July 2022 | Initial Study

WINDSOR SHELL STATION PROJECT

Prepared for:

Town of Windsor
Contact: Kimberly Voge, Planner
9291 Old Redwood Highway
Windsor, California 95492
707.838.1106

Prepared by:

PlaceWorks
Contact: Patrick Hindmarsh, Senior Associate
101 Parkshore Drive, Suite 200
Folsom, California 95630
714.966.9220
info@placeworks.com
www.placeworks.com

PLACEWORKS

Table of Contents

Table of Contents

List of Figures

List of Tables

1. Introduction

The proposed Windsor Shell Station project (proposed project) would demolish the existing 2,321-square-foot convenience store, 800-square-foot, 50-foot-long carwash; and six fuel pumps with an approximately 3,000-square-foot canopy and construct a 2,432-square-foot convenience store, 1,132-square-foot car wash with a self-service drive-through carwash tunnel with an attached 248-square-foot equipment room, and four fuel pumps (two fewer than existing) with a 2,733-square-foot canopy. The Town of Windsor, as lead agency, is responsible for preparing environmental documentation in accordance with the California Environmental Quality Act (CEQA) to determine if approval of the discretionary actions requested and subsequent development would have a significant impact on the environment. As defined by Section 15063 of the CEQA Guidelines, an Initial Study is prepared primarily to provide the lead agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) would be appropriate for providing the necessary environmental documentation and clearance for the proposed project. This Initial Study has been prepared to support the adoption of an MND.

