



County of Sonoma  
Permit & Resource Management Department

## ***Proposed Mitigated Negative Declaration***

Publication Date: May 22, 2020  
Public Review Period: May 27, 2020 to June 26, 2020  
State Clearinghouse Number:  
Permit Sonoma File Number: PLP13-0023  
Prepared by: Scott Davidson  
Phone: (510) 845-7549

Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Mitigated Negative Declaration and the attached Initial Study, including the identified mitigation measures and monitoring program, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

<b>Project Name:</b>	Woody's Red Rocket Fuel
<b>Project Applicant/Operator:</b>	George and Marlene Young
<b>Project Location/Address:</b>	5300 Sebastopol Road, Santa Rosa, CA
<b>APN:</b>	060-040-033
<b>General Plan Land Use Designation:</b>	LI (Limited Industrial)
<b>Zoning Designation:</b>	Limited Rural Industrial District (M-3), Floodplain Combining District (F2), Scenic Resources Combining District (SR), Riparian Corridor Combining Zone 100/25 (RC 100/25), and Valley Oak Habitat Combining District (VOH)
<b>Decision Making Body:</b>	Sonoma County Board of Zoning Adjustments
<b>Appeal Body:</b>	Sonoma County Board of Supervisors
<b>Project Description:</b>	See Item III, below

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation" as indicated in the attached Initial Study and in the summary table below. As discussed below (see section VI. Evaluation of Environmental Impacts), this Initial Study analyzes the potential environmental impacts of this project based on the criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines. This Initial Study indicates whether the impact is potentially significant, less than significant with mitigation, or less than significant (or in the case where there is no impact, "No Impact"). "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from potentially significant impact to a less than significant impact, and the mitigation measures are described with a brief explanation of how they reduce the effect to a less than significant level. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant; if there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

**Table 1. Summary of Topic Areas**

Topic Area	Abbreviation*	Potentially Significant Impact or Less than Significant With Mitigation?	
		Yes	No
Aesthetics	VIS	Yes	
Agricultural & Forest Resources	AG		No
Air Quality	AIR	Yes	
Biological Resources	BIO	Yes	
Cultural Resources	CUL	Yes	
Energy	ENE		No
Geology and Soils	GEO	Yes	
Greenhouse Gas Emission	GHG		No
Hazards and Hazardous Materials	HAZ	Yes	
Hydrology and Water Quality	HYDRO	Yes	
Land Use and Planning	LU		No
Mineral Resources	MIN		No
Noise	NOISE	Yes	
Population and Housing	POP		No
Public Services	PS		No
Recreation	REC		No
Transportation	TRAF	Yes	
Tribal Cultural Resources	TCR	Yes	
Utility and Service Systems	UTL	Yes	
Wildfire	WILD		No
Mandatory Findings of Significance			No



**RESPONSIBLE AND TRUSTEE AGENCIES**

The following lists other public agencies whose approval is required for the project, or who have jurisdiction over resources potentially affected by the project.

**Table 2. Required Agency Approvals**

<b>Agency</b>	<b>Activity</b>	<b>Authorization</b>
Bay Area Air Quality Management District (BAAQMD)	gasoline dispensing	Permit to construct and operate a gasoline dispensing facility
Regional Water Quality Control Board (North Coast)	waste water discharge	Laguna de Santa Rosa Watershed TMDL program
State Water Resources Control Board	generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES)
Caltrans	road improvements in state highway right-of-way	Encroachment permit

**ENVIRONMENTAL FINDING:**

Based on the evaluation in the attached Initial Study, I find that the project described above will not have a significant adverse impact on the environment, provided that the mitigation measures identified in the Initial Study are included as conditions of approval for the project and a Mitigated Negative Declaration is proposed. The applicant has agreed in writing to incorporate identified mitigation measure into the project plans.

*Scott Orr*

5/22/2020

[NAME]

Date:





County of Sonoma  
Permit & Resource Management Department

## ***Initial Study***

### **I. INTRODUCTION:**

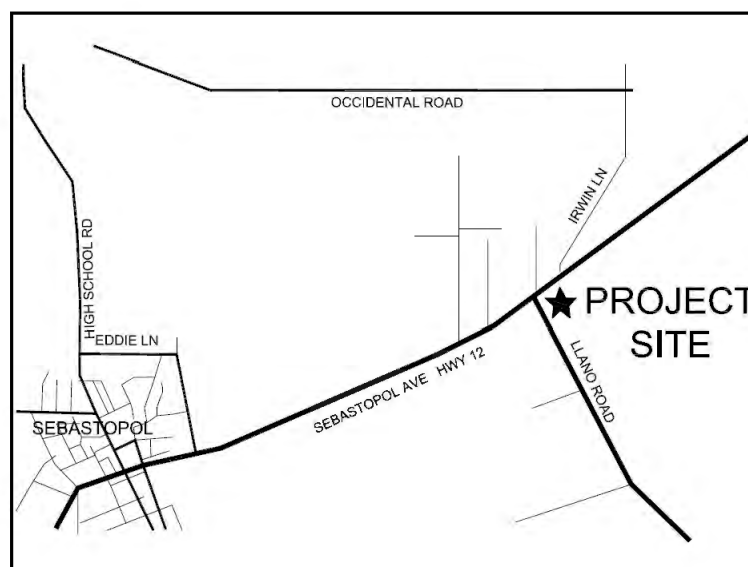
George and Marlene Young propose a gasoline fuel station, convenience market, car wash, and recreational vehicle storage facility on a parcel with an existing building and storage yard. A referral letter was sent (December 14, 2017) to appropriate local, state, and federal agencies and interest groups who may wish to comment on the project.

This report is the Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by Scott Davidson, Project Review Planner with the Sonoma County Permit and Resource Management Department, Project Review Division. Information on the project was provided by the applicants. Technical studies provided by qualified consultants are attached to this Initial Study to support the conclusions. Other reports, documents, maps and studies referred to in this document are available for review at the Permit and Resource Management Department (Permit Sonoma).

Please contact Scott Davidson, Contract Planner, at (510) 845-7549 for more information.

### **II. EXISTING SETTING**

The site is located at 5300 Sebastopol Road (the corner of State Highway 12 and Llano Road), Santa Rosa, on a 2.94-acre parcel zoned Limited Rural Industrial (M-3), Floodplain Combining District (F2), Scenic Resources Combining District (SR), Riparian Corridor Combining Zone 100/25 (RC 100/25), and Valley Oak Habitat Combining District (VOH).



*Figure 1. Site Vicinity  
(Del Starrett, Architect)*

The site currently consists of a contractor's yard that stores a variety of precast equipment, and contains a 6,500 square foot building that until recently served as an auto repair shop and administrative office. The site has been used for heavy commercial and light industrial operations for over forty years. There is also a Goodwill drop-off trailer on site. The Joe Rodota trail is immediately south of the site. To the north of the project site are agriculture and housing (rural residences), with more agricultural land to the east. To the south, east of Llano Road, there are landscape materials, storage, and auto-related businesses; to the south, west of Llano Road, there is open space.



*Figure 2. Project Site and Vicinity  
(Google Earth)*

### III. PROJECT DESCRIPTION

George and Marlene Young propose a gasoline fuel station, convenience market, car wash, and recreational vehicle storage facility on a developed parcel. The gas station/convenience market/car wash operations would be located on the western portion of the site within a total area of approximately 1.78 acres. The remaining 1.16 acres would be used for recreational vehicle storage. The operation would employ 2 full-time employees. The gas station/convenience market/car wash would be open to the public and would contain a retail component with operational hours of 5:00 AM to 11:00 PM daily. The recreational vehicle storage area would not be open to the public. The project site is located in a community separator designated by the Sonoma County General Plan,<sup>1</sup> adjacent to State Highway 12 (SR 12), which is designated a scenic corridor by the Sonoma County General Plan.<sup>2</sup>

<sup>1</sup>Sonoma County General Plan 2020 Open Space: Santa Rosa and Environs, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Open-Space-Scenic-Santa-Rosa-and-Environs/>, accessed 10/30/18.

<sup>2</sup>Sonoma County General Plan 2020 Open Space: Scenic Resources, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Open-Space-Scenic-Resource-Areas/>, accessed 10/30/18.



The project site is southeast of the intersection of SR 12 and Llano Road, approximately one mile northeast of Sebastopol. The area consists of level parcels, with a mixture of rural residential dwellings, agriculture, and commercial/industrial uses. The site is generally bounded by SR 12 on the northwest, Llano Road on the southwest, the Joe Rodota Trail on the southeast, and county land on the northeast. The site is in a Class 1 - Major groundwater basin.

**Existing Uses:** The project site contains a contractor's storage yard, an auto repair building, and a Goodwill drop-off area in the eastern portion of the parcel.

**Topography:** The project site is generally flat, with elevations ranging from approximately 77 feet in the western part to 80 feet in the eastern part.

**Drainage:** Site drainage is generally from the northwest to the southeast. There is an existing 15-inch storm drain connecting to an existing oil/water separator near the southeastern corner of the on-site building and exiting the project site to the south.

**Vegetation:** The majority of the project site is without vegetation. Limited vegetation includes the grassy septic area in the eastern part of the project site, a slender, approximately 300-square-foot, 100-foot long vegetated area between the project's southern border wall and an interior wall, a single large Valley Oak roughly near the center of the site, and other trees located around the site perimeter. Four oaks are adjacent to the project site along the Joe Rodota Trail.

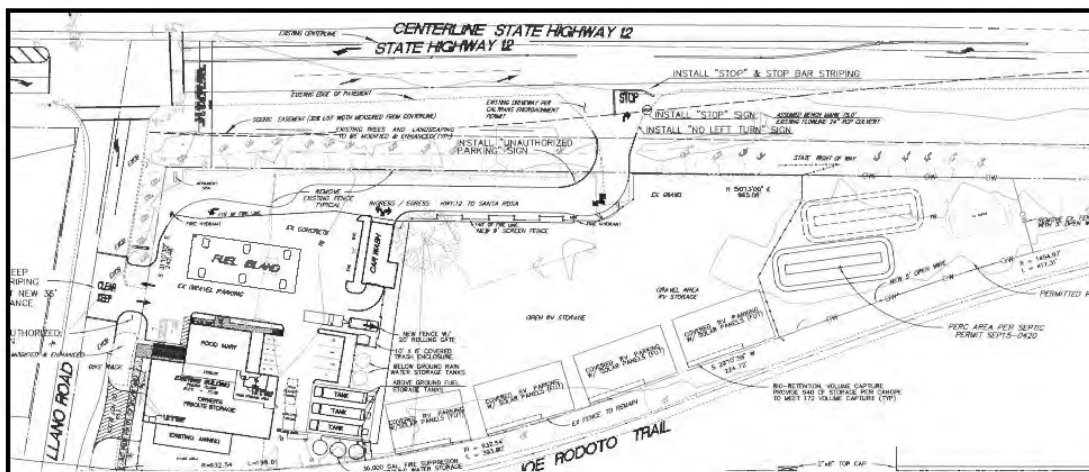


Figure 3. Project Site Plan  
(Baechtel Hudis, Consulting Civil Engineers & Planners)

**Proposed Buildings and Uses:** The project would consist of three structures:

1. The convenience store, with storage (including the owner's private storage): 6,525 square feet  
The store includes 2 public bathrooms; the owner's private storage includes 2 bathrooms.
2. Fuel island: 2,975 square feet  
Fuel island is underneath a canopy, including a total of 12 pumps on 6 dispenser stations in 3 rows
3. Car wash: 1,040 square feet

Employees:

Full-time employees: 2  
Part-time: --

Hours of Operation:

Hours of Operation: 5:00 a.m. to 11:00 p.m. daily.

Additional Facilities:

1. Three aboveground fuel tanks would be used to store gasoline (2 tanks) and diesel fuel (1 tank) for sale. The tanks would be double-wall containment tanks.
2. Three aboveground water storage tanks, holding 12,000 gallons each, would be used for the fire protection system.
3. Two underground rain barrels would be used for additional water storage.
4. A picnic area would be included in the southeastern part of the project site, near the Joe Rodota Trail, and would have an awning.
5. The eastern part of the project site would be designated for recreational vehicle (RV) storage, available to the public; the storage area would include four parking canopies.

Parking: All parking will be done on-site.

- Customers: 10 parking spaces, including one ADA accessible space
- Employees: 3 parking spaces
- In addition, there will be 2 bike racks

Access: Access and egress for vehicles and trucks would be via two driveways: one on Llano Road, and one on SR 12. Pedestrians would be able to access the site from the adjacent Joe Rodota Trail via a new pedestrian and bike path. The path would connect to the Joe Rodota Trail from the southwest corner of the subject property and lead to a trellised picnic area with benches and tables.

Wastewater Disposal: Wastewater disposal would be by septic system. The project has proposed (and received a permit for) a new on-site septic system (Permit #SEP15-0420, dated June 7, 2016).

Water supply: The project water needs would be served by an on-site well located in the northeast part of the property.

Construction: The construction schedule has not been determined.

#### **IV. SETTING**

This area is largely rural located west of the City of Santa Rosa and east of the City of Sebastopol. The property will be serviced by a private septic system and private water well. Uses on the neighboring properties include rural residential dwellings, agriculture, and commercial uses generally to the north across SR 12. Commercial/industrial uses are located generally to the west and south with open space to the southwest across the Joe Rodota Trail, and more commercial/industrial across the Joe Rodota Trail to the southeast.

## V. ISSUES RAISED BY THE PUBLIC OR AGENCIES

A referral packet was drafted and circulated (December 14, 2017) to inform and solicit comments from selected relevant local and state agencies, and to special interest groups that were anticipated to take interest in the project.

As of August 27, 2018, the project planner received nine (9) responses to the project referral from: Permit Sonoma Natural Resources Geologist, Permit Sonoma Project Review Health Specialist, Sonoma County Fire Department, Sonoma County Department of Transportation & Public Works, Sonoma County Engineering/Water Resources Divisions, Sonoma County Regional Parks, Sonoma County Department of Health Services, the City of Sebastopol, and the Northwest Information Center, SSU. The referral responses included several requests for further information and project use permit conditions of approval. The project planner also received referral responses from two (2) state agencies: Caltrans and the State Water resources Control Board (but no responses from federal agencies).

## VI. EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts of this project based on the criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines. For each item, one of four responses is given:

**No Impact: The project would not have the impact described.** The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.

**Less Than Significant Impact:** The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

**Potentially Significant Unless Mitigated:** The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

**Potentially Significant Impact:** The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question was answered by evaluating the project as proposed, that is, without considering the effect of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and identifies mitigation measures to substantially reduce those impacts to a level of insignificance where feasible. All references and sources used in this Initial Study are listed in the Reference section at the end of this report and are incorporated herein by reference.

George and Marlene Young have agreed to accept all mitigation measures listed in this Initial Study as conditions of approval for the proposed project, and to obtain all necessary permits.

## 1. AESTHETICS:

**Except as provided in Public Resources Code Section 21099, would the project:**

a) **Have a substantial adverse effect on a scenic vista?**



Comment:

The Project is in an area designated as SR (Scenic Resources Combining District). The proposed project would help preserve the visual character and scenic resources of the site by implementing General Plan provisions in Sections 2.1 and 2.3 of the General Plan Open Space and Resource Conservation Element and Article 64 of the Zoning Code.

According to Sonoma County General Plan Figure OSRC-1, Scenic Resource Areas, and Figure OSRC-53, Open Space Map, Santa Rosa and Environs, the northeastern tip of the parcel is identified as Community Separator.

The project would be consistent with General Plan requirements regarding community separators because it does not propose development in the area designated Community Separator and would therefore be consistent with General Plan Goal OSRC-1 and related policies by maintaining open spaces:

The project would also be consistent with County Code Article 64, because:

- (1) No structures would be sited below an exposed ridgeline (Sec. 26-64-020(a)(1));
- (2) Structures would use natural landforms and existing vegetation to screen them from view from public roads (Sec. 26-64-020(a)(2));
- (3) The project would not involve cuts and fills; and driveways would be screened from public view as practical, taking into consideration sight distance and safety requirements (Sec. 26-64-020(a)(3)); and
- (4) Project utilities would be required to be placed underground where economically practical (Sec. 26-64-020(a)(4)).

In addition, SR 12 in the area of the project is designated by the County as a "scenic corridor," and projects adjacent to scenic corridors would be subject to setback requirements. For the proposed project, as provided by Article 64 of the County Code and General Plan Policy OSRC-3c, a setback of 30 percent of the depth of the lot, to a maximum of 200 feet from the centerline of SR 12, would be required. The project's proposed fueling canopy encroaches 19 feet into the Scenic Corridor (the canopy is located within 55 feet of the front property line where the Scenic Corridor occupies the front 74 feet of the site) and the carwash encroaches 26 feet into the Scenic Corridor (the structure is located within 40 feet of the front property line where the Scenic Corridor occupies the front 66 feet of the site). However, the project would be consistent with these requirements because an encroachment into the Scenic Corridor setback is allowed through design review by Permit Sonoma. On May 15, 2019, the Design Review Committee (DRC) held the second of two hearings to evaluate the project and recommended final design review approval. In taking this action, the DRC found that new structures (canopy and carwash) would be accessory to and associated with existing structures, are necessary to the proposed use, are proposed at the only reasonable location due to site constraints and conditions, and would be partially screened by existing vegetation.

The project would also be sited to minimize public views by adhering to South Santa Rosa Area Plan "Urban Scenic Highway Corridor Design Guidelines for State Highway 12" (p. 80):

- a. *The minimum building setback is twenty (20) feet.*
- b. *The setback is based on the height of a building...following the same ratio of building setback to building height of twenty-four (24) degrees from the property line to a maximum height of thirty-five feet (35') at seventy-eight feet (78') from the property line.*

According to project plans, the structure closest to the SR 12 property line would be the car wash, with a building height of 17.5 feet set back 40 feet from the property line (this would be less than the allowed building height of 18.3 feet at 40 feet). The next closest structure would be the fuel pump

station, with a building height of 21.5 feet set back 55feet from the property line (this would be less than the allowed building height of 24.5 feet at 55feet).

The project proposes to replace existing vegetation, including 5 raywood ash and 1 evergreen pear tree along the Llano Road frontage, and 10 evergreen pear, 2 raywood ash, and 1 valley oak along the SR 12 frontage. The valley oak, which has an 8" diameter, is not considered "protected" by the Sonoma Municipal Code (section 26-88-010). New vegetation on the site proposed by the project would include a total of 11 valley oaks, 14 olive trees, 21 plum trees, 9 myrtles, and 4 maples, plus new shrubs and groundcover. Of these, there would be 2 valley oaks (one on either side of the project driveway), 2 olive trees, and 3 myrtles, plus new shrubs and groundcover, along the SR 12 project frontage; 3 valley oaks, 12 olive trees, and 19 plum trees, plus new shrubs and groundcover, along the Llano Road project frontage; and 6 myrtles, 4 maples, 2 olive trees, and 6 valley oaks within the interior of the site. All new trees would be a minimum of 15 inches diameter. (Five existing redwoods on the northeastern portion of the project site along the SR 12 frontage would remain. Four existing oaks adjacent to the Joe Rodota Trail would remain; also, according to the applicant, additional landscaping along the trail would not be required by County Parks.<sup>3</sup>)

The project site vicinity is generally characterized by its rural quality, with field crops and open fields, occasional residences, and limited development along SR 12 (Figures 1 and 2). The area is generally flat, and though there are distant views of mountains, there are no nearby, prominent hilltops or visible slopes. Because of the land use and zoning designations, the site's visual sensitivity would be considered high and scenic resources would need to be protected.



*Figure 4. View from project site (looking northeast toward Santa Rosa)  
(Google Maps street view)*

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<sup>3</sup>Applicant's "Response To Design Review Record of Action Sheet Comments & Conditions," 8-28-17.



*Figure 5. View from project site (looking southwest toward Sebastopol)  
(Google Maps street view)*

The predominant view of the project would be from SR 12 near Llano Road (Figure 6). Project structures would attract attention along SR 12 due to their size, form, color, and texture. Overall, the project would represent a visually distinctive change to the site by eliminating the contractor's storage area and removing (cleaning up) the materials presently being stored. The remodeled on-site building would be larger than the existing on-site structure in overall size and height (Figure 7).

Following County "Visual Assessment Guidelines" a public viewpoint (Figures 6-8) was considered for determining the project's visibility to the public. The project's visual effect on the visual character or quality of the site and its surroundings was determined using the County "Visual Assessment Guidelines" (Table 3).

**Table 3: Thresholds of Significance for Visual Impact Analysis**

<b>Sensitivity</b>	<b>Visual Dominance</b>			
	<b><i>Dominant</i></b>	<b><i>Co-Dominant</i></b>	<b><i>Subordinate</i></b>	<b><i>Inevident</i></b>
<b><i>Maximum</i></b>	Significant	Significant	Significant	Less than significant
<b><i>High</i></b>	Significant	Significant	Less than significant	Less than significant
<b><i>Moderate</i></b>	Significant	Less than significant	Less than significant	Less than significant
<b><i>Low</i></b>	Less than significant	Less than significant	Less than significant	Less than significant

As discussed in section 1.a, the project site is currently developed. The site currently consists of a contractor's yard that stores a variety of precast equipment, and contains a 6,500 square foot building that until recently served as an auto repair shop and administrative office. The site has been used for

heavy commercial and light industrial operations for over forty years. There is also a Goodwill drop-off trailer on site. Based on County "Visual Assessment Guidelines," the project site sensitivity would be considered "High" because:

*"Where visible, project structures could attract attention due to their size, form, color, and texture, and overall would represent a visually distinctive change to the site."*

Based on County "Visual Assessment Guidelines," the project's visual dominance would be considered "Dominant" because:

*"Project elements are strong – they stand out against the setting and attract attention away from the surrounding landscape. Form, line, color, texture, and night lighting contrast with existing elements in the surrounding landscape."*



Figure 6. Existing site conditions -- View from north along SR 12 at Llano Road (Google Maps street view)



Figure 7: Concept plan: project site -- SR 12 at Llano Road (Del Starrett Architect)

The remodeled building would include new board and batten siding, a new cupola, and stone veneer along the base, which would provide variety in surface texture. The color scheme would complement other buildings in the area (see Figure 8).





*Figure 8: Proposed building detail  
(Del Starrett Architect)*

The combination of the project site with “high” visual sensitivity and “dominant” project features would result in a potentially significant impact. The project was reviewed by the Design Review Committee (DRC; January 18, 2017 and May 15, 2019), and project plans, including a project lighting plan, were approved (May 15, 2019). The applicant agreed to incorporate revisions to the project per DRC direction, such as. placing landscaping on private property as much as possible, adding landscaping to interior areas near the parking spaces and the building, and providing alternative fence materials (to avoid use of chain link). Incorporation of these revisions ensures that any impacts on visual resources would be less than significant.

Significance Level: Less than Significant Impact

- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?**

Comment:

The parcel is not located on a site visible from a state scenic highway. Officially designated state scenic highways in Sonoma County are Highway 116 (from Highway 1 to the Sebastopol city limit) and Highway 12 (from Danielli Avenue east of Santa Rosa to London Way in Agua Caliente).<sup>4</sup>

Significance Level: No Impact

- 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 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?**

Comment:

As discussed in section 1.a, the existing visual character of the site is generally rural (i.e., non-urbanized), with some limited development, residential, field crops, and open fields. There are public

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<sup>4</sup>Caltrans, Scenic Highways, <http://www.dot.ca.gov/design/lap/livability/scenic-highways/>, accessed 10/12/18.

views of the project site from Llano Road, SR-12, and the Joe Rodota Trail, which runs parallel to SR-12, which in the area of the project site is a County-designated scenic corridor. As explained in the General Plan Open Space & Resource Conservation Element (p. OS-17), the County has determined that the high visual quality of scenic corridors contributes to the *“living environment of local residents and to the County’s tourism economy,”* and that scenic corridors typically *“cross highly scenic areas, provide visual links to major recreation areas, give access to historic areas, or served as scenic entranceways to cities.”* Figures 6 through 8 depict public views of existing conditions and the proposed project. The surrounding rural character would be unaltered as a result of the proposed project, and the project would be consistent with building height, building lot coverage, and building setback requirements for the site’s M3 zoning and LI (Limited Industrial) land use designation. As discussed in section 1.a, the project would be consistent with siting, vegetative screening, grading, and utility undergrounding requirements for the Scenic Resources (SR) combining district. The project plans have been reviewed and approved by the Design Review Committee. Therefore, because the Design Review Committee evaluated and found the project met standards for this site (i.e., because the project would be consistent with building height, lot coverage, setbacks, siting, vegetative screening, grading, undergrounding), the project would not substantially degrade the existing visual character or quality of the public views of the site and its surroundings.

