evacuation during a fire, if necessary. The Project would also include an extension of Los Amigos Road, which would provide additional emergency access and evacuation from the site.

Compliance with the Town's requirements and the requirements set in the CBC, the California Fire Code, Title VI of the Town of Windsor Municipal Code, as well as implementation of proposed fire safety design features, would reduce fire risk. As a result, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) would not involve development in areas not analyzed previously in the 2040 General Plan EIR and would have no new significant or substantially more severe or peculiar impacts regarding hazards and hazardous materials, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the 2040 General Plan EIR. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

10 Hydrology and Water Quality

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	■	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	■	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	■	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	■	☐
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	■	☐
(iv) Impede or redirect flood flows?	☐	☐	☐	■	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	■	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The 2040 General Plan EIR discusses hydrology and water quality impacts on pages 195 through 219 and concludes that potential impacts to water quality, groundwater supplies, drainage patterns, flooding and inundation, would be less than significant with incorporation of 2040 General Plan goals and policies and state and location regulations.

Project-Specific Impacts

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Construction

The Project would include construction that could result in soil erosion due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading over the whole 59-acre Project site. If not managed properly, disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via storm water runoff from the construction sites. Because the Project would disturb more than 1 acre of land the Project would be required to comply with regulations established under the NPDES program as part of Section 402 of the Clean Water Act to control construction stormwater discharges (Order No. 2012-0006-DWQ). In Sonoma County, the North Coast Regional Water Quality Control Board administers the NPDES permitting program and is responsible for developing permitting requirements. Under the conditions of the permitting program, the applicant would be required to develop and implement a SWPPP for construction activities and perform inspections of the storm water pollution prevention measures and control practices to ensure conformance with the site SWPPP. The SWPPP must include BMPs specific to Project construction and is subject to inspections by a Qualified Stormwater Professional. BMPs aim to control degradation of surface water by preventing soil erosion or pollution discharge from the Project site.

The Windsor Public Works Director or designee has the authority to inspect facilities when a reasonable belief exists that there may be a violation of stormwater or other pollutant discharge conditions. The Public Works Director or designee is authorized to issue a notice of violation, cease and desist order, stop work order, and/or compliance order for a violation of the Town's storm water and pollutant discharge requirements. Violations of the Town's discharge prohibitions may be enforced by civil action brought by the Town. These requirements would ensure that construction stormwater runoff does not degrade surface or groundwater quality in the vicinity of the site. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

Operation

Because the Project would result in a net increase of impervious surfaces at the site, the Project would be required to adhere to Provision C.3, which applies to any projects that create and/or replace at least 10,000 square feet of impervious surfaces. The C.3 requirements are separate from, and in addition to, requirements for erosion and sediment control and for pollution prevention measures during construction. Adherence to the C.3 requirements minimizes water quality impacts from new development to maintain regional compliance with the Municipal Regional Permit.

As described in the Storm Water Low Impact Development Submittal (Appendix I), the Project would implement low impact development BMPs to minimize water pollutants, including implementation of bioretention beds. The bioretention beds would stop suspended solids and hydrocarbons in runoff from moving to downstream receiving waters. Fine particle pollutants would be collected within vegetated buffers strips of the bioretention beds. Accordingly, the Project's BMPs would minimize water pollution during operation. In addition, the Project would include modification of the existing Los Amigos stormwater system, installation of a detention pond, and improvements to the existing Highway 101 stormwater system to adequately manage on-site stormwater.

2040 General Plan goals and policies would further protect water quality during Project operation. Specifically, Policy PFS-4.3 includes requirements for Low Impact Development techniques for reducing pollutants in storm water from new development. Additionally, 2040 General Plan policies require development setbacks along creeks and near flood hazard areas (Policies LU-1.2, ER-1.1, ER-1.2, ER-1.3, ER-3.1, ER-3.2, and ER-6.6 listed in Appendix A), and prevent or remediate illicit discharges of pollutants to the municipal storm water conveyance system (Policies ER-3.4, ER-3.5, ER-6.6, and PHS-5.5 listed in Appendix A). These requirements would ensure that operational stormwater runoff does not degrade surface or groundwater quality in the vicinity of the site. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The Project site overlays the Santa Rosa Plain Subbasin of the Santa Rosa Valley Groundwater Basin. The East Bay Plan Subbasin is 125 square miles of surface area and is bounded on the northwest by the Russian River plain and the Healdsburg subbasin; on the west by the Mendocino Range; on the south by a drainage divide that separates the Santa Rosa Valley from the Petaluma Valley basin; and on the east by the Sonoma Mountains, the Mayacamas Mountains, and a groundwater divide that separates the Rincon Valley subbasin (Department of Water Resources 2004). A groundwater sustainability plan (GSP) was approved by the California Department of Water Resources for the Santa Rosa Valley – Santa Rosa Plan Subbasin in January 2023.

The Project site includes three existing groundwater wells used for irrigation that would be removed and abandoned consistent with County standards for well removal. The Project would not involve installation of new groundwater wells and therefore would not involve groundwater extraction.

Groundwater recharge would be implemented site-wide with stormwater BMPs constructed in street planter strips and in basins along the Community Park, Linear Park, and Los Amigos Extension. Specialized swales, planters, and raingardens (bioretention planters) would also slow and infiltrate runoff.

The 2040 General Plan EIR concluded that implementation of 2040 General Plan policies would ensure that future development would not deplete groundwater supplies substantially. Compliance with 2040 General Plan goals and policies would support regional solutions to water supply challenges (Policy LU-9.6), would ensure an adequate and sustainable water supply for the Town (Policies PFS-2.1, PFS-2.2, PFS-2.3, PFS-2.10, PFS-2.11, PFS-2.12, ER-3.5, PHS-7.6, and PHS-7.7), would promote the efficient use of water resources (Policies PFS-2.5, PFS-2.6, PFS-2.8, PFS-2.9), and would maximize infiltration and rainwater retention (Policies PHS-7.8, PHS-7.9, PHS-7.10, and PHS-

7.11)[7]. These policies are listed in Appendix A. The Project is consistent with the 2040 General Plan, and would not use water or prevent recharge at a rate beyond that anticipated in the 2040 General Plan. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

While the Project would alter the existing drainage pattern of the site by increasing impervious surfaces, it would include on-site stormwater infrastructure. These features include modification of the existing Los Amigos stormwater system, installation of detention pond, and improvements to the existing Highway 101 stormwater system. According to the Preliminary Drainage Report for the Project, the Project's proposed stormwater management features would maintain or reduce stormwater flows to pre-development peak flow conditions (Appendix J). The Project would also be required to comply with the NPDES General Construction Permit and prepare a SWPPP in order to reduce impacts to drainage patterns. Additionally, the Project would comply with the Town of Windsor Municipal Code requiring an erosion and sediment control plan, and all applicable 2040 General Plan policies, including Policies PFS-4.5, ER-3.2, and PHS-2.3 listed in Appendix A. Adherence to the NPDES General Construction Permit, Town of Windsor Municipal Code, the preparation of a SWPPP, 2040 General Plan policies, and the addition of on-site stormwater drainage facilities would reduce impacts to less than significant. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

[7] The Town recently adopted an updated Public Health and Safety Element on August 16, 2023. Therefore, numbers for policies referenced in the 2040 General Plan EIR might not coincide with numbers for policies referenced in the updated Public Health and Safety Element. Policies PHS-7.6 through 7.11 are now Policies PHS-7.12 through 7.17.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Windsor is not located within a tsunami inundation area and there are no nearby water bodies that would result in a seiche (DOC 2021b). Based on the topography of the Project site and surroundings, there is no risk of mudflow. The Project site is not located in a flood hazard area (Federal Emergency Management Agency 2008). Therefore, there would be no impact and no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Water quality in the Town is governed by the North Coast Regional Water Quality Control Board (NCRWQCB), which sets water quality standards in the Water Quality Control Plan for the North Coast Region (Basin Plan). As discussed under *criterion a,* the Project would be required to comply with NPDES requirements, and the Code of the Town of Windsor which requires an erosion and sediment control plan for construction sites that is equivalent to the required SWPPP. Additionally, adherence to state and local policies would further maintain water quality.

As discussed under *criteria a* and *b* above, the Project site is within the GSP for the Santa Rosa Plain Subbasin. The Project involves removing and abandoning three existing wells on the Project site and would not involve installation of new wells. The Project would not prevent groundwater recharge, violate water quality standards, or degrade water quality during construction or operation.

Given that the Project would be consistent with the site's 2040 General Plan land use designations for the Project site, conflicts with a water quality control plan associated with buildout of the Project site have been anticipated by the Town and analyzed in the 2040 General Plan EIR. Therefore, the Project would not interfere with water quality control plans or sustainable groundwater management plans. Thus, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts to hydrological resources and water quality, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

11 Land Use and Planning

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Physically divide an established community?	☐	☐	☐	■	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The 2040 General Plan EIR addresses land use and planning on pages 221 through 241. The 2040 General Plan EIR analysis finds that potential impacts from dividing existing communities and consistency with existing plans, policies, and regulations would be less than significant.

Project-Specific Impacts

a. Would the project physically divide an established community?

The 2040 General Plan seeks to preserve resource areas, encourage and support rural and agricultural uses outside the Urban Growth Boundary, and establish a well-defined community edge. The Project site is located in the northern portion of Town at the edge of the Urban Growth Boundary. A philosophy of Windsor is to manage growth to retain the Town's small size and rural atmosphere and respect natural resources. To support this philosophy, the Town has a growth management strategy that accommodates change in a measured and thoughtful fashion. Development north of Arata Lane and the extension of Los Amigos Road was analyzed in the 2040 General Plan EIR and determined to have a less than significant impact with implementation of 2040 General Plan goals and policies. Goal LU-6 of the 2040 General Plan encourages an orderly, contiguous pattern of development that prioritizes infill development, preserves resources, enhances livability, strengthens the local economy, and furthers Windsor's small-town feel. The Project would be limited to the subject parcels and extension of Los Amigos Road and no linear or other features that could impede access between or within neighborhoods are proposed. Therefore, the Project would not divide the currently established community and there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Project is consistent with the Town's 2040 General Plan land use designation and land use policies, as discussed throughout this checklist. The 2040 General Plan land use designations for the Project site include a mix of Very Low Density Residential (VLDR), Low Density Residential (LDR), Medium Density Residential (MDR), and Neighborhood Commercial Mixed-Use (NCMU). The Project is consistent with the VLDR, LDR, and MDR land use designations. These designations provide for a broad range of residential uses. The project is inconsistent with NCMU and has asked for a waiver under the Density Bonus Law of the commercial standards to allow only residential in the area designated NCMU. Under the Density Bonus Law and court cases applying the Density Bonus Law to CEQA analyses, the Town is required to treat the project as being consistent with the NCMU unless the waiver of the standard would cause a significant impact to public health and safety. The proposed waiver of the commercial standards would not result in such an impact to public health and safety. The Project would be consistent with Goal LU-2 to promote the development of residential neighborhoods that provide a variety of housing types, densities, and designs that address the diverse needs of Windsor residents of all ages and socioeconomic groups. Consistent with the 2040 General Plan, the Project would develop a residential community with affordable housing and amenities available to the public, such as a Community Park.

General Plan policies LU-14.1, LU-14.2, and LU-14.3 include specific policies regarding development of the Project site, which is designated as "North of Arata Lane" in the General Plan. Policy 14.1 requires a Planning Study to address a number of land use considerations for the Project site; Policy 14.2 calls for an efficient development pattern with single-family parcels and attached townhomes, and Policy LU-14.3 calls for mixed-use neighborhood center with local serving uses. The Project has been designed to be consistent with these General Plan policies. In order to address Planning Study Item D, an area has been delineated on Sheet TM3 along with a special note as follows:

> "This 12 acre area is designated for General Plan Policy LU-14.1(d): a school site may be identified, in consultation with the Windsor Unified School District, if the school district determines this is an appropriate location for a school in cooperation with the property owner."

The 2040 General Plan Land Use Diagram (Figure LU-1) includes four potential school sites. A Potential School Site symbol and a Proposed Park symbol are located on the Project site. According to the land use diagram, a potential school site should be approximately 10 acres. The Project includes development of a 3.12-acre Community Park and a 4.99-acre Neighborhood Linear Park. The Project also includes a potential 12-acre future school site that could be included as part of the project if the site were to be acquired by the WUSD. The Project would not conflict with the Land Use diagram.