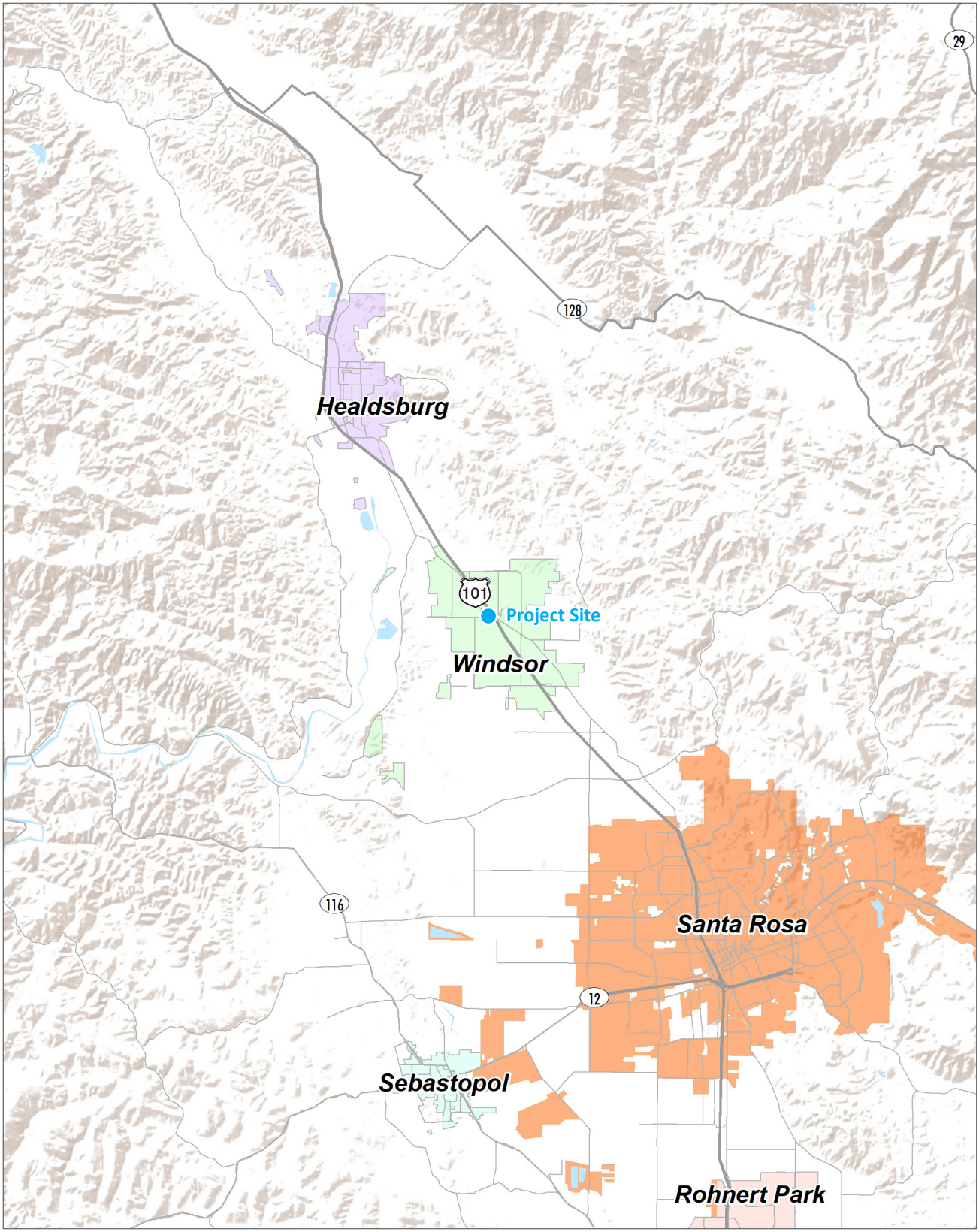
1.1 PROJECT LOCATION

The 0.71-acre project site is located at 9033 Old Redwood Highway (Assessor's Parcel Number [APN] 066-100-62) in the Town of Windsor, in Sonoma County. Figure 1, *Regional Location,* and Figure 2, *Local Vicinity,* show the location of the site within the regional and local contexts. The project site is 280 feet west of Highway 101 and is bordered by commercial retail uses to the north, west, and south; and a vacant lot to the east.

1.2 ENVIRONMENTAL SETTING

1.2.1 Existing Land Use

As shown on Figure 3, *Aerial Photograph,* the project site consists of a single parcel that is developed with an existing gas station. The site currently includes a 2,321-square-foot convenience store; 800-square-foot, 50-foot-long carwash; and six fuel pumps with an approximately 3,000-square-foot canopy. Vehicle access to the site is via Old Redwood Highway.