Significance Level: Less than Significant Impact

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime view in the area?**

Comment:

The proposed project would provide lighting at each of the two driveways as well as within the project site (adjacent to the convenience store and parking areas), and for the fuel island and the RV parking area. A total of 27 LED lights would be used, ranging from 27 watts (for the RV parking area) to 73.5 watts (for all other site illumination not including the fuel island). Lights at the driveways and the interior areas (not including the fuel island, convenience store, and RV parking area) would be mounted on 18-foot poles. Project plans indicate that the lights by the convenience store and the fuel island would be downcast, which would reduce nighttime lighting spillage. As discussed in section 1.a, project lighting plans have gone through DRC review (5/15/19). The DRC previously directed the applicant to ensure light fixtures are fully shielded, downward-cast, and Dark Sky compliant, and to demonstrate how light fixtures will be placed under the canopy. The applicant provided additional information regarding types of lights (to address Dark Sky compliance), a revised plan sheet showing the details of project lighting (including type of fixture), and a photometric plan that depicts the distribution of illumination over the project site from project lighting. The Design Review Committee had no significant comments with respect to lighting, and as discussed in section 1.a, approved the project design (including the lighting plan). Therefore, project lighting would meet DRC standards, and light and glare impacts would be less-than-significant.

Significance Level: Less than Significant Impact

## **2. AGRICULTURE AND FOREST RESOURCES:**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.



**Would the project:**

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

Comment:

The project site (approximately 2.9 acres) currently contains an auto repair building, Goodwill drop-off center, and construction storage yard. According to the Sonoma County Important Farmlands Map, the project site is designated as Urban and Built-Up Land. There is no Prime/Unique/ Important/ or Other Farmland on the site. The project involves a proposed gasoline station, convenience market, car wash, and RV storage facility, and is consistent with the General Plan and the site's M3 zoning. No change in the land use or zoning is proposed. The parcel is not designated as Prime or Unique Farmland or Farmland of Statewide Importance on the Important Farmland maps. It is designated as Urban Lands reflecting the existing use of the site.

Significance Level: No Impact

- b) Conflict with existing zoning for agricultural use, or Williamson Act Contract?**

Comment:

The project site is not zoned for agricultural use, nor is it under a Williamson Act Contract. The project site is zoned M3 (Limited Rural Industrial District).

Significance Level: No Impact

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

Comment:

As discussed in section 2.b, the project site is zoned M-3 (Limited Rural Industrial District) and does not contain any forest land or timberland.

Significance Level: No Impact

- d) Result in the loss of forest land or conversion of forest land to non-forest use?**

Comment:

As discussed in section 2.c, the project site is zoned M3 (Limited Rural Industrial District) and does not contain any forest land or timberland.

Significance Level: No Impact

- 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?**

Comment:

The project is bordered generally on the north by SR 12 and on the west by Llano Road; generally to the south and east is miscellaneous County land zoned LEA (Land Extensive Agriculture) with the Joe Rodota Trail to the south. The project does not involve other changes in the environment that would be expected to result in conversion of farmland to non-agricultural use or forest land to non-forest use.

Significance Level: No Impact

### 3. AIR QUALITY:

**Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:**

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

Comment:

The project is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which is currently designated as a nonattainment area for state and federal ozone standards, the state PM<sub>10</sub> standard, and the state and federal PM<sub>2.5</sub> standard. BAAQMD has adopted an Ozone Attainment Plan and a Clean Air Plan in compliance with the Federal and State Clean Air Acts. These plans include measures to achieve compliance with both ozone standards. The plans deal primarily with emissions of ozone precursors (nitrogen oxides (NOx) and volatile organic compounds, also referred to as Reactive Organic Gases (ROG)). The project would not conflict with BAAQMD air quality plans because the proposed use is below the emission thresholds for ozone precursors, as discussed in section 3.b.

State and Federal standards have been established for the "criteria pollutants": ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). The pollutants NOx (nitrogen oxides) and reactive organic gases (ROG) form ozone in the atmosphere in the presence of sunlight. The principal source of ozone precursors is vehicle emissions, although stationary internal combustion engines are also considered a source. The project is not included in the BAAQMD Air Quality Guidelines screening criteria. However, a general comparison can be made with a similar land use. The BAAQMD "convenience market with gas pumps" land use has a screening size of 4,000 square feet (4 ksf) for operational criteria pollutants, and a screening size of 277 ksf for construction-related pollutants. Project plans show a total square footage of approximately 5,180 square feet for the market and the gas pumps.

Emissions for development projects were calculated using the CalEEMod air quality modeling software. The CalEEMod software was utilized by Illingworth & Rodkin for the project greenhouse gas analysis, but construction and operational criteria pollutants for the project were also calculated. Table 4 shows the results from CalEEMod.

<b>Table 4. Air Emissions Estimates--Construction and Operation</b>						
<b>Air contaminant</b>	<b>ROG</b>	<b>NOX</b>	<b>PM<sub>10</sub> (exhaust)</b>	<b>PM<sub>2.5</sub> (exhaust)</b>	<b>Fugitive dust (PM<sub>10</sub> &amp; PM<sub>2.5</sub>)</b>	<b>Local CO</b>
Project construction (pounds per day)	0.9736	3.1098	0.1912	0.1822	0.0641	2.5260
BAAQMD Threshold (pounds per day)	54	54	82	54	BMP	None
Significant?	No	No	No	No	--	N/A

Project operations (pounds per day)	9.33	9.00	0.09	0.08	2.75	54.97
BAAQMD Threshold (pounds per day)	54	54	82	54	None	--
Significant?	No	No	No	No	N/A	N/A
SOURCE: "5300 Sebastopol Road, Fueling Station, Car Wash and Convenience Store, Draft Greenhouse Gas Emissions Assessment, Santa Rosa, California," Illingworth & Rodkin, Inc., April 25, 2016.						

Because the project would not exceed these BAAQMD thresholds for air contaminants, a detailed air quality study was determined not to be required, and emissions of criteria pollutants from the project would be less than significant.

In addition, a detailed air quality analysis was not required for localized CO concentrations because traffic generated by the project would not increase traffic volumes at the nearest affected intersection (SR 12 and Llano Road) above the BAAQMD screening criterion (more than 44,000 vehicles per hour).

Also, because the project would not cause significant long-term emissions of criteria pollutants, the project would not violate any air quality standard. However, construction-related dust could cause temporary, minor increases in PM<sub>10</sub>. BAAQMD recommends BMPs to reduce fugitive dust emissions, which would in turn reduce associated air quality impacts to a less than significant level.

Therefore, the following County dust control measures and BAAQMD air quality BMPs would need to be incorporated into the project to reduce construction period air quality impacts to a less-than-significant level.

Significance Level: Less than Significant with Mitigation Incorporated

**Mitigation Measure AIR-1:**

- (a) The following County dust control measures shall be included in the project:
1. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
  2. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
  3. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.
- (b) In addition, the above referenced BAAQMD BMPs shall be included in the project:
1. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day during construction and adequately wet demolition surfaces to limit visible dust emissions.
  2. Cover all haul trucks transporting soil, sand, or other loose materials off the project site.
  3. Use wet power vacuum street sweepers at least once per day to remove all visible mud or dirt track-out onto adjacent roads (dry power sweeping is prohibited) during construction of the proposed project.
  4. Vehicle speeds on unpaved roads/areas shall not exceed 15 miles per hour.
  5. Complete all areas to be paved as soon as possible and lay building pads as soon as possible after grading unless seeding or soil binders are used.
  6. Minimize idling time of diesel-powered construction equipment to five minutes and post signs reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.
  7. Maintain and properly tune all construction equipment in accordance with manufacturer's

specifications and have a CARB-certified visible emissions evaluator check equipment prior to use at the site.

8. Post a publicly visible sign with the name and telephone number of the construction contractor and County staff person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the Bay Area Air Quality Management District to ensure compliance with applicable regulations.

Mitigation Monitoring

**Mitigation Monitoring AIR-1:** County staff shall ensure that these construction period air quality measures are listed on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits.

**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?**

Comment:

The project would not have a cumulative effect on ozone because it would not generate substantial traffic which would result in substantial emissions of ozone precursors (ROG and NOx). The project would have no long-term effect on PM<sub>2.5</sub> and PM<sub>10</sub> because all surfaces would be paved, gravel, landscaped, or otherwise treated to stabilize bare soils, and dust generation will be insignificant. However, there could be a significant short-term emission of dust (which would include PM<sub>2.5</sub> and PM<sub>10</sub>) during construction. These emissions could contribute to a cumulative impact.

Although the project would generate some ozone precursors from new vehicle trips, traffic generation from the project would be lower than BAAQMD screening criteria, and emissions of ozone precursors (ROG and NOx) from project traffic would not result in a cumulative effect on ozone.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure AIR-1.**

Mitigation Monitoring:

Implement **Mitigation Monitoring AIR-1.**

**c) Expose sensitive receptors to substantial pollutant concentrations?**

Comment:

Sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. The nearest sensitive receptor is one residence at the northwest corner of SR 12 and Llano Drive, approximately 155 feet from the border of the project site and across SR 12.

Although no long-term increase in emissions has been identified, and construction period dust emissions would be short term and mitigated (see Mitigation Measure AIR-1), the proposed project includes a fuel dispensing operation, which could increase health risks due to toxic air contaminants (TACs) from fuel dispensing and fuel transfer operations.

A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure or acute and/or chronic noncancer health effects. A toxic substance released into the air is considered a toxic air contaminant by the California Air Resources Board (CARB) and as a hazardous air pollutant by the U.S. Environmental Protection Agency (EPA). Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and

asbestos. Toxic air contaminants are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles or diesel emissions from trucks; and area sources, such as landfills. Adverse health effects associated with exposure to toxic air contaminants may include carcinogenic (i.e., cancer-causing) and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced either on short-term (acute) or long-term (chronic) exposure to a given toxic air contaminants.

Toxic Air Contaminants do not have ambient air quality standards, but are regulated by the BAAQMD using a risk-based approach, using a Health Risk Assessment to determine what sources and pollutants to control as well as the degree of control. A Health Risk Assessment is an analysis in which human health exposure to toxic substances is estimated and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.

The proposed project, as a fuel dispensing operation, would be subject to BAAQMD regulations for stationary source emitters and would be required to obtain a permit from BAAQMD to construct and operate. In addition, a health risk screening analysis would be required for BAAQMD to determine if benzene emissions would exceed the TAC risk level, per BAAQMD Regulation 2, Rule 5. The BAAQMD permit would specify a maximum annual gasoline throughput. The California Air Resources Board (CARB) has determined that benzene, a high-risk air pollutant, is a known carcinogen. Benzene can be released into the air during fuel transfer and fuel dispensing operations. Vapor recovery systems, when maintained, can reduce benzene emission levels, and health risks associated with benzene decrease with distance. The project would also need BAAQMD authorization for CARB-certified Phase I and Phase II vapor recovery systems.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure AIR-2:** As a condition of project approval, Applicant shall obtain from BAAQMD permits to construct and operate a gasoline dispensing facility, and shall comply with the requirements and conditions stipulated by BAAQMD, including provision of a health screening analysis/ health risk assessment (as required by BAAQMD).

Mitigation Monitoring:

**Mitigation Monitoring AIR-2:** The applicant shall comply with all BAAQMD permit conditions, including conditions intended to ensure the project does not result in substantial adverse health risks associated with fugitive gasoline dispensing facility (GDF) emissions. Prior to issuance of a use permit, the Applicant shall submit to Permit Sonoma: (1) the BAAQMD Authority-to-Construct and Permit-to-Operate; (2) evidence, to County satisfaction, of compliance with BAAQMD requirements or permit conditions; and (3) BAAQMD authorization for project Phase I and Phase II vapor recovery systems.

**d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

Comment:

The project would include construction equipment, which could generate odors during project construction. Because this would be for a limited time and would cease upon completion of project construction, the impact would be less than significant. Odors from gas station operations would likely be noticeable onsite, and could possibly be noticeable offsite on occasion. However, because gasoline vapors dissipate quickly, long-term odor impacts would be less than significant.

Also, accumulated bacteria and surface pollutants, which can collect in reclaimed car wash water, have the potential to create objectionable odors. Use of industry standard mitigations (such as aerobic treatment or sterilization) could reduce this to a less than significant level.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure AIR-3:** The applicant shall submit to Permit Sonoma a *Reclaimed Car Wash Water Odor Management Plan* for County review and approval, that will outline the process proposed to ensure a minimum level of odor from reclaimed car wash water.

Mitigation Monitoring:

**Mitigation Monitoring AIR-3:** As a condition of project approval, Permit Sonoma shall review and approve the *Reclaimed Car Wash Water Odor Management Plan*. In addition, the County shall periodically verify that plan provisions are being implemented.

## 4. BIOLOGICAL RESOURCES:

This section of the MND discusses existing biological resources within and surrounding the approximately 2.94-acre project site and evaluates potential impacts to these resources in accordance with Appendix G of the 2019 CEQA guidelines. A General Biological Resources Assessment (GBRA) report was prepared on MIG on April 4, 2019 by MIG for the applicant. The purpose of the GBRA report is to verify the type, location, and extent of potential sensitive biological resources within the project site based on a habitat evaluation conducted on February 7, 2019. Based on information gathered from the field visit, this report provides a description of the biological setting of the project site, as well as a description of vegetation communities, wildlife habitat, potential movement/migration corridors, special-status plant and animal species, sensitive natural communities, and potential federal and state jurisdictional habitat features. The GBRA evaluates potential impacts to sensitive biological resources that may occur as a result of project development. Mitigation measures are recommended to avoid, minimize, or compensate for these potential impacts to reduce them to a less-than significant level. The analysis of potential project impacts follows the checklist items from Appendix G of the California Environmental Quality Act (CEQA) guidelines.

- 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?**

### Regulatory Framework

#### **Federal**

##### *Federal Endangered Species Act (FESA)*

FESA establishes a broad public and federal interest in identifying, protecting, and providing for the recovery of threatened or endangered species. The Secretary of the Interior and the Secretary of Commerce are designated in FESA as responsible for identifying endangered and threatened species and their critical habitat, carrying out programs for the conservation of these species, and rendering opinions regarding the impact of proposed federal actions on listed species. The U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) are charged with implementing and enforcing the FESA. USFWS has authority over terrestrial and continental aquatic species, and NOAA Fisheries has authority over species that spend all or part of their life cycle at sea, such as salmonids. Section 9 of FESA prohibits the unlawful "take" of any listed fish or wildlife species. Take, as defined by FESA,



means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such action.” USFWS’s regulations define harm to mean “an act which actually kills or injures wildlife.” Such an act “may include “significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering” (50 CFR § 17.3). Take can be permitted under FESA pursuant to sections 7 and 10. Section 7 provides a process for take permits for federal projects or projects subject to a federal permit, and Section 10 provides a process for incidental take permits for projects without a federal nexus. FESA does not extend the take prohibition to federally listed plants on private land, other than prohibiting the removal, damage, or destruction of such species in violation of state law.

#### *Critical Habitat*

Critical habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The ESA requires federal agencies to consult with USFWS to conserve listed species on their lands and to ensure that any activities or projects they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. In consultation for those species with critical habitat, federal agencies must also ensure that their activities or projects do not adversely modify critical habitat to the point that it will no longer aid in the species’ recovery. In many cases, this level of protection is similar to that already provided to species by the ESA jeopardy standard. However, areas that are currently unoccupied by the species but which are needed for the species’ recovery are protected by the prohibition against adverse modification of critical habitat.

#### *Santa Rosa Plain Conservation Strategy and Programmatic Biological Opinion*

The Santa Rosa Plain is located in central Sonoma County, bordered on the south and west by the Laguna de Santa Rosa, on the east by the foothills, and on the north by the Russian River. The Plain and adjacent areas are characterized by vernal pools, seasonal wetlands, and associated grassland habitat, which support – among other flora and fauna – the threatened California tiger salamander (*Ambystoma californiense*; CTS) and four endangered plant species: Burke’s goldfields (*Lasthenia burkei*), Sonoma sunshine (*Blennosperma bakeri*), Sebastopol meadowfoam (*Limnanthes vinculans*), and many-flowered navarretia (*Navarretia leucocephala* ssp. *plieantha*). These listed plants grow only in seasonal wetlands; CTS uses seasonal wetlands for breeding, and the surrounding uplands for dispersal, feeding, growth, maturation and maintenance of the juvenile and adult population (upland habitat).

The Santa Rosa Plain Conservation Strategy (Conservation Strategy) was developed in coordination with Sonoma County Stakeholders and USFWS to create a long-term conservation plan to mitigate for the potential adverse impacts of future development on federally-listed plants and animals in the Santa Rosa Plain. The Conservation Strategy protects and contributes to the recovery of Burke’s goldfields, Sonoma sunshine, Sebastopol meadowfoam, and CTS; and provides the biological framework upon which the Programmatic Biological Opinion (PBO) is based. Under the Conservation Strategy and PBO, vernal pools and most other seasonal wetlands on the Santa Rosa Plain are considered to be suitable habitat for Burke’s goldfields, Sonoma sunshine, and Sebastopol meadowfoam. Loss of such habitat is considered an adverse impact to all three species, regardless of whether or not the species are actually present, because the habitat may retain a remnant seed bank for the species.

Projects that require U.S. Army Corps of Engineers (USACE) permit approval (such as the proposed project) can be appended to the PBO, and thereby provided individual take authorization, if the projects apply the PBO’s mitigation ratios and adhere to all applicable avoidance and minimization measures in the PBO. The PBO potentially allows appendage of all projects on the Santa Rosa Plain, regardless of size or extent of impact, with the exception of projects that would affect occupied Burke’s goldfields or Sonoma sunshine habitat with populations of 2,000 or greater plants. However, the final decision to allow appendage rests with USFWS which reserves the right to require a

separate Section 7 consultation for any project based on the level of impacts, avoidance, and minimization or mitigation measures. The Corps and USFWS have followed also a policy to apply the PBO only to those projects with 3.0 acres or less of impacts to seasonal wetlands; larger projects typically require individual consultations with USFWS.

The Conservation Strategy identifies eight conservation areas for listed plants and CTS, one listed plant and CTS preserve system, and one listed plant conservation area. Conservation areas are lands where recovery and mitigation efforts should be directed to best protect and expand populations of the listed species. The Conservation Strategy also encourages the establishment of preserves within these areas; translocation of listed species; habitat improvement through wetland creation, restoration and enhancement; and mitigation measures to reduce and compensate for impacts. Projects on the Santa Rosa Plain that potentially affect these federally-listed species should evaluate those impacts and implement mitigation measures based on recommendations in the Conservation Strategy.

Under the Conservation Strategy, this project site located within an area described as "Within 1.3 miles of known breeding habitat for California tiger salamander" and an area that supports rare or endangered plant species. The Conservation Strategy and the associated PBO contain specific mitigation requirements applicable to these species.

#### *USFWS Recovery Plan for the Santa Rosa Plain*

In December 2016, USFWS adopted a formal Recovery Plan for the Santa Rosa Plain (Recovery Plan) addressing recovery efforts necessary to protect and otherwise eventually recover the federally listed Sonoma County Distinct Population Segment of CTS and three vernal pool plants: Sonoma sunshine, Burke's goldfields, and Sebastopol meadowfoam. All four species are confined almost entirely to the Santa Rosa Plain. The Recovery Plan and its objectives are implemented through cooperative CEQA lead agencies, and through federal agency (e.g., USACE) with USFWS via Section 7 of the FESA. Any federal nexus agency that consults with USFWS pursuant to Section 7 will obtain a letter of no effect or a Biological Opinion that provides or denies "incidental take authority." Any conditions of a Biological Opinion issued to the USACE for a pending project are to become conditions of CWA Section 404 permit authorization.

Pursuant to the FESA Incidental take includes loss of listed species' habitat or harm that could occur to a federal listed species. An Incidental Take Permit allows an otherwise legally sanctioned activity to proceed even if there could be a collateral impact to a federal listed species. Similarly, any Section 10 FESA consultation with USFWS, which is allowed for in the FESA for all non-federal entities, that results in Incidental Take authority granted by USFWS to the non-federal entity, would otherwise include provisions for compliance with the objectives of the Recovery Plan. The USFWS has segmented the Santa Rosa Plain into "Core" and "Management Areas" where species preservation, and habitat enhancement and management must occur to recover these four listed species. Core areas comprise the heart of the species historical (and current) range and represent central blocks of contiguously occupied habitat that function to allow for dispersal, genetic interchange between populations, and metapopulation dynamics. Management areas are occupied habitat peripheral to the species' Core areas.

#### *Migratory Bird Treaty Act of 1918 (MBTA)*

The Federal Migratory Bird Treaty Act (MBTA) (16 USC. 703 et seq.), Title 50 Code of Federal Regulations (CFR) Part 10, prohibits taking, killing, possessing, transporting, and importing of migratory birds, parts of migratory birds, and their eggs and nests, except when specifically authorized by the Department of the Interior. As used in the act, the term "take" is defined as meaning, "to pursue, hunt, capture, collect, kill or attempt to pursue, hunt, shoot, capture, collect or kill, unless the context otherwise requires." With a few exceptions, most birds are considered migratory under the MBTA. Disturbances that cause nest abandonment and/or loss of reproductive effort or loss of habitat upon which these birds depend would be in violation of the MBTA.

*Bald and Golden Eagle Protection Act*

The Bald and Golden Eagle Protection Act that was first passed in 1940 regulates take, possession, sale, purchase, barter, transport, import and export of any bald or golden eagle or their parts (e.g., nests, eggs, young) unless allowed by permit (16 U.S.C. 668(a); 50 CFR 22). Take was broadly defined to include shoot, wound, kill, capture, collect, molest, or disturb. In the 1972 amendments, penalties for violations were raised to a maximum of fine \$250,000 for an individual or a maximum of two years in prison for a felony conviction, with a doubling for organizations instead of individuals.

## State

*California Endangered Species Act (CESA)*

Provisions of CESA protect state-listed threatened and endangered species. The California Department of Fish and Wildlife (CDFW) is charged with establishing a list of endangered and threatened species. CDFW regulates activities that may result in “take” of individuals (i.e., “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”). Habitat degradation or modification is not expressly included in the definition of “take” under the California Fish and Game Code, but CDFW has interpreted “take” to include the killing of a member of a species which is the proximate result of habitat modification.

*California Fully Protected Species and Species of Special Concern*

The classification of California “fully protected” (CFP) was the CDFW’s initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under CESA and/or FESA. The Fish and Game Code sections (fish at §5515, amphibians and reptiles at §5050, birds at §3503 and §3511, and mammals at §4150 and §4700) dealing with “fully protected” species state that these species “...may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species,” although take may be authorized for necessary scientific research. This language makes the “fully protected” designation the strongest and most restrictive regarding the “take” of these species. In 2003, the code sections dealing with “fully protected” species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

California Species of Special Concern (CSC) are broadly defined as animals not listed under the FESA or CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could result in listing or because they historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologist, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under the CEQA during project review.

*Nesting Birds*

Nesting birds, including raptors, are protected under California Fish and Game Code Section 3503, which reads, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” In addition, under California Fish and Game Code Section 3503.5, “it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto”. Passerines and non-passerine land birds are further protected under California

Fish and Game Code 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by CDFW.

#### *Non-Game Mammals*

Sections 4150-4155 of the California Fish and Game Code protects non-game mammals, including bats. Section 4150 states “A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission”. The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under California Fish and Game Code.

#### *Other Special-Status Plants – California Native Plant Society*

The California Native Plant Society (CNPS), a non-profit plant conservation organization, publishes and maintains an Inventory of Rare and Endangered Vascular Plants of California in both hard copy and electronic version (<http://www.cnps.org/cnps/rareplants/inventory/>).