The Project would not conflict with any federal or state policies or regulations as discussed throughout this checklist. However, as discussed in Section 2, *Agriculture and Forestry Resources*, agricultural land is located adjacent to the site to the east and north. The Project would include a 100-foot buffer to the east and north, which is less than the required buffer size of 200-feet. However, according to Section 27.24.020(B) of the Town of Windsor Zoning Ordinance the Town Council may adjust the width of the buffer when deemed appropriate, provided the buffer would not be reduced to less than 100 feet. As discussed in the Project Description, the applicant has requested a waiver to reduce the buffer size and satisfies the criteria to do so by including hedgerows, new tree plantings, existing trees and creek corridor, linear parks, and neighborhood

streets. The 2040 General Plan permits low density land uses to be adjacent to agricultural lands, including estate residential. Furthermore, Policy ER-2.2 noted that the size of agricultural buffers would be determined by parcel specific review for new development adjacent to agricultural property. The Project requests approval of a waiver under the State Density Bonus Law to reduce the agricultural buffer to the minimum allowed by the Zoning Ordinance and includes the features required by the Zoning Ordinance for a reduction of the agricultural buffer, as described in the Project Description. Given that the Project would be consistent with the site's 2040 General Plan land use designation, and includes features consistent with the Zoning Ordinance requirements for a reduction in the agricultural buffer potential risks with agriculture adjacent to residential development associated with buildout of the Project site have been anticipated by the Town and analyzed in the 2040 General Plan EIR. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) would not divide an established community and is consistent with the land use policies of the 2040 General Plan and would have no new significant or substantially more severe or peculiar impacts to land use and planning, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

12 Mineral Resources

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■	☐
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The General Plan EIR analyzes mineral resources on page 345 and finds that no impacts would occur.

Project-Specific Impacts

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

As discussed in the 2040 General Plan EIR there are no significant mineral resource deposits identified within the Town of Windsor. The Project site is not zoned or designated for mining uses and no active mining operations are in the Project site 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 the loss of a locally important mineral resource recovery site. The Project does not involve developing currently undeveloped land with the potential to contain valuable mineral resources. Therefore, the Project would have no impact on mineral resources.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) would not develop areas not analyzed previously in the 2040 General Plan EIR. The Project would have no new significant or substantially more severe or peculiar impacts to mineral resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

13 Noise

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project result in:					
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	■	■
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	■	■
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the Project site to excessive noise levels?	☐	☐	■	☐	☐

Analysis in Previous Environmental Document

The General Plan EIR analyzes noise on pages 243 through 262 and finds operational noise impacts to be less than significant and impacts from construction noise and vibration would be less than significant with implementation of the following mitigation measures:

N-1 Construction Noise Control Measures

The following noise control measures shall be included as standard conditions of approval for projects involving construction:

1. Properly muffle and maintain all construction equipment powered by internal combustion engines.
2. Prohibit unnecessary idling of combustion engines.
3. Locate all stationary noise-generating construction equipment such as air compressors as far as practical from existing nearby residences and other noise-sensitive land uses. Such equipment shall also be acoustically shielded.
4. Select quiet construction equipment, particularly air compressors, whenever possible. Fit motorized equipment with proper mufflers in good working order.

5. Residences adjacent to project sites shall be notified in advance by writing of the proposed construction schedule before construction activities commence.
6. The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator shall be posted at the construction site.

N-2 Construction Vibration Control Measures

The following measures to minimize exposure to construction vibration shall be included as standard conditions of approval for applicable projects involving construction:

1. Avoid the use of vibratory rollers within 50 feet of fragile buildings, which are buildings that are susceptible to damage from vibration.
2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration identifies as sensitive to daytime vibration (FTA 2006).
3. Notify neighbors of scheduled construction activities that would generate vibration.

Project-Specific Impacts

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Noise

The Town of Windsor Municipal Code and Zoning Ordinance do not have quantified noise standards for temporary construction work. However, the Federal Transit Administration (FTA) has developed guidance for determining if construction of a project would expose sensitive receptors to significant noise levels. As discussed in Section 3, *Air Quality*, sensitive receptors include residences, school playgrounds, child-care centers, retirement homes, and convalescent homes. As shown in Figure 6, the nearest sensitive receptors are the single-family residences east, west, and south of the Project site. For the purposes of this analysis, the project would result in a substantial temporary increase in noise levels if project-generated construction noise exceeds 80 A-weighted decibels (dBA) equivalent noise level (L_{eq}) at the nearest residences (FTA 2018). Section 7-1-118 of the Town of Windsor Municipal Code restricts the timing of construction activities to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 7:00 p.m. on Saturday. The Town's Zoning Ordinance does not include standards for construction noise. Instead, it relies on the standards included in the Municipal Code (Zoning Ordinance Section 27.20.010(F)(4)). However, this section does explain that the purpose of construction hours is to "allow construction schedules to take advantage of the weather, normal day light hours, to allow construction to proceed in an efficient manner, and to ensure that nearby residents as well as nonresidential activities are not disturbed by the early morning or late night activities."

Construction noise from the proposed project, including construction of Los Amigos Road, would temporarily increase ambient noise levels at the adjacent single-family residences surrounding the site. Construction activities for the residential portion of the project site, including demolition, site preparation, grading, building construction and paving, were modeled using the Federal Highway

Administration (FHWA) Roadway Construction Noise Model (RCNM) Version 1.1. The project would not involve the operation of a pile driver. Table 9 shows the estimated construction noise levels for demolition, site preparation and grading from the center of the residential portion of the construction site to the nearest noise sensitive receptor property line. For building construction and paving, construction noise levels were modeled from the center of the western, eastern and southern portion of the project site to the nearest sensitive receptor property line. As shown in Table 9, noise levels could reach as high as 71 dBA L_{eq} during onsite building construction and paving at the single-family residences to the west of the southern portion of the project site. Noise levels would be less at other residences surrounding the project site since construction activities would occur at a further distance. This would not exceed the significance threshold of 80 dBA Leq. Therefore, temporary exposure to construction noise during construction of the residential portion of the Project would not be considered to result in a substantial temporary increase in ambient noise levels and would not be more severe than those analyzed in the 2040 General Plan EIR.

Table 9 Project Construction Noise Levels

	Approximate Noise Level (dBA L_{eq})			
Construction Activity Phase	**RCNM Reference Noise Level**	**Single-Family Residences to the West**	**Single-Family Residences to the East**	**Single-Family Residences to the South**
Center of Site				
Distance (feet)	50	560[1]	840[2]	1,100[3]
Demolition	82	61	57	55
Site Preparation	83	62	58	56
Grading	84	63	59	57
Center of Western Portion				
Distance (feet)	50	280[1]	1,130[2]	1,150[3]
Building Construction	78	63	51	51
Paving	78	63	51	51
Center of Eastern Portion				
Distance (feet)	50	840[1]	580[2]	1,090[3]
Building Construction	78	54	57	51
Paving	78	54	57	51
Center of Southern Portion				
Distance (feet)	50	110[3]	190[4]	380[5]
Building Construction	78	71	66	60
Paving	78	71	66	60

Notes: Calculations performed with the FHWA's RCNM software are included in Appendix K

dBA = A-weighted decibels, L_{eq} = equivalent noise level

[1] Single-family residences to the west at 10156 and 10160 Los Amigos Road

[2] Single-family residences to the east at 10491, 10589, 10681 and 10781Hillview Road

[3] Single-family residences to the west at 267 and 283 Arata Lane

[4] Single-family residences to the east at 365 Arata Lane

[5] Single-family residences to the south at 280, 300 and 330 Arata Lane; in addition to 9939 Marcella Lane.

Source: FHWA 2006

For the portion of construction activity involving the realignment of Los Amigos Road, the duration of exposure at any given noise-sensitive receptor is one consideration in determining an impact's significance. During the Los Amigos Road realignment construction activity, due to the linear nature of this project component, it is not anticipated that any particular sensitive receptor along the proposed road realignment would be subject to roadway construction noise for an extended duration. Noise levels from a large bulldozer during grading activity associated with roadway construction could reach as high as 84 dBA L_{eq} at 25 feet from the center line of the Los Amigos Road realignment to the nearest residential property lines at APN 161-020-062, 161-020-063 and 161-020-014 and 80 dBA L_{eq} during paving. However, with implementation of the COA below, properly muffling and maintaining equipment would reduce noise levels by at least 10 dBA (FHWA 2017), which would reduce noise levels to at 74 dBA L_{eq} or less and would not exceed the FTA construction noise threshold of 80 dBA L_{eq}. Therefore, temporary exposure to construction noise during the Los Amigos Road realignment would not be considered to result in a substantial temporary increase in ambient noise levels and would not be more severe than those analyzed in the 2040 General Plan EIR.

If the potential school is constructed, similar construction equipment would be required. As shown on Table 9, noise levels could reach as high as 69 dBA L_{eq} during onsite building construction and paving at the single-family residences west of the southern portion of the project site. This would not exceed the significance threshold of 80 dBA L_{eq}. Noise levels would be less at other residences surrounding the project site since construction activities would occur at a further distance.

Additionally, consistent with Mitigation Measure N-1 of the 2040 General Plan EIR, uniformly applicable development standards to reduce potential impacts related to construction noise, included below, shall be implemented as COA.

Condition of Approval

During construction, the Project shall:

1. Properly muffle and maintain all construction equipment powered by internal combustion engines.
2. Prohibit unnecessary idling of combustion engines.
3. Locate all stationary noise-generating construction equipment such as air compressors as far as practical from existing nearby residences and other noise-sensitive land uses. Such equipment shall also be acoustically shielded.
4. Select quiet construction equipment, particularly air compressors, whenever possible. Fit motorized equipment with proper mufflers in good working order.
5. Residences adjacent to project sites shall be notified in advance by writing of the proposed construction schedule before construction activities commence.
6. The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator shall be posted at the construction site.

Therefore, with implementation of the COA, impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

Operational Noise

Operational noise sources (noise sources on the project site after completion of construction) are anticipated to include on-site stationary operational noise sources (such as heating ventilation, and air conditioning [HVAC] units) and traffic noise associated with the realigned Los Amigos Road and project-generated traffic on area roadways.

It should be noted that this section does not analyze noise exposure to new residents because California's Supreme Court found in 2015 that, as an impact of the environment on the project, this analysis is not required for CEQA compliance (C*alifornia Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal.4th 269.)*.

On-Site Stationary Operational Noise

The primary on-site operational noise sources from the project would be from one ground-mounted HVAC equipment per housing unit. Based on review of various manufacturer specifications for residential applications, a representative noise level of 65 dBA L_{max} at 3 feet for a 2.5-ton Carrier 24ABA4030 was selected for the analysis. HVAC would be located as close as 20 feet from the primary usable outdoor area of the single-family residences to the west on Los Amigos Road and at 267 and 283 Arata Lane (see Figure 6), and HVAC noise would attenuate to 49 dBA L_{max} or less. In addition, HVAC would be located as close as 90 feet west from the single-family residences to the east of the Project on Hillview Road, and HVAC noise would attenuate to 36 dBA L_{max} or less. Conservatively assuming these units would run over a 24-hour period, as stated in Table PHS-4[8] of the Town of Windsor General Plan (Windsor 2018a) this would be below the Town's nighttime noise level threshold of 50 dBA L_{max}. Operational noise levels at noise-sensitive receptors located at distances further away would attenuate to noise levels well below the nighttime threshold of 50 dBA L_{max}.

In addition to mechanical equipment, the project would generate noise from people gathering at the Community Park. The main noise source associated with the use of the proposed park would be speech from conversations or noise associated with recreational use of playing fields. Typically, a conversation between two people using a normal voice (not raised) at a distance of three feet is 60 dBA (Engineering ToolBox 2005). No amplified sound is proposed, and speech from conversations would quickly dissipate and would not interfere with surrounding outdoor activities and noise-sensitive uses. Furthermore, per Assembly Bill 1307 (2023), the effect of noise generated by residential project occupants and their guests is not a significant effect on the environment.

If the potential school is built, operation of the project would consist of student recreational activity in outdoor play areas. Outdoor noise and recreational activities would be an intermittent and periodic noise source, which would be limited to the daytime during school hours and when staff and students are outdoors (e.g., mornings prior to class start times, study breaks or lunch breaks throughout the day, afterschool prior to students getting picked up). Impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

[8] The Town recently adopted an updated Public Health and Safety Element on August 16, 2023. Therefore, table numbers referenced in the 2040 General Plan EIR might not coincide with numbers for policies referenced in the updated Public Health and Safety Element. Table PHS-4 is now Table PHS-1.