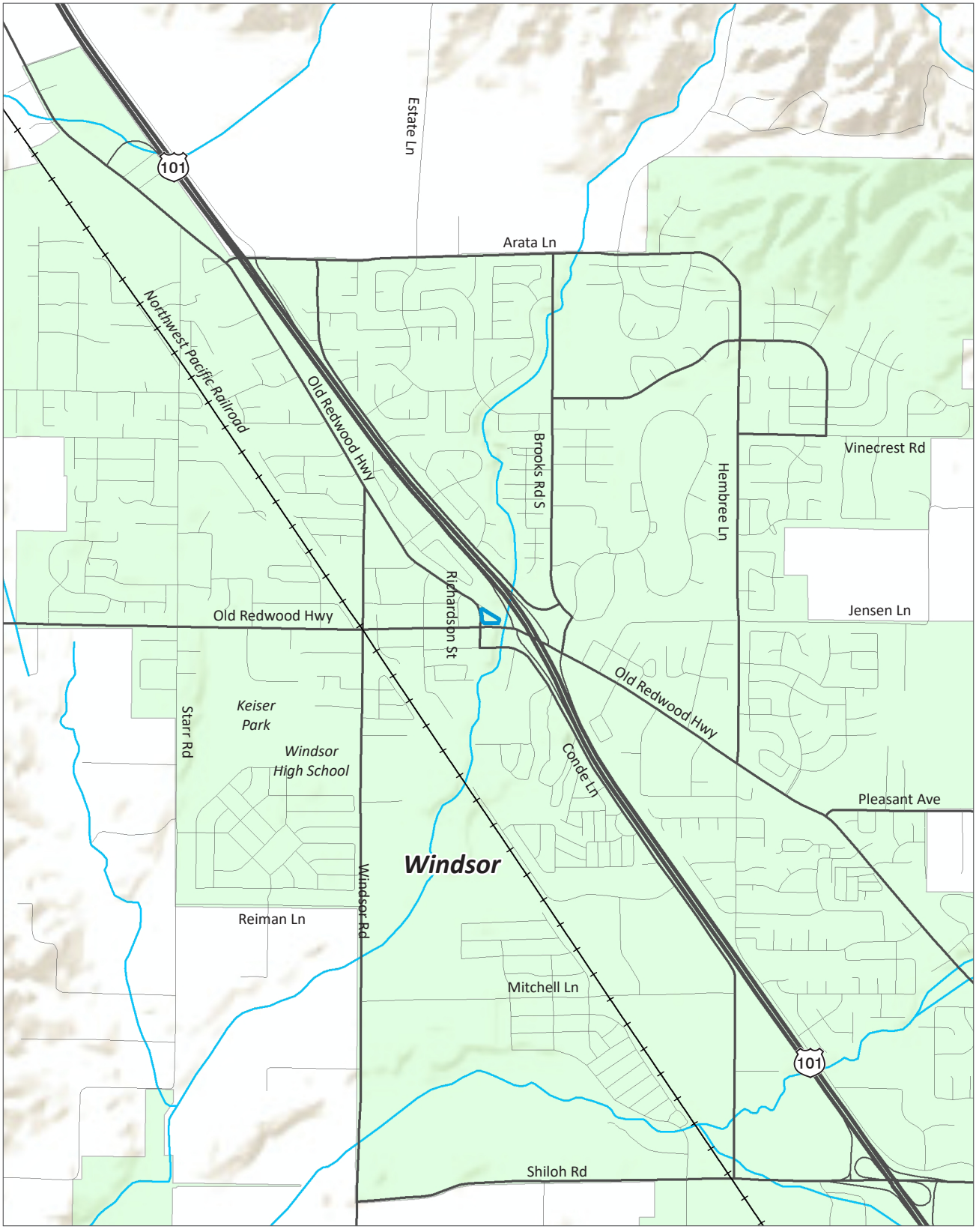


Source: ESRI, 2021

0 2
Scale (Miles)

Note: Unincorporated county areas are shown in white.

Figure 1
Regional Location



Source: ESRI, 2021

Project Boundary

0 2,000
Scale (Feet)

Note: Unincorporated county areas are shown in white.

Figure 2
Local Vicinity

Source: Nearmap, 2021

Project Boundary

0 30
Scale (Feet)

Figure 3
Aerial Photograph

1.2.2 Existing Environmental Conditions

The project site contains a leaking underground storage tank (LUST) that is under a cleanup order from the Sonoma County Department of Health Services (DEH). The Corrective Action Plan (CAP) will include removal of the leaking tank and excavation of contaminated soils, which will be disposed offsite at a properly permitted landfill. While these actions would occur concurrently with project demolition/construction activities, the Town has no discretion with regard to the CAP. The CAP will occur whether the proposed project is approved or denied by the Town. Because the CAP must be implemented, and the Town has no discretion to condition or mitigate any potential effects of the cleanup, the CAP is not considered part of the project and is not addressed as a project component in this Initial Study. Where there is potential for cumulative effects related to cleanup, those are addressed in this Initial Study.

1.2.3 Surrounding Land Use

The project site is 280 feet west of Highway 101 and is bordered by commercial retail uses to the north, west, and south; and a vacant lot to the east.