The Inventory employs the California Rare Plant Ranking (CRPR) to assign plants to the following categories:

- 1A Presumed extinct in California
- 1B Rare, threatened, or endangered in California and elsewhere
- 2 Rare, threatened, or endangered in California, but more common elsewhere
- 3 Plants for which more information is needed – A review list
- 4 Plants of limited distribution – A watch list

Additional endangerment codes are assigned to each taxon as follows:

- 1 Seriously endangered in California (over 80% of occurrences threatened/high degree of immediacy of threat)
- 2 Fairly endangered in California (20-80% occurrences threatened)
- 3 Not very endangered in California (<20% of occurrences threatened, or no current threats known)

CRPR 1A, 1B, and 2 plants consist of individuals that may qualify for listing by state and federal agencies. As part of the CEQA process, such species should be fully considered, as they meet the definition of threatened or endangered under the NPPA and Sections 2062 and 2067 of the CFGC. CRPR 3 and 4 species are considered to be plants about which more information is needed or are uncommon enough that their status should be regularly monitored. Such plants may be eligible or may become eligible for state listing, and CNPS and CDFW recommend that these species be evaluated for consideration during the preparation of CEQA documents.

#### *Native Plant Protection Act*

The Native Plant Protection Act (NPPA) was created in 1977 with the intent to preserve, protect, and enhance rare and endangered plants in California (California Fish and Game Code sections 1900 to 1913). The NPPA is administered by CDFW, which has the authority to designate native plants as endangered or rare and to protect them from “take.” CDFW maintains a list of plant species that have been officially classified as endangered, threatened or rare. These special-status plants have special protection under California law and projects that directly impact them may not qualify for a categorical exemption under CEQA guidelines.

#### Discussion:

For the purpose of discussion in this report, the terms “study area” and “project site” are defined and

distinguished as follows:

1. Study area: The 5.86-acre study area includes the 2.94-acre property (APN 060-040-033) with the addition of a buffer surrounding the property. The study area was assessed to map and describe habitat types within and adjacent to the project area to evaluate potential special-status wildlife and plant species and sensitive habitat features.

2. Project site: Nested within the study area, the project site occupies approximately 2.94 acres. A biological resource impact assessment was conducted for potential future construction activities within and adjacent to the project site.

The project site is located at the southeast intersection of Llano Road and Highway 12, approximately 2 miles northeast of downtown Sebastopol. The site is currently developed with an existing automobile repair shop, a pre-cast concrete business, a contractor storage yard, and a Goodwill donation drop-off center.

#### *Physical Characteristics*

The project site is generally flat, with elevations ranging from approximately 77 feet above mean sea level (AMSL) in the western part to 80 feet AMSL in the eastern part. Site drainage is generally from the northwest to the southeast. The soils in the project site are mapped as Wright Loam, 0 to 9 percent slopes. The Wright soils are on gently undulating or hummocky low terraces and have slopes of 0 to 9 percent. They formed in alluvium from mixed sources at elevations of 70 to 300 feet. Soils on undeveloped portions of the project site have been disturbed from past earthmoving activities and may be composed of a mix of native and fill materials. The project site is located within the Laguna de Santa Rosa watershed. The site is located within 40 feet of Naval Creek, which is a tributary to Laguna de Santa Rosa. The Laguna de Santa Rosa is confluent to Mark West Creek and drains into the Russian River in Forestville approximately 9 miles northwest of the project site.

#### *Plant Communities*

The project site is primarily composed of ruderal herbaceous habitat. Ruderal (weedy) communities are assemblages of non-native plants that thrive in waste areas, roadsides and other sites that have been disturbed by human activity. Owing to site disturbance from the existing development and active use of the site as a construction materials storage yard, very few native plant species remain on the project site. The study area contains five (5) habitat types, as shown in Figure 3 of Appendix A and described below. A list of plant and wildlife species observed within the study area and their native or non-native status are provided in Appendix A. A description of the plant communities is provided below.

Developed (3.56 acres). The study area is primarily developed and is currently used as a construction materials storage yard. Developed land includes commercial and industrial land uses and paved and dirt parking lots, driveways, access roads. These areas are generally devoid of vegetation or are very sparsely vegetated.

Ruderal Grassland (1.97 acres). Developed portions of the study area are bordered by patches of ruderal grassland within the study area, including fenced-in areas to the northeast. This vegetation type is typically located within frequently disturbed areas, i.e. along roads and other developed areas. Ruderal grassland within the study area is characterized by dense non-native grass cover dominated by ripgut brome (*Bromus diandrus*), wild oats (*Avena sativa* and *A. fatua*), and soft chess brome (*Bromus hordeaceus*). Commonly observed non-native forbs included fillaree (*Erodium cicutarium*, *E. bortys*, and *E. moschatum*), English plantain (*Plantago lanceolata*), crane's bill geranium (*Geranium molle*), shamrock clover (*Trifolium dubium*), Italian thistle (*Carduus pycnocephalus*), milk thistle (*Silybum marianum*), perennial field mustard (*Hirschfeldia incana*), and wild radish (*Raphanus sativus*).

Valley Oak Stands (0.29 acre). Isolated stands of 2 valley oak (*Quercus lobata*) trees were mapped in the northeasterly portion of the study area, outside of the project site. The understory was generally composed of non-native grasses and forbs including wild oats, ripgut brome, soft chess brome, Italian thistle, tiny bedstraw (*Galium murale*), and leaf litter.

Roadside Ditches (0.03 acre). A linear ditch system that temporarily conveys roadside runoff during precipitation events is present outside of the northern boundary of the project site within the Highway 12 right-of-way. As evidenced by a lack of wetland vegetation cover, the roadside ditches hold water for a short duration following precipitation events, and surrounding upland grassland species. Although flowing water was not observed during the site reconnaissance, surface water from these ditches may occasionally flow under the study area and Joe Rodota Trail during storm events, eventually discharging into Naval Creek

Wetland Seep (0.02 acre). A small groundwater-fed wetland seep was detected approximately 10 feet outside of the project site during the field visit, outside of an existing 8-foot tall metal fence and adjacent to the paved Joe Rodota trail. The field survey was conducted immediately after a period of moderately heavy rainfall and no standing water was observed. Because the feature is convex-shaped, slopes toward the paved trail, and supports a dense cover of sedge (*Carex*, sp.), this wetland landform is expected to remain saturated during the wet season, but does not hold standing water.

#### Wildlife Habitats

Ruderal grassland and the valley oak stands within the study area may provide limited foraging and nesting habitat for a variety of common bird species. However, regular disturbance of the grassland habitat via past earth moving activities and regular mowing and/or disking likely precludes the establishment of small mammal burrows that would create habitat for other terrestrial species. The metal fence that surrounds a majority of the project site further precludes many non-bird and/or non-bat species' potential migration into the study area. Bat species may very rarely utilize the valley oak trees within the study area for roosting and may utilize the study area for foraging. However, the small number of trees do not provide the thermal protection from extreme hot or cold temperatures required by bat species while roosting. In addition, no removal of trees that could provide marginally suitable bat roost habitat will be removed as part of the project.

Wildlife species observed during the field survey include turkey vulture (*Cathartes aura*), American crow (*Corvus brachyrhynchos*), dark-eyed junco (*Junco hyemalis*), and Brewer's blackbird (*Euphagus cyanocephalus*).

#### Special-Status Species

A search of current resource agency database records (e.g., CNDDDB, CNPS Electronic Inventory, and USFWS Information for Planning and Consultation (IPaC) databases) within the Sonoma and eight surrounding USGS 7.5-minute quadrangles. The potential occurrence of these species was then evaluated based on the habitat requirements of each species relative to the conditions observed during the general botanical survey and habitat evaluation conducted by MIG biologists. The following species were determined to have low potential within the study area, based on habitats found within the project site and the proximity of CNDDDB occurrences within a five-mile radius of the project site, and observations of site conditions made during the biological surveys.

#### Special-Status Plant Species

To determine the potential presence of special-status plant species, a habitat assessment of the study area was conducted February 7, 2019. Special-status plants are defined here to include: (1) plants that are federal- or state-listed as rare, threatened or endangered, (2) federal and state candidates for listing, (3) plants assigned a Rank of 1 through 4 by the CNPS Inventory, and (4)



plants that qualify under the definition of "rare" in CEQA, section 15380. In addition, under the Santa Rosa Plain Conservation Strategy, the project site is situated within areas designated as "presence of CTS is not likely but mitigation for listed plants may be required."

According to the CNPS Inventory and CDFW's CNDDDB, a total of 32 special-status plant species have been documented within the project site vicinity (approximately 5 miles). Most of these plants occur in specialized habitats such as chaparral, vernal pools, freshwater marshes, coastal prairie and scrub, and coniferous forest habitats which do not occur on or near the project site. Special-status plants that could occur in grassland habitat are not expected to occur within the project site due to regular disking and past ground disturbance from earth moving activities including soil excavation and stockpiling. These activities within the project site have resulted in a high cover and frequency of non-native and invasive plant species that have outcompeted native grasses and forbs, resulting in reduced species richness and disturbed habitat conditions. However, there is a low potential that rare plant species adapted to disturbance (e.g. congested-headed hayfield tarplant [*Hemizonia congesta* DC. ssp. *congesta*]) may colonize the project site following the habitat assessment, but prior to project work beginning. Mitigation Measure BIO-1 (Conduct Rare Plant Survey) is recommended to reduce any potential impacts to less than significant.

The Santa Rosa Plain Conservation Strategy highlights already developed portions of the project site as "presence of CTS is not likely but mitigation for listed plants may be required." However, the project site does not support seasonal wetland or vernal pool habitat that would support the following federally listed plant species: Burke's goldfields (*Lasthenia burkei*), Sonoma sunshine (*Blennosperma bakeri*), Sebastopol meadowfoam (*Limnanthes vinculans*), and many-flowered navarretia (*Navarretia leucocephala* ssp. *plieantha*). The wetland seep located outside of the fenced project site boundary is supported by year round groundwater saturation and is dominated by a dense cover and monoculture of sedge (*Carex*, sp.). The seep does not have depressional topography or an indurated hardpan that would support standing water, and does not support vernal pool indicator plant species. Due to the lack of suitable habitat, high cover of non-native and invasive plant species, and ongoing site disturbance, the project site is not expected to support special-status plant species; thus, the project would result in a less than significant impact after Mitigation Measure BIO-1 (Rare Plant Survey) is implemented.

Significance Level: Less than Significant with Mitigation Incorporated

#### *Special Status Wildlife Species*

Special-status wildlife species include those species listed as endangered or threatened under the FESA or CESA; candidates for listing by USFWS or CDFW; California fully protected and species of special concern; non-game mammals protected by Sections 4150-4155 of the CFGC; and nesting birds protected by the CDFW under CFGC Sections 3503 and 3513.

No special-status animal records have ever been mapped on the project site. A total of ten (10) special-status wildlife species were reported to have potential to occur within a five-mile radius of the project site, based on a search of the CNDDDB and IPaC databases. Of these species, six species have no potential to occur within the project site based on the lack of suitable habitat, including freshwater stream and other aquatic features (i.e., permanently-inundated riparian corridors and/or vernal pools), nesting habitat, and/or the lack of interconnectivity to areas of occupied habitat due to development within and surrounding the site.

California red-legged frog (*Rana draytoni*; federal threatened and California Species of Special Concern) is also considered to have a low potential to occur on the project site. The project site does not contain aquatic habitat or suitable upland estivation habitat required by California red-legged frog (CRLF). In general, the current range of CRLF likely does not exist within the Santa Rosa Plain except south of Highway 116 (approximately 2.5 miles south of the study area) and north of Mark West Creek (approximately 5.5 miles north of the study area). There is one documented CNDDDB at a

specific location for CRLF approximately 5.6 miles east of the project site; however CRLF are generally documented within the Two Rock USGS quad of which the northernmost border is approximately 2.5 miles south of the project site. CRLF are extirpated from most of the Santa Rosa Plain and are unlikely within the project site due to surrounding agricultural development that likely precludes migration from occupied habitat. Additionally, highly ephemeral aquatic habitat and fencing within and surrounding the project site likely further preclude this species' occurrence; CRLF is not expected to be impacted by the proposed project.

Two special-status raptor species, white-tailed kite (*Elanus caeruleus*; California Fully Protected) and Cooper's hawk (*Accipiter cooperii*; CDFW Watch List) have a low potential to occur, as they may occasionally forage over the project site; however, valley oak stands to the northeast of the project boundary are adjacent to Highway 12 and provide very marginal nesting habitat for these species. Potential impacts to special-status and other protected nesting bird species are discussed in more detail below.

The project site falls within the Santa Rosa Plain, which is a conservation area that supports specific state and federally listed animal species and there are resource agency rules/regulations that govern how projects must evaluate impacts to wetlands and listed animal habitat. While the California tiger salamander (*Ambystoma californiense*) is regarded as having a low potential to occur on the project site due to a lack of suitable breeding or estivation habitat, this species is discussed in further detail below, as the project site lies within designated critical habitat and due to numerous documented occurrences within a five-mile radius of the project site. Under the Conservation Strategy, the project site is situated within areas designated as "already developed (no potential for impact)", "presence of CTS is not likely but mitigation for listed plants may be required", "areas within 1.3 miles of known breeding", and is within a CTS conservation area.

#### *California Tiger Salamander*

The project site is located within the known range of the Sonoma County "Distinct Population Segment" (DPS) of the California tiger salamander (CTS). Under the FESA, USFWS designated revised critical habitat for the Sonoma County DPS. In total, approximately 47,383 acres (19,175 hectares) of land were designated as critical habitat for the Sonoma County DPS of CTS under the revised Final Rule (USFWS 2011). As mentioned previously, the project site is within this mapped critical habitat. CTS is also state-listed as a threatened species under the CESA. Proposed projects may not impact CTS without incidental take authority from both USFWS and CDFW.

CTS occurs in grasslands and low-elevation foothill regions in California (generally below 1500 feet AMSL) where it uses seasonal aquatic habitats for breeding. CTS breed in natural vernal pools and occupy substantial areas surrounding the breeding pool as adults. CTS spend most of their time in the grasslands surrounding breeding pools. They survive hot, dry summers by living underground in burrows (such as those created by Botta's pocket gopher [*Thomomys bottae*] and deep cracks or holes in the ground) where the soil atmosphere remains near the water saturation point. During wet periods, the salamanders may emerge from refugia and feed in the surrounding grasslands.

The following is an analysis of nearby CTS occurrences and habitat following the elements of the USFWS 2003 "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander":

Element 1: Is the project site within the range of the CTS?

Yes. Under the Conservation Strategy, the project site is situated within areas designated as "areas within 1.3 miles of known breeding", and is within a CTS conservation area. The project site also lies on the westernmost border of the USFWS-designated Critical Habitat for the Sonoma County Distinct Population Segment (DPS).

Element 2: What are the known localities of CTS within the project site and within 3.1 miles (5.0 kilometers) (km) of the project boundaries? This is to place the project site in a regional perspective.

There are no known localities of CTS within the project site and a total of 31 documented CNDDDB occurrences of CTS occur within 3.1 miles of the project site. Specific location information was analyzed to determine species potential. CNDDDB occurrence numbers may be referenced in any communication with CDFW and/or USFWS regarding CTS issues. The nearest documented breeding occurrence is located approximately 0.6 mile north-northwest of the project site (Occurrence Number 741 within Table 1) where adult, juveniles, and larvae have been recorded over multiple years (CDFW 2019a).

Element 3: What are the habitats within the project site and within 1.24 miles (2 km) of the project boundaries? This distance is based on the observed mobility of the species.

Within 1.24 miles of the project site, the landscape is largely dominated by actively farmed agricultural lands, residential and commercial land uses with associated hardscape and landscaping, and busy highways and roads. The topography of the 1.24-mile radius of the project site is relatively flat, with elevations ranging from approximately 65-100 feet above sea level. Aquatic features within this area are comprised of residential swimming pools, agricultural stock ponds, commercial/regional water treatment ponds, and naturally-occurring and/or mitigation ephemeral ponds that are most likely to attract and retain CTS breeding populations. Naturally ponded aquatic features are generally localized to the northernmost portion of the 1.24-mile area surrounding the project site. The project site is also bounded by Naval Creek to the south and other named and unnamed creeks within the general vicinity of the project site that are likely dry at most times of the year. Following a record-breaking rain events in the 2018-2019 wet season, Naval Creek did not contain flowing water during the February 7, 2019 site visit, even following a precipitation event the previous day. In addition, dense, shrubby vegetation within the creek bed and channel of the Naval Creek corridor creates a migration barrier to most CTS, who are poor climbers and prefer grasslands for migration.

The project site is bounded by Sebastopol Road/Highway 12 immediately to the northwest with residential/commercial/agricultural land use on the side opposite the project site. Llano Road is immediately to the southwest of the project site with commercial and agricultural land use on the opposite side. The Joe Rodota Trail runs southwest to northeast bordering the project site to the south, with approximately 420 feet of industrial/commercial development south beyond the trail. East of the project site is primarily heavily managed agricultural fields with obvious and historic disking/soil disturbance.

No suitable small mammal burrows with potential to provide CTS estivation habitat were observed at the time of the February 7, 2019 site visit, however CTS can be difficult to detect in upland habitat without in-depth formal upland surveys. To reduce any potential impact to CTS in upland habitat to less than significant, Mitigation Measures BIO-4 and BIO-5 shall be implemented.

Regular soil disturbance via disking (seen clearly and consistently over time in historical aerial imagery) and recent earth moving activities in the fenced-in, undeveloped portions of the project site would likely preclude the establishment of burrow systems that would provide upland CTS habitat. Similarly, all aquatic features within the immediate vicinity of the project site are: 1) highly ephemeral and/or do not hold water for a sufficient duration to support CTS, even following a record-breaking wet season immediately prior to the February 7, 2019 site visit or 2) commercially-used, likely highly polluted, and not therefore suitable for CTS (i.e., features approximately 0.4 mile directly west of the project site and the large water feature approximately 0.7 mile direct south of the project site). Further, the densely vegetated 0.02-acre wetland seep identified within the study area (and outside of the fenced project site boundary) does not provide suitable breeding habitat for CTS. No standing water was observed within this feature, even following numerous rain events immediately prior to the February 7, 2019 site visit. This wetland feature is a convex-shaped, sloped landform that conveys precipitation as sheetflow onto the adjacent paved bike path and would not support ponded areas that

would be suitable for breeding CTS.

In summary, there are 31 documented CNDDDB occurrences of CTS within 3.1 miles of the project site. The closest breeding occurrence is approximately 0.6 miles north-northwest of the project site. Individual CTS from this location are not likely to migrate to the project site due to multiple effective barriers to dispersal, including actively farmed agricultural land, residential and commercial developments, and (to a lesser degree) Highway 12. The project site is located on the westernmost edge of the Sonoma County critical habitat for this species, within the Santa Rosa Plains Conservation Strategy Map in "areas within 1.3 miles of known breeding", and is within a CTS conservation area. Due to the disturbed nature of the project site and the fencing surrounding the project site, the potential for CTS to occur within the boundaries of the project site is low. However, the February 2019 habitat assessment could not definitely establish whether the fencing provides an absolute and complete barrier to CTS dispersal. While there is a low probability that the project would impact CTS, Mitigation Measures BIO-2 (Conduct Worker Awareness Training), BIO-4 (Mitigation for Permanent Loss of CTS Habitat), and BIO-5 (Conduct Pre-construction Surveys and Impact Avoidance Measures for California Tiger Salamander) would be implemented in an abundance of caution to avoid inadvertent take and reduce potential impacts to a less-than-significant level.

#### *Special-status and other Nesting Birds*

Despite the current level of site disturbance from construction storage yard/commercial operations and the project site's proximity to Highway 12, vegetation communities within the project site could provide suitable nesting and foraging habitat for common, as well as special-status resident and migratory songbird and raptor species. There is a low potential for white-tailed kite (*Elanus leucurus*; California Fully-Protected [CFP]) and Cooper's hawk (*Accipiter cooperii*; CDFW WL [Watch List]) to utilize undeveloped portions of the project site and surrounding areas for nesting and foraging. In addition to special-status species, most actively nesting birds are protected under the CFGC and the MBTA. Construction activities including site mobilization, vegetation clearing and grubbing, grading, and noise and vibration from the operation of heavy equipment have the potential to result in direct (i.e., death or physical harm) and indirect (i.e., nest abandonment) significant impacts to nesting birds. The loss of an active nest of common or special-status bird species would be considered a violation of CFGC section 3503, 3503.5, 3513. Adverse effects to nesting birds and/or their eggs or young as a result of project construction would be considered a violation of state law, and therefore, would be considered a potentially significant impact. However, implementation of Mitigation Measures BIO-2 (Conduct Environmental Awareness Training) and BIO-3 (Nesting Bird Avoidance or Conduct Preconstruction Surveys) would reduce this impact to less than significant.

The proposed project would result in the loss of a very small amount of ruderal grassland that has been disturbed from past earth moving activities associated stockpiling fill materials and installing well sites. This disturbed area provides limited foraging opportunities for birds, including special-status raptors and songbirds that have potential to occur within the project site or may migrate through and/or forage in the area. Because activity within the project site would only impact a very small portion of the ruderal grassland, it is unlikely to impact local bird species or result in any decline in local population numbers. Therefore, impacts to foraging habitat associated with the proposed project would be less-than-significant.

Significance Level: Less than Significant with Mitigation Incorporated

#### Mitigation:

##### **Mitigation Measure BIO-1: Conduct Rare Plant Survey**

To observe and record any potential rare plants that may colonize the project site between the February 2019 habitat assessment and project work beginning, a qualified biologist shall conduct two (2) rare plant surveys prior to project work beginning. One plant survey should target the spring

blooming season for any potential rare plants, within the months of April and May. The second plant survey should target the fall blooming season for any potential rare plants, within the months of October or November. A report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to impact any rare plants on the project site. The report shall include recommendations required for establishment of protective buffers as necessary to protect rare plants. A copy of the report shall be submitted to the County and applicable regulatory agencies prior to the issuance of a grading permit.

### **Mitigation Measure BIO-2: Conduct Environmental Awareness Training for Construction Employees**

Prior to beginning construction activities (including, but not limited to: mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), a qualified biologist shall develop and conduct an environmental awareness training program for crew members who are involved in project construction. The training shall describe the importance of sensitive biological resources, including potential CTS estivation habitat, songbird and/or raptor nest sites, and nearby state and federal jurisdictional habitats. The biologist shall also explain the importance of other responsibilities related to the protection of wildlife during construction such as inspecting open trenches and looking under vehicles and machinery prior to moving them to ensure there are no lizards, snakes, small mammals, or other wildlife that could become trapped, injured, or killed in construction areas or under equipment.

The environmental awareness program shall be provided to all construction personnel to brief them on the life history of special-status species or adjacent to the project site, the need to avoid impacts to sensitive biological resources, any terms and conditions required by state and federal agencies, and the penalties for not complying with biological mitigation requirements. If new construction workers are added to the project, the contractor and/or their project manager(s) shall ensure that all personnel receive the mandatory training before starting work. An environmental awareness handout that describes and illustrates sensitive resources to be avoided during project construction and identifies all relevant permit conditions will be provided to each person.

### **Mitigation Measure BIO-3: Nesting Bird Avoidance or Conduct Pre-construction Surveys**

The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance:

- a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
- b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest in the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven (7) days, an additional nesting

bird survey shall be performed.

c) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), a qualified biologist shall establish a temporary protective buffer around the nest(s). The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are up 75 feet from the nest site or nest tree dripline for small birds and up to 1,000 feet for sensitive nesting birds that include several raptor species known from the region of the project site. The nest buffer, where it intersects the project site, should be staked with orange construction fencing or orange lath staking. Monitoring, by a qualified biologist, shall be required to insure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from project activity, as determined by the qualified biologist, shall be monitored daily during the duration of the project for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to adversely affect the nest. If buffers are reduced, twice weekly monitoring may need to be conducted to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.

d) A report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to disturb any active nests during the nesting season. The report shall include recommendations required for establishment of protective buffers as necessary to protect nesting birds. A copy of the report shall be submitted to the County and applicable regulatory agencies prior to the issuance of a grading permit.

#### **Mitigation Measure BIO-4: Mitigation for Permanent Loss of CTS Habitat**

As described in the Programmatic Biological Opinion for the United States Army Corps of Engineers (USACE) Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain, California (USACE File Number 223420N), the project proponent shall pay compensatory mitigation through two methods for loss of CTS habitat that will be permanently impacted on the project site:

1. Purchasing credits for acreage of habitat permanently impacted at an CDFW and USFWS-approved conservation or mitigation bank
2. Creation of a protected preserve of the same (or larger) acreage of habitat permanently impacted within CTS habitat, developed using the guidelines provided in the Programmatic Biological Opinion and at discretion and approval of both CDFW and USFWS

Because the project site is greater than 2,200 feet, but within 1.3 miles of a known breeding site, the project proponent shall be required to compensate for mitigation at a 1:1 ratio of habitat permanently impacted to preserved habitat mitigation credits. A total of 2.31 acres of CTS habitat shall be compensated for at a 1:1 ratio, including the 1.97 acres designated as ruderal grassland, 0.29 acre of valley oak stand, 0.03 acre of roadside ditch, and 0.02 acre of wetland seep. Unless otherwise noted in consultation with USFWS, the 3.56 acres designated as developed within the project site shall not be considered potentially impacted CTS habitat or included in required mitigation as per the Programmatic Biological Opinion.