Off-Site Traffic Noise

The project would generate new vehicle trips that would use area roadways. Furthermore, the Project would involve an extension and realignment of Los Amigos Road. Pursuant to General Plan Policy PHS-8.1 (listed in Appendix A), the project would have a significant traffic noise impact if ambient noise levels increased by more than 5 dBA.

The Los Amigos Road realignment would be placed in an area located within a 60 dBA CNEL noise contour (i.e., 60 – 64 dBA CNEL noise exposure) based on Figure PHS-5 in the 2040 General Plan. Therefore, an increase in traffic noise of up to 65 dBA CNEL would be allowed at residences in this area, or 5 dBA above the baseline ambient noise level which is conservatively assumed to be 60 dBA CNEL.

A version of the FHWA RD-77-108 traffic noise prediction model was used to estimate that future noise levels from the Los Amigos Road realignment using 2040 + Project and 2040 No Project traffic data provided by W-Trans (Appendix L). To estimate noise levels at the closest sensitive receptors to the proposed roadway realignment (the residential properties at 10156 Los Amigos Road and 267 Arata Lane), the analysis models noise at 50 feet from the roadway centerline. The results of modeling indicate that traffic noise from the Los Amigos Road extension would be up to 67.3 dBA CNEL 50 feet from the centerline, which would exceed the allowed increase of 5 dBA allowed under General Plan Policy PHS-8.1 when compared to the baseline of 60 dBA.

General Plan Policy PHS-8.5, *Noise Attenuation Techniques,* requires noise attenuation methods other than sounds walls to reduce noise increases to be implemented as a COA. Consistent with this policy, the COA below is required to be implemented by the project.

Condition of Approval

Special Roadway Paving. Install “quiet pavement” roadway improvements, such as rubberized asphalt or open-grade asphalt concrete overlays along the Los Amigos roadway extension between Arata Lane and the realignment with the existing Los Amigos Road at the Windsor town limit.

With implementation of the COA above, roadway vehicle noise would be reduced by at least 7 dBA (Caltrans 2011), which would be below the threshold of 65 dBA CNEL and impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

Traffic noise increases along other area roadways caused by project traffic were estimated using the traffic data provided by W-Trans and the following formula: 10xLOG(2040 + Project traffic volume/baseline 2040 No Project traffic volume). As shown in Table 10, the project noise increase resulting from traffic would be as high as 7.3 dBA CNEL along the realigned Los Amigos Road, north of Arata Lane, which would be addressed through the COA listed above. Project traffic noise increases on other roadway segments in the Project area would be up to 0.5 dBA CNEL, which would be less than the allowable 5 dBA increase.

Table 10 Off-Site Project Traffic Noise Increases

Roadway Segment	Existing		Existing + Project		2040 No Project		2040 + Project		Project Traffic Noise Increase (dBA) CNEL[1]
	ADT	(dBA) CNEL	ADT	(dBA) CNEL	ADT	(dBA) CNEL	ADT	(dBA) CNEL	
Arata Lane – West of Los Amigos Road	9,675	67.5	11,835	68.4	18,020	70.2	20,280	70.7	0.5
Arata Lane – East of Los Amigos Road	7,440	66.4	7,800	66.6	11,220	68.2	11,580	68.3	0.1
Los Amigos Road – South of Arata	2,290	61.3	2,590	61.8	4,710	64.4	5,010	64.7	0.3
Los Amigos Road – North of Arata	10[2]	37.7	2,830	62.2	6,240	60[3]	9,160	67.3	7.3

Notes: ADT = average daily traffic The estimated traffic noise increase is based on the following formula: 10xLOG(2040 + Project traffic volume/baseline 2040 No Project traffic volume).

[1] 2040 ADT volumes were used as the baseline for this analysis. Existing and Existing + Project data are provided for informational purposes.

[2] Existing ADT for Los Amigos Road is from current Los Amigos Road conditions and does not include the Los Amigos Road realignment.

[3] Los Amigos Road extension and realignment would not exist without the construction of the proposed project. Therefore, future noise contours were used to define baseline noise levels. The Los Amigos Road realignment would be placed in an area located within a 60 dBA CNEL noise contour (i.e., 60 – 64 dBA CNEL noise exposure) based on Figure PHS-5 in the 2040 General Plan. This analysis conservatively assumes baseline ambient noise level is 60 dBA CNEL (the lower end of the 60 - 64 dBA CNEL range).

Source: W-Trans 2024 (Appendix L)

If the potential school is built, the project noise increase resulting from traffic would be as high as 7.5 dBA CNEL along Los Amigos Road, north of Arata Lane, as shown in Table 11. This would result in a potential increase more than the allowable 5 dBA above the baseline ambient noise level of 60 dBA CNEL. However, with implementation of the COA above, roadway vehicle noise would be reduced by at least 7 dBA (Caltrans 2011), which would be below the threshold of 65 dBA CNEL and impacts would not be more severe than those analyzed in the 2040 General Plan EIR. In addition, the project noise increase resulting from traffic on other roadway segments would be as high as 0.6 dBA CNEL along Arata Lane, west of Los Amigos Road, as shown in Table 11. Therefore, project traffic noise increases would be less than 5 dBA along all other roadway study segments. Therefore, project traffic noise impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

Table 11 Off-Site Project Traffic Noise Increases with Potential School

Roadway Segment	Existing ADT	Existing (dBA) CNEL	Existing + Project w/School ADT	Existing + Project w/School (dBA) CNEL	2040 No Project ADT	2040 No Project (dBA) CNEL	2040 + Project w/School ADT	2040 + Project w/School (dBA) CNEL	Project Traffic Noise Increase (dBA) CNEL[1]
Arata Lane – West of Los Amigos Road	9,675	67.5	12,015	68.5	18,020	70.2	20,480	70.8	0.6
Arata Lane – East of Los Amigos Road	7,440	66.4	7,870	66.6	11,220	68.2	11,650	68.3	0.1
Los Amigos Road – South of Arata	2,290	61.3	2,690	62.3	4,710	64.4	5,110	64.8	0.4
Los Amigos Road – North of Arata	10	37.7	3,170	61.6	6,240	60[2]	9,530	67.5	7.5

Notes: ADT = average daily traffic The estimated traffic noise increase is based on the following formula: 10xLOG(2040 + Project traffic volume/baseline 2040 No Project traffic volume).

[1] 2040 ADT volumes were used as the baseline for this analysis. Existing and Existing + Project data are provided for informational purposes.

[2] Los Amigos Road extension and realignment would not exist without the construction of proposed project. Therefore, future noise contours were used to define baseline noise levels. The Los Amigos Road realignment would be placed in an area located within a 60 dBA CNEL noise contour (i.e., 60 – 64 dBA CNEL noise exposure) based on Figure PHS-5 in the 2040 General Plan. This analysis conservatively assumes baseline ambient noise level is 60 dBA CNEL (the lower end of the 60 - 64 dBA CNEL range).

Source: W-Trans 2024 (Appendix L)

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The proposed project would not include substantial vibration sources associated with operation. Therefore, construction activities have the greatest potential to generate ground-borne vibration affecting nearby receivers. The greatest vibratory source during construction within the project vicinity would be from a vibratory roller. Neither blasting nor pile driving would be required for construction of the proposed project. Table 12 shows typical vibration levels for various pieces of construction equipment that would be used during project construction.

The 2040 General Plan EIR used vibration criteria from the FTA for determining if construction of a project would expose sensitive receptors to significant vibration levels. The project would result in a substantial temporary increase in groundborne vibration if project-generated construction noise exceeds 72 vibration decibels (VdB) at the nearest single-family residential building to the west of the Project.

Table 12 Construction Vibration Levels

Equipment	Approximate Vibration Level (VdB)			
	Reference Level (25 feet)	Single-Family Residences to the West[1] (160 feet)	Single-Family Residences to the East[2] (250 feet)	Single-Family Residences to the South[3] (340 feet)
Vibratory Roller	94	70	64	60
Large Bulldozer	87	63	57	53
Loaded Truck	86	62	56	52
Small Bulldozer	58	34	28	24
Threshold of Significance[4]		72	72	72
Threshold Exceeded?		**No**	**No**	**No**

[1] Distance from the center of the southern portion of the project site to the nearest residential building at 267 Arata Lane.

[2] Distance from the center of the southern portion of the project site to the nearest residential building at 365 Arata Lane.

[3] Distance from the center of the southern portion of the project site to the nearest residential building to the south at 300 Arata Lane.

[4] Based on the FTA criterion of 72 VdB from the 2040 General Plan EIR.

VdB = Vibration decibels

Source: FTA 2018

As shown in Table 12, a vibratory roller would create approximately 94 vibration decibels (VdB) at a distance of 25 feet (FTA 2018). This would attenuate to a level of 70 VdB from the center of the southern portion of the project site at a distance of 160 feet to the nearest single-family residential building to the west (see Figure 6), which would not exceed the vibration threshold of 72 VdB for residences. All other residential sensitive receptors would be located further away and vibration levels would be lower.

In addition, compliance with Section 7-1-190 of the Code of the Town of Windsor would restrict the timing of construction activities authorized by a Town permit to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturday. This requirement for new development would protect residents from exposure to vibration during normal sleeping hours.

If the potential school is constructed, similar construction equipment would be required, and construction vibration levels would be similar. Consistent with Mitigation Measure N-2 of the 2040 General Plan EIR, the following uniformly applicable development policy to reduce potential impacts related to construction vibration shall be implemented as COA.

Condition of Approval

The Project shall:

1. Avoid the use of vibratory rollers within 50 feet of fragile buildings, which are buildings that are susceptible to damage from vibration.
2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration identifies as sensitive to daytime vibration (FTA 2006).
3. Notify neighbors of scheduled construction activities that would generate vibration.
4. Select quiet construction equipment, particularly air compressors, whenever possible. Fit motorized equipment with proper mufflers in good working order.

5. Residences adjacent to the Project site shall be notified in advance by writing of the proposed construction schedule before construction activities commence.
6. The Project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator shall be posted at the construction site.

Therefore, with implementation of the COAs, impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the Project site to excessive noise levels?

The Sonoma County Airport is located approximately 3 miles to the south. As shown in Figure PHS-6, *2030 Projected Noise Contours*, in the 2040 General Plan, the project is located outside of the Sonoma County Airport noise contours (Town of Windsor 2018a). Therefore, no substantial noise exposure from airport noise would occur, and the project impact would not be more severe than those analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

Construction noise would generate noise levels of up to 71 dBA L_{eq} at the nearby single-family residential property lines during onsite building construction and paving, and up to 74 dBA L_{eq} during the Los Amigos Road realignment with the COA, which would not exceed the FTA construction noise threshold of 80 dBA L_{eq}. In addition, construction would be limited to hours allowed by the Town's Municipal Code. Impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

The Project would introduce sources of operational noise to the site, including HVAC. The nearest single-family residences to the west of the Project would be exposed to a noise level of 42 dBA L_{max} from HVAC equipment which would not exceed the nighttime exterior noise standard of 50 dBA L_{max} for residential uses. Therefore, impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

Traffic noise levels generated along Arata Lane and Los Amigos Road would cause an increase of up to 7.3 dBA CNEL along the realigned Los Amigos Road, north of Arata Lane and, pursuant to General Plan Policy PHS-8.5, implementation of the COA above would be required and would decrease roadway vehicle noise by at least 7 dBA CNEL (Caltrans 2011). This would be below 65 dBA CNEL and therefore the applicable threshold of 5 dBA increase above ambient noise levels would not be exceeded. Project traffic noise impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

Operation of the Project would not include any substantial vibration sources. Groundborne vibration from construction activities would not exceed the applicable vibration threshold. Therefore, vibration impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

The Project is not located within the noise contours of any airport. Therefore, the proposed Project would not expose people working in the project area to excessive aircraft overflight noise levels and impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

This page intentionally left blank.

14 Population and Housing

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	■	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The 2040 General Plan EIR discusses population and housing impacts on pages 263 through 272. The 2040 General Plan EIR anticipates a population of 38,028 people in 2040 with full buildout of the 2040 General Plan. Impacts from unplanned population growth and displacement of existing housing were determined to be less than significant.