1.3 PROJECT DESCRIPTION

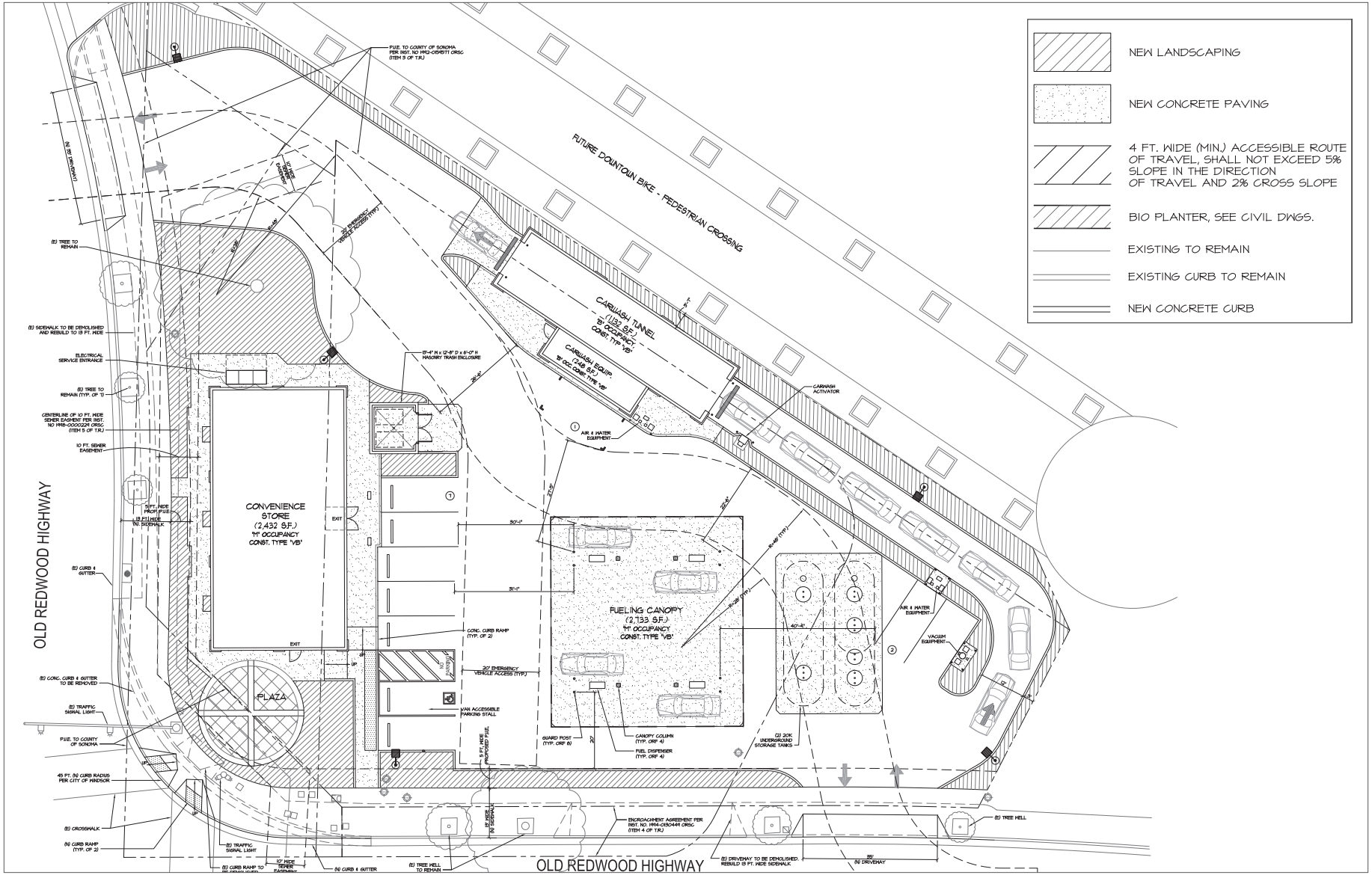
The Windsor Shell Station Project would update the existing facilities at the project site by demolishing the uses onsite; acquire approximately 4,194 square feet of right-of-way (ROW) from the Town (approximately 12.5 feet wide along the northern portion of the site); and result in the construction of a 2,432-square-foot, 20-foot-tall convenience store, 1,132-square-foot car wash with a self-service drive-through tunnel with an attached 248-square-foot equipment room, and four fuel pumps (two fewer than existing conditions) with a 2,733-square-foot, 16.6-foot-tall canopy. Additionally, the existing fuel system's underground tanks would be replaced. Site improvements include parking stalls, accessible path of travel to the right-of-way, masonry trash enclosure, site lighting, landscaping, and self-service vacuum and air/water equipment. Other site improvements include moving the existing driveway on the south side approximately 40 feet to the east, a new driveway on the west side, and extending the curb return at the southwest corner to reduce pedestrian conflicts.

Figure 4, *Site Plan,* shows the locations of the structures onsite, and Figure 5, *Proposed Convenience Store Elevation,* and Figure 6, *Proposed Fuel Canopy Elevation,* show the proposed elevations of the structures onsite.