**Mitigation Measure BIO-5: Conduct Pre-construction Surveys and Impact Avoidance Measures for California Tiger Salamander**

There is no suitable aquatic habitat for CTS within the project site. However, to ensure that no CTS are located underground on the project site prior to project activities beginning, a qualified biologist with a USFWS-issued 10(a)(1)(A) recovery permit shall conduct an upland habitat survey according to the guidelines outlined in the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding on of the California Tiger Salamander. Any CTS discovered during this survey shall be relocated by the permitted qualified biologist to the nearest CDFW and USFWS-approved suitable habitat, to be determined prior to the onset of the upland field survey.

In addition to an upland survey and any translocation plan, the following minimization measures from the Santa Rosa Plain Conservation Strategy shall also take place during Project implementation:

- a) Prior to construction, fencing will be installed to exclude CTS from entering the project site. Fences with ramps may be required to allow any CTS onsite to move into an adjacent habitat offsite. In these cases translocation may occur and would be determined on a case-by-case basis.
- b) Before work is started on the project, a USFWS-approved biological monitor who has received prior written approval from USFWS shall conduct a training session for all construction workers.
- c) Before the start of work each morning, the biological monitor shall check for animals under any equipment such as vehicles and stored pipes. The biological monitor shall check all excavated steep-walled holes or trenches greater than one foot deep for any CTS. If any CTS is found, work shall stop and shall not recommence until USFWS and CDFW are notified, all applicable permits have been received, and CDFW and USFWS have approved a translocation plan. No unauthorized take of CTS shall occur as a result of project implementation.
- d) An erosion and sediment control plan shall be implemented to prevent impacts of construction on habitat outside the work areas (refer to Mitigation Measure BIO-4).
- e) Access routes and number and size of staging and work areas shall be limited to the minimum necessary to achieve the project goals. Routes and boundaries of the roadwork shall be clearly marked prior to initiating construction/grading.
- f) All foods and food-related trash items shall be enclosed in sealed trash containers at the end of each day, and removed completely from the site once every three days.
- g) No pets shall be allowed anywhere in the project site during construction.
- h) A speed limit of 15 mph on dirt roads will be maintained.
- i) All equipment shall be maintained such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.
- j) Hazardous materials such as fuels, oils, solvents, etc., shall be stored in sealable containers in a designated location that is at least 200 feet from aquatic habitats. All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 200 feet from any aquatic habitat.
- k) Grading and clearing shall typically be conducted between April 15 and October 15, of any given year, depending on the level of rainfall and/or site conditions.
- l) Project areas temporarily disturbed by construction activities shall be re-vegetated with native plants approved by USFWS/CDFW.

**Mitigation Monitoring:**

**Mitigation Monitoring (BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5):** Permanent loss of CTS habitat shall be mitigated according to the USFWS Programmatic Biological Opinion, as outlined in Mitigation Measure BIO-4. In addition to compensatory mitigation, any CTS on the project site will be relocated to CDFW and USFWS-approved habitat during pre-construction surveys conducted by the qualified permitted biologist, as outlined in Mitigation Measure BIO-5. Finally, the County will not issue permits for ground disturbing activities until after the site has been surveyed by a qualified biologist to ensure that no rare plants will be impacted and no active bird nest disturbance or destruction will

occur as a result of the project. If necessary, rare plant and nest protection buffers will be fenced off and active monitoring will be initiated prior to permit issuance.

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

### **Regulatory Framework**

#### *California Fish and Game Code Section 1600-1603*

Streams, lakes, and riparian vegetation, as habitat for fish and other wildlife species, are subject to jurisdiction by the CDFW under Sections 1600-1616 of the California Fish and Game Code. Any activity that will do one or more of the following: (1) substantially obstruct or divert the natural flow of a river, stream, or lake; (2) substantially change or use any material from the bed, channel, or bank of a river, stream, or lake; or (3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake generally require a 1602 Lake and Streambed Alteration Agreement. The term "stream", which includes creeks and rivers, is defined in the California Code of Regulations ("CCR") as follows: "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life". This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (14 CCR 1.72). In addition, the term stream can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife (CDFW 1994). Riparian vegetation is defined as, "vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself" (CDFW 1994). In addition to impacts to jurisdictional streambeds, removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from the CDFW.

#### *Sensitive Natural Communities*

Sensitive natural communities are vegetation communities and habitats that are either unique in constituent components, of relatively limited distribution in the region, or of particularly high wildlife value. These communities may or may not necessarily contain special-status species. Sensitive natural communities are usually identified in local or regional plans, policies or regulations, or by the CDFW (i.e., CNDDDB) or USFWS. The CNDDDB identifies a number of natural communities as rare, which are given the highest inventory priority. Impacts to sensitive natural communities and habitats must be considered and evaluated under the CEQA California Code of Regulations (CCR): Title 14, Div. 6, Chap. 3, Appendix G.

#### *California Oak Woodland Statute*

In September 2004, State Bill 1334 was passed and added to the State Public Resources Code as Statute 21083.4, requiring Counties to determine in their CEQA documents whether a project in its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. In addition, if the County determines that a project may result in a significant impact to oak woodlands, the County shall require one or more of the following mitigation alternatives to mitigate for the impact:

- 1) Conserving oak woodlands through the use of conservation easements.
- 2) Plant an appropriate number of trees, including maintaining the plantings and replacing dead or diseased trees; required maintenance of trees terminates seven years after the trees are planted; this type of mitigation shall not fulfill more than half of the mitigation requirement for the project; this type of mitigation may also be used to restore former oak woodlands.
- 3) Contribute funds to the Oak Woodlands Conservation Fund.
- 4) Other mitigation measures developed by the County.

The California Fish and Game Code (Section 1361) defines oak woodland habitat as “an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover.”

Discussion:

All vegetation communities within the study area were evaluated to determine if they meet the definition of sensitive natural communities. Approximately 0.29 acre of valley oak stands were mapped within the property (but outside of the project footprint) that may meet the definition of Valley Oak Woodland, a plant community that has been designated as “sensitive” by CDFW in the CNDDDB. However, these isolated valley oak stands are not located within the project site boundary and would not be impacted by the proposed project, as no removal of protected valley oak or any other protected tree species would occur as a result of project construction. Several occurrences of Northern Hardpan Vernal Pool have been documented by CNDDDB within the project site vicinity, including one directly across Llano Road from the project site. In addition, Coastal and Valley Freshwater Marsh has been documented within a 5-mile radius from the project site. These sensitive wetland communities are not present within the undeveloped portions of the project site that support ruderal grassland habitat. The small wetland seep that was identified outside of the fenced project site boundary also does not share characteristics (e.g., plant species composition, landform, substrate, or hydroperiod) of Northern Hardpan Vernal Pool or Coastal and Valley Freshwater Marsh communities. Impacts to sensitive natural communities would be less than significant.

Significance Level: Less than Significant

- 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?**

Regulatory Framework

Federal

***The Clean Water Act (CWA)***

The CWA is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA and the California State Water Resources Control Board enforces Section 401.

**Section 404.** As part of its mandate under Section 404 of the CWA, the EPA regulates the discharge of dredged or fill material into “waters of the U.S.”. “Waters of the U.S.” include territorial seas, tidal waters, and non-tidal waters in addition to wetlands and drainages that support wetland vegetation, exhibit ponding or scouring, show obvious signs of channeling, or have discernible banks and high-water marks. Wetlands are defined as those areas “that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3(b)). The discharge of dredged or fill material into waters of the U.S. is prohibited under the CWA except when it is in compliance with Section 404 of the CWA. Enforcement authority for Section 404 was given to the USACE, which it accomplishes under its regulatory branch. The EPA has veto authority over the USACE’s administration of the Section 404 program and may override a USACE

decision with respect to permitting. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions (see below).

**Section 401.** Any applicant for a federal permit to impact waters of the U.S. under Section 404 of the CWA, including Nationwide Permits where pre-construction notification is required, must also provide to the USACE a certification or waiver from the State of California. The “401 Certification” is provided by the State Water Resources Control Board (State Water Board) through the local Regional Water Quality Control Board (RWQCB). The RWQCB issues and enforces permits for discharge of treated water, landfills, storm-water runoff, filling of any surface waters or wetlands, dredging, agricultural activities and wastewater recycling. The RWQCB recommends the “401 Certification” application be made at the same time that any applications are provided to other agencies, such as the USACE, USFWS, or NOAA Fisheries. The application is not final until completion of environmental review under the CEQA. The application to the RWQCB is similar to the pre-construction notification that is required by the USACE. It must include a description of the habitat that is being impacted, a description of how the impact is proposed to be minimized and proposed mitigation measures with goals, schedules, and performance standards. Mitigation must include a replacement of functions and values, and replacement of wetland at a minimum ratio of 2:1, or twice as many acres of wetlands provided as are removed. The RWQCB looks for mitigation that is on site and in-kind, with functions and values as good as or better than the water-based habitat that is being removed.

#### *National Pollutant Discharge Elimination System (NPDES)*

The NPDES program requires permitting for activities that discharge pollutants into waters of the U.S. This includes discharges from municipal, industrial, and construction sources. These are considered point-sources from a regulatory standpoint. Generally, these permits are issued and monitored under the oversight of the State Water Resources Control Board (SWRCB) and administered by each regional water quality control board. Construction activities that disturb one acre or more (whether a single project or part of a larger development) are required to obtain coverage under the state’s General Permit for Dischargers of Storm Water Associated with Construction Activity. All dischargers are required to obtain coverage under the Construction General Permit. The activities covered under the Construction General Permit include clearing, grading, and other disturbances. The permit requires preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMPs) with a monitoring program. The project will require coverage under the Construction General Permit.

#### State

##### *Porter-Cologne Water Quality Control Act*

The Porter-Cologne Water Quality Act (Porter-Cologne Act) (California Water Code 13260) requires “any person discharging waste, or proposing to discharge waste, within any region that could affect the “Waters of the State” to file a report of discharge with the RWQCB through an application for waste discharge. Waters of the State are defined by the Porter-Cologne Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” The RWQCB protects all waters in its regulatory scope, but has special responsibility for isolated wetlands and headwaters. These water bodies have high resource value, are vulnerable to filling, and may not be regulated by other programs, such as Section 404 of the CWA. If a project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the Water Board has the option to regulate the dredge and fill activities under its state authority through its Waste Discharge Requirements (WDR) program.

#### Discussion:

While the study area contains a 0.02-acre wetland seep, this state and federal jurisdictional feature is located approximately 10 feet outside of the fenced project site boundary. Additionally, there are potentially jurisdictional roadside ditches along the northern project boundary and Naval Creek is located within 40 feet outside of the project site to the southeast of Joe Rodota Trail. Project

construction is not expected to directly impact these features. An open wire fence is proposed to be constructed within the same footprint as an existing fence along the southeastern end of the project site boundary. Potential indirect impacts to nearby federal and state jurisdictional features may occur during fence construction. Specifically, construction activities could indirectly cause the degradation of habitat quality and adversely affect surface or ground water quality due to erosion and transport of fine sediments downstream of the construction area and unintentional release of contaminants into jurisdictional features that are outside of the footprint of the project. The applicant would be responsible for implementing impact avoidance measures, water quality BMPs, and spill prevention and control measures to avoid indirect impacts to federal and state jurisdictional wetlands, waters, and riparian habitat adjacent to the construction area (refer to Mitigation Measure BIO-4). If avoidance of state and federal protected wetlands and waters is not feasible, securing 404 and 401 permits under the Clean Water Act and compliance with the federal and state "no net loss of wetlands" policy will be required in accordance with USACE and RWQCB regulations (refer to Mitigation Measure BIO-5). Impacts to waters of the U.S. and/or state will be reduced to a less-than-significant level with implementation of Mitigation Measure BIO-4 and BIO-5 (if avoidance is not feasible).

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure BIO-6: Avoid Indirect Impacts to Federal and State Jurisdictional Habitats**

The following general BMPs shall be included on the project plans to minimize impacts to adjacent federal and state jurisdictional wetlands and riparian habitat.

1. Prior to construction, protective buffers shall be established surrounding all federal and/or state jurisdictional features. Silt fencing and construction fencing (to make the silt fencing more visible) shall be installed around the sensitive habitat areas, and the final location of the installed fencing shall be approved by a qualified biologist prior to initiation of construction activities. Areas that are avoided shall be further protected from indirect impacts by following water quality BMPs as described above. The fencing around the isolated water feature shall be monitored by the contractor regularly during construction activities to ensure that the fencing remains intact and functional, and that encroachment has not occurred into the sensitive habitat area; any repairs to the fence or encroachment correction shall be conducted immediately.
2. Travel and parking of vehicles and equipment shall be limited to pavement, existing roads, and previously disturbed areas. Ground disturbance and vegetation removal will not exceed the minimum amount necessary to complete work at the site.
3. Temporary work areas shall be restored with respect to pre-existing contours and conditions upon completion of work. Restoration work including re-vegetation and soil stabilization shall be evaluated upon completion of work and performed as needed. Use of invasive plant species for landscaping and re-vegetation is prohibited.

**Mitigation Measure BIO-7: Obtain Regulatory Permits for Impacts to Waters of the U.S. and State if Avoidance is not Feasible**

Any alterations of, or discharges into, waters of the U.S. and state, must be implemented in conformance with the Sections 404 and 401 of the CWA via certification and permitting prior to any grading or construction that may impact jurisdictional area(s), as applicable. Activities that usually involve a regulated discharge of dredged or fill materials include (but are not limited to) grading, placing of riprap for erosion control, pouring concrete, laying sod, preparing soil for planting (e.g., turning soil over, adding soil amendments), stockpiling excavated material, mechanized removal of vegetation, and driving of piles for certain types of structures. If it has been determined that direct impacts to jurisdictional aquatic habitat are expected to occur as a result of project construction once

the site plans have been finalized, the applicant shall submit a delineation of waters of the U.S. to the USACE and obtain a CWA Section 404 permit. In addition, the applicant will be required to obtain Section 401 Water Quality Certification from the RWQCB. The project applicant would be responsible for complying with all conditions outlined in the applicable USACE and RWQCB permits. In addition, compensatory mitigation for the loss of wetlands/waters may be required via the purchase of wetland credits from a USACE- and RWQCB-approved wetland mitigation bank at a 2:1 replacement to impacts ratio. The quantity of mitigation credits purchased would be based upon the USACE and RWQCB issuance of permits stating how much wetland has been impacted and what mitigation ratio would apply to the project.

#### Mitigation Monitoring

**Mitigation Monitoring (BIO-6 and BIO-7):** Prior to issuance of any grading permit(s), the County shall review the locations of all federal and state jurisdictional drainages which must be depicted on the final project plans. To avoid inadvertent impacts to nearby jurisdictional features, the contractor shall implement all impact avoidance and minimization measures outlined in Mitigation Measure BIO-4. If it is determined that complete avoidance of jurisdictional features is not feasible, impacts shall not occur until applicant applies for and receives all regulatory permits from the appropriate agencies and all permit provisions have been met, including impact avoidance and compensatory mitigation requirements (if applicable). Proof of the purchase of wetland mitigation credits shall be provided to Sonoma County, the USACE, and the RWQCB in advance of grading activities on the project site.

- 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?**

#### Discussion:

Wildlife corridors are linear and/or regional habitats that provide connectivity between or to other naturally vegetated open spaces. In the area of the project site, remaining open spaces are fractured by urbanization and other developments that include landscaping or that are otherwise actively used by humans. Wildlife corridors have several functions: 1) they provide avenues along which wide-ranging animals can travel, migrate, and breed, allowing genetic interchange to occur; 2) populations can move in response to environmental changes and natural disasters; and 3) individuals can recolonize habitats from which populations have been locally extirpated. All three of these functions can be met if both regional and local wildlife corridors are accessible to wildlife. Regional wildlife corridors provide foraging, breeding, and retreat areas for migrating, dispersing, immigrating, and emigrating wildlife populations. Local wildlife corridors provide access routes to food, cover, and water resources typically within restricted habitats that are typically used by small numbers of resident wildlife species that have restricted home ranges. Migrant birds that usually are adapted to higher levels of disturbance may also temporarily perch or feed in these restricted habitats.

Land uses surrounding the project site include the Highway 12 to the northwest, Llano Road to the southwest, and the Joe Rodota Trail to the southeast and northeast. Residential, commercial, and agricultural development are all prevalent outside the borders of the project site. Riparian corridors (including Naval Creek to the south) and mature tree stands within the vicinity of the project site provide some connectivity to habitat areas for common wildlife species. However, the agricultural/managed land prevalent within the area create sub-optimal corridor conditions for many common and special-status terrestrial wildlife species. The project site is expected to be rarely utilized by wildlife for foraging and very rarely for breeding. The project site is almost completely encompassed by a metal fence and expected to be rarely utilized by wildlife for foraging and very rarely for breeding. The project site is not considered a wildlife corridor, although habitat surrounding the site may provide corridor habitat. With the exception of a small patch of fenced-in non-native annual grassland, the project site is already developed and currently used as a construction storage yard with multiple personnel working onsite during daylight hours. Accordingly, the project is not

expected to substantially interfere with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of a native wildlife nursery site. Project implementation would not impact a native wildlife nursery site and would result in a less-than-significant impact to the movement of any native resident or migratory wildlife species.

Significance Level: Less than Significant

**e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?**

Comment:

**Regulatory Framework**

*Sonoma County General Plan*

The Sonoma County General Plan 2020 (Sonoma County 2008) Land Use Element and Open Space & Resource Conservation Element both contain goals, objectives, and policies to protect natural resource lands including, but not limited to, biotic areas, special status species habitat, marshes and wetlands, sensitive natural communities, and habitat connectivity corridors summarized below.

*Biotic Habitat Areas*

The 2020 General Plan defines the Biotic Habitat Areas designated on Figures OSRC 5a through 5i of the Plan as those whose locations are known and considered important for protection at this time. However, the policies below provide for protection of biotic habitats both within and outside the designated areas. Currently available information on the location and value of native habitats and sensitive resources is incomplete and changes over time as sites are assessed, new occurrences are reported, and additional locations are identified. As more habitat mapping information becomes available in the future, changes in designations will be considered along with possible policy changes. Regular collection and updating of reliable information and refinement of best management practices are necessary to protect the County's biotic resources over the long term.

*Special-Status Species Habitat*

Special-status species are plant and animals which are listed or candidate species under the Federal or State Endangered Species Acts and other species considered rare enough to warrant special consideration. Reported occurrences of special-status species are compiled by the California Natural Diversity Data Base (CNDDB) of the CDFW and are routinely updated as new information becomes available. Detailed surveys are typically necessary to confirm the presence or absence of special-status species.

*Marshes and Wetlands*

Wetlands are transitional areas between aquatic and terrestrial habitats and include marshes, vernal pools, seeps, springs, and portions of riparian corridors with wetland vegetation. Wetlands are recognized for their high fish and wildlife habitat values, occurrences of unique plant and animal species, and importance in water recharge and filtration. Wetlands meeting certain criteria are subject to regulations of USACE, USFWS, or CDFW. Wetland areas mapped as part of the National Wetlands Inventory and other sources include the Laguna de Santa Rosa, vernal pools, San Pablo Bay and Petaluma marshes, coastal and tidal marshes, and such freshwater marshes as the Pitkin, Kenwood, Cunningham, and Atascadero Marshes. Detailed delineations are typically necessary to confirm the presence and extent of any jurisdictional wetlands.

*Sensitive Natural Communities*

CDFW has identified certain natural habitats as sensitive natural communities which are rare and vulnerable to further loss. Sensitive natural communities identified in Sonoma County include coastal salt

marsh, brackish water marsh, freshwater marsh, freshwater seeps, native grasslands, several types of forest and woodland (including riparian, valley oak, Oregon white oak, black oak, buckeye, Sargent cypress and pygmy cypress), old growth redwood and Douglas fir forest, mixed serpentine chaparral, and coastal scrub, prairie, bluff, and dunes. Many of these communities support populations of special-status species and are important to native wildlife.

#### *Habitat Connectivity Corridors*

Maintaining and improving opportunities for habitat connectivity throughout the County is essential for protecting biodiversity and sustaining native plant and animal populations. Linkages and corridors are needed to allow movement across the landscape and to connect wetlands and other important habitat areas to undeveloped lands and permanent open space. Important linkages and corridors include lands south of Glen Ellen connecting Sonoma Mountain and the Mayacamas Range and lands connecting the Laguna de Santa Rosa to agricultural areas south of Highway 116. It should be noted that riparian corridors also provide habitat connectivity.

#### *Riparian Corridors*

Sonoma County General Plan Policies OSRC-8a through 8n protect streamside conservation areas along designated riparian corridors. Areas along streams that naturally support native vegetation and wetlands are referred to as "Riparian Corridors." The abundant vegetation in the streamside environment provides food and water and creates breeding, egg deposition, and nesting areas for insects, fish, amphibians, reptiles, birds and mammals. The diversity of plant and animal species in riparian areas is among the highest of Sonoma County's natural landscapes. The dense vegetation provides protective cover and shade and contributes woody debris to stream channels, providing critically important habitat for salmon, steelhead, freshwater shrimp, and other protected freshwater fisheries and aquatic species.

Riparian vegetation contributes to water quantity and quality in several ways. Vegetation filters sediment and pollutants in stormwater runoff, slows flood flows, provides erosion protection for streambanks, and facilitates groundwater recharge. Elimination of natural plant communities along streams can increase surface run-off and siltation, contribute to water temperatures too warm for steelhead, salmon, and other fish, and reduce long term water availability. The protection of riparian areas can create conflicts with agricultural and urban uses. Riparian corridors often contain prime soils for crops, provide water and shade for livestock, and provide a source of irrigation water and locations for agricultural wells. Riparian areas may support agricultural uses. In turn, vegetation removal, mowing, fencing, spraying, disking and other agricultural practices can reduce the habitat supporting functions of nearby riparian areas. In urban areas, streamside areas provide natural open space and opportunities for recreation, education, and aesthetic appreciation, but these areas and their habitat value are often restricted by buildings, yards, landscaping, fencing, and trails.

Specifically, Policy OSRC-8b establishes the following streamside conservation areas along both sides of designated Riparian Corridors as follows, measured from the top of the higher bank on each side of the stream as determined by PRMD:

1. Russian River Riparian Corridor: 200'
2. Flatland Riparian Corridors: 100'
3. Other Riparian Corridors: 50'

#### *Sonoma County Ordinances*

##### *Riparian Corridor Combining Zone*

The RC combining zone is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space and Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along



designated streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation and other riparian functions and values.

#### *Valley Oak Habitat (VOH) Combining District*

The VOH combining district is established to protect and enhance valley oaks and valley oak woodlands and to implement the provisions of Sonoma County General Plan 2020 Resource Conservation Element section 5.1. Design review approval may be required of projects in the VOH, which would include measures to protect and enhance valley oaks on the project site, such as requiring that valley oaks shall comprise a minimum of fifty percent (50%) of the required landscape trees for the development project.

#### *Tree Protection*

The Sonoma County Tree Protection Ordinance (Sonoma County Code of Ordinances, Chapter 26, Article 88, Sec. 26-88-010 [m]) establishes policies for protected tree species in Sonoma County. Protected trees are defined (Chapter 26, Article 02, Sec. 26-02-140) as the following species: big leaf maple (*Acer macrophyllum*), black oak (*Quercus kelloggii*), blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizenii*), madrone (*Arbutus menziesii*), oracle oak (*Quercus morehus*), Oregon oak (*Quercus garryana*), redwood (*Sequoia sempervirens*), valley oak (*Quercus lobata*), California bay (*Umbellularia californica*), and their hybrids.

#### Discussion:

The project site is located within a Riparian Corridor Combining Zone 100/25 (RC 100/25) and Valley Oak Habitat (VOH) Combining District. Although the project proposes to remove one valley oak along the SR 12 frontage, this oak has a diameter of 8" and, according to the Sonoma Municipal Code, is not considered "protected" (section 26-88-010). The project proposes to plant 11 new valley oak. The project plans (including the project landscaping plan) were reviewed by the Design Review Committee (DRC) and approved May 15, 2019. The applicant agreed to incorporate revisions to the project per DRC direction. Therefore, based on DRC review and approval of plans, and applicant incorporation of revisions, the project would be consistent with provisions of Sonoma County General Plan 2020 Resource Conservation Element policies that protect valley oaks in the VOH Combining District zone. No removal of any protected trees will occur as a result of construction; therefore, proposed project construction will not conflict with the Sonoma County Tree Protection Ordinance.