Project-Specific Impacts

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The Project would result in up to 301 residential units on a primarily vacant site with one existing residence. Buildout of the site as proposed was assumed as part of the 2040 General Plan EIR analysis. According to the Department of Finance (DOF) the residences in the Town of Windsor have approximately 2.75 persons per household (DOF 2023). Therefore, the Project would introduce approximately 828 new residents. Windsor's current population as of 2023 is approximately 25,560 people, and the Project would introduce 828 new residents, bringing the Town's total population to approximately 26,338 (DOF 2023). The population increase generated by the Project, therefore, falls within the growth projected by the 2040 General Plan (38,028 residents by 2040). Accordingly, the Project would not induce substantial population growth directly or indirectly because the Project is part of planned growth in Windsor. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The Project site is mostly vacant but contains one remaining residence and three additional structures. While construction and development of the site would remove one residence, the Project would facilitate the development of up to 301 new residences on site, generating far more housing than would be removed. Therefore, the Project would not displace a substantial number of existing people or housing. Rather, it would provide additional housing opportunities in Windsor and would be in accordance with 2040 General Plan policies, including LU-1.7 which encourages new building designs "provide diversity while maintaining compatibility with the scale, massing, and heights of the existing homes." Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) would not involve development in areas not analyzed previously in the 2040 General Plan EIR, nor would it result in impacts to population and housing not covered in the 2040 General Plan EIR or subsequent environmental review documents. The Project would have no new significant or substantially more severe or peculiar impacts concerning population and housing, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

15 Public Services

		Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
	1. Fire protection?	☐	☐	☐	■	☐
	2. Police protection?	☐	☐	☐	■	☐
	3. Schools?	☐	☐	☐	■	☐
	4. Parks?	☐	☐	☐	■	☐
	5. Other public facilities?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts to public services were analyzed on pages 273 through 284 of the 2040 2040 General Plan EIR. Impacts related to police, fire protection, schools, libraries, and other public facilities were found to be less than significant. Impacts related to parks were analyzed on pages 345 and 346 of the 2040 General Plan EIR and the Plan was determined to have no impact.

Project-Specific Impacts

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Sonoma County Fire District (SCFD) works to administer fire protection in the Windsor region. The SCFD provides full-service delivery for fire protection, emergency medical response, and hazardous spills. Fire stations in the Town are located at 8200 Old Redwood Highway (County Station 1) and 8600 Windsor Road (County Station 3).

The Windsor Police Department (WPD) is staffed by Sonoma County Sheriff Department employees and provides policing and services including: patrol duties, traffic enforcement, school resource officer, security for special events, conduct investigations, and K9 unit. There are 24 full-time staff assigned to the WPD consisting of 14 officers, three sergeants, one chief, one K9 officer, one traffic officer, one school resource officer, one community services officer, and two civilians. The WPD has approximately 0.94 sworn officers per 1,000 residents after hours,[9] which is below the League of California Cities recommended standard of 1.4 to 1.6 sworn officers per 1,000 residents (Town of Windsor 2018b). The Project would decrease the current number of officers per 1,000 residents to approximately 0.91 sworn officers per 1,000 residents. However, 2040 General Plan policy PFS-6.1 (listed in Appendix A) requires the Town to set and meet a staffing benchmark in order to ensure that law enforcement operations expand as the Town's population increases. According to WPD Police Chief Raasch, Windsor also has an average response time of 5:42, which is faster than the standard acceptable response rate of 6:00 to 8:00 minutes.

The 2040 General Plan EIR evaluated fire and police protection demand impacts and found them to be less than significant with implementation of applicable 2040 General Plan goals and policies. Specifically, Goal PFS-1 of the 2040 General Plan Public Facilities and Services Element is intended to maintain the necessary level of service for the overall provision of public facilities and services in Windsor. The Project is located in an area currently served by police and fire protection services and buildout of the site as proposed was assumed as part of the EIR analysis. The Project would result in approximately 828 new residents, which added to the current 2023 population of 25,560 in Windsor, would result in a population of 26,338 (DOF 2023). This increase in population would not surpass the General Plan population projection of 38,028 people in 2040. 2040 General Plan Polices PFS-6.1, PFS-7.5, PFS-7.6, and PFS-7.8 (listed in Appendix A) would ensure that the Town maintains acceptable ratios and response times as the population grows. Therefore, the 2040 General Plan has accounted for the population growth associated with the Project and the level of services needed to ensure no additional police or fire protection facilities are necessary. There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

[9] 22 sworn officers divided by a population of 25,560 persons (DOF 2023).

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The Town is served by the Windsor Unified School District (WUSD) that oversees seven schools. The closest schools to the Project site are Brooks Elementary School 0.4 miles southeast of the Project site, and Windsor Middle School 0.6 miles southeast of the site.

According to the 2040 General Plan EIR Table 33, WUSD had a 2015-2016 enrollment (not including alternative schools or private schools) of 4,981 students and a practical capacity of 5,236 students. Also, according to the 2040 General Plan EIR, a principal philosophy of Windsor is to manage growth to retain the Town's small size and rural character which reduces the potential impact from the construction of new schools to meet a growing population since annual growth will be limited. The Project is consistent with the General Plan land use designations for the site and as explained in Section 14, *Population and Housing,* wouldn't exceed Town growth projections. Furthermore, as explained in the 2040 General Plan EIR, goals and policies in the Public Facilities and Services Element (Goal PFS-10.1 and Policies PFS-10.1, 10.2, and 10.3) of the 2040 General Plan support the continued partnership between the Town and the WUSD with the development of new schools for existing and future growth areas. These policies set procedures for the consideration of school sites and for coordination between the school district and Town on facility planning. Policy PFS-10.1 encourages the Town to work with WUSD to ensure adequacy of sites for schools. Policy PFS-10.2 is for the Town to encourage WUSD to consider certain siting and design criteria in the development of new schools. Policy PFS-10.3 requires the Town to forward residential development proposals to WUSD for review with regard to school capacity and potential school sites. This policy also provides a procedure for addressing the inability for a school to accommodate students from a proposed development as shown on a School Facilities Plan approved by the governing board of the school district and filed with the Town Clerk. At this time, no such School Facility Plan has been filed with the Town Clerk.

The General Plan identifies four locations for potential school sites, as discussed in Section 11, *Land Use and Planning,* including the Project site. In addition, General Plan Policy LU-14.1 states that a school site may be identified in consultation with WUSD if the school district determines this is an appropriate location for a school in cooperation with the property owner. As discussed in Section 11, *Land Use and Planning,* the Project would be consistent with the applicable General Plan goals and policies related to the development of the Project site.

The Project would add approximately 138 new students, based on a generation rate of 0.46 students per housing unit (Windsor Unified School District 2016). The Project applicant would be required to pay developer fees to Windsor Unified School District to accommodate students generated from new development projects. Pursuant to Section 65995(3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Thus, payment of the development fees is considered full mitigation for the project's impacts under CEQA and no additional mitigation is required. Therefore, with required payment of mitigation fees, this impact would be less than significant.

Should the potential 9-acre school site be built, it would be able to accommodate approximately 500 students. The potential school would address demand for schools in the Town, and would ensure buildout of the residential components of the Project would not contribute to the demand for new off-site schools. The potential environmental impacts related to construction of the potential school are addressed throughout this document. As described in Section 14, *Population and Housing*, the 2040 General Plan growth calculations account for the Project as they provide for a number of new housing units to be developed in accordance with the growth expected under the 2040 General Plan's land use plan. Therefore, the Project is part of planned growth in the region, including anticipated student population growth. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The Project would increase the population of Windsor and increase the use of nearby parks and recreational facilities. However, the Project includes 8.11 acres of parks, including a 3.12-acre Community Park and a 4.99-acre Neighborhood Linear Park. The population generated by the Project would be within the General Plan's 2040 population projection; therefore, the Project would not require the expansion of new or altered parks beyond what is planned for in the 2040 General Plan.

☑ **ANALYZED IN THE PRIOR EIR**

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The Project does not include and would not require new or physically altered governmental facilities. Population growth facilitated by the proposed residential units included would generate additional demand for library services; however, the 2040 General Plan accounts for this population growth, which is consistent with population growth forecasts in the 2040 General Plan. 2040 General Plan Policy PFS-10.4 (listed in Appendix A) directs the replacement of the existing Windsor Regional Library adjacent to existing public facilities, parks, schools, and/or the government center as part of the Windsor Civic Center Visioning Plan. According to the 2040 General Plan EIR, this policy would ensure that library services are available to the community as needed. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

Project impacts would be similar to those identified in the General Plan EIR and would be less than significant. The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts concerning public services, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

16 Recreation

		Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	■	☐
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts related to recreational facilities were analyzed on pages 345 and 346 of the 2040 General Plan EIR and were determined to have no impact.

Project-Specific Impacts

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

According to the 2040 General Plan there are currently five community parks and 14 neighborhood parks totaling 110 acres (Town of Windsor 2018b). The closest parks to the Project site are Michael A Hall Park 0.3 miles southeast of the Project site, Los Robles Park 0.4 miles southwest of the Project site, and Hiram Lewis Park 0.6 miles southeast of the Project site.

The Project would be developed consistent with the General Plan land use designations for the Project site as analyzed in the 2040 General Plan EIR. Therefore, the park services demand anticipated by the 2040 General Plan includes the Project's anticipated demand.

According to the 2040 General Plan Land Use Map, the Project site includes a Proposed Park symbol. The Project includes 8.11 acres of parks, including a 3.12-acre Community Park and an a 4.99-acre Neighborhood Linear Park. The 2040 General Plan aims to provide 5.0 acres of parkland per 1,000 residents, as stated in Policy PFS-9.5. The Project would provide more than 5.0 acres of parks on site and would result in fewer than 1,000 new residents; therefore, the Project provides the park acreage required by the General Plan. Therefore, there would be no impact and there are no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

Project impacts would be similar to those identified in the General Plan EIR and would be less than significant. The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts concerning recreational resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

17 Transportation

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	■	☐
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	■	☐	☐	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☐	☐	■	☐
d. Result in inadequate emergency access?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The 2040 General Plan EIR discusses transportation and traffic impacts on pages 285 through 321. Impacts related to level of service (LOS) and traffic congestion were found to be significant and mitigable with implementation of Mitigation Measure T-1. Impacts related to air traffic patterns, emergency access, and transit, bicycle, and pedestrian safety were found to be less than significant with adherence to General Plan goals and policies. Lastly, impacts related to traffic hazards due to queuing would be significant and unavoidable at several intersections even with Mitigation Measure T-2. Mitigation measures T-1 and T-2 from the 2040 General Plan EIR are outlined below:

T-1 Intersection Improvements

The following additional intersection improvements are necessary to maintain acceptable operation with the 2040 volumes anticipated under the 2040 General Plan.

- Add a second left-turn lane on northbound **Old Redwood Highway at Starr Road** together with a second receiving lane southbound on Starr Road.
- Add an eastbound left-turn lane on **Windsor River Road at Bell Road-Market Street** to operate under permitted left-turn phasing.
- Provide a second left-turn lane on northbound **Old Redwood Highway at Shiloh Road**; this will require a second westbound lane on Shiloh Road.

The resulting circulation system is shown on the revised Street Classification Map (2040 Conditions) in Figure 21 and the improvements described in Mitigation Measure T-1 would be included as part of the Town's Capital Improvement Program (CIP), Traffic Impact Mitigation Fee program or other infrastructure improvement plan to ensure funding is provided and that implementation of the improvements are made prior to project development occurring in the vicinity of these intersections. The mitigated LOS at each intersection is shown in Table 13. As shown, with mitigation, each intersection would result in an acceptable LOS and thus impacts would be reduced to a less than significant level.

Table 13 Future Mitigated Peak Hour Intersection Levels of Service – Year 2040 Cumulative Conditions with 2040 General Plan

	AM Peak Hour		PM Peak Hour	
Study Intersection	**Delay**	**LOS**	**Delay**	**LOS**
2 ORH/Starr Rd	**84.1**	**F**	29.2	C
(Mitigated) Dual Left-turn Lanes on NB ORH	26.0	C	21.8	C
15 Windsor River Rd/Bell Rd–Market St	11.1	B	**	**F**
(Mitigated) Add Eastbound Left-turn Lane	9.4	A	10.1	B
33 ORH/Shiloh Rd	39.8	D	**	**F**
(Mitigated) Dual NB Left-turn Lanes	27.4	C	41.4	D

Notes: Delay is in average seconds per vehicle; LOS = Level of Service; ORH = Old Redwood Highway

Delay for stop-controlled side-street approaches is shown in *italics*

** = Delay in excess of 120 seconds; **Bold Text** indicates operation below the minimum applied standard

Source: W-Trans

T-2 Queuing Improvements

The following improvements are necessary to mitigate impacts from queuing based on the traffic volumes anticipated under the 2040 General Plan.