The project site is an open Leaking Underground Storage Tank (LUST) site with remediation ongoing. Consequently, the Water Board has prohibited the use of stormwater best management practices (BMPs) that allow stormwater to infiltrate into the ground on the project site. Therefore, there will be no volume capture on the project site and the project would also include an off-site bioretention planter to provide stormwater treatment, volume capture, and trash capture for an area of Esposti Park that currently does not have any of these benefits. *Figure 7, Off-site Biorentention Planter* shows the location of the bioretention planter.

1.4 EXISTING ZONING AND GENERAL PLAN

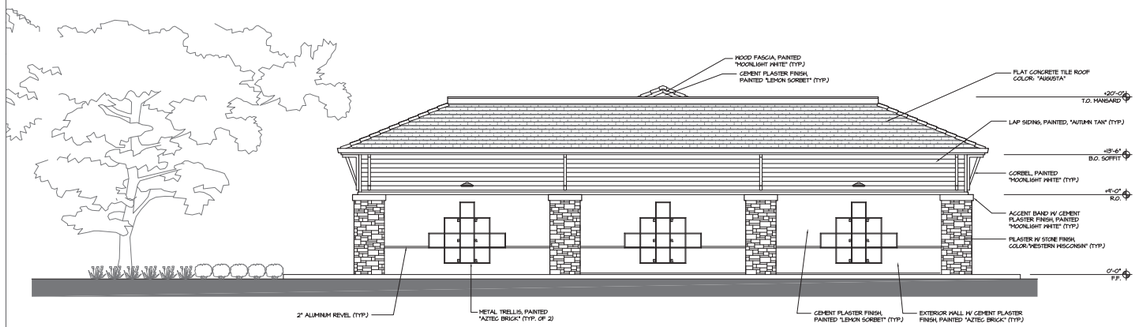
The General Plan land use designation for the site is Retail Commercial (RC) and the site is zoned Community Commercial (CC). The proposed project would not change the existing land use or zoning designations.



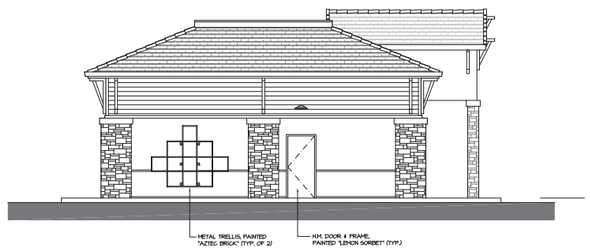
Source: MI Architects, 2021

0 40
Scale (Feet)

Figure 4
Site Plan



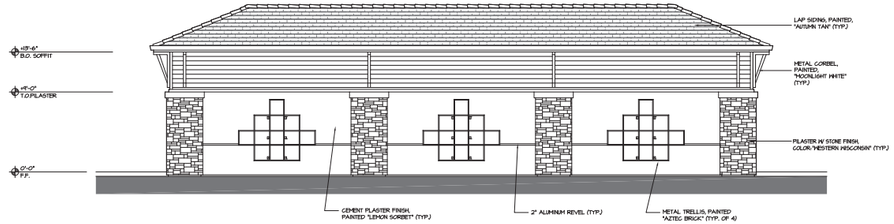
A West Elevation



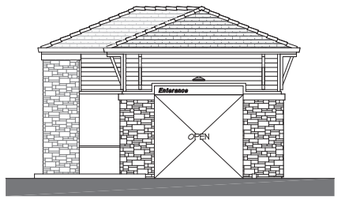
B South Elevation

COLOR & MATERIAL NOTES

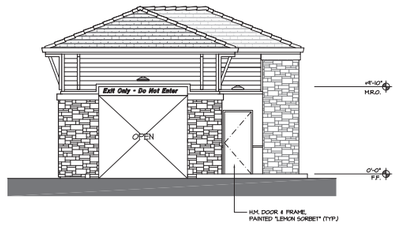
- "LEMON SORBET": BENJAMIN MOORE #2019-60
- "MOONLIGHT WHITE": BENJAMIN MOORE #2143-60
- "AZTEC BRICK": BENJAMIN MOORE # 2175-10
- "AUTUMN TAN" SIDING: JAMES HARDIE, ARTISAN LAP HORIZONTAL SIDING, INSTALLATION SHALL BE AS REQUIRED BY THE SIDING MANUFACTURER
- STONE FINISH: ELDORADO STONE, WESTERN PROFILES, WEATHER EDGE, COLOR: "WISCONSIN"
- CONCRETE ROOF TILE: EAGLE ROOFING PRODUCTS, BEL AIR PROFILE, #5CB8826, COLOR: "AUGUSTA BLEND" (TYP.)