The project site is located within the required Riparian Corridor Combining Zone 100-foot setback; however, project construction is proposed to occur in an already developed area. Construction work will also occur within the County-designated 50-foot setback from a jurisdictional wetland feature; however, with the exception of a small patch of ruderal grassland, the project footprint is within a currently developed area and no habitat conversion would occur as a result of the project. Implementation of Mitigation Measure BIO-6 and (if necessary) BIO-7 would avoid adverse impacts to wetlands and riparian corridors that are located within County designated setbacks. To ensure that the project is consistent with Sonoma County policies and ordinances protecting biological resources, implementation of Mitigation Measures BIO-1 through BIO-7 is required to reduce potential impacts to a less than significant level.

Significance Level: Less Than Significant With Mitigation Incorporated

#### Mitigation:

Implement **Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, and BIO-7**

Mitigation Monitoring:

See **Mitigation Monitoring for BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, and BIO-7**

- 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?**

Comment:

There are no adopted habitat conservation plans or natural community conservation plans covering the project site. However, as discussed in section 4.a, the project site is located in the Santa Rosa Plain, which is protected by a long-term conservation program designed to mitigate potential adverse effects on species such as CTS and listed plant species as a result of development in the area. Under the Conservation Strategy, the project site is situated within areas designated as "already developed (no potential for impact)", "presence of CTS is not likely but mitigation for listed plants may be required", "areas within 1.3 miles of known breeding", and is within a CTS conservation area. The proposed project would not affect any occupied habitat for listed plant species. The project shall be developed in accordance with the guidelines applicable to the Conservation Strategy through implementation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5 which requires the applicant to conduct rare plant survey, conduct worker awareness training and pre-construction surveys (with applicable permitted biologists), and conduct a nesting bird survey, mitigate for the permanent loss of CTS habitat..

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation

Implement **Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5.**

Mitigation Monitoring

Implement **Mitigation Monitoring BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5.**

## 5. CULTURAL RESOURCES:

**Would the project:**

- a) **Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?**

Comment:

On December 14, 2017 Permit Resource Management Department (PRMD) staff referred the project application to the Northwest Information Center- Sonoma State University (NWIC) for review and recommendations. The NWIC noted (February 5, 2018) that *"The 1935 and 1942 USGS Sebastopol 15' quads [quadrangle topographic maps] depict one building on the proposed project area."* The State Office of Historic Preservation recommends review of any buildings or structures older than 45 years to determine whether or not they are historic resources.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure CUL-1:** The County shall require the applicant to provide a memo or letter report from a qualified professional (architect and/or historian) familiar with the architecture and history of Sonoma County that evaluates the historical value of the existing onsite structure, and shall include any recommendations, if necessary, for appropriate preservation measures to be

incorporated into the project.

Mitigation Monitoring:

**Mitigation Monitoring CUL-1:** Building/grading permits shall not be approved for issuance by Permit Sonoma until the architectural/historical review has been reviewed by County staff, and the applicant has incorporated any recommendations into the project design.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

Comment:

As described by the NWIC, although previous studies covering all or portions of the project site identified no cultural and/or archaeological resources, Native American resources have been found in areas similar to the project, especially near watercourse and bodies of water such as the wetland area within the Laguna de Santa Rosa. The NWIC noted that based on review of the project details, *"further study for archaeological resources is not recommended at this time."* However, the NWIC also noted that *"there is a moderate potential for unrecorded Native American resources in the proposed project area"* and recommended contact with local Native American tribes for information on traditional, cultural, and religious heritage resources.

On January 11, 2017, the County referred the project application to eight Native American Tribes within Sonoma County to request consultation under AB-52 (the request for consultation period ended February 13, 2017). The Cloverdale Rancheria and Lytton Rancheria responded. The Cloverdale Rancheria (January 12, 2017) recommended that *"If the Applicant discovers archaeological remains or resources during construction, now or in the future the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe."* The Lytton Rancheria (January 20, 2017) acknowledged receipt of the referral but, *"[b]ased on the information provide, the Tribe is not requesting further consultation."*

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure CUL-2:** A Tribal or Archaeological Monitor is required to be present onsite during all grading and ground disturbance work. Prior to submittal of the application for Grading Permit or any other ground disturbing activity, the applicant shall provide a contact with a qualified consultant to monitor ground disturbing activities to Permit Sonoma.

All building and/or grading permits shall have the following note printed on grading or earthwork plan sheets:

**NOTE ON MAP:**

A Tribal or Archaeological Monitor is required to be present during all grading or other ground-disturbing work. The Tribal Monitor must be present on site before the start of any ground-disturbing work, including scraping. In the event that cultural resources are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find. Artifacts associated with prehistoric sites may include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. The Tribal Monitor, Archaeological Monitor, and Permit Sonoma - Project Review Staff shall be notified. Permit Sonoma Staff should consult with the appropriate tribal representative(s) from the tribes known to Permit Sonoma to have interests in the area to determine if the resources qualify as Tribal Cultural Resources (as defined in Public Resource Code § 21074). If determined to be a Tribal Cultural Resource, Permit Sonoma would further consult with the

appropriate tribal representative(s) and project proponents in order to develop and coordinate proper protection/mitigation measures required for the discovery. Permit Sonoma may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma - Project Review Staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Evaluation and mitigation shall be at the applicant's sole expense.

"If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and Permit Sonoma Staff and County Coroner must be notified immediately pursuant to State law so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code would be followed."

Mitigation Monitoring:

**Mitigation Monitoring CUL-2:** Building/grading permits shall not be approved for issuance by Permit Sonoma - Project Review Staff until the above notes are printed on the building, grading and improvement plans. The applicant shall provide a contact with a qualified consultant to monitor ground disturbing activities to Permit Sonoma.

**c) Disturb any human remains, including those interred outside of formal cemeteries?**

Comment:

No burial sites are known in the vicinity of the project, and most of the project site has already been disturbed by past construction.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure CUL-3:** All grading and building permits plans involving ground disturbing activities shall include the following notes:

"If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the

California Government Code and Public Resources Code.”

Mitigation Monitoring:

**Mitigation Monitoring CUL-3:** Permit Sonoma shall be contacted if human remains are found, and special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply.

## 6. ENERGY:

Would the project:

- a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Comment:

Short-term energy demand would result from construction activities related to the project. This would include energy demand from worker and vendor trips and construction equipment usage. Long-term energy demand would result from project usage by employees and patrons, and from vehicle trips by employees and patrons. Operation of the project would result in energy usage from vehicle usage, electricity for lighting, water conveyance, and natural gas for heating.

Project construction would consume energy from gasoline and diesel fuels, and the proposed project would include measures that would reduce the amount of fuel consumption during construction, such as minimizing idling time of diesel-powered construction equipment (refer to Section 3 of this MND). Due to the relatively small size of this project, construction would not be expected to result in a significant impact for demand on Bay Area suppliers of gasoline and diesel fuels. Impacts would be less than significant.

Operation of the proposed project would increase energy usage relative to existing conditions in Sonoma County. However, this increase in energy use would not represent a substantial increase, nor would it be wasteful or inefficient because of efficiencies incorporated in project design to comply with building codes and standards, such as windows and doors with low air infiltration/leakage characteristics.

Significance Level: Less than Significant Impact

- b) **Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Comment:

See discussion in 8(a).

Significance Level: Less than Significant Impact

## 7. GEOLOGY AND SOILS

Would the project:

- a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**i. 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? Refer to Division of Mines and Geology Special Publication 42.**

Existing geologic conditions that could affect new development are considered in this analysis. Impacts of the environment on the project are analyzed as a matter of County policy and not because such analysis is required by CEQA.

Comment:

The project site is not within a fault hazard zone as defined by the Alquist-Priolo fault maps.<sup>5</sup>

Significance Level: Less than Significant Impact

**ii. Strong seismic ground shaking?**

Comment:

All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Healdsburg-Rodgers Creek, and other faults. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which take into account soil properties, seismic shaking and foundation type. Application of geotechnical evaluation and appropriate engineering practices would reduce risks of potential injury and damage resulting from seismic activity. Project conditions of approval require that building permits be obtained for all construction and that all construction activities, including earthwork, grading, trenching, backfilling and compaction operations, shall be conducted in accordance with Sonoma County Code Chapter 11, to ensure the project meets all standard seismic and soil test/compaction requirements. As a matter of practice and state law, all construction activities would be required to meet the California Building Code regulations for seismic safety, which requires the applicant to submit a geotechnical report for County review and approval prior to issuance of a building permit. Standard County development procedures include review and approval of construction plans prior to the issuance of a building permit. All work would be subject to inspection by Permit Sonoma for conformance with all applicable code requirements and approved improvement plans prior to the issuance of a use permit. . Based on this uniformly applied regulatory process, the project would therefore not expose people to substantial risk of injury from seismic shaking, and therefore potential impacts would be less-than-significant.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure GEO-1:** The design of all earthwork, cuts and fills, drainage, pavements, utilities, foundations and structural components shall conform with the specifications and criteria contained in the project geotechnical report to be completed and submitted to Permit Sonoma prior to project approval. The geotechnical engineer shall submit an approval letter for the engineered grading plans prior to issuance of the grading permit. Prior to final issuance of the grading permit the geotechnical engineer shall also inspect the construction work and shall certify to Permit Sonoma, prior to the acceptance of the improvements or issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the geotechnical specifications.

Mitigation Monitoring:

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<sup>5</sup>Sonoma County General Plan 2020, Public Safety Element, Figure PS-1b, Earthquake Fault Hazard Areas, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety--Earthquake-Fault-Hazard-Areas/>, accessed 9/20/18.

**Mitigation Monitoring GEO-1:** Prior to final plan approval, Permit Sonoma Plan Check staff shall review all plans for compliance with geotechnical requirements. Permit Sonoma inspectors shall ensure construction is in compliance with geotechnical requirements.

**iii. Seismic-related ground failure, including liquefaction?**

Comment:

Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting in ground failure. The project site is located within a liquefaction hazard area according to the Sonoma County General Plan 2020 Public Safety Element.<sup>6</sup> Because strong ground shaking during an earthquake can result in ground failure or settlement, all structures would be required to meet building permit requirements, including seismic safety standards and soil test/compaction requirements. Implementation of Mitigation Measure GEO-1 above would reduce any impacts to less than significant.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation

Implement **Mitigation Measure GEO-1**

Mitigation Monitoring

Implement **Mitigation Monitoring GEO-1**

**iv. Landslides?**

Comment:

The project site is located in a generally flat area of low susceptibility for landslide according to the Sonoma County General Plan 2020 Public Safety Element.<sup>7</sup>

Significance Level: Less than Significant Impact

**b) Result in substantial soil erosion or the loss of topsoil?**

Comment:

The project includes grading, which requires the issuance of a grading permit. Improper grading, both during and post construction, has the potential to increase the volume of runoff from a site which could have adverse downstream flooding and further erosional impacts, and could increase soil erosion on and off site, which could adversely impact downstream water quality.

As discussed in section 10, erosion and sediment control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County Code) require implementation of flow control best management practices to reduce runoff. The Ordinance requires treatment of runoff from the two-year storm event. Required inspection by Permit Sonoma staff ensures that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and adopted best management practices are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

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<sup>6</sup>Sonoma County General Plan 2020, Public Safety Element, Figure PS-1c, Liquefaction Hazard Areas, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Liquefaction-Hazard-Areas/>, accessed 9/20/18.

<sup>7</sup>Sonoma County General Plan 2020, Public Safety Element, Figure PS-1d, Deep-Seated Landslide Hazard Areas, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Deep-seated-Landslide-Hazard-Areas/>, accessed 9/20/18.



If project construction occurs during wet weather, it is possible that stormwater could carry soil offsite into local storm drains. Standard construction erosion control measures at the project site (ABAG, 1995), which would be required as conditions of approval, would minimize this effect.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure GEO-2:** The project site shall be inspected following the first heavy rain, during the middle of the rainy season and at the end of the rainy season following construction. During each visit, areas of significant erosion or erosion control device failure shall be noted and appropriate remedial actions taken. A heavy rain event is defined as storm events that produce 1 inch of rain or greater within 24-hour period in the Santa Rosa area

**Mitigation Measure GEO-3:** The applicant shall submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as an integral part of the grading plan. The Erosion and Sediment Control Plan shall be subject to review and approval of Permit Sonoma prior to the issuance of a grading permit. The Plan shall include temporary erosion control measures to be used during excavation for foundations and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment Control Plan shall include the following measures as applicable:

- a. Throughout the construction process, ground disturbance shall be minimized and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
- b. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms and check dams. Fill slopes shall be compacted to minimize soil movement. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
- c. All erosion control measures shall be installed according to the approved plans prior to the onset of the rainy season but no later than October 15th. Erosion control measures shall remain in place until the end of the rainy season, but may not be removed before April 15th. The applicant shall be responsible for notifying construction contractors about erosion control requirement.

Mitigation Monitoring:

**Mitigation Monitoring GEO-2:** During every inspection, areas of significant erosion or erosion control device failure shall be noted and appropriate remedial actions taken as soon as practical. If erosion control measures appear to be effective for three consecutive site inspections following 1-inch storm events, then site inspections would only be required following storm events that result in 2 inches of rain, or greater, within a 24-hour period in the Santa Rosa area.

At the end of the rainy season, County staff shall re-inspect the site and evaluate the effectiveness of the erosion control measures that were used. If there were problem areas at the site, recommendations shall be made to improve methods used in subsequent projects.

**Mitigation Monitoring GEO-3:** Building and grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on applicable building, grading and improvement plans.

- 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?**

Comment:

The project site is subject to seismic shaking and other geologic hazards as described in item 6.a.ii, iii, and iv, above.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measures GEO-1, GEO-2, and GEO-3**

Mitigation Monitoring:

Implement **Mitigation Monitoring GEO-1, GEO-2, and GEO-3**

- 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?**

Comment:

Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. The project site contains soils (Wright loam, 0 to 9 percent slopes) that, depending on their depth, have from low to high potential for shrink-swell, which could result in soil expansion. The final geotechnical report required by Mitigation Measure GEO-2 would include an analysis of expansive soil hazards and recommend any necessary stabilization measures. With implementation of these measures, combined with conformance with standard CBC and other applicable State and local regulations (all of which shall be required as conditions of approval for the project), potential hazards from expansive soils would be less than significant.

Significance Level: Less than Significant Impact

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

Comment:

The project site is not in an area served by public sewer, but the existing use is currently served by an on-site septic system. A new 450 gallon-per-day septic system has been successfully tested and issued a permit by the County (Permit #15-0420).

Significance Level: Less than Significant Impact

- f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Paleontological resources include fossil remains, as well as fossil localities and rock or soil formations that have produced fossil material. No surveys for paleontological resources have been conducted for the site. However, an on-line archival search of the University of California Museum of Paleontology (UCMP) in Berkeley, California, was conducted on September 24, 2018, which indicated no records of recorded fossil sites within the project site.<sup>8</sup> Therefore, though there are no records of recorded fossil sites within the project site, the proposed project could disrupt, alter, or eliminate as-yet undiscovered paleontological resources that may be present in the bedrock under

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<sup>8</sup>UCMP Specimen Search, University of California Museum of Paleontology, <https://ucmpdb.berkeley.edu/>; accessed 9/24/18.

the project site. Implementation of the mitigation measures below would reduce impacts on paleontological resources to less-than significant levels.

There are no known unique geologic features on the project site.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure GEO-4:** Prior to construction activities, the applicant shall implement a paleontological resources education program that includes:

- Resource identification training and procedures for construction personnel, conducted by a qualified paleontologist;
- Spot-checks by a qualified paleontological monitor during grading and excavation activities of all ground disturbance deeper than six feet below ground surface; and
- Procedures for reporting discoveries and their geologic context.
- If subsurface paleontological resources are encountered:
  - (1) excavation shall halt in the vicinity of the resources, and a buffer area of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until an appropriate paleontological treatment plan has been prepared by the applicant and approved by the County (work shall be allowed to continue outside of the buffer area);
  - (2) the applicant and County shall coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment and recovery plan for the resources. The treatment and recovery plan may include, but shall not be limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the treatment and recovery plan that are determined by the County to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered; and
  - (3) the paleontologist shall prepare a final report documenting the results of the monitoring and salvage activities, and the significance of the fossils (if any). Submittal of this final report to the County, and County approval, shall signify the completion of the program to mitigate impacts on paleontological resources.

Mitigation Monitoring:

**Mitigation Monitoring GEO-4:** If a paleontological resource is discovered onsite, excavation shall halt in the vicinity of the resources, and Permit Sonoma shall be consulted to review and approve paleontologist-recommended measures (described in Mitigation Measure GEO-4) developed to recover or preserve any data or paleontological resources before ground-disturbing activities may continue.

## 8. GREENHOUSE GAS EMISSIONS:

Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant

**impact on the environment?**Comment:

As discussed in more detail in section (b), the County adopted a Climate Change Action Resolution in May 2018 to support reducing greenhouse gas emissions. The resolution establishes goals to establish a consistent framework throughout the County.

The County utilizes Bay Area Air Quality Management District (BAAQMD) recommended greenhouse gas significance thresholds as County thresholds. The County concurs that these thresholds are supported by substantial evidence for the reasons stated by BAAQMD staff. For projects other than stationary sources the greenhouse gas significance threshold is 1,100 metric tons per year of CO<sub>2</sub>e<sup>9</sup> or 4.6 metric tons of CO<sub>2</sub>e per service population (residents and employees) per year. BAAQMD's staff's analysis is found in the document titled "Revised Draft Options and Justification Report, October, 2009," which is a publicly available document that can be obtained from the BAAQMD website or from the County.

The project would generate greenhouse gases during construction activities and during operation. BAAQMD does not have significance thresholds for construction-related GHG emissions, and instead recommends that GHG emissions be quantified and disclosed in order to make a significance determination. Other air districts, such as the Sacramento Metropolitan Air Quality Management District and South Coast Air Quality Management District, recommend amortizing project construction emissions over the operational lifetime of the project, often estimated to be 30 years. This amortized number would then be added to the operational GHG emissions in order to provide a more accurate estimate of total annual GHG emissions from a project.

For construction activities, the greatest source of greenhouse gas emissions would be diesel emissions from equipment associated with grading the project site and other earthmoving activities. A greenhouse gas emissions report was prepared for the project by Illingworth & Rodkin, Inc.,<sup>10</sup> which analyzed project greenhouse gas emissions using the CalEEMod air quality modeling software. The analysis (p. 5) estimates construction-related GHG emissions at 313 MT CO<sub>2</sub>e per year. When amortized over 30 years, estimated annual construction-related GHG emissions from the proposed project would be slightly less than 10.5 MT CO<sub>2</sub>e (313 ÷ 30 = 10.43). Construction GHG emissions from the project would be less than significant.

For operations, the analysis (p. 5) estimates operational GHG emissions at 623 MT CO<sub>2</sub>e per year, which is below the BAAQMD operational threshold of 1,100 MT CO<sub>2</sub>e per year. Operational GHG emissions from the project would be less than significant.

Total maximum project GHG emissions would therefore be estimated to be less than 634 MT CO<sub>2</sub>e (623 MT CO<sub>2</sub>e for operations plus 10.4 MT CO<sub>2</sub>e for construction), which would not exceed the BAAQMD significance threshold.

Significance Level: Less than Significant Impact

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Comment:

The County adopted a Climate Change Action Resolution (May 8, 2018) "to support a county-wide

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<sup>9</sup>"CO<sub>2</sub>e" means carbon dioxide equivalent, which is a common unit used to describe different GHGs while taking into consideration their differing global warming effects

<sup>10</sup>"5300 Sebastopol Road, Fueling Station, Car Wash and Convenience Store, Draft Greenhouse Gas Emissions Assessment, Santa Rosa, California," Illingworth & Rodkin, Inc., April 25, 2016.

framework for reducing greenhouse gas emissions and to pursue local actions that support the identified goals therein.”<sup>11</sup> As a response to litigation against the County’s proposed Climate Action Plan and subsequent decision not to appeal the court’s ruling, the County’s resolution demonstrates commitment to working towards the Regional Climate Protection Authority’s (RCPA) countywide greenhouse gas (GHG) emissions reduction targets: 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050.

The resolution includes the following goals:

- Increase building energy efficiency
- Increase renewable energy use
- Switch equipment from fossil fuel to electricity
- Reduce travel demand through focused growth
- Encourage a shift toward low-carbon transportation options
- Increase vehicle and equipment fuel efficiency
- Encourage a shift toward low-carbon fuels in vehicles and equipment
- Reduce idling
- Increase solid waste diversion
- Increase capture and use of methane from landfills
- Reduce water consumption
- Increase recycled water and graywater use
- Increase water and waste-water infrastructure efficiency
- Increase use of renewable energy in water and wastewater systems
- Reduce emissions from livestock operations
- Reduce emissions from fertilizer use
- Protect and enhance the value of open and working lands
- Promote sustainable agriculture
- Increase carbon sequestration
- Reduce emissions from the consumption of goods and services

In addition, Sonoma County has the goal of increasing resilience by pursuing local actions that support the following goals:

- Promote healthy, safe communities
- Protect water resources
- Promote a sustainable, climate-resilient economy
- Mainstream the use of climate projections

The project would comply with County codes, including the California Building Code, California Energy Code, and California Green Building Standards Code (CALGreen), which promote energy efficiency and reduction in greenhouse gas emissions to meet the goals of AB 32 (the California Global Warming Solutions Act of 2006). The project would be consistent with County resolution goals related to energy efficiency, such as reducing water use and increasing use of recycled water (which is a design component of the car wash, and also is consistent with State Water Code provisions) and promoting water efficiency in landscaping (consistent with County Code Chapter 7D3, Water Efficient Landscape).

In addition, in response to Design Review comments, the applicant has included in project plans, future installation of photovoltaic panels on each of the four RV storage canopies.

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<sup>11</sup>Sonoma County, Long-Range Plans, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Climate-Change-Action-Resolution/>, accessed 9/3/18.

Significance Level: Less than Significant Impact

## 9. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Comment:

The proposed project would involve the transport and use of hazardous substances (e.g., fuel), which could create a significant hazard to the public or environment. Fuel for sale would be stored in three aboveground storage tanks, located across the employee parking lot on the northeast side of the existing structure (owner's storage) attached to the proposed convenience market, and a minimum of 20 feet from the project border with the Joe Rodota Trail.

These tanks would be subject to the Aboveground Petroleum Storage Act (APSA) program, which is the responsibility of the CalFIRE-Office of the State Fire Marshal under the Unified Program. Aboveground petroleum storage of 10,000 gallons or more requires the tanks to be inspected by the Unified Program Agency (in this case, the Sonoma County Fire Department) at least once every three years. In addition, the proposed project would be subject to federal rules regarding spill, prevention, control, and countermeasure (SPCC), which require preparation of a fuel spill program.

The SPCC plan would require, among other elements, a facility diagram showing the physical layout of the facility, transfer stations, and connecting pipes; the type of oil or fuel in each container (tank) and storage capacity; discharge prevention measures (including during routine handling such as loading and unloading); discharge or drainage controls (secondary containment around tanks) and procedures for controlling a discharge; countermeasures for discovery, response, and cleanup of discharges; disposal methods for recovered materials; a contact list with the facility's response coordinator, the National Response Center, cleanup contractors under agreement for response, and appropriate federal, state, and local agencies to be notified in the event of a discharge; and any other information and/or procedures as required by CalFIRE or Sonoma County Fire (Certified Unified Program Agency). These federal and state regulations would reduce impacts related to transport, use, or disposal of hazardous materials to less than significant levels.

In addition, small amounts of potentially hazardous materials would also be used on this project such as fuel, lubricants, and cleaning materials during and after construction. Proper use of materials in accordance with local, state, and federal requirements, and as required in the construction documents, would minimize the potential for accidental releases or emissions from hazardous materials and assure that the risks of the project uses impacting the human or biological environment would be reduced to a less than significant level.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure HAZ-1 (SPCC Plan):** Prior to issuance of a building permit, Applicant shall submit the SPCC to Sonoma County Fire for review and approval. The SPCC shall be prepared in accordance with U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR112). Sonoma County Fire shall coordinate federal/state review of the SPCC, as appropriate.