- Provide dual left-turn lanes on northbound **Old Redwood Highway at Starr Road** per Mitigation Measure T-1.
- Provide at least 250 feet of stacking space on the eastbound approach to **Highway 101 North ramps/Arata Lane** when the interchange is modified to provide all of the travel lanes needed to accommodate future volumes.
- Widen **Arata Lane** to provide at least 275 feet of stacking space for the left-turn pocket on the eastbound approach to Los Amigos Road.
- Limit access at **Windsor River Road/Bill Beedie Way** to right turns in/out only and extend the left-turn pocket to 700 feet or convert **Windsor River Road/Windsor Road** to a modern roundabout.
- Lengthen the left-turn lane on the north-bound **Old Redwood Highway** approach to Conde Lane to 325 feet.
- Lengthen the left-turn pocket on the southbound approach to **Shiloh Road** at **Skylane Boulevard** to 125 feet.
- Lengthen the left-turn pocket on westbound **Shiloh Road at Caletti Avenue** to 125 feet.
- Provide dual left-turn lanes with at least 300 feet of stacking space on **northbound Old Redwood Highway at Shiloh Road.**

The following roadway improvements located within the vicinity of the Project are included in the 2040 General Plan and the Town's Traffic Impact Mitigation Fee program. These improvements were incorporated into the 2040 General Plan to accommodate projected year 2040 traffic volumes.

- Widen **Old Redwood Highway** to provide two lanes in each direction between Arata Lane and the Highway 101 South ramps intersection.
- Complete new **northbound on-ramp to Highway 101** from Arata Lane, including rerouting Los Amigos Road and provide sufficient clearance for trucks.
- Widen **Arata Lane** to provide additional lanes between Old Redwood Highway and Los Amigos Road and provide sufficient clearance for trucks.

Project-Specific Impacts

The 2040 General Plan EIR was prepared prior to adoption of the final CEQA guidelines that would change the metric of transportation analyses under CEQA from LOS to VMT. LOS, a measure of traffic congestion, was replaced as the metric of transportation analyses by VMT pursuant to Senate Bill 743. Consistent with CEQA Guidelines Section 15064.3, subdivision (b), the analysis below evaluates impacts to transportation in terms of VMT.

The following impact analysis is based on the *Quail Acres 1 Project Traffic Impact Study* (TIS) prepared by W-Trans in April 2024 (Appendix L).

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The Project would include sidewalks and bike lanes along the project frontage along the Los Amigos Road extension and along the project frontage on Arata Lane as required by the Town's Municipal Code (Title 16, Chapter 2, Frontage Improvements), Subdivision Ordinance (Section 16-8-810), and Complete Street Design Guidelines. The bike lanes along the Arata Lane project frontage and on the Los Amigos Road from Arata Lane to Old Los Amigos Road also include bike buffers. Additional sidewalks on the Los Amigos Road extension beyond those to be constructed by the Project would be built by other developments in the future, including along the west side of the extension and along the east side of the road to the north of A street; these sidewalks would primarily serve residents of future development and are not necessary in the near-term to establish a continuous pedestrian network for the proposed Project. As required by the Town's Municipal Code, Subdivision Ordinance, and Complete Street Design Guidelines as referenced above, all internal streets would include sidewalks on both sides of the street, except for the streets on the project's northern and eastern boundaries, where homes are located along a single-loaded street facing the linear park. In this case, a sidewalk is provided in front of the homes and a pathway in the linear park provides a substitute for a sidewalk on the opposite side of the street. The Project's site plans depict a crosswalk with a rapid rectangular flashing beacon (RRFB) system on the eastern leg of the proposed minor street connection of B Street to Arata Lane near the eastern project boundary, approximately 500 feet from the intersection at Arata Lane/Los Amigos Road. The proposed crosswalk would be on an uncontrolled leg of the intersection and may attract recreational pedestrian demand given its linkage between neighborhoods and the proposed linear park, as well as school-related demand generated by the Project associated with Brooks Elementary School and Windsor Middle School. As part of Phase 1, the Project would provide an interim pedestrian path across APN 161-020-049 in order to provide a connection from the public sidewalk at the Arata Lane/Los Amigos Road intersection and the public sidewalk in front of New Song Church (167 Arata Lane). This connection provides pedestrian access to the Sonoma County Transit bus stop located in

front of New Song Church. With the proposed pedestrian improvements to be constructed by the Project, effective pedestrian connectivity to the surrounding sidewalk network would be established during all phases of development.

The Project would include Class IV buffered bicycle lanes on the Los Amigos Road extension from Arata Lane to Old Los Amigos Road and on Arata Lane along the project frontage, which exceeds the bike facilities required by the Town's Bicycle and Pedestrian Master Plan and Complete Streets Design Guidelines. To access destinations such as the Town Green and the Windsor Sonoma-Marin Rail Transit (SMART) Station from the project site, bicyclists would use existing and planned bicycle facilities along Arata Lane and Old Redwood Highway. These bicycle facilities, including bicycle lanes on Arata Lane, together with shared use of minor streets including those constructed within the development, would effectively link the Project to the surrounding bicycle network.

Existing public transit routes and school bus routes are adequate to accommodate Project-generated transit trips. The nearest bus stop served by Sonoma County Transit is located on the north side of Arata Lane near Newsong Church. The bus stop is served by Route 66 which provides local loop service throughout the Town in a counterclockwise direction. As described above, the Project would provide a connection to this bus stop via an interim pedestrian path across APN 161-020-049 that would connect the public sidewalk at the intersection of Los Amigos Road/Arata Lane to the public sidewalk in front of New Song Church until such time as APN 161-020-049 is developed and a permanent sidewalk is built along the parcel frontage. Overall, development of the Project would not render existing transit facilities inadequate.

For the reasons described above, the Project would have a less than significant impact related to conflicts with programs, plans, ordinances, or policies addressing the circulation system, and there are no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

The Town of Windsor passed a resolution in April 2023 adopting a VMT policy that identifies significance thresholds and screening criteria for CEQA environmental review. Residential development projects are assessed using a home-based VMT per capita metric, with VMT significance thresholds set at a level of 15 percent below the existing countywide average. This is also consistent with the 2040 General Plan Policy M-3.18 which outlines the Town's VMT standards. The Sonoma County Transportation Authority (SCTA) operates and maintains the regional travel demand model that produces VMT estimates. The VMT data applied in this analysis were obtained from the SCTM19 model version released in December 2021, which is the most currently-available model available from SCTA. Based on output from the SCTA model, the existing residential VMT per capita in the County of Sonoma is 16.60 miles. VMT significance thresholds are set at 15 percent below this level, or 14.11 miles. Accordingly, the Project would have a potentially significant impact on VMT if its projected residential VMT per capita would exceed 14.11.

As discussed in the TIS, SCTA has developed a VMT Reduction Tool to assist in making project-specific VMT adjustments and quantify VMT mitigation measures. Of the 46 attached residential units, 30 would be designated as for sale affordable units. Of these 15 would be for sale to low-income households and 15 would be for sale to moderate income households. Based on the VMT Reduction Tool, the estimated reduction in the Project's residential per capita VMT due to the

provision of low-income affordable units is 1.4 percent without a school and 1.8 percent with a school. No adjustments to VMT per capita have been made for residential density, effect of the school, or pedestrian and bicycle network improvements.

VMT per capita was calculated for the Project with and without the school. The results are shown in Table 14. As shown therein, the Project would not exceed the VMT per capita threshold of 14.11.

Table 14 Vehicle Miles Traveled Analysis Summary

Land Use Option	Average Countywide VMT per Capita	Threshold (15% below Countywide Average)	Project VMT per Capita (Adjusted)	Threshold Exceeded?
Without School	16.60	14.11	14.10	No
With School			14.04	No

Source: Appendix L

The Town's VMT policy also requires consideration of the VMT associated with transportation projects such as the realignment and extension of Los Amigos Road proposed by the Project. According to the TIS prepared by W-Trans, the Los Amigos Road extension would be a two-lane crosstown street that functions as a collector, serving as a connection between local residential streets in northern Windsor (including those in the proposed project) to Arata Lane. The roadway would include new on-street bicycle lanes and sidewalks along the project frontage that would be separated from moving traffic by landscape strips and on-street parking. The Los Amigos Road extension would also be a realignment of an existing street rather than an entirely new street and would continue to include one travel lane in each direction, as does the current Los Amigos Road segment that would be moved. This segment of Los Amigos Road also crosses Windsor's Urban Growth Boundary (UGB) just beyond the Project site, limiting the amount of existing and future development in unincorporated areas that the roadway could reasonably serve in the future. With limited development potential beyond the UGB, any roadway capacity increases associated with the roadway extension and realignment would be unlikely to induce vehicle travel. Since the Los Amigos Road extension and realignment would function primarily as a collector street serving the Project and adjacent parcels, it would not induce vehicle travel beyond the Town's UGB, and impacts related to transportation VMT would be less than significant. Overall, the Project would have a less than significant impact on VMT and would be consistent with CEQA Guidelines section 15064.3, subdivision.

In January 2025, a supplemental VMT analysis was performed by W-Trans (Appendix M) at the request of Town Council. The supplemental analysis evaluated the potential cumulative transportation effects of a hypothetical condition in which a future school is not established on the Project site or anywhere within the North of Arata Community Place Area. W-Trans coordinated with the SCTA to perform a new cumulative year run of the regional travel demand model without a school and analyzed the results to assess the potential VMT repercussions of this condition. The model assumed 301 residential units for the Project and using the same approach as in the original TIS described above, the raw SCTA model VMT results for the project were adjusted using the SCTA VMT Reduction Tool to account for the Project's provision of onsite deed-restricted affordable housing.

As described above, the existing residential VMT per capita in the County of Sonoma is 16.60 miles. VMT significance thresholds are set at 15 percent below this level, or 14.11 miles. As shown on Table 15, in the applied hypothetical cumulative scenario with no school in the North of Arata Community Area, the Project's adjusted cumulative VMT per capita is 13.25. VMT per capita for the

applied hypothetical cumulative scenario would be below the applicable threshold of 14.11 VMT per capita. Therefore, this impact would be less than significant.

Table 15 Cumulative Vehicle Miles Traveled Analysis Summary with No School in the North of Arata Community Area

Average Countywide VMT per Capita	Threshold (15% below Countywide Average)	Project VMT per Capita (Unadjusted)	Project VMT per Capita (Adjusted)	Threshold Exceeded?
16.60	14.11	13.44	13.25	No

Source: Appendix M

☑ **LESS THAN SIGNIFICANT**

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

The following includes an analysis of potential traffic hazards related to internal circulation, queueing, pedestrian safety, and site access.

Project Circulation

Dimensions for the streets proposed to be constructed by the Project were evaluated based on the Town of Windsor's Complete Street Design Guidelines (CSDG). The internal streets serving the Project's residential areas would be 34 feet wide, consisting of 10-foot-wide travel lanes and 7-foot-wide parking areas on both sides of the street. The streets would include five-foot wide planter strips and six-foot wide sidewalks on both sides, except in locations adjacent to the linear park where sidewalks and planter strips would exist only on the west and south sides of the street in front of residences. On the side of the street opposite the homes, the linear park includes a pathway and existing trees and/or landscaping that provides a substitute for the sidewalk and planter strip. The proposed configurations are consistent with those specified for local streets in the CSDG. The Project would include construction of eight-foot-wide sidewalks with six-foot planter strips along its Los Amigos Road frontage, extending southward to Arata Lane. The proposed configuration is consistent with the 2-Lane Boulevard Crosstown Street type in the CSDG. The Project would improve Arata Lane along its frontage to include a 48 to 49-foot curb-to-curb width accommodating 11-foot-wide travel lanes in each direction, a 10-foot-wide center turn lane, an eight-foot-wide eastbound bike lane, and a westbound bike lane with buffer. The Project would provide eight-foot-wide sidewalks with six-foot planter strips on its frontage. The configuration proposed by the project between the roadway centerline and property line is consistent with the Three-Lane Boulevard Crosstown Street type in the CSDG. Impacts related to internal circulation would be less than significant and there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

Queuing

The TIS prepared by W-Trans also analyzed signalization and intersections pursuant to Policy M-3.16 (Level of Service Application) of the Town's 2040 General Plan as well as queuing pursuant to Policy M-3.17 (Queuing) of the Town's 2040 General Plan. As discussed in the TIS, the addition of traffic associated with the Project is projected to increase average delay per vehicle for the Arata Lane/Los Amigos Road intersection by 8.7 seconds, and signal Warrant 3 (peak hour warrant) would be met. Based on this, Phase 1 of the project would be considered to have an adverse effect on traffic

operation, and installation of a signal is recommended. Phase 1 of the Project includes installation of an interim traffic signal at the intersection of Arata Lane/Los Amigos Road.