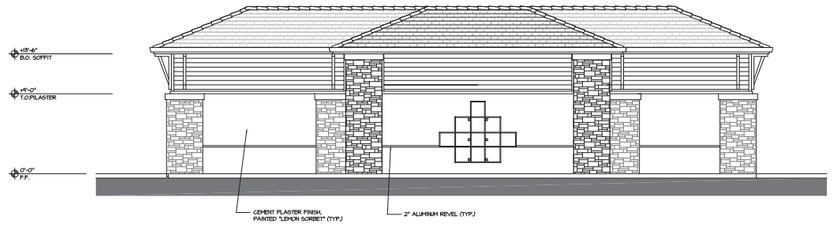
A East Elevation



B South Elevation



C North Elevation



D West Elevation

Source: MI Architects, 2021

0 18
Scale (Feet)

Figure 5
Proposed Convenience Store Elevation

1. Introduction

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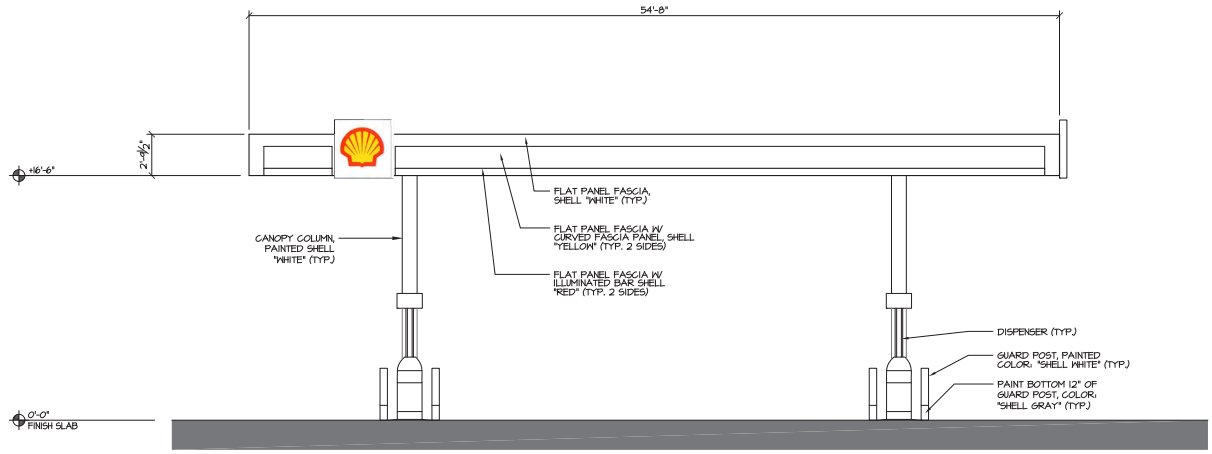
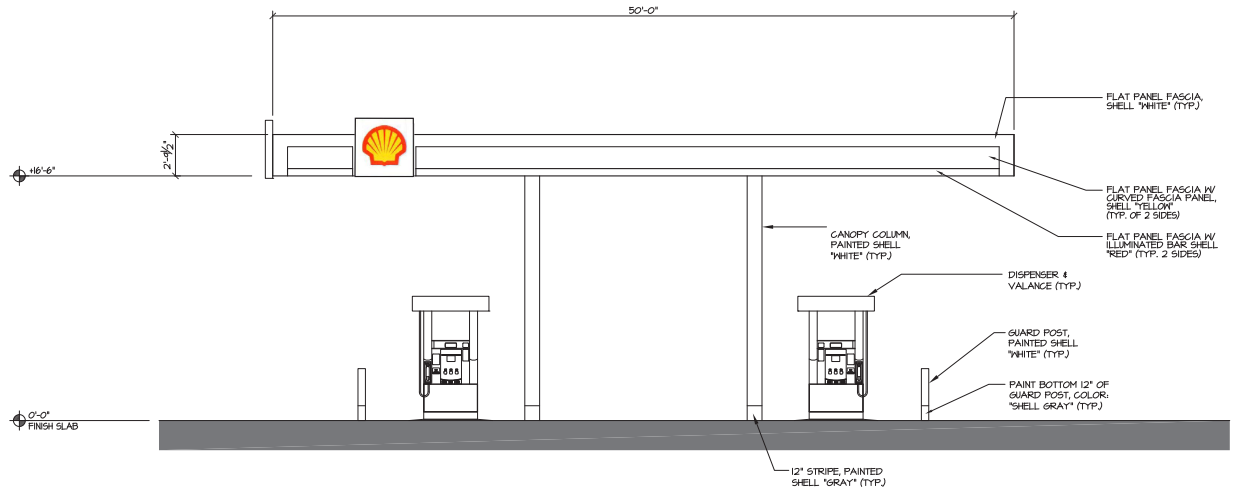