**Mitigation Measure HAZ-2 (General):** Construction contracts shall require that any storage of flammable liquids comply with Sonoma County Fire Code and section 7-1.01G of Caltrans Standard

Specification (2006) (or the functional equivalent), for the protection of surface waters. Also, as required by County Code Section 29, the applicant shall submit a Hazardous Materials Business Plan for review and approval by Sonoma County Fire, which shall include, among other elements, an emergency response plan to contain a hazardous materials spill, including preventing migration of hazardous materials to storm water drains or surface waters. In addition, as a condition of project approval, a Hazardous Materials Inventory Statement shall be submitted to Sonoma County Fire for review; if deemed necessary by the Fire Department, applicant shall also submit a Hazardous Materials Management Plan.

Mitigation Monitoring:

**Mitigation Monitoring HAZ-1:** SPCC approval by Sonoma County Fire (as the CUPA) shall be required prior to issuance of a building permit.

**Mitigation Monitoring HAZ-2:** Prior to issuance of any grading, demolition, or construction permits, Permit Sonoma shall review all project construction contracts to ensure compliance with the Sonoma County Fire Code (including Contractor's emergency procedures) and section 7-1.01G of the Caltrans Standard Specification (2006) (or the functional equivalent) for the protection of surface waters. In addition, prior to issuance of any grading, demolition, or construction permits, Sonoma County Fire shall review and approve the applicant's Hazardous Materials Business Plan, Hazardous Materials Inventory Statement, and, if deemed necessary, Hazardous Materials Management Plan.

**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?**

Comment:

The project would require use of fuels and other hazardous materials. Improper storage or handling of these materials could result in spills. The impact could be reduced to less than significant by requiring standard approved methods for handling hazardous materials. (See Mitigation Measures HAZ-1 and HAZ-2.)

In addition, because the existing on-site structure was constructed prior to 1979 when federal legislation regarding use of asbestos containing materials (ACMs) and lead-based paint were enacted, ACMs and/or lead-based paint could be present, which could be disturbed during modification, alteration, or demolition activities. The contractor would be required to comply with federal regulations pertaining to asbestos and lead-based paint removal, which would minimize the potential for this impact.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure HAZ-3A (Asbestos Containing Materials):** Applicant shall: (1) survey the existing on-site structure for the presence of asbestos containing materials (to be conducted by an OSHA-certified building inspector); (2) if building elements containing any amount of asbestos are present, prepare a written *Asbestos Abatement Plan* describing activities and procedures for removal, handling, and disposal of these building elements using EPA- and/or CalOSHA-approved procedures, work practices, and engineering controls; and (3) provide the asbestos survey findings, the written *Asbestos Abatement Plan* (if necessary), and notification of intent to demolish/alter to Permit Sonoma at least ten days prior to commencement of demolition. Any safety precautions deemed necessary by the County shall be incorporated into project plans, with appropriate notes for contractors, and shall include provisions for documentation and disposal of any ACM wastes at a Class I landfill.

**Mitigation Measure HAZ-3B (Lead-Based Paint):** Prior to construction, Applicant shall test the existing on-site structure for lead-based paint. If present, the lead-based paint shall be removed and



disposed of following lead abatement performance standards included in the U.S. Department of Housing and Urban Development *Guidelines for Evaluation and Control of Lead-Based Paint Hazards*. Applicant shall submit, for County review and approval, a debris containment and collection program (including drawings of the containment systems), a lead compliance plan, provisions to protect worker safety and health in compliance with Title 8 California Code of Regulations (including §1532.1), and provisions for the proper handling and disposal of debris in accordance with all applicable Federal, State, and local hazardous waste laws.

Mitigation Monitoring:

**Mitigation Monitoring HAZ-3:** Prior to issuance of any project-related building demolition or alteration permit, the County shall review the asbestos survey findings (and/or the written *Asbestos Abatement Plan*) and the lead-based paint report provided by the applicant to determine that adequate safety precautions have been incorporated into project plans.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Comment:

The project site is not located within one-quarter mile of an existing or proposed school. The nearest schools are located over one mile away in Sebastopol.

Significance Level: No Impact

- d) **Be located on a site which is included on a list of hazardous materials 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?**

Comment:

The project site is not included on a list compiled by the California Environmental Protection Agency, Regional Water Quality Control Board, California Department of Toxic Substances Control, and the CalRecycle Waste Management Board Solid Development Waste Information System (SWIS) pursuant to Government Code Section 65962.5 (Cortese List) as an "open" site.<sup>12</sup> However, the project site is listed on the State Water Resources Control Board's GeoTracker database as "Completed – Case Closed" (closed as of 1/27/14; initial closure 10/30/12).

The project site was associated with soil contamination from a former steam cleaning area, aboveground storage tanks, waste solvent and used engine oil, and uncontained batteries. Based on the results of soil samples collected and analyzed in 2012,<sup>13</sup> the North Coast Regional Water Quality Control Board (NCRWQCB) concluded, *"Except for one low level concentration of toluene, no petroleum hydrocarbons or metals above background concentrations were detected in the soil samples. ... However, the fuel oxygenates methyl tert-butyl ether and tert-amyl methyl ether were detected in the onsite domestic water supply well at concentrations up to 3.2 ppb and 1.1 ppb,*

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<sup>12</sup>The following databases were reviewed on 7/25/18: California Environmental Protection Agency, Cortese List Data Resources, <http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm>; State Water Resources Control Board, GeoTracker, <http://geotracker.waterboards.ca.gov/>; and California Department of Toxic Substances Control, EnviroStor, <http://www.envirostor.dtsc.ca.gov/public/>. The following database was reviewed on 10/23/18: CalRecycle Solid Waste Information System (SWIS) Facility/Site Search database, <http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>.

<sup>13</sup>Hurwitz Environmental, "Results of Investigation -- Soil and Groundwater Sampling, 5300 Sebastopol Rd., Sebastopol, CA 95472," July 23, 2012.

*respectively. The source of contamination in the domestic well is not known.*"<sup>14</sup> These concentrations are below federal and standards, according to the NCRWQCB (9/25/12 letter to George Young, property owner). The NCRWQCB determined that additional assessment or cleanup was not needed. No further action was required for the site, and the case was closed (10/20/12). Subsequently, the well in question was destroyed and is no longer used as a source of water on-site, because a new water well, located in the northeastern part of the project property, was permitted by the County and drilled by the applicant. See section 17, Utilities and Service Systems, for discussion of water supply requirements and standards.

In December 2012, the NCRWQCB received additional information from the property owner, which included two previous 2011 soil investigations conducted on the project site (indicating petroleum hydrocarbons and zinc), and a proposed clean-up work plan. Because this information was not available during the 2012 site investigation, the NCRWQCB opened a new file to re-evaluate the site.

Following the work plan agreed to by the NCRWQCB, Hurvitz Environmental excavated contaminated soils and conducted additional soil and groundwater sampling at the reported location of a hydraulic oil spill. Based on the results of the excavation, clean-up, and sampling,<sup>15</sup> the NCRWQCB determined that no further action was required for the site, and the case was closed (1/27/14).

Three other sites, located near the project site, are listed in the GeoTracker database: one site, to the west across Llano Drive, is a permitted underground storage tank; a second site, to the south on Llano Drive, is also a permitted underground storage tank; and the third site, farther south on Llano Drive, is a leaking underground storage tank that was remediated and closed as of 8/6/98.

County policies, standards, and regulations would assure that possible health and safety impacts related to exposure to existing hazardous materials contamination would be less than significant. However, as a condition of project approval, the County Fire Department requires a Phase 1 Environmental Site Assessment to be submitted for review and approval, prior to issuance of any grading, demolition, or construction permits.

Significance Level: Less than Significant Impact

- 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 area?**

Comment:

The project site is approximately five and one-half miles west of the Santa Rosa Memorial Hospital heliport, and approximately six and one-half miles south of the Charles M. Schulz-Sonoma County airport.

Significance Level: No Impact

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Comment:

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<sup>14</sup>Subsequent to this site investigation, the applicant applied for and constructed a new water well. (The referenced domestic well has been abandoned, following County and State well abandonment procedures.)

<sup>15</sup>Hurvitz Environmental, "Summary Report - Soil Excavation and Groundwater Sampling, Young Property, 5300 Sebastopol Rd., Santa Rosa, CA 95407, NCRWQCB Case #1NSR454," November 8, 2013.

The project would not impair implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. In any case, the project would not change existing circulation patterns significantly, and would have no effect on emergency response routes.

See section 17 (Transportation) for a discussion of site-specific emergency access.

Significance Level: Less than Significant Impact

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Comment:

Existing wildland fire conditions that could affect new development are considered in this analysis. Impacts of the environment on the proposed project are analyzed as a matter of County policy, not because such analysis is required by CEQA.

According to the Wildland Fire Hazard Areas mapping (Figure PS-1g) of the Sonoma County General Plan 2020 Safety Element, the project is not located in a fire hazard zone. There are no areas immediately adjacent to the project site that are in a fire hazard zone.

Significance Level: Less than Significant Impact

## **10. HYDROLOGY AND WATER QUALITY:**

**Would the project:**

**a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Comment:

The project site is already developed, with asphalt paving and gravel covering the western part of the site, concrete covering the middle portion, and soil and gravel covering most of the remainder. Project construction would require grading for driveway improvements, on-site access and circulation enhancement, and foundations for the car wash and fuel station structures, plus pads for the above-ground fuel storage tanks and fire suppression water tanks. Grading would also be required for the pedestrian walkway connecting the Joe Rodota Trail to the proposed convenience store, the walkway connecting the project site with the crosswalk at the southeast corner of SR 12/Llano Road, the walkway from the southeast corner of SR 12/Llano Road to the Sonoma County Transit (SCT) bus stop, the proposed bike path on Llano Road along the project frontage, and planned storm water facilities. The total amount of grading would be less than one acre but greater than 10,000 square feet.<sup>16</sup>

The project site is located in the Lower Laguna de Santa Rosa watershed, in the Middle Russian River basin. The Russian River is listed by State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board (NCRWQCB) as impaired for sediment, nutrients, pathogens and temperature under the Clean Water Act.

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<sup>16</sup>A "Storm Water Determination Worksheet" submitted by the applicant (April 11, 2018) indicates that the total impervious surface area after project development would be approximately 10,325 square feet.

Because of sediment impacts in Russian River tributaries, the entire Russian River watershed is listed as impaired for sediment. High temperature levels in the Russian River watershed may also be a source of impairment of cold-water fisheries in the watershed. Recent data have shown pathogen impairment throughout the watershed, and an Action Plan for the Russian River Pathogen total maximum daily load (TMDL) is currently under development. In addition, with respect to temperature and sediment in the Laguna de Santa Rosa watershed, NCRWQCB staff are developing new TMDLs to address these water quality impairments, which will apply to the entire Laguna de Santa Rosa watershed, including all tributaries.

**Tributaries.** The project site is adjacent to the Joe Rodota Trail, which is adjacent to Naval Creek, an intermittent blue-line creek. Naval Creek is approximately 40 feet from the site, and is tributary to the Laguna de Santa Rosa, which is the largest tributary to the Russian River. The nearest proposed building envelope is approximately 50 feet from the creek; the proposed above ground fuel storage tanks at their closest are approximately 45 feet from the creek. As discussed in section 3 (Biological Resources), the project site is zoned with a 100-foot riparian corridor requirement, which encompasses nearly the entire existing on-site building (to be retained with remodeling) and would also include the proposed covered RV storage area.

**Waste Discharge.** As one of nine regional water quality control boards statewide, the NCRWQCB sets standards, issues waste discharge requirements, determines compliance with appropriate requirements, and takes appropriate enforcement actions. Because the project would discharge waste that could affect the quality of the waters of the state, it would be required to apply for a NCRWQCB wastewater discharge permit.

**Low Impact Development.** The project site is located in an area subject to the NCRWQCB Municipal Separate Storm Sewer Systems (MS4) Permit, and therefore would be required to meet Sonoma County Storm Water Quality Ordinance requirements (Chapter 11a, Storm Water Quality Ordinance, of the Sonoma County Code) as well as incorporate Low Impact Development (LID) Best Management Practices (BMPs) from the City of Santa Rosa and County of Sonoma Storm Water Low Impact Development Technical Design Manual into the project.

**Storm Water.** A Preliminary Standard Urban Water Mitigation Plan, prepared for the applicant in 2017 by Baechtel Hudis, Inc., Consulting Civil Engineers and Planners, proposed onsite storm drainage improvements, which included conveyance of onsite flows to the existing storm drain system. An Initial Storm Water Low Impact Development Submittal (Initial SWLIDS) was subsequently prepared for the applicant (also by Baechtel Hudis, Inc.) and submitted to the County, which proposed onsite bioretention areas for retention and infiltration of storm water, designed to meet the County's required storm water volume capture. The County reviewed and approved the Initial SWLIDS, however, an approved Final SWLIDS would be required prior to issuance of any grading or building permits.

**Grading and Drainage.** A grading and drainage plan (Erosion Prevention and Sediment Control Plan), including performance standards and Best Management Practices for pre-construction, construction, and post-construction to prevent and/or minimize the discharge of pollutants and sediment from the project site, would also be required by the County, in conformance with Chapter 11 (Grading and Drainage Ordinance).

**Post-Construction.** Finally, based on storm water requirements adopted by the NCRWQCB, new development and redevelopment projects creating or replacing 10,000 square feet or more of impervious surface require post-construction BMPs related to treatment of pollutants, flow rates, and other storm water collection and treatment design aspects.

**Storm Water Conclusions.** Storm water runoff may degrade surface or groundwater quality, and may transport pollutants into a stream or creek. Other pollutants suspended in runoff, if not controlled,

could be carried from the proposed project area or accumulate downstream and potentially degrade existing surface water quality. However, with incorporation of mitigation, the effects on surface and groundwater quality by the proposed project would be reduced to a less-than-significant level and would have a less than significant effect on water quality standards.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure HYDRO-1:** The following mitigations shall be required as part of the project in order to reduce project effects on water quality to a less than significant level, and ensure that the project would not violate water quality standards or waste discharge requirements:

**Mitigation Measure HYDRO-1A (Waste Discharge Program):** The project shall provide evidence satisfactory to the County of compliance with all NCRWQCB waste discharge requirements.

**Mitigation Measure HYDRO-1B (Low Impact Design Requirements):** The project shall submit to the PRMD Grading and Storm Water Section, for review and approval, a final Storm Water Low Impact Development Submittal (SWLIDS), based upon the approved 1/28/2019 initial SWLIDS, which includes post-construction best management practices (BMPs) in compliance with NCRWQCB Low Impact Design Requirements. BMPs must treat pollutants of concern, be sized properly to filter or treat the flow rate of runoff and to treat runoff based on County-prescribed standards, include appropriate detention facilities, and record a maintenance declaration related to BMP inspection and maintenance.

**Mitigation Measure HYDRO-1C (Grading and Drainage):** The project shall submit for County review and approval an *Erosion Prevention and Sediment Control Plan*. In addition, the project shall incorporate into project plans drainage facilities or other methods necessary to manage storm water in compliance with the County's best management practices guide, including, but not limited to, the following:

- Post-development runoff for construction grading and construction drainage improvement shall not exceed pre-development runoff using the calculation methodologies in the Storm Water Low Impact Development Technical Design Manual, or superseding document, or equivalent calculation methodologies.
- Drainage facilities shall be designed and constructed in compliance with the Sonoma County Water Agency Flood Control Design Criteria Manual, or superseding document, for no less than a ten-year design discharge event.
- Drainage facilities shall carry storm water to the nearest practicable disposal location and shall dissipate the energy or diffuse the flow prior to releasing the storm water off the site.
- Drainage facilities shall prevent or minimize soil loss through the use of storm drain culverts (pipes), storm drain inlets and outlets, storm drain outfalls, energy dissipators, flow dispersion, check dams, rolling dips, critical dips, proper location and sizing of culverts, revegetation of exposed or disturbed slopes, minimizing cross drains through road outcropping, minimizing the use of artificial slopes, and other best management practices referenced or detailed in the permit authority's best management practices guide.

**Mitigation Measure HYDRO-1D (Additional Best Management Practices):** The project shall incorporate additional BMPs, which, as determined by the County, shall include all or a combination of the following (or any other BMPs deemed suitable by the County):

- Use a vegetated buffer strip (or other bioretention technique) along the driveway and paved parking areas for runoff reduction; flow-through planters may also be incorporated as part of a treatment train.<sup>17</sup>

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<sup>17</sup>City of Santa Rosa BMP Selection Table (Appendix B).

- Incorporate proper methods for handling and disposing of waste around the fuel dispensing areas (including use of dry methods and/or absorbent materials to clean up leaks and drips; washing down outdoor areas shall be prohibited).<sup>18</sup>
- Train employees in leak and spill prevention and cleanup for fuel storage and dispensing areas and the car washing facility; provide emergency contact information in case of major spills.<sup>19</sup>
- For residual wastewater from car washing (not recycled), install a clarifier to separate solvents, soaps, and contaminants before disposing of water in septic system;<sup>20</sup> alternatively, dispose of non-recycled wastewater at a proper disposal site. (Residual solid waste shall be disposed of at a properly licensed disposal facility.)
- As determined by the County, pursuant to County Code section 11A-9, pre-discharge facilities may be necessary to reduce pollutant load prior to discharge to any element of the County's storm water system.

Mitigation Monitoring:

**Mitigation Monitoring HYDRO-1:** Prior to issuance of a grading permit, the County shall verify project compliance with NCRWQCB regulations, and shall submit a copy of the Waste Discharge Permit prior to issuance of the Use Permit. The County shall also review and approve the project's Final SWLIDS and *Erosion Prevention and Sediment Control Plan*, and shall review and approve all grading or building permits prior to issuance. In addition, construction details for all water quality Best Management Practices shall be submitted for review and approval by the County, and the County shall verify post-construction storm water Best Management Practices installation and functionality, through inspections, prior to finalizing the permit(s). The owner/operator shall maintain the required post-construction Best Management Practices for the life of the development. The owner/operator shall conduct annual inspections of the post-construction Best Management Practices to ensure proper maintenance and functionality. The annual inspections shall typically be conducted between September 15 and October 15 of each year.

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

Comment:

The project is located in the Santa Rosa Valley/Santa Rosa Plain groundwater basin that is managed by the Santa Rosa Plain Groundwater Sustainability Agency in accordance with the Sustainable Groundwater Management Act. The Groundwater Sustainability Agencies are currently developing Groundwater Sustainability Plans which must be completed by 2022 and will provide a regulatory framework for managing groundwater use. The project site is located in a Class 1 - Major groundwater basin, and although a groundwater study is not required of projects in Class 1 basins, the Applicant provided a hydrogeologic study at County request.

A hydrogeologic assessment report was prepared in 2018 by Hurvitz Environmental<sup>21</sup> to identify the cumulative amount of development and uses allowed in the area; to assess the impact of the proposed project's groundwater use on local hydrogeologic conditions within the site watershed and sub-basin, including groundwater storage, groundwater recharge, water quality, land subsidence, and saltwater intrusion; and to assess the potential for interference with neighboring wells and nearby streams (Appendix C).

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<sup>18</sup>California Stormwater BMP Handbook, Industrial and Commercial, "BG-22 Automotive Services - Service Stations," September 2014.

<sup>19</sup>California Stormwater BMP Handbook, September 2014.

<sup>20</sup>California Department of Toxic Substances Control, Wastewater Management, September 2006.

<sup>21</sup>Hurvitz Environmental Services, Inc., "Hydrogeologic Assessment Report, 5300 Sebastopol Road, Santa Rosa, CA 95404, APN 060-040-033," August 20, 2018.

Hurvitz Environmental estimated (p. 8) that groundwater use for the proposed project would be approximately 0.71 acre-feet per year (AF/yr), or 232,837 gallons per year. This figure was based on an estimate of 52,500 gallons per year for the fuel station and customers, 16,425 gallons per year for the employees, 26,400 gallons per year for the car wash, and 137,512 gallons per year for landscape irrigation ( $52,500 + 16,425 + 26,400 + 137,512 = 232,837$  gallons per year). Fuel station and customer use assumes approximately 145 gallons per day for 365 days each year. Employee use is based on a maximum of 3 employees with water use of 15 gallons per day per employee for 365 days each year. The car wash water assumption is based on 20 gallons per car (of which 70 percent of the water would be reclaimed, therefore using a "net" amount of 6 gallons per wash) with 20 car washes per day for 220 "wash days" per year.<sup>22</sup>

The project site is served by one well, which was installed in June, 2018. An 8-hour pumping test measured a yield of approximately 5 gallons per minute (GPM), with water levels recovering to 80 percent within 4-1/2 hours after completion of the test. Therefore, Hurvitz Environmental determined (p. 14) that the well could provide sufficient groundwater to supply the proposed project.

To assess project groundwater effects on the local aquifer, Hurvitz Environmental identified (p. 5) a cumulative impact area (CIA) of 87 properties (or portions of properties) based on geologic, hydrologic, and/or groundwater characteristics, totaling approximately 287 acres and including the project site. Using well completion reports for 25 properties within or bordering the CIA, Hurvitz Environmental estimated (p. 16) that groundwater storage capacity in the aquifer under the CIA is approximately 1,262.8 acre-feet (AF). In addition, water levels were considered stable, based on historical water level data.

Rainfall, which is the main source of groundwater recharge, was estimated to be approximately 812 acre-feet per year (AF/yr) over the entire 287-acre cumulative impact area. Other sources of groundwater recharge can include seepage from streams or lakes and ponds, return flows from irrigation, flows between aquifers, and urban recharge (such as from water mains, drainage ditches, septic tanks, sewers). Various events can counteract recharge, such as surface run-off, evapotranspiration, and storm water flow, which can be influenced by topography, geology, and infiltration rates. Because of these factors, Hurvitz Environmental determined (p. 17) that for conservative analysis purposes, the groundwater recharge rate for the CIA was 13 percent. With a projected annual precipitation total of 812 AF/yr for the CIA, groundwater recharge would therefore be conservatively estimated at 105.56 AF/yr.

To estimate future water demand, Hurvitz Environmental prepared a land use breakdown of the CIA, including: 134 acres of residential (plus landscaping and 2<sup>nd</sup> units for parcels large enough), which would include approximately 248 residents, at 0.19 AF/yr per resident; 80 acres of grasslands, which could be developed with an agricultural use, at 0.35 AF/yr per acre; 40 acres of commercial and industrial, which would include 15 commercial/industrial properties with 10 employees per property, at 15 gallons per day per employee, plus an additional 1 AF/yr for each business; 28 acres of planted agriculture crops, at 0.35 AF/yr per acre; and 5 acres of woodland (including the riparian corridor along Naval Creek), which would not use groundwater from a well. These calculations resulted in a projected future water demand for the entire CIA (not including the proposed project) of 102.44 AF/yr., which is approximately 8.1 percent of the projected groundwater storage capacity for the aquifer (1,262.8 AF). Total projected future water demand for the CIA, including the project, would be 103.15 AF/yr. The estimated project groundwater use (0.71 AF/yr) would represent approximately 0.69 percent of this total.

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<sup>22</sup>Water use breakdowns are quoted by Hurvitz Environmental from the Huffman Engineering & Surveying "Water Usage for Proposed Service Station," submitted to the County, June 21, 2017.

Hurvitz Environmental evaluated the effects of project groundwater use on Naval Creek, which is located approximately 325 feet south of the on-site well. According to Hurvitz, because of seasonal variation of flow in the creek and the structure of the aquifer from which the project well draws water, the effect of project groundwater use would be considered less than significant. In addition, effects on nearby wells were also analyzed. Two nearby domestic wells (one approximately 150 feet from the project well and the other approximately 250 feet from the project well) could be affected by project well use, however, Hurvitz Environmental determined (p. 18) that because of the structure of sedimentary layers and the pumping rate (5 gallons per minute), this would not be expected to be a significant impact. Also, the possibility of salt water intrusion would be considered less than significant (because of the distance of the project well from the coast as well as the depth of the well and its proposed pumping rate).

Based on these calculations, the hydrogeologic report determined that the proposed project contribution to overall cumulative water demand would not be significant.