The queuing analysis of the TIS found that the Project would exceed available storage at four of the five study intersections: Old Redwood Hwy/Starr Rd; Old Redwood Hwy/Arata Ln; US 101 North Ramps/Arata Lane; and Los Amigos Rd/Arata Ln as described below.

- **Old Redwood Hwy/Starr Rd.** Under existing conditions, queues would exceed available storage in the northbound left-turn pocket both without and with the Project during the am peak hour. The Project would increase the queue by 26 feet. In cases such as this intersection, where school traffic substantially affects signal operation, implementation of school period signal timing to provide additional green time on critical movements can help reduce delays and queues during these periods of particularly high traffic volumes. The TIS determined that the Project should submit funds to the Town to develop and implement school period signal timing parameters at this intersection prior to Phase 2. With these changes, the 95th percentile queues under existing plus project conditions would be accommodated within the available storage. The Project includes the payment of funds to develop and implement school period signal timing, consistent with the recommendations of TIS.

  Under future conditions both without and with the Project, queues in the northbound left-turn pocket would substantially exceed the existing storage. To alleviate this condition, the TIS determined that northbound left-turn storage should be increased to approximately 600 feet, extending nearly to Arata Lane. As discussed below, southbound left-turn storage on Old Redwood Highway at Arata Lane would require a left turn pocket of similar length in the future. This configuration results in back-to-back left-turns lanes and effectively requires Old Redwood Highway to be widened by a full lane width between Starr Road and Arata Lane. With this modification, queues at Old Redwood Highway would be acceptable in the future both without and with the Project. Widening this intersection and Old Redwood Highway to accommodate this and/or more extensive improvements is identified in the General Plan and included in the Town's Traffic Impact Fee program.
- **Old Redwood Hwy/Arata Lane.** Left-turn queues would remain within the available storage upon the addition of Project traffic to existing volumes. Under future conditions queues on southbound Old Redwood Highway and westbound Arata Lane would exceed available storage both without and with the Project under one or both peak hours. The TIS determined that the southbound left-turn pocket should be increased to approximately 650 feet to alleviate this condition; adding a northbound right-turn overlap phase (which is also recommended for intersection operations), plus coordination of the Old Redwood Highway/Arata Lane and Arata Lane/US 101 North Ramps traffic signals, would also be required. With these modifications, future queues are projected to remain within available storage both without and with the Project. These improvements are within the scope of the improvements identified in the General Plan and included in the Town's Traffic Impact Fee program for the Old Redwood Highway/Arata Lane interchange.
- **US 101 North Ramps/Arata Lane.** Under existing plus project conditions, queues would remain within available storage with the Project. Under future conditions, queues on eastbound Arata Lane would exceed available storage both without and with the Project. The TIS determined that the addition of an eastbound left-turn lane as identified in the operational analysis of the TIS, as well as coordination of the Arata Lane signals at this intersection and the adjacent Old Redwood Highway intersection, would alleviate the adverse queuing, though it is noted that queues would consume nearly all available storage. These improvements would be within the

scope of those identified in the General Plan and included in the Town's Traffic Impact Fee program for the Arata Lane interchange.

- **Los Amigos Road/Arata Lane.** The addition of Project-generated traffic to existing volumes would result in adverse queuing in the northbound and eastbound left-turn pockets. As identified in the operational analysis of the TIS, the intersection will need to be controlled by a single-lane roundabout or a temporary traffic signal (until such time that the future roundabout can be constructed). With signalization, the 95th percentile queues would remain within the available storage. If the intersection remains under signalization control, queues would remain within available storage as along as a southbound right-turn pocket is added and Arata Lane is widened to allow lengthening of the eastbound left-turn pocket to 400 feet. The Project includes construction of the Los Amigos Road extension on the north side of the intersection. As indicated in the operational analysis, it is recommended that the Project be responsible for installation of a temporary traffic signal. Phase 1 of the Project includes the installation of a traffic signal at this intersection. Upon construction of these improvements, the Project would satisfy its obligation toward planned future improvements at the Los Amigos Road/Arata Lane intersection. The Project includes a southbound right-turn lane and an eastbound left-turn lane within existing right-of-way on Arata Lane.

The General Plan includes roadway improvements, which were included as part of the 2040 General Plan circulation system, intersection improvements included as part of mitigation measure T-1 (Intersection Improvements), and queuing improvement included as part of mitigation measure T-2 (Queuing Improvements), which are described above. These improvements would address the adverse queuing effects identified in the TIS and are included in the Town's Traffic Impact Fee program. The Project's density and land uses are consistent with the General Plan densities and land use designations of the Project site. As such, the traffic queuing associated with the Project was evaluated in the General Plan EIR and is within the scope of the General Plan. The roadway improvements identified in the General Plan and General Plan EIR address the queuing impacts. These improvements are included in the Town's Traffic Impact Fee program. The Project's payment of Traffic Impact fees would satisfy its obligation toward completion of future improvements for the intersections of Old Redwood Highway/Starr Road, Old Redwood Highway/Arata Lane, and US101 North Ramps/Arata Lane. Impacts related to queuing would be less than significant and there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

Pedestrian Safety

As part of Phase 1, the Project would provide an interim pedestrian path across APN 161-020-490 in order to provide a connection from the public sidewalk at the Arata Lane/Los Amigos Road intersection to the public sidewalk in front of New Song Church (167 Arata Lane). This connection provides pedestrian access to the Sonoma County Transit bus stop located in front of New Song Church. Impacts related to pedestrian safety would be less than significant and there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

Site Access

The TIS found that the Project's public street intersections on Los Amigos Road and Arata Lane as well as the Project's relocated vehicular access points to the parcel located at 267 Arata Lane (APN 161-020-056) are anticipated to function acceptably and recommended that the Project streets that intersect with Arata Lane and Los Amigos Road be stop sign controlled. The Project includes stop

sign controls for these intersections as recommended. Impacts related to site access would be less than significant and there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

Summary

Overall, the Project includes the recommendations included in the TIS and would be consistent with the CSDG and therefore would result in less than significant impacts related to transportation hazards. There are no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project result in inadequate emergency access?

The adequacy of emergency evacuation routes was assessed in consideration of potential fire threats approaching from the north, south, east, and west. The primary evacuation route for Windsor leading to designated evacuation centers is United States Route 101. Evacuation staging schemes established by emergency responders would in most circumstances focus on moving traffic along arterial streets to the freeway. For the Project, emergency evacuation staging for fire threats from the north would focus on directing drivers to Arata Lane. Such routes would exist via both Los Amigos Road and the Project's eastern access street. Other evacuation routes would also likely focus on directing residents to Arata Lane, though secondary evacuation routes would also exist to the north on Los Amigos Road, accessing US 101 via Limerick Lane to Old Redwood Highway in southern Healdsburg.

The Project's proposed roadway network, including connectivity to existing and future roads, would provide adequate emergency circulation and access. The proposed roadway configuration, including construction of the Los Amigos Road extension from Arata Lane to Town limits as shown in Figure 4, would accommodate multiple evacuation staging schemes that could be used. Consistent with General Plan Policy PHS-4.12 (listed in Appendix A) and other Town requirements, roadways and alleys would be paved and designed to accommodate turning movements for fire trucks and would be paved to allow for adequate emergency access. In addition, consistent with Policy PHS-1.3 and PHS-4.6, as shown on the Phasing Plan on Figure 5, Project design for each phase of construction would include two points of emergency access via Arata Lane and Los Amigos Road. For Phase 1, the Project is not required to have two points of access until prior to construction of the 31st home. In accordance with the Phasing Plan and as required by the Fire Code, prior to construction of the 31st home, two points of access would be provided. Subsequent phases would include two points of access such that each phase of construction would have adequate emergency access and evacuation consistent with General Plan Policy PHS-1.3. The Phasing Plan has been reviewed and approved by the Town's Fire Marshal and would allow for evacuation during a fire, if necessary. The Project, including all future improvement plans, would be subject to review and approval by the Town's Fire Marshal, and requirements imposed by the Fire Marshal would be implemented as part of the Project. The Project would also include paved internal roadways as well as an extension of Los Amigos Road, which would provide additional emergency access and evacuation from the site. Accordingly, the Project would not result in inadequate emergency access. Therefore, impacts would not be more severe than those analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

Project impacts would be similar to those identified in the General Plan EIR and would be less than significant. The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts concerning transportation, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

18 Tribal Cultural Resources

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☐	☐	■	■
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	☐	☐	☐	■	■

Analysis in Previous Environmental Document

Impacts to tribal cultural resources were analyzed on pages 339 through 343 of the General Plan EIR. The 2040 General Plan EIR determined that impacts to tribal cultural resources would be reduced to less than significant levels with implementation of mitigation measures CR-1 and CR-4 (listed in Section 5, *Cultural Resources*) and Mitigation Measure CR-2 below:

CR-2 Tribal Cultural Resource Consultation

The following Implementation Program shall be added to the 2040 General Plan:

> Mitigation Measure CR-1 shall apply to all discretionary projects. Where potential tribal cultural resources are encountered or revealed through the Phase 1 Survey, the Town will consult with applicable tribe(s) to determine appropriate measures for addressing the resources.

Project-Specific Impacts

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

Tribal consultation under Assembly Bill (AB) 52 and Senate Bill (SB) 18 was conducted for the 2040 General Plan EIR, and the results were summarized therein. No tribal cultural resources were identified through the AB 52 and SB 18 consultation efforts, and no new tribal cultural resources related to the Project site have been identified since publication of the 2040 General Plan EIR. However, there is always the possibility of previously unidentified resources being uncovered during construction.

On November 2, 2021, the Town, sent formal consultation letters to the Mishewal-Wappo Tribe of Alexander Valley, the Dry Creek Rancheria of Pomo Indians, the Federated Indians of Graton Rancheria, the Cloverdale Rancheria of Pomo Indians, the Lytton Rancheria of California (Pomo), the Kashia Band of Stewart's Point (Pomo), and the California Native American Heritage Commission. No requests for further consultation were received.

General Plan goals and policies in the Environmental Resources Element, including Goal ER-7, Policy ER-7.3, Policy ER-7.4, and Policy ER-7.6 were determined to be sufficient to reduce potential impacts to tribal cultural resources to less than significant, in combination with the two COAs outlined in Section 5, *Cultural Resources* (Mitigation Measures CR-1 and CR-4 of the 2040 General Plan EIR). Additionally, consistent with Mitigation Measure CR-2 of the 2040 General Plan EIR, to reduce potential impacts to tribal cultural resources, the following uniformly applicable development policy shall be implemented as a COA:

Condition of Approval

Where potential tribal cultural resources are encountered or revealed during ground-disturbing activities, the Town will consult with applicable tribe(s) to determine appropriate measures for addressing the resources.

There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **SUBSTANTIALLY MITIGATED BY UNIFORMLY APPLICABLE DEVELOPMENT POLICIES**

Conclusion

Impacts of the Project would be similar to those identified in the General Plan EIR and would be less than significant. The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts concerning tribal cultural resources, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. There are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

19 Utilities and Service Systems

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	■	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	■	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	■	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

Impacts to utilities and service systems were analyzed on pages 323 through 337 and 353 through 354 of the 2040 General Plan EIR. Impacts related to water, wastewater treatment, solid waste, and stormwater drainage facilities were found to be less than significant.

Project-Specific Impacts

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Water

The 2040 General Plan EIR states and the 2020 Urban Water Management Plan (UWMP) shows that the Town has enough water supply capacity to meet current demands, as well as demands during normal water years through 2040 (Town of Windsor 2018b, 2021). According to the Town's 2020 UWMP, based on the 2040 population projection that includes the Project, the Town is expected to experience water supply shortfalls in single-dry year scenario conditions by 2030 if local groundwater wells are not developed as potable supply. The 2020 UWMP analysis estimated that if the Town were to develop local groundwater well supplies, the Town would experience water supply shortages in single-dry year conditions by 2035. It is projected that in a multiple dry-year scenario, the Town will experience water supply shortfalls by 2040. The drought risk assessment conducted for the 2020 UWMP found that without additional water supply, a multi-year drought in current conditions would create a water supply shortfall requiring the Town to implement mandatory water use restrictions to reduce water consumption. This was projected to occur in all years of a multi-year drought (Town of Windsor 2021).