A West Elevation



B South Elevation

Source: MI Architects, 2021

0 13
Scale (Feet)

Figure 6
Proposed Fuel Canopy Elevation

1. Introduction

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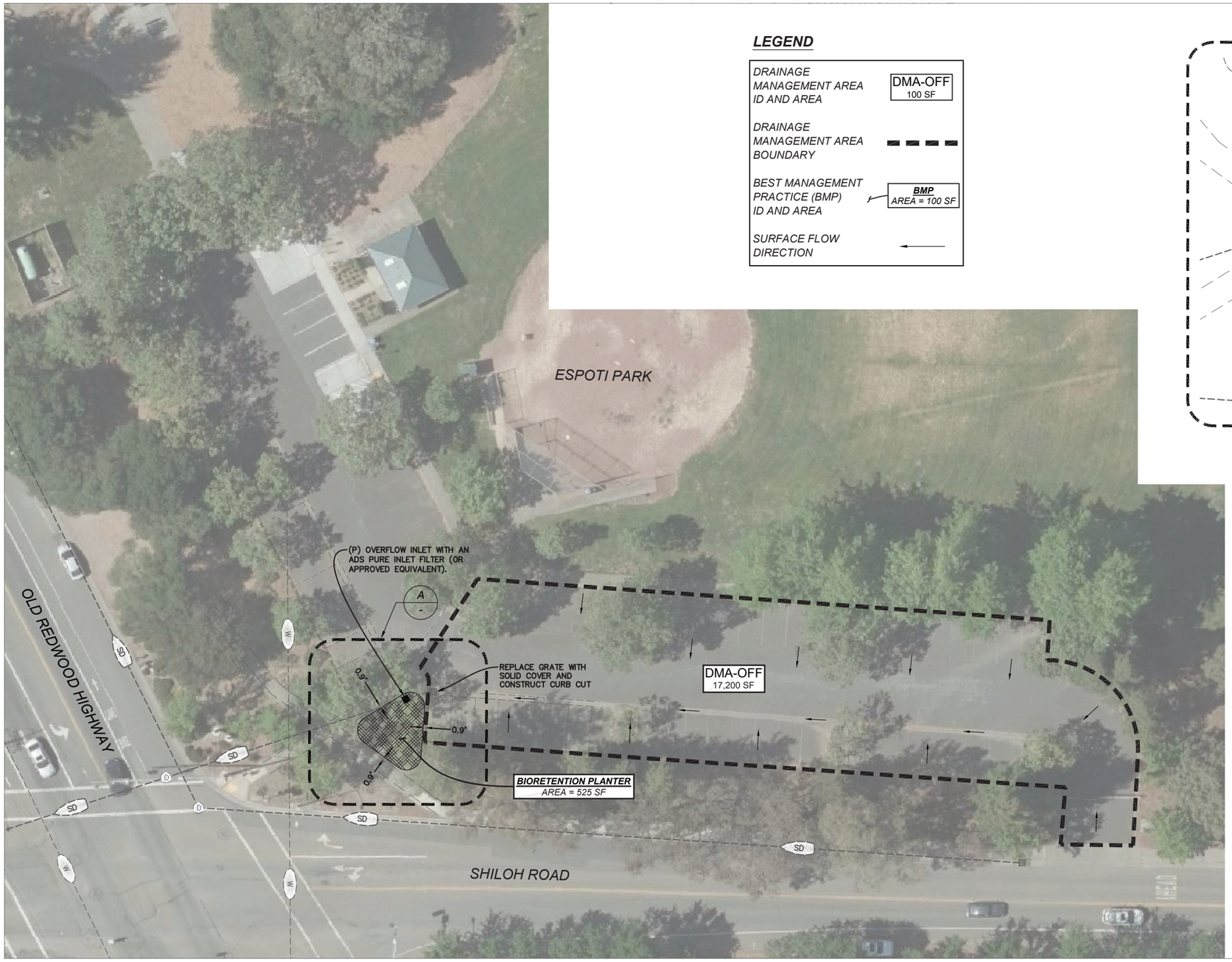
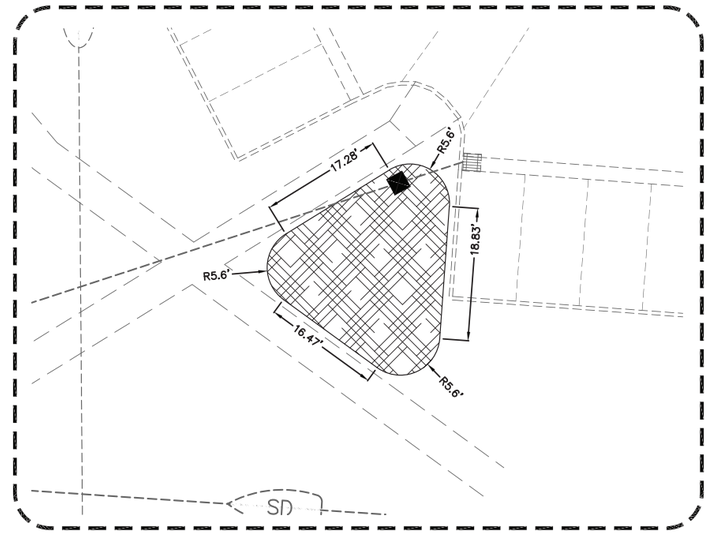
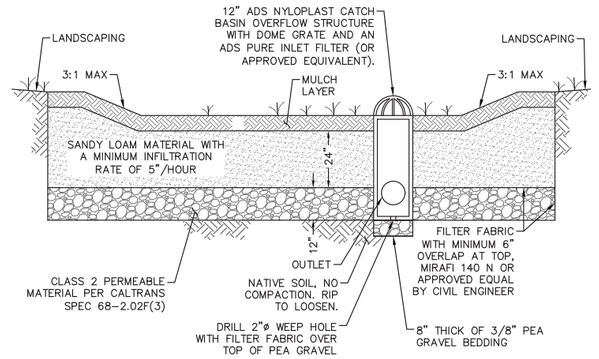


LEGEND

DRAINAGE MANAGEMENT AREA ID AND AREA	DMA-OFF 100 SF
DRAINAGE MANAGEMENT AREA BOUNDARY	
BEST MANAGEMENT PRACTICE (BMP) ID AND AREA	BMP AREA = 100 SF
SURFACE FLOW DIRECTION	



A
-
BIO-RETENTION DIMENSIONS
SCALE: 1"=10'



NOTE:
1. SEE LANDSCAPE PLANS FOR VEGETATION.
2. PLANTING SURFACE SHALL BE LEVEL ACROSS PLANTER.
3. SEE PLAN FOR LOCATIONS OF OVERFLOW DRAIN.

-
-
BIO-RETENTION PROFILE
NOT TO SCALE

Source: CWE RFE, 2022

0 40
Scale (Feet)

Figure 7
Off-site Bioretention Planter