As conditions of project approval, the County would require (1) installation of groundwater level water meter on the water system; (2) submittal to the PRMD Natural Resources, Professional Geologist, of copies of receipts for water meter calibration and any corrections, to at least once every five years quarterly groundwater extraction reports; and (3) recording of an easement to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure HYDRO-2:** To measure water use, project water wells shall be equipped with a meter and sounding tube or other water level sounding device and marked with a measuring reference point. Water meters shall be calibrated at least once every five years, and copies of receipts and correction factors shall be submitted to PRMD Natural Resources Geologist at least once every five years. Static water level and total quantity of water pumped shall be recorded quarterly and reported annually. Static water level is the depth from ground level to the well water level when the pump is not operating after being turned off. Static water level shall be measured by turning the pump off at the end of the working day and recording the water level at the beginning of the following day before turning the pump back on. Groundwater monitoring reports shall be submitted annually to the County by January 31 of each year. The annual report shall show a cumulative hydrograph of static water levels and the total quarterly quantities of water pumped from well(s). The County may adopt additional measures to reduce water use if net project water use exceeds 1.0 AF/yr.

Mitigation Monitoring:

**Mitigation Monitoring HYDRO-2:** As a condition of project approval, groundwater monitoring reports shall be reviewed and verified annually by County staff. In the event that project net water use exceeds 1.0 AF/yr, the County shall bring the project back to the Board of Zoning Adjustment (BZA) for review, and additional measures to reduce water use may be adopted by the BZA.

- 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;**

Comment:

The project site is already developed, with asphalt paving and gravel covering most of the western part of the site, concrete covering the middle portion, and soil and gravel covering the remainder.



The project site is adjacent to the Joe Rodota Trail, which is adjacent to Naval Creek, an intermittent blue-line creek. Naval Creek is approximately 40 feet from the site, and is tributary to the Laguna de Santa Rosa, which is the largest tributary to the Russian River. See Mitigation Measure HYDRO-1 for details on project storm water control facilities, which would be incorporated into the project to provide for erosion prevention and sediment control and to ensure that erosion and siltation impacts are less than significant during and after construction.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure HYDRO-1.**

Mitigation Monitoring:

Implement **Mitigation Monitoring HYDRO-1.**

**(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;**

Comment:

As discussed in section 10.a, the project site is already developed, with a mix of asphalt paving, gravel, and concrete covering most of the site. The proposed project would create approximately 10,325 square feet of new impervious surface, which could affect the quantity and/or quality of storm water run-off. However, project plans indicate that storm water runoff retention devices have been incorporated into the project design to prevent and/or minimize the discharge of pollutants and waste. See Mitigation Measure HYDRO-1 for details on project storm water control facilities, which would be incorporated into the project to provide for erosion prevention and sediment control and to ensure that erosion and siltation impacts are less than significant during and after construction.

The type and approximate size of the selected storm water best management practices must to comply with the adopted Sonoma County Storm Water Low Impact Development Guide, and would be subject to County review and approval. In addition, proper operation and maintenance of post-construction storm water best management practices would be needed to achieve the goal of preventing and/or minimizing the discharge of pollutants.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure HYDRO-1.**

Mitigation Monitoring:

Implement **Mitigation Monitoring HYDRO-1.**

**(iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;**

Comment:

As discussed in section 10.a, the project site is already developed, with asphalt paving and gravel covering the western part of the site, concrete covering the middle portion, and soil and gravel covering most of the remainder.

See Mitigation Measure HYDRO-1 for details on project storm water control facilities, which would be incorporated into the project to address potential water quality impacts and to address water quantity through storm water flow control Best Management Practices. Storm water treatment Best Management Practices have been designed to treat storm events and associated runoff to the 85-

percentile storm event in accordance with County Standards.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure HYDRO-3:** At the time of submitting of a grading, drainage, or building permit application, a final drainage report for the parcel shall be submitted for County review, including appropriate project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all existing and proposed drainage facilities, and detailed plan sheets depicting the location and sizes of all proposed on-site drainage facilities (including connecting pipelines), as specified by the County. Also, implement Mitigation Measure HYDRO-1.

Mitigation Monitoring:

**Mitigation Monitoring HYDRO-3:** Prior to issuance of any grading or building permits, the construction plans and final drainage report shall be reviewed and approved by the County. The construction plans and final drainage report shall be prepared by a civil engineer, registered in the State of California, and submitted with the grading or building permit application or improvement plans, as applicable. In addition, implement Mitigation Monitoring HYDRO-1.

**(iv) impede or redirect flood flows?**

Comment:

The project site is zoned F2, which is applied to properties within a FEMA one hundred (100) year flood hazard area; a portion of the site is in a FEMA-designated Special Flood Hazard Area. The project does not propose housing. However, recreational vehicles located in a Special Flood Hazard Area must meet all requirements of County Code Sections 7B-5, 7B-10, and 7B-11 unless they are on the site for fewer than 180 consecutive days or are fully licensed and ready for highway use.

In addition, non-residential development in areas zoned F2 would be required to comply with County design standards related to anchoring, construction materials and methods, utilities placement, and floodproofing (including storage tanks for fuel and water, and other structures such as the fuel station and car wash facility). The County requires that the floor elevation of occupied structures be at least 12 inches above the base flood elevation. The project has the potential to impede or redirect flood flows due to fill within the floodplain; however, compliance with the County's Grading Ordinance would require no net fill within floodplains.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure HYDRO-4:** Applicant shall: (1) provide plan details, to County satisfaction, demonstrating that all new construction and substantial improvements will be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure, resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; (2) submit to the County (Building Department and/or DTPW) a description of construction materials and methods that show use of materials and utility equipment resistant to flood damage; and (3) comply with all flood-related standards delineated in County Code section 7B, as required by the County.

Mitigation Monitoring:

**Mitigation Monitoring HYDRO-4:** Prior to issuance of grading and building permits, County shall review Applicant plans and specifications to verify that requirements of County Code section 7B have been met with respect to floodplain development design standards, construction materials and methods, utilities placement, and floodproofing. County shall periodically inspect project construction to ensure compliance.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

Comment:

As discussed in section 10.c.iv, the project site is zoned F2, which is applied to properties within a FEMA one hundred (100) year flood hazard area. The proposed project is not subject to seiche or tsunami. The project site is about 14 miles from the coast and is not located in an area subject to seiche or tsunami. Seiche is a wave in a lake triggered by an earthquake. Implementation of Mitigation Measure HYDRO-4 would reduce the risk of release of pollutants due to project inundation resulting from flooding to a less-than-significant level.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure HYDRO-4.**

Mitigation Monitoring:

Implement **Mitigation Monitoring HYDRO-4.**

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Comment:

As discussed in section 10.a, the project would be required to comply with all applicable NCRWQCB regulations regarding the discharge of waste and other controllable factors affecting the quality of waters of the state, and therefore would not conflict with or obstruct implementation of the Water Quality Control Plan for the North Coast Region (the "Basin Plan"). In addition, the project would also be required to comply with all County regulations related to water quality (i.e., storm water quality, erosion prevention and control, low impact development best management practices).

As discussed in section 10.b, the Santa Rosa Valley/Santa Rosa Plain groundwater basin is managed by the Santa Rosa Plain Groundwater Sustainability Agency, which is in the process of formulating a Groundwater Sustainability Plan in accordance with the Sustainable Groundwater Management Act. This plan is anticipated to be complete in 2022, and will address groundwater levels and quality, seawater intrusion, storage reduction, land subsidence, and surface water depletion.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure HYDRO-1.**

Mitigation Monitoring:

Implement **Mitigation Monitoring HYDRO-1.**

## **11. LAND USE AND PLANNING:**

**Would the project:**

**a) Physically divide an established community?**

Comment:

The project would not physically divide a community. It does not involve construction of a physical structure (such as a major transportation facility) or removal of a primary access route (such as a road or bridge) that would impair mobility within an established community or between a community and outlying areas. Surrounding land uses include rural residential dwellings, agriculture, and commercial uses generally to the north across SR 12. Commercial/industrial uses are located generally to the west and south with open space to the southwest across the Joe Rodota Trail, and more commercial/industrial across the Joe Rodota Trail to the southeast.

Significance Level: No Impact

**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?**

Comment:

The proposed project is consistent with the following goals, policies, and objectives in the Sonoma County General Plan 2020 and South Santa Rosa Area Plan related to avoiding or mitigating an environmental effect, including:

- Land use compatibility (South Santa Rosa Area Plan Land Use/Commercial and Industrial Goal 1): The project proposes uses that are consistent with uses on neighboring parcels. (See section 1, Aesthetics, for further discussion.)
- Aesthetics and scenic resources (see section 1, Aesthetics): The project would be consistent with County requirements for scenic corridors, community separators, and scenic resource areas, and would be designed in compliance with South Santa Rosa Area Plan "Urban Scenic Highway Corridor Design Guidelines" for SR 12. As discussed in section 1, Aesthetics, because the project was reviewed and approved by the Sonoma County Design Review Committee would be consistent with requirements for projects in a scenic corridor (per Sonoma Code) and would also be consistent with General Plan Policy OSRC-3c regarding setbacks. The project does not propose development in the area of the parcel designated as Community Separator and would therefore be consistent with General Plan Goal OSRC -1 and related policies pertaining to maintaining open space.
- Limiting expansion of water and sewer service (General Plan Policy LU-16e): The project would allow for expansion of commercial uses that do not require extension of water or sewer; the project would use groundwater (via an on-site well) and an on-site septic system.
- Development in streamside conservation areas (General Plan Policy OSRC-8e): The project would not include substantial vegetation removal, nor would it include any agricultural cultivation within a streamside conservation area. As discussed in section 4 (Biological Resources), there is limited resources of value for riparian functions in any area affected by proposed project structures, utility lines, or parking lots, within the streamside conservation area. The proposed project would require an exception from the Planning Director per County Code Section 26-65-030 – "Prohibited uses and exceptions," Parts A and B.
- Riparian corridors and setbacks (South Santa Rosa Area Plan Scenic Resources Policy 5 and Wildlife Resources Policy 1): As indicated on project plans, the project would comply with the setback requirements established for riparian and scenic corridors per the South Santa Rosa Area Plan.
- Water quality (General Plan Objective LU-8.1): The project would comply with County, state, and federal regulations pertaining to storm water runoff management and drainage, which would meet water quality requirements. (See section 10, Hydrology and Water Quality, for further discussion.)

- Water conservation and recycling (General Plan Objective LU-8.3 and Policy LU-11g): The project would be consistent with water conservation/recycling policies by reclaiming car wash water for reuse.
- Flood hazards (General Plan Objective PS-2.2): The project would comply with County requirements for development within the floodplain. (See section 10, Hydrology and Water Quality, for further discussion.)
- Hazardous materials (General Plan Objective PS-4.2): The project would comply with federal, state, and County requirements pertaining to hazardous materials. (See section 9, Hazards and Hazardous Materials, for further discussion.)
- Pedestrians, bicycles, and transit (General Plan Policy CT-1m, Objective CT-2.8, Policy CT-2f, Objective CT-3.7, Objective CT-3.8, Policy CT-3v, Policy LU-4n, Objective CT-2.12, and Policy CT-2w; South Santa Rosa Area Plan Bikeways Policy 1): The project would be consistent with County transportation policies pertaining to pedestrians, bicycles, and transit because the project would incorporate a bike lane crossing at the southern project boundary near the Joe Rodota Trail and Llano Road, and would also include a bike lane along the project frontage along Llano Road. In addition, the project would construct a pedestrian pathway from the Joe Rodota Trail to the convenience market, a pedestrian pathway from the convenience market to the southeast corner of SR 12/Llano Road, and a pedestrian pathway from the southeast corner of SR 12/Llano Road to the Sonoma County Transit (SCT) bus stop along SR 12 on the northern side of the project.
- Road improvements (General Plan Policy CT-6g; South Santa Rosa Area Plan Road Network Policy 1): As indicated on project plans, the project would include road improvements consistent with County policies. In addition, the project would comply with road and street design standards that would include improvements for safe and efficient pedestrian movement (see previous discussion regarding pedestrians).
- Renewable energy (General Plan Objective OSRC-15.2): The project proposes future installation of photovoltaic cells on top of the recreational vehicle parking canopies.

The project is also consistent with Sonoma County Code Article 65 (RC Riparian Corridor Combining Zone) to protect biotic resource communities (including critical habitat areas within and along riparian corridors) for their habitat and environmental value, but would require an exception from the Planning Director as noted above; Article 64 (SR Scenic Resources Combining District) to preserve the visual character and scenic resources, including requirements for community separators and scenic corridors; and Article 67 (VOH Valley Oak Habitat Combining District) to protect and enhance valley oaks and valley oak woodlands.

In addition, there are no adopted habitat conservation plans or natural community conservation plans covering the project area. However, as discussed in section 4.a (Biological Resources), the project site is located in the Santa Rosa Plain, which is protected by a long-term conservation program designed to mitigate potential adverse effects on species such as the California Tiger Salamander and various plant species as a result of development in the area. As discussed in section 4, mitigation measures would be incorporated into the project to reduce potential tree removal impacts on nesting birds, reduce potential impacts on the California Tiger Salamander, and reduce impacts from grading that may affect off-site wetlands or other sensitive habitats.

Therefore, the project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect, including in the Sonoma County General Plan and zoning ordinance.

Significance Level: Less than Significant Impact

## 12. MINERAL RESOURCES:

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?**

Comment:

According to the Aggregate Resources Management Plan, as amended 2010, which identifies aggregate resources of statewide or regional significance (areas classified as MRZ-2 by the State Geologist), the project site is not located within a known mineral resource deposit area.<sup>23</sup>

Significance Level: No Impact

- 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?**

Comment:

According to the Aggregate Resources Management Plan, as amended 2010, and Sonoma County Zoning Code, the project site is not located within an area of locally-important mineral resource recovery site, and the site is not zoned MR (Mineral Resources). No locally-important mineral resources are known to occur at the site.

Significance Level: No Impact

## 13. NOISE:

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?**

Comment:

To assess project noise, an environmental noise assessment<sup>24</sup> (Appendix D) was prepared for the applicant that conducted a noise monitoring survey of the project area and evaluated potential noise impacts from the proposed project (fueling station, RV storage, and carwash) based on applicable County standards at adjacent noise sensitive land uses (residences).

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<sup>23</sup>California Department of Conservation, California Geologic Survey Special Report 205, Update of Mineral Land Classification: Aggregate Materials in the North San Francisco Bay Production-consumption region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California, 2013, Plate 1B, [ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR\\_205/SR%20205%20North%20Bay%20Report\\_Final.pdf](ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_205/SR%20205%20North%20Bay%20Report_Final.pdf), accessed 9/17/18.

<sup>24</sup>"Gas Station & Car Wash, 5300 Sebastopol Road (APN: 060-050-033), Environmental Noise Assessment," prepared by Illingworth & Rodkin, Inc., July 2, 2018.

County noise standards (as indicated in Table NE-2 of the General Plan) establish maximum allowable exterior noise exposures of 50 dBA in the daytime (7:00 AM to 10:00 PM) and 45 dBA in the nighttime (10:00 PM to 7:00 AM), as measured using the L50 value (the value exceeded 50 percent of the time, or 30 minutes in any hour--i.e., this is the median noise level).

Long-Term (Operational) Noise. Based on review of project plans and distance information obtained via Google Earth, the noise assessment determined that the closest noise sensitive uses were three residences: (1) 5315 Sebastopol Road (about 155 feet from the project site, across SR 12 from the corner of SR 12 and Llano Drive); (2) 5307 Sebastopol Road (about 430 feet from the project site, generally north of 5315 Sebastopol Road); and (3) 1183 Irwin Lane (about 480 feet from the project site, across SR 12 from the eastern part of the project site). One long-term and one short-term noise measurements were taken between June 4 and June 7, 2018, with two supplemental short-term noise measurements taken on June 19, 2018. Ambient noise included traffic along SR 12.

These noise measurements were used to establish existing noise levels at the property lines of the three residential uses for both daytime and nighttime. Under current (existing) conditions, noise levels at all three residences, during both daytime and nighttime, exceeded County noise level standards.

Noise levels estimated for the project were evaluated for the following operations:

1. Passenger vehicle movements and parking (at the gas station and mini-mart), which would include patron and employee automobiles and light vehicles during regular hours of operation (5:00 AM to 11:00 PM) seven days a week. The noise produced would include sounds of vehicles accessing and circulating on the site, and noise from engine starts and door slams. Such noise would typically produce maximum sound levels from 53 to 63 dBA at 50 feet.
2. Delivery trucks (for fuel and goods), which would include both heavy duty (semi-tractor trailer type) and medium duty (box type and delivery trucks. Noise levels for heavy duty trucks would generally range from 70 dBA to 75 dBA at 50 feet; noise levels from medium duty trucks would range from 60 dBA to 65 dBA.
3. RV movements and parking, which would include movement of RVs to and from the storage area. Noise generated by this RV movement would be expected to equal or be less than for medium duty trucks; i.e., would be expected to range from 60 dBA to 65 dBA at 50 feet.
4. Noise from the car wash, which would include noise from the water pump and spray during the wash cycle, and the blowers and vacuums during the drying process. The dryer system would consist of two blowers with single motors, and a third blower with two motors, and would be expected to have a sound level of 79.4 dBA at 20 feet from the exit end of the tunnel.

For conservative evaluation purposes, the noise assessment assumed that no shielding from terrain or buildings would occur that could reduce noise levels. The noise assessment (p. 14) concluded the following:

- Passenger vehicle movements and parking lot activities both during the daytime and at night would not exceed County daytime and nighttime noise limits, respectively.
- Delivery truck movements and on-site circulation activities, which would only be expected to occur during daytime hours, would not exceed County daytime noise limit.
- RV movements and parking, which would also only be expected to occur during daytime hours, would not exceed County daytime noise limit.

- Car wash activities both during the daytime and at night would not exceed County daytime and nighttime noise limits, respectively.

In addition, the noise assessment (p. 2) analyzed the project traffic study findings (see section 16, Transportation/Traffic) and determined that project-generated traffic would result in a noise level increase in Highway 12 traffic of less than 0.1 dBA, which, considering that the noise environment on the site and at all noise sensitive uses adjacent to the project site is dominated by traffic on Highway 12, would remain within 1 dBA of current conditions and therefore would be a less-than-significant impact.

Long-Term (Temporary) Noise Temporary noise increases could occur as a result of construction activities. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time. Construction of the project would involve removal of existing pavement, construction of utilities, excavation for foundations, building framing, paving, and landscaping. Construction noise levels would vary, based on the equipment and where it is operating.

The noise assessment (p. 20) determined that the closest property (5315 Sebastopol Road) is approximately 155 feet from the perimeter of the project site and 250 feet from the central portions of the site. For construction activity occurring at the site perimeter, average noise levels would range from 63 to 81 dBA at the closest residential property line; for construction activity occurring in the central portions of the project site, average noise levels would range from 57 to 75 dBA at the closest residential property line. Though these levels would at times exceed the existing daytime average noise levels at this residence (measured at between 62 and 71 dBA), given the size and scope of the project, construction noise would not be expected to exceed the ambient noise environment by 5 dBA for a period of greater than one year. With mitigation, these effects would be reduced to a less-than-significant level.

Significance Level: Less than Significant with Mitigation Incorporated

#### Mitigation

**Mitigation Measure NOISE-1:** Construction activities for this project shall be restricted as follows, with all plans and specifications or construction plans to include these notes:

- a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 AM and 5:00 PM on weekdays and 9:00 AM and 5:00 PM on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the PRMD Project Review Division as soon as practical.
- c) There will be no start up of machines nor equipment prior to 7:00 AM, Monday through Friday or 9:00 AM on weekends and holidays; no delivery of materials or equipment prior to 7:00 AM nor past 5:00 PM Monday through Friday or prior to 9:00 AM nor past 5:00 PM on weekends and holidays and no servicing of equipment past 5:00 PM, Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.
- d) Pile driving activities shall be limited to 7:30 AM to 5:00 PM weekdays only.



- e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
- f) The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g., starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

**Mitigation Monitoring:**

**Mitigation Monitoring NOISE-1:** (Ongoing) PRMD Project Review Division staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. PRMD staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be investigated by PRMD staff. If violations are found, PRMD shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.

**b) Generation of excessive ground borne vibration or ground borne noise levels?**

Comment:

Construction activities may generate minor ground borne vibration and noise, but they would be from conventional construction equipment and would be short-term and temporary, limited to daytime hours. There would be no other activities or uses associated with the project that would expose persons to or generate excessive ground borne vibration or ground borne noise levels.

Significance Level: Less than Significant Impact

**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 area to excessive noise levels?**

Comment:

There are no known private airstrips within the vicinity of the proposed project. Graywood Ranch, a private airstrip, is approximately 12-1/2 miles east of the project site. Santa Rosa Memorial Hospital heliport is approximately five and one-half miles east of the project site. The project site is not within the Airport Referral Area as designated by the Sonoma County Comprehensive Airport Land Use Plan; Charles M. Schulz-Sonoma County airport is approximately six and one-half miles north of the project site.

Significance Level: No Impact

## 14. POPULATION AND HOUSING:

Would the project:

- a) **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)?**

Comment:

The project would not include construction of any new homes or a substantial amount of businesses or infrastructure, and therefore would not induce substantial unplanned population growth.

Significance Level: Less than Significant Impact

- b) **Displace substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere?**

Comment:

No people would be displaced by the project, and no housing would be displaced by the project; no replacement housing is proposed to be constructed.

Significance Level: No Impact

## 15. PUBLIC SERVICES:

Would the project:

- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:**

Comment:

Construction of the project would not involve substantial adverse physical impacts associated with provision of public facilities or services and the impact would be less than significant. No new housing is included within the project proposal. The project would employ approximately two (2) full-time employees. The project would not necessitate or facilitate construction of new public facilities.

Significance Level: Less than Significant Impact

**i. Fire protection?**

Comment:

The project would be located in a portion of the Roseland Fire Protection District that is not planned to be annexed into the City of Santa Rosa. Santa Rosa Fire Department would provide fire suppression and fire protection services to the site and has authority over project compliance with the California Fire Code. The project was sent on referral to the Santa Rosa Fire Department and County Fire Department, and they recommended that Phase I Environmental Site Assessment be prepared.

Sonoma County Code requires that all new development meet Fire Safe Standards (Chapter 13), including fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases. These are standard conditions of approval and required by County Code. Because none of the conditions and/or requirements requires construction of new or expanded fire protection/EMS facilities, project impacts on fire protection/EMS would be considered less-than-significant.

Significance Level: Less than Significant Impact

## **ii. Police protection?**

Comment:

The Sonoma County Sheriff would continue to serve this area. There would be no increased need for police protection resulting from the project. The project would generate two (2) full-time jobs. The project would not include construction of any new homes, would not include construction of a substantial amount of businesses or infrastructure, and therefore would not induce substantial population growth. Existing police protection facilities would be adequate.

Significance Level: Less than Significant Impact

## **iii. Schools?**

Comment:

Development fees to offset potential impacts to public services, including school impact mitigation fees, are required by Sonoma County code and state law for new subdivisions and residential developments. No new schools are reasonably foreseeable as a result of this development.

Significance Level: Less than Significant Impact

## **iv. Parks?**

Comment:

Sonoma County Code, Chapter 20 requires payment of parkland mitigation fees for all new residential development for acquisition and development of added parklands to meeting General Plan Objective OSRC-17.1 to "provide for adequate parkland and trails primarily in locations that are convenient to urban areas to meet the outdoor recreation needs of the population..." Development fees collected by Sonoma County are used to offset potential impacts to public services, including park mitigation fees. The project would not result in the need for any new park facilities, and demand for parks in general is addressed through fees.

Significance Level: Less than Significant Impact

## **v. Other public facilities?**

Comment:

The project would not be served by public sewer or water facilities. Expanded facilities are not currently reasonably foreseeable. Expansion or construction of additional types of public facilities is not anticipated as a result of the development of this project.

Significance Level: Less than Significant Impact

## 16. RECREATION:

Would the project:

- 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?**

Comment:

The proposed project would not involve activities that would significantly cause or accelerate substantial physical deterioration of parks or recreational facilities. Any additional use of existing neighborhood and regional parks or other recreational facilities resulting from the project would be minimal.

Significance Level: Less than Significant Impact

- 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?**

Comment:

The proposed project would include the construction of a trail paralleling Llano Road from the Joe Rodota trail to the proposed convenience store, plus a picnic area with benches and bicycle racks. The construction impacts have already been analyzed in other sections of this initial study.