Potable water for the Project would be provided by the Windsor Water District (WWD) via existing utilities adjacent to the Project site.

The Town's potable water supply is provided from its wells in the Russian River Well Field into the water distribution system. Water is also purchased from the Sonoma County Water Agency's (SCWA) Santa Rosa aqueduct. Windsor's water supply system includes 4,725 acre-feet (AF) from the Russian River Well Field, 900 AF from the SCWA aqueduct with a combined system supply of 5,625 AFY. In addition, Windsor has a storage capacity of 5.4 million gallons (Town of Windsor 2021).

As shown in Table 16, the Project's estimated water demand would be approximately 37.71 million gallons per year (115.73 acre-feet per year) approximately 2.4 percent of Windsor's annual water supply. The Project would adhere to the CCR Title 24, Part 11 (CALGreen) that requires a 20 percent reduction in residential indoor water use that would lower potential water demand. The Project would also comply with Section 12-3-820 of the Town of Windsor Municipal Code that requires water conservation methods including prohibiting washing hard or paved surfaces, causing excessive water flow when watering landscaping, and operating water features such as decorative fountains. Section 12-3-825 of the Town of Windsor Municipal Code further prohibits non-essential water use. As described in Section 14, *Population and Housing*, the Project would result in an incremental increase in population within the Town. Additionally, given that the Project would be consistent with the site's 2040 General Plan land use designation, potential impacts to water supplies associated with buildout of the Project site have been anticipated by the Town and

analyzed in the 2040 General Plan EIR and 2020 UWMP. Therefore, the Project is consistent with the anticipated development and growth in the 2040 General Plan and is covered by the analysis in the 2020 UWMP. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

Table 16 Estimated Water Demand

Land Use[1]	Size	Generation Rate[2]	Total (million gallons/year)	Total (gallons/day)
Residential	301 units	93,200 gallons/unit/year	28.05	76,858
Park	8.11 acres	1,191,500 gallons/acre/year	9.66	26,474
Total			**37.71**	**103,332**

[1] The school is not included in the estimated water demand in order to provide a conservative water demand estimate. The student water demand rate is 8,170 gallons per student per year, which would result in an annual demand of approximately 4 million gallons. If the school were constructed, 65 residential units would be omitted, which would lead to a reduction of approximately 5.8 million gallons per year in water demand.

[2] Rates from CalEEMod (Appendix B)

Wastewater

The Windsor Water District (WWD) owns, operates, and maintains the wastewater collection system that serves the Town. The Town collects its wastewater and treats it to disinfected tertiary levels at its water reclamation plant, the Windsor Wastewater Treatment Reclamation and Disposal Facility (WWTRDF). The WWTRDF is designed with a capacity of 2.25 million gallons per day (MGD) average dry weather flow and 7.2 MGD peak weekly wet weather flow (Town of Windsor 2019). The current Average Dry Weather Flow (ADWF) seen at the water reclamation facility is 1.4 MGD (Town of Windsor 2019).

The Project's estimated wastewater generation would be approximately 60,200 gallons per day, consistent with 200 gallons per day of wastewater flow per equivalent single-family dwelling, used in the Town's Wastewater Capacity Fee Study (Town of Windsor 2013). The Project would use approximately 10 percent of the available unused capacity of the WWTRDF, and this increase would be within the WWTRDF's capacity for collection and treatment. The Project would increase the population of Windsor. However, the Project is consistent with the 2040 General Plan land use designation for the site, and the population growth facilitated by the proposed residential units would be consistent with the 2040 General Plan population growth forecast. With implementation of 2040 General Plan policies, including Policies PFS-3.1, PFS-3.4, PFS-3.5, and PFS-3.11 (listed in Appendix A), sufficient wastewater treatment facilities would be available for the Project wastewater generation. Therefore, wastewater capacity would be sufficient to serve the Project, and the Project would not require the construction of wastewater infrastructure.

Stormwater

The Project would be designed and engineered with drainage features appropriate to accommodate the needs of the Project and mimic the historical flow patterns. The Project would comply with the Town's Stormwater Low Impact Development (LID) Technical Design Manual. The Project includes bioretention beds and stormwater storage to capture and treat stormwater runoff. Curb inlets would be equipped with removable trash capture inserts. The Project would adhere to landscape requirements pursuant to Section 12-3 Article 9 of the Town of Windsor Municipal Code, which requires landscaping and compacted soil to promote infiltration. As described in the Storm Water Low Impact Development Submittal prepared for the Project (Appendix I), the Project would

implement bioretention beds that would be able to capture one inch of rainfall over a 24-hour period. According to the Preliminary Drainage Report for the Project (Appendix J), the Project's proposed stormwater management features would maintain or reduce stormwater flows to pre-development peak flow conditions. Thus, the volume of stormwater runoff would not exceed the capacity of the storm drain system serving the site. The Project would not require the construction of new off-site stormwater drainage facilities or expansion of existing facilities. Impacts would be less than significant.

Electricity, Natural Gas, and Telecommunications

The 2040 General Plan EIR states that electricity and natural gas service in the Town of Windsor is provided by PG&E. Sonoma Clean Power would provide electricity to the Project via PG&E transmission lines. Long-term, operation-of-development projects would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. Electricity and natural gas consumption were estimated for buildout of the 2040 General Plan. The Project is consistent with the 2040 General Plan land use designation for the site, and the population growth under the Project would be consistent with the assumptions provided in the 2040 General Plan EIR. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The Town, through Sonoma County Resource Recovery, provides solid waste, recycling, and composting services for residential, commercial, and industrial areas, with weekly curbside pickup. Hazardous waste collection and disposal are provided by the Sonoma County Waste Management Agency. All waste is transported to the Healdsburg Transfer Station for processing and disposed of at the Central Landfill. Based on the 2040 General Plan EIR, the Central Landfill's solid waste capacity is sufficient to meet the needs of projected growth under the 2040 General Plan. As the Project would be consistent with the 2040 General Plan land use designation for the Project site, the projected population growth for the Project was adequately considered in the 2040 General Plan EIR. Additionally, the 2040 General Plan contains policies to reduce solid waste impacts, including Policies PFS-5.1, and PFS-5.8. The Project would have no impacts beyond those analyzed previously.

As the Project would be consistent with the 2040 General Plan land use designation for the Project site, the projected solid waste generation for the Project was adequately considered in the 2040 General Plan EIR. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

Impacts of the Project would be similar to those identified in the General Plan EIR and would be less than significant. The Project (including the Los Amigos Road realignment) would have no new significant or substantially more severe or peculiar impacts, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. There are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

20 Wildfire

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	■	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	■	☐
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	■	☐

Analysis in Previous Environmental Document

The 2040 General Plan EIR discusses wildland fire impacts on pages 192 through 194 and finds that impacts related to wildland fires in the Town would be less than significant.

This analysis is informed by the Wildfire Impact Analysis Memorandum, prepared by FirstCarbon Solutions, Inc. in October 2023 (Appendix H). As described therein, and as indicated by Section 7-2-416 of the Municipal Code, the entire Town shall be considered as a Moderate Fire Hazard Severity Zone (FHSZ) for the purposes of implementing additional regulations pursuant to the Fire Code.

Project-Specific Impacts

a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The Project site is located within a Local Responsibility Area (LRA) and outside of a Very High or High FHSZ as designated by the California Department of Forestry and Fire Protection (CAL FIRE). The evacuation routes from the Town are identified in Figure PH-3 ("Evacuation Routes") in the General Plan Public Health and Safety Element and include Highway 101, Old Redwood Highway, Shiloh Road, Arata Lane, Windsor Road, Windsor River Road, Hembree, Brookes Road, Los Amigos Road, and Starr Road. Construction traffic would utilize Highway 101 and Arata Lane to access the Project site. However, construction activities would result in temporary trips and would not significantly disrupt existing traffic or impair emergency evacuation. The Project would not impact the use of emergency evacuation routes through the modification of existing roadways, but rather would realign Los Amigos Road, which would allow the future construction of a Highway 101 northbound on-ramp at Arata Lane, thereby improving traffic circulation in the area.

The Project would result in an increase in vehicle users. However, the number of vehicle trips originating from the Project site during an emergency evacuation would be consistent with the assumptions of the General Plan, because the Project would not change existing land use designations or densities. In addition, the Project would contribute, through traffic impact fees, to the construction of the Highway 101 and Arata Lane northbound on-ramp, which would lead to improved evacuation efficiency by providing closer Highway 101 access.

The Project would be subject to General Plan Policy PHS-1.3, Emergency Vehicle Access (included in Appendix A) which requires that adequate primary and alternative access for emergency vehicles be provided to all new developments. The project would also be subject to General Plan policies PHS-4.1, PHS-4.6, and PHS-4.12 (included in Appendix A) which require project review and fire protection design for new projects, including sufficient capacity for emergency responders and evacuation. Consistent with Policy PHS-1.3 and PHS-4.6, as shown on the Phasing Plan on Figure 5, Project design for each phase of construction includes two points of emergency access via Arata Lane and Los Amigos Road. For Phase 1, the Project is not required to have two points of access until prior to construction of the 31st residence. In accordance with the Phasing Plan, prior to construction of the 31st residence two points of access will be provided. Subsequent phases would include two points of access such that each phase of construction would have adequate emergency access and evacuation consistent with General Plan Policy PHS-1.3. The Phasing Plan has been reviewed and approved by the Town's Fire Marshal and would allow for evacuation during a fire, if necessary. The Project would also include paved internal roadways as well as an extension of Los Amigos Road, which would provide additional emergency access and evacuation from the site.

For the reasons described above, the Project would result in no impacts beyond those previously identified in the prior environmental documents. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The Project site is not located within an SRA or within lands classified as a Very High FHSZ. The Project site is relatively flat. The Project would maintain the existing topography and would not include new or more pronounced slopes. Because of the lack of slopes on and adjacent to the Project site, the Project would not result in wildfire risk due to slopes. Prevailing winds in the vicinity of Windsor are generally from the northwest to the southeast. The Project site is not located within an area or includes features that experience significantly different prevailing winds. The Project would not have the potential to substantially change wind patterns; therefore, the Project would not result in wildfire risk due to prevailing winds.

The Town and Project site are occasionally subject to reduced air quality as a result of wildfire in the surrounding areas. However, the Project would not increase the potential for substantial air pollutant release. In the event of on-site fire, the Project site would not contain any features that would produce substantial quantities or qualities of air pollutants.

The 2019 Kincade Fire resulted in the evacuation of the Town and large parts of the County. The Kincade Fire resulted in spot fires from ember cast on properties within the Town limits on the north and northeastern edges of Town. No spot fires occurred on the project site from the Kincade fire. In response to the Kincade Fire, the Town amended its Building Code to identify the Town as a Moderate Fire Severity Zone and to require new construction comply with the applicable standards included in Municipal Code Section 7-2-311 (amends California Fire Code Section 701A.3.), which requires the use of specific fire-resistant materials for construction. The Project is required to comply with these requirements. The Town's Municipal Code also requires Fire sprinklers to be installed in all new residential developments.

For the reasons described above, the Project would result in no impacts beyond those previously identified in the prior environmental documents. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The Project site is not located within an SRA or within lands classified as a Very High FHSZ. Construction activities may temporarily increase fire risk due to equipment use and other construction actions on the Project site that could be ignition sources. However, compliance with applicable construction equipment regulations regarding the use of spark arrestors and fire suppression equipment in accordance with California Public Resources Code Section 4442 would reduce construction-related risks. Implementation of regular construction site watering consistent with the proposed project's SWPPP BMPs would also reduce risks associated with wildfire caused by unintentional equipment sparks during grading. Standard construction BMPs, such as retaining fire extinguishers on-site, would also support the suppression of fire sources and guide appropriate response should fire occur during construction activities.

The Project would include roads, fire hydrants and utilities similar to the adjacent urban development. Project design would also include two points of emergency access via Arata Lane and Los Amigos Road which would allow for evacuation during a fire, if necessary, as well as an extension of Los Amigos Road to connect Arata Lane and Highway 101. Furthermore, B Street along the eastern Project site boundary, S Street along the northern Project site boundary, Arata Lane at the southern Project site boundary, and Los Amigos Road at the southwestern portion of the site would serve as fire breaks to the Project site. The Project would not require the installation of new above-ground powerline infrastructure and therefore would not exacerbate fire risk. New utilities included as part of the Project would be required to be built underground in accordance with 2040 General Plan Policy PHS-4.9 (included in Appendix A) and the Town Municipal Code, which prioritizes the undergrounding of utilities. Furthermore, PG&E would be required to develop and implement a Wildfire Mitigation Plan, pursuant to California Public Utilities Commission General Order 166, which describes measures that the electric utility will implement to mitigate the threat of power line fires.

Proposed on-site residences would be constructed to current fire and building codes and safety standards which support reduced fire risk. In addition, pursuant to the Town of Windsor Municipal Code Title VII, Chapter 2, Article 10, the Project would be required to abide by California Code of Regulations Title 24, Part 9, Chapter 7A. These regulations include safety measures to minimize the threat of fire, including construction of exterior walls with noncombustible or ignition-resistant material from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves, and vents to prevent intrusion by flame or embers. Fire sprinklers would be required in residences pursuant to the Town Municipal Code. The Project would comply with California Code of Regulations Title 14, which sets forth the minimum development standards for fuel modification, setback, signage, and water supply, which help prevent loss of structures and life by reducing wildfire hazards. The codes and regulations would reduce the risk of wildfire.

For the reasons described above, the Project would result in no impacts beyond those previously identified in the prior environmental documents. Therefore, there would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The Project site is not located within an SRA or within lands classified as a Very High FHSZ. During construction and operation, on-site stormwater would be managed in accordance with local, regional, and State regulations to ensure that off-site flow of stormwaters would not increase from current levels. The Project site is generally flat and is not located in close proximity to areas of substantial slope. The Project site is not located in a flood hazard area delineated by the Federal Emergency Management Agency. The Project site's flat grade, distance from hillsides, and adequate drainage would prevent exposure of people or residences to downslope landslides and flooding. Therefore, the Project would result in no impacts beyond those previously identified in the prior environmental documents. There would be no new or substantially more severe impacts than what was analyzed in the 2040 General Plan EIR.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project (including the Los Amigos Road realignment) would not involve development in areas not analyzed previously in the General Plan EIR and would have no new significant or substantially more severe or peculiar impacts regarding wildfire, nor are there any potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. There are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the previous environmental documents. Accordingly, no additional review is required.

This page intentionally left blank.

21 Mandatory Findings of Significance

	Significant Impact	Less-than-Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Does the project:					
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	■	☐
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	■	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	■	☐

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The Project is local and would not have the potential to cause regional effects such that the Project would threaten to eliminate a plant or animal community or species, or otherwise substantially reduce habitat. Therefore, the Project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or

endangered plant or animal. As discussed in Section 5, *Cultural Resources*, no historical resources or known archaeological resources are located at the Project site. Therefore, the Project would not eliminate important examples of the major periods of California history or prehistory. As such, the Project would not result in impacts peculiar to the Project beyond those identified in the General Plan EIR and subsequent environmental documents.

☑ **ANALYZED IN THE PRIOR EIR**

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Conformance with General Plan policies and standard conditions of approval specified within this document (including mitigation measures required by the General Plan EIR) would ensure that potential impacts are individually limited and not cumulatively considerable in the context of impacts associated with other pending and planned development projects. As part of the General Plan EIR, cumulative impacts associated with buildout of the Town were analyzed. The Project is consistent with the General Plan EIR and land use designation of the site. The General Plan is a planning document that establishes a land use scenario and goals, policies, and objectives for development and growth throughout the Town through the year 2040. Thus, the impact analyses in the General Plan EIR effectively constitute cumulative analyses of the approved land uses in the planning boundaries. Nearby development would be required to be consistent with the local planning documents, or mitigation would be required to assess the impacts that were not addressed in the General Plan EIR. Overall, the Project would result in new or potentially more severe impacts beyond what was addressed in the General Plan EIR. Therefore, the Project would not result in cumulatively considerable impacts.

☑ **ANALYZED IN THE PRIOR EIR**

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

In general, impacts to human beings are associated with air quality, GHG emissions, hazards and hazardous materials, wildfire, and noise impacts. As detailed in the preceding responses, the Project would not result, either directly or indirectly, in substantial adverse impacts related to these issue areas. Conformance with General Plan policies and standard conditions of approval specified within this document (including mitigation measures required by the General Plan EIR) and compliance with applicable rules and regulations would reduce potential impacts on human beings. Therefore, the Project would not have substantial direct or indirect adverse effects on human beings.

☑ **ANALYZED IN THE PRIOR EIR**

Conclusion

The Project is consistent with the development density established by existing zoning, land use designation, and General Plan policies for which an EIR was certified. Accordingly, based on the assessments presented the environmental checklist, the Project does not require additional environmental review as the impacts:

1. Are not peculiar to the Project or the parcel on which the Project would be located,
2. Were analyzed as significant effects in a prior EIR on the zoning action, general plan, and specific plan, with which the Project is consistent where applicable,
3. Are not potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan and specific plan, and
4. Are not previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Furthermore, impacts would be reduced by compliance with General Plan policies and General Plan EIR mitigation measures. Accordingly, implementation of the Project complies with Section 15183 of the *CEQA Guidelines* and no further environmental review is required.

This page intentionally left blank.

References

Bibliography

Association of Bay Area Governments (ABAG). 2020. San Francisco Bay Region Hazard Viewer. Last updated March 2020. https://abag.ca.gov/our-work/resilience/data-research/hazard-viewer (accessed November 2021).

Bay Area Air Quality Management District (BAAQMD). 2017a. Air Quality Standards and Attainment Status. January 5, 2017. https://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status (accessed January 2022).

_____. 2017b. 2017 Clean Air Plan. Adopted April 19, 2017. https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en (accessed January 2022).

_____. 2017c. CEQA Air Quality Guidelines. May 2017. https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en (accessed January 2022).

California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. https://www.arb.ca.gov/ch/handbook.pdf (accessed November 2021).

_____. 2017. California's 2017 Climate Change Scoping Plan. December 14, 2017. https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf (accessed November 2021).

_____. 2021. "Overview: Diesel Exhaust & Health." https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health (accessed November 2021).

_____. 2016. Ambient Air Quality Standards. May. https://ww2.arb.ca.gov/sites/default/files/2020-07/aaqs2.pdf (accessed January 2022).

California Department of Conservation (DOC). 2021a. California Important Farmland Finder. https://maps.conservation.ca.gov/DLRP/CIFF/ (accessed November 2021).

_____. 2021b. Sonoma County Tsunami Inundation USGS 24K Quads. https://www.conservation.ca.gov/cgs/tsunami/maps/sonoma (accessed November 2021).

_____. 2022. Scoping Plan Update. https://ww2.arb.ca.gov/sites/default/files/2022-05/2022-draft-sp.pdf (accessed December 2023).

California Department of Finance. 2023. Table 2: E-5 City/County Population and Housing Estimates, 1/1/2023. https://dof.ca.gov/Forecasting/Demographics/Estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/ (accessed October 2023).

California Department of Fish and Game. 2005. Figure 2: Conservation Area Overview. https://www.fws.gov/sacramento/es/Recovery-Planning/Santa-Rosa/Documents/Fig2_ConStr._overview.pdf.pdf (accessed November 2021).

California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. file:///C:/Users/hbireschi/Downloads/2018%20Protocols%2013%20rev1.pdf (accessed December 2023).

_____. 2023. Essential Connectivity Areas- California Essential Habitat Connectivity (CEHC). https://data-cdfw.opendata.arcgis.com/maps/CDFW::essential-connectivity-areas-california-essential-habitat-connectivity-cehc-ds620/explore?location=38.567293%2C-122.804988%2C12.67 (accessed October 2023).

California Department of Toxic Substances Control (DTSC). 2023. EnviroStor Hazardous Waste and Substances Site List. https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Windsor%2C+CA (accessed October 2023).

California Department of Transportation (Caltrans). 2021. List of eligible and officially designated State Scenic Highways (XLSX). https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways (accessed March 2021).

California Department of Water Resources (DWR). 2004. California's Groundwater Bulletin 118 – Santa Rosa Valley, Santa Rosa Plain Subbasin. http://www.water.ca.gov/groundwater/bulletin118/basindescriptions/1-55.01.pdf (accessed October 2023).

California Environmental Protection Agency (CalEPA). 2023a. List of solid waste disposal sites identified by Water Board. https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf (accessed October 2023).

_____. 2023b. List of "active" CDO and CAOs. https://calepa.ca.gov/sitecleanup/corteselist/ (accessed October 2023).

California Native Plant Society (CNPS). Policy On Mitigation Guidelines Regarding Impacts To Rare, Threatened, And Endangered Plants. https://www.cnps.org/wp-content/uploads/2018/01/policy-mitigation-guidelines.pdf (accessed December 2023).

Engineering Toolbox. 2005. Required Voice Level at a Distance. https://www.engineeringtoolbox.com/voice-level-d_938.html (accessed December 2023).

Federal Emergency Management Agency (FEMA). 2008. National Flood Hazard Layer. December 2, 2008. https://msc.fema.gov/portal/search?AddressQuery=windsor%2C%20ca#searchresultsanchor (accessed November 2021).

Federal Highway Administration, 2017. *Special Report-Chapter 4 Mitigation. https://www.fhwa.dot.gov/ENVIRonment/noise/construction_noise/special_report/hcn04.cfm* June 28, 2017 (accessed June 2024).

Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123. September 2018. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed October 2023).

_____. 2006. Construction Noise Handbook. August 2006. https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook (accessed October 2023).

National Park Service (NPS). 1983. Department of the Interior Archaeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines. https://www.nps.gov/subjects/historicpreservation/upload/standards-guidelines-archeology-historic-preservation.pdf (accessed December 2023).

Natural Resources Conservation Service (NRCS). 2021. Web Soil Survey. https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm (accessed November 2021).

_____. 2018. Williamson Act, 2019 Calendar Year. December 28, 2018. https://sonomacounty.ca.gov/PRMD/Administration/GIS/Map-Gallery/ (accessed November 2021).

_____. 2021. Zoning and Parcel Report. https://sonomacounty.ca.gov/PRMD/Services/Zoning-and-Parcel-Report/?APN=162-020-004&rp=MapSearch (accessed November 2021).

Sonoma County Airport Land Use Commission. 2016. Exhibit C4: Charles M. Schulz – Sonoma County Airport Safety Zones. March 14, 2016. https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Comprehensive-Airport-Land-Use/Sonoma-County-Airport/ (accessed November 2021).

State Water Resources Control Board (SWRCB). 2023. Geotracker Database. https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Windsor%2C+CA (accessed October 2023).

United States Geological Survey (USGS). 2006. Map of Quaternary Deposits and Liquefaction Susceptibility in the Central San Francisco Bay Region, California. Open-File Report 2006-1037. https://pubs.usgs.gov/of/2006/1037/ (accessed November 2021).

Windsor, Town of. 2018a. Town of Windsor 2040 General Plan. Adopted April 4, 2018. https://www.townofwindsor.com/DocumentCenter/View/21498/Final-Town-of-Windsor-2040-General-Plan_2018-06-04 (accessed October 2023).

_____. 2018b. Windsor 2040 General Plan Final Environmental Impact Report. State Clearinghouse No. 2016112065. February 2018 (accessed October 2023).

_____. 2019. Water Reclamation Facility Modernization Study. February 11, 2019. https://www.townofwindsor.com/DocumentCenter/View/22571/Modernization-Study_Feb-28-2019_Printer-Friendly-1 (accessed December 2021).

_____. 2021. 2020 Urban Water Management Plan. August 2021. https://wuedata.water.ca.gov/public/uwmp_attachments/9935010612/Windsor%202020%20UWMP%20w%20Appendices%20-%2020210813.pdf (accessed December 2021).

_____. 2013. Wastewater Capacity Fee Study. https://www.townofwindsor.com/DocumentCenter/View/14640/Wastewater-Capacity-Fee-Study?bidId= (accessed November 2023).

Windsor Unified School District. 2016. *Facilities Utilization Master Plan*. Windsor Unified School District. https://drive.google.com/file/d/1Ul_muVhtpwV5VMgqLeH4p6kXxR2aCMh3/view?ts=5bbba15a (accessed December 2021).

List of Preparers

Rincon Consultants, Inc. prepared this IS under contract to the Town of Windsor. Persons involved in data gathering analysis, project management, and quality control are listed below.

RINCON CONSULTANTS, INC.

Matt Maddox, MESM AIPC, Principal
Karly Kaufman, MESM, Project Manager
Ethan Knox, Environmental Planner
Nichole Yee, Environmental Planner
Jesse McCandless, Noise Specialist
Anastasia Ennis, M.S., Biologist
Michael Stewart, PE, Senior Air Quality Specialist
Josh Carman, INCE-USA, Director – Noise, Air Quality, and GHG