Significance Level: Less than Significant Impact

## 17. TRANSPORTATION:

Would the project:

- a) **Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?**

Comment:

A traffic study was prepared by W-Trans to address potential changes in traffic from the project<sup>25</sup>(Appendix E) The results of the Traffic Study (p. 12) indicated that the project could be expected to generate an average of 1,927 total trips per day, with 135 new trips during the AM peak hour, and 159 new trips during the PM peak hour. However, because gasoline station/convenience store uses attract traffic already on nearby streets (also called "pass-by" trips), the amount of traffic generated by the project itself (i.e., excluding the pass-by trips, or the "net new trips") would be 47 AM peak hour trips and 66 PM peak hour trips.

Existing Traffic Conditions. Existing traffic data were collected on September 10, 2016, but because of construction on SR 12, W-Trans determined that a more accurate reflection of typical traffic volumes would be from January 2014 traffic volumes, which were higher than those taken in 2016. These higher counts (from 2014) were used for the existing conditions in the Traffic Study because they better represent typical traffic in the general project area and because there has been no major development in the project vicinity since then. The Traffic Study (p. 8) determined that under existing conditions, the SR 12/Llano Road intersection operates acceptably at LOS C or better during both AM

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<sup>25</sup>"Traffic Study for 5300 Sebastopol Road," W-Trans, November 15, 2017.

and PM peak hour periods. The two project driveways were also evaluated. One driveway is on SR 12 about 320 feet east of SR 12/Llano Road, and the other driveway is on Llano Road, about 140 feet south of the SR 12/Llano Drive intersection. These two driveways were determined to operate acceptably at LOS B or better during both AM and PM peak hour periods.

Future Traffic Conditions. Future traffic conditions were projected for 2040 based on the Sonoma County Transportation Authority Countywide Transportation Forecasting Model. Under anticipated future conditions without the project, the SR 12/Llano Road intersection was determined to operate acceptably at LOS D during the AM peak period, but unacceptably at LOS E during the PM peak hour.<sup>26</sup> For the two driveways, future conditions without the project were determined to operate acceptably at LOS D or better.

Existing Plus Project Traffic Conditions. The Traffic Study analyzed project traffic under the following scenarios: (1) existing plus project, and (2) future plus project. The Traffic Study (pp. 12-13) determined that under existing plus project conditions, the SR 12/Llano Road intersection would be expected to continue to operate acceptably at LOS B during the AM peak hour and LOS C during the PM peak hour. Also, during existing plus project conditions, the two driveways would be expected to operate acceptably at LOS A or B, with the exception of the northbound approach of the driveway on SR 12, which would operate at LOS D (during both AM and PM peak hours). However, the Traffic Study (p. 13) determined that this would not be a significant impact nor would the increase in delay be considered significant under the Caltrans standard. Therefore, existing plus project traffic impacts would be considered less-than-significant.

Future Plus Project Traffic Conditions. The Traffic Study (pp. 13-14) determined that under future plus project conditions, the SR 12/Llano Road intersection would operate at the same LOS as under future conditions without the project: LOS D (acceptable) during the AM peak hour, LOS E (unacceptable) during the PM peak hour. However, because the addition of traffic generated by the project during the PM peak hour would increase average delay by less than five seconds (per vehicle), the impact on this intersection would not be considered significant, based on County traffic significance thresholds.

The two driveways under future plus project conditions would operate at acceptable LOS A and B during both AM and PM peak hours with one exception: the northbound approach to the driveway on SR 12. This driveway approach would operate at LOS D (acceptable) during the AM peak hour both under future conditions without the project and under future plus project conditions, which would not be considered a significant impact, based on County traffic significance thresholds.

During the PM peak hour, this driveway approach would operate at LOS D (acceptable) under future conditions without the project but would operate at LOS E (unacceptable) under future plus project conditions. In addition, project traffic would increase delay at this driveway approach by more than five additional seconds (from 30.7 seconds without the project to 39.3 seconds with the project, which would exceed County traffic significance thresholds). However, because this driveway approach would have fewer than 30 vehicle trips per hour (Traffic Study, pp. 7 and 10), traffic impacts on this approach would not be considered significant under future plus project conditions based on County traffic significance thresholds. Therefore, future plus project traffic impacts for study intersections and project driveways would be considered less-than-significant.

Traffic Conclusions. Based on this analysis, the Traffic Study concluded that the project would not cause a significant traffic impact.

SR 12 Access. Access to the project site from SR 12 heading westbound is provided by an existing

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<sup>26</sup>Because this intersection involves a state highway (SR 12), the Caltrans operational standard was used, which allows for LOS D if existing control delay is maintained.

striped median with a break that allows for left-turns into the project site. The Traffic Study (p. 17) determined that under future plus project conditions, up to two vehicles could be expected to form a queue, although this would only be likely to occur infrequently. Therefore, the Traffic Study recommended standard two-way left-turn lane roadway striping on SR 12 between the westbound left-turn pocket at Llano Road and the eastbound left-turn pocket at Irwin Lane to the east of the project. This is included in Mitigation Measure TRAF-1A.

Llano Road Queuing Analysis. The Traffic Study (p. 14) analyzed left-turn queues at the SR 12/Llano Road intersection (from Llano Road heading westbound on SR 12) to determine if adequate storage existed. The Traffic Study (p. 14) determined that with the addition of project traffic, *"The existing storage lengths are expected to be adequate on all approaches for all scenarios. ...However, northbound left-turn queue lengths at SR 12/Llano Road may extend past Project Driveway 2 [the driveway on Llano Road] on an infrequent basis."* Therefore, the Traffic Study recommended installation of "Keep Clear" pavement markings on Llano Road for southbound left-turn movements into the project site. This is included in Mitigation Measure TRAF-1B.

Collision History and Analysis. The Traffic Study (p. 3) reviewed collision data from the California Highway Patrol for the period June 1, 2011 through May 31, 2016, and determined that the intersection of SR 12/Llano Road had a higher average rate of collisions (0.59 collisions per million vehicles miles) than the state average for similar intersections (0.24 collisions per million vehicle miles). The Traffic Study (p. 3) determined that traffic conditions (i.e., congestion) were the main contributor to collisions, and that nearly all collisions at SR 12/Llano Road happened during the evening peak hour, in the westbound direction towards the intersection, with rear-end collisions typical. According to W-Trans, the project traffic consultant, because the high collision rate is primarily due to rear-end collisions, and they occurred most often during the evening peak period and involved vehicles traveling in the westbound direction towards the intersection, it is reasonable to conclude that vehicles are not seeing the traffic signal. Typically, in a situation like this, alternative approaches could include:

- a. Install a Signal Ahead Sign
- b. Install a flashing beacon to supplement the Signal Ahead Sign with activation when the signal turns yellow.
- c. Adjust the signal timing of the intersection to account for downstream queues which may be impacting these conditions.
- d. Address the brightness of the signal lights to ensure that they are visible.

Currently there are no advance warning signs, such as a "Signal Ahead" (W3-3) serving the signalized intersection of SR12/Llano Road.

Therefore, to address collision issues and because there is no advance Signal Ahead sign, the Traffic Study recommended that advance warning signage be installed on the westbound approach of SR 12. The U.S. Department of Transportation, Federal Highway Administration Manual of Uniform Traffic Control Devices (MUTCD) indicates that this type of warning signal "shall be installed on an approach to a primary traffic control device that is not visible for a sufficient distance to permit the road user to respond to the device." This is included in Mitigation Measure TRAF-1C. However, ultimately this measure as well as any supplemental measures would be at the discretion of Caltrans who maintains the right-of-way.

Bicycle Facilities. As explained in the Traffic Study (p. 4), *"The Joe Rodota Trail is a Class I bike facility that exists parallel to SR 12 between Petaluma Avenue in Sebastopol and West Third Street in Santa Rosa. The Joe Rodota Trail crosses Llano Road immediately south of the project site."*

*Bicyclists ride in the roadway along the adjacent streets."* Two bicycle facilities are planned for the vicinity: a Class I bike path along Hepworth Road from SR 12 to Occidental Road, and a Class II bike path along Llano Road from SR 12 to SR 116. (p. 4) A portion of the Class II bike path (along the project Llano Road frontage) is included in Mitigation Measure TRAF-1D.

Although the Traffic Study (p. 15) determined that bicycle facilities serving the project site are adequate, it also determined (p. 16) the need to incorporate a marked crosswalk at the juncture of Joe Rodota Trail with Llano Road for both bicycles and pedestrians. This was based on an analysis of bicycle trips, which the Traffic Study estimated at approximately 250 pedestrian/bicycle trips per day. W-Trans used pedestrian crossing treatment worksheets from National Cooperative Highway Research Program (NCHRP) Report 562, "Improving Pedestrian Safety at Unsignalized Crossings," to determine appropriate treatment. The worksheet for approach speeds of 35 mph or less was used because of proximity to the SR 12/Llano Road intersection as well as field observations. The worksheet indicated that a marked crosswalk is warranted at the trail crossing, though additional measures such as enhanced crossings, high visibility measures, or active warning lights would not be warranted. However, as concluded by the Traffic Study (p. 16), although such a marked crosswalk at the Joe Rodota Trail and Llano Road would be warranted, *"The decision to install a crosswalk or other crossing measures should be determined by the County so that it is in keeping with other bike trail crossing locations."*

Pedestrian Facilities. SR 12 is a rural highway, and there are no sidewalks along SR 12 between Santa Rosa and Sebastopol. Llano Road is a rural road without sidewalks in the project vicinity, however, there are marked crosswalks at the SR 12/Llano Road intersection. According to the Traffic Study (pp. 15-16), although the project includes a pedestrian path between the Joe Rodota Trail and the convenience store, the project does not include any pedestrian facilities that connect to the crosswalks at the SR 12/Llano Road intersection (where there are marked crosswalks). Therefore, the Traffic Study recommended an all-weather pedestrian ADA compliant walkway between the project site and the southeast corner of SR 12/Llano Road. This is included in Mitigation Measure TRAF-1E. In addition, as discussed above for bicycle facilities, there is no marked crossing at Llano Road at the juncture with the Joe Rodota Trail.

Transit Stops. The project site is served by Sonoma County Transit (SCT). Route 20 provides service between Santa Rosa and the Russian River area, with stops along SR 12 in both directions at SR 12 and Llano Road. Route 22 also provides service along SR 12 between Santa Rosa and Sebastopol. The SCT stops at SR 12 and Llano Road only have a sign; there are no benches or other amenities.

Significance Level: Less than Significant with Mitigation Incorporated

#### Mitigation

**Mitigation Measure TRAF-1:** The following mitigations shall be required as part of the project in order to reduce project effects on transportation, bicycle and pedestrian facilities, and transit systems and ensure that the project would not conflict with an applicable transportation plan, ordinance, or policy:

**Mitigation Measure TRAF-1A (SR 12 Access):** The applicant shall restripe the SR 12 median to include a standard two-way left-turn lane between the westbound left-turn pocket at the SR 12/Llano Road intersection and the eastbound left-turn pocket at the SR 12/Irwin Lane intersection, to Caltrans standards and specifications. *Note: All work on SR 12 will require applicant to obtain a State of California Encroachment Permit before making any improvements within the State's right-of-way.*<sup>27</sup>

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<sup>27</sup>Improvements within the State's right-of-way would require a State of California encroachment permit; improvements within the County's right-of-way would require a PRMD encroachment permit.

**Mitigation Measure TRAF-1B (Queuing):** On Llano Road the applicant shall: (1) install “Keep Clear” pavement markings to ensure sufficient space for southbound left-turn access into the project, consistent with Department of Transportation and Public Works (DTPW) specifications; and (2) along the project frontage, construct or install one 12-foot wide southbound travel lane, one 12-foot wide northbound left-turn lane, and one 12-foot wide northbound right-turn lane.

**Mitigation Measure TRAF-1C (Collisions):** The applicant shall coordinate with Caltrans to install advanced warning signage on the westbound approach of SR 12.

**Mitigation Measure TRAF-1D (Bicycle Facilities):** The applicant shall construct a minimum 5-foot wide Class II bicycle lane to be located on the easterly edge of Llano Road along the project frontage (but not between the left and right turn lanes). In addition, drainage features located within this bike lane shall be designed for safe bicycle travel.

**Mitigation Measure TRAF-1E (Pedestrian Facilities):** The applicant shall construct a 5-foot wide (minimum) walkway that connects the Joe Rodota Trail to the proposed convenience store. The walkway shall meet DTPW and ADA standards and specifications. In addition, the applicant shall construct a 5-foot wide (minimum) ADA-compliant walkway that connects the project with the southeast corner of the SR 12/Llano Road intersection and a 5-foot wide (minimum) ADA-compliant walkway that connects the southeast corner of the SR 12/Llano Road intersection to a new concrete pad at the SCT stop on the project’s SR 12 frontage.

**Mitigation Measure TRAF-1F (Transit Stops):** The applicant shall construct a minimum 10-foot by 10-foot concrete pad at the SCT stop on the project’s SR 12 frontage (at the existing bus stop) that shall connect to the new walkway required under Mitigation Measure TRAF-1E. The concrete pad shall comply with either DTPW or SCT standards.

Mitigation Monitoring:

**Mitigation Monitoring TRAF-1:** Prior to issuance of any grading permit, applicant shall submit plans for all required improvements to Permit Sonoma/DTPW for review and approval. Applicant shall be required to complete construction of all required public improvements prior to occupancy of any new building or new use of an existing building. The County shall verify that applicant has completed the mitigation measures listed above prior to issuance of a building permit. In addition, for any improvements within a County road right-of-way, the applicant shall obtain a County encroachment permit prior to construction. For any improvements within a Caltrans right-of-way, the applicant shall provide County evidence satisfactory to the County that all improvements have been constructed in accordance with the requirements of the State of California.

**b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

Comment:

Sonoma County does not have an adopted standard for analyzing vehicle miles traveled (VMT), but implementation of VMT for analyzing transportation impacts is not required until July 1, 2020. Sonoma County LOS standards are established by the Sonoma County General Plan Circulation and Transit Element. See section 17.a for a discussion of traffic resulting from the project. Section 8, Greenhouse Gas Emissions, uses VMT as one of the variables in its calculations for the project.

Significance Level: Less than Significant Impact



**c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Comment:

The Traffic Study (p. 18) determined that sight distances at the two project driveways would be sufficient provided that any signs or vegetation proposed along the SR 12 or Llano Road project frontages are prevented from obstructing visibility of entering or existing vehicles.

Also, hazards to bicyclists and pedestrians could occur during construction activities, and these construction-related hazards could also occur to drivers. While this temporary construction-related impact would cease upon completion of project construction, mitigation would reduce the impact to a less-than-significant level.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure TRAF-2:** Driveway entrance improvements shall conform to AASHTO standards and Applicant shall maintain minimum sight distances for vehicles entering and exiting the driveway, including placement of signs or monuments, per current AASHTO requirements.

Landscaping shall be designed and maintained to ensure minimum AASHTO sight distances. The applicant shall submit for Department of Transportation and Public Works (DTPW) review and approval a tree removal and vegetation maintenance strategy for long-term management of sight lines, to ensure adequate sight distances.

**Mitigation Measure TRAF-3:** The project shall submit a *Construction Period Traffic Control Plan* to the County for review and approval. The plan shall include traffic safety guidelines compatible with Section 12 of the Caltrans Standard Specifications ("Construction Area Traffic Control Devices") to be followed during construction. The plan shall also specify provision of adequate signing and other precautions for public safety during project construction. In particular, the plan shall include a discussion of bicycle and pedestrian safety needs due to project construction and, later, project operation. The plan also shall address emergency vehicle access during construction and provide for passage of emergency vehicles through the project site at all times. The applicant/contractor shall notify local emergency services prior to construction to inform them that traffic delays may occur, and also of the proposed construction schedule.

Mitigation Monitoring:

**Mitigation Monitoring TRAF-2:** Prior to final plan approval, the County (DTPW) shall review the project vegetation maintenance strategy. After construction, the County shall periodically verify that sightlines are sufficient.

**Mitigation Monitoring TRAF-3:** Prior to approval of a grading permit, the County shall review the project *Construction Period Traffic Control Plan*. During construction, the County shall periodically verify that traffic control plan provisions are being implemented.

**d) Result in inadequate emergency access?**

Comment:

Development on the site must comply with all emergency access requirements of the Sonoma County Fire Safety Code (Sonoma County Code Chapter 13), including emergency vehicle access requirements and roadway widths. Project development plans are required to be reviewed by a Department of Fire and Emergency Services Fire Inspector during the building permit process to ensure compliance with emergency access issues.

Significance Level: Less than Significant

**e) Result in inadequate parking capacity?**

Comment:

Sonoma County Code Section 26-86 includes no specific parking requirements for gasoline station/convenience store/car wash land uses. The project proposes 10 onsite parking spaces for customers, including 1 ADA space, and also includes 3 spaces for employees plus space for food delivery.

Significance Level: Less than Significant Impact

## **18. TRIBAL CULTURAL RESOURCES**

**a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, 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:**

**i) 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).**

Comment:

As discussed in Section 5, Cultural Resources, the proposed project, with mitigation, would result in no substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074, or an archaeological or historical resource as defined in CEQA Guidelines section 15065.5. Implementation of the following mitigation measures would reduce potential project impacts on previously undiscovered TCRs or unique archaeological or historical resources accidentally encountered during project implementation to a less-than-significant level.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure CUL-1, CUL-2, and CUL-3**

Mitigation monitoring:

Implement **Mitigation Monitoring CUL-1, CUL-2, and CUL-3**

**ii) 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Comment:

As discussed in Section 5, Cultural Resources, the proposed project, with mitigation, would result in no substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074, or an archaeological or historical resource as defined in CEQA Guidelines section 15065.5. Implementation of the following mitigation measures would reduce potential project impacts on previously undiscovered TCRs or unique archaeological or historical resources accidentally encountered during project implementation to a less-than-significant level.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure CUL-1, CUL-2, and CUL-3**

Mitigation monitoring:

Implement **Mitigation Monitoring CUL-1, CUL-2, and CUL-3**

## 19. UTILITIES AND SERVICE SYSTEMS:

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?**

Comment:

As discussed in section 10.b, the project would use groundwater for its water supply, and would be served by one well, which was installed in June, 2018. The State Water Resources Control Board (SWRCB) Division of Drinking Water has determined that the project water system is a transient-noncommunity public water system, and would require the applicant to apply for a drinking water supply permit for a public water system from the Division of Drinking Water as well as meet all other SWRCB requirements (i.e., current California Department of Water Resources well standards). Because the proposed convenience market would provide food, the applicant would also be required to apply for and maintain a state water system permit as an approved potable water supply for a food facility area from the California Water Resources Control Board Drinking Water Branch.

The applicant has proposed (and received a permit for) a new on-site septic system.<sup>28</sup> This new septic system would need to comply with the County's Onsite Wastewater Treatment System Regulations, which include providing the County with septic system design details and specifications for review and approval.

Construction impacts have already been analyzed in this initial study.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure UTL-1:** The applicant shall provide to the County: (1) an engineered design of the water supply system, and (2) approved permits from the State Division of Drinking Water for a drinking water supply permit for a public water system.

**Mitigation Measure UTL-2:** The applicant shall submit for County review and approval final septic design plans and calculations, consistent with the Onsite Wastewater Treatment System Regulations and Technical Standards (September 22, 2016).

Mitigation Monitoring

**Mitigation Monitoring UTL-1:** Prior to issuance of building permits, the County shall verify that the applicant has provided the required information related to (1) water supply system design, and (2) application to the State Division of Drinking Water for a drinking water supply permit for a public water system.

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<sup>28</sup>Permit #SEP15-0420, dated June 7, 2016.

**Mitigation Monitoring UTL-2:** Prior to project approval, the County shall verify the applicant's septic design; prior to final map approval, County shall certify that the septic system is operational.

**b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Comment:

Water would be provided by the on-site well, which was installed in June, 2018 (Permit No. WEL18-0125). As discussed in section 10.b, although the project site is located in Groundwater Availability Class 1 (Major Groundwater Basins), the applicant submitted a hydrogeologic report at County request. This report indicated that sufficient groundwater existed to support the project (approximately 232,837 gallons per year, or approximately 0.71 acre-feet per year).<sup>29</sup>

As discussed in section 19.a, the applicant would be required to apply for and maintain a state water system permit and a drinking water supply permit, and would be required to meet all other SWRCB requirements (i.e., current California Department of Water Resources well standards).

The applicant would also be required to provide water quality testing results from a State-certified lab to the County project review health specialist, prior to building permit issuance and project operation, that demonstrate no contamination of the water supply (i.e., bacteriological and chemical analysis as prescribed by the County). The County would require quarterly monitoring of groundwater elevations and quantities of groundwater extracted.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measures UTL-1 and UTL-2.**

**Mitigation Measure UTL-3:** The applicant shall provide evidence to the County of completion of water quality testing from a State-certified lab.

**Mitigation Measure UTL-4:** Water meter(s) shall be installed on the water system to measure all groundwater extracted for the permitted use. New or existing water wells used for the project shall be equipped with a groundwater level measuring tube and port, or electronic groundwater level measuring device. Groundwater monitoring reports shall be submitted annually to the County in January of each year. The annual report shall include groundwater elevations and quantities of groundwater extracted.

Mitigation Monitoring:

Implement **Mitigation Monitoring UTL-1 and UTL-2.**

**Mitigation Monitoring UTL-3:** Prior to issuance of building permits, the County shall verify satisfactory applicant completion of water quality testing.

**Mitigation Monitoring UTL-4:** As a condition of project approval, a Site Plan showing the well location with the groundwater level measuring device and the water meter(s) location shall be submitted to the PRMD Project Review Health Specialist. In addition, groundwater monitoring reports shall be reviewed and verified annually by County staff.

**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**

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<sup>29</sup>Hurvitz Environmental Services, Inc., "Hydrogeologic Assessment Report, 5300 Sebastopol Road, Santa Rosa, CA 95404, APN 060-040-033," August 20, 2018.

**provider's existing commitments?**

Comment:

Wastewater would be disposed of via the new (relocated) on-site septic system. There would be no sewage treatment by an off-site provider.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure UTL-2.**

Mitigation Monitoring:

Implement **Mitigation Monitoring UTL-2.**

**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?**

Comment:

Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that would result from the proposed project, provided, however, that residual solid waste from non-recycled car wash water shall be disposed of at a properly licensed disposal facility.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Implement **Mitigation Measure HYDRO-1D.**

Mitigation Monitoring:

Implement **Mitigation Monitoring HYDRO-1D.**

**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Comment:

Sonoma County has access to adequate permitted landfill capacity to serve the proposed project. However, because the residual solid waste from car wash wastewater may contain pollutants that could be considered hazardous, this solid waste must be disposed of at a facility capable of handling hazardous wastes.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

**Mitigation Measure UTL-5:** Applicant shall submit, for County review, a *Car Wash Solid Waste Residue Disposal Plan* that includes the name and address of the solid waste disposal facility, the means of transporting the solid waste, and the proposed schedule for disposal of solid waste.

Mitigation Monitoring:

**Mitigation Monitoring UTL-5:** Applicant shall provide receipts or other evidence suitable to the County demonstrating proper disposal of residual solid waste from the car wash.

## 20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire 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 downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Comment:

The proposed project is not located in or near a state responsibility area, or lands classified as very high fire severity zone. Therefore, there would be no impacts with regard to criteria a through d.

Significance Level: No Impact

## 21. MANDATORY FINDINGS OF SIGNIFICANCE

- 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?

Comment:

Potential project impacts on special status plant and fish/wildlife species and habitat are addressed in Section 4. Implementation of the required mitigation measures (Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5) would reduce these potential impacts to a less-than-significant level. Potential adverse project impacts to cultural resources are addressed in section 5. Implementation of the required mitigation measures (Mitigation Measures CUL-1, CUL-2, and CUL-3) would reduce these potential impacts to a less-than-significant level.

Significance Level: Less than Significant Impact

- 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)?

Comment:

No project impacts have been identified in this Initial Study that are individually limited but cumulatively considerable. The project would contribute to impacts related to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gases, hydrology and water

quality, noise, traffic, and tribal cultural resources, which may be cumulative off-site, but mitigations would reduce project impacts to less-than-significant levels.

Significance Level: Less than Significant Impact

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

Comment:

Proposed project operations have the potential to cause substantial adverse impacts on human beings, both directly and indirectly. However, all potential impact and adverse effects on human beings (resulting from air quality, noise, traffic, aesthetics) were analyzed, and would be less than significant with the mitigations identified in the Initial Study incorporated into the project.

Significance Level: Less than Significant Impact

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51. PLP13-0023 Permit Application Materials on file at the Sonoma County Permit and Resource Management Department (PRMD). Application materials are made available upon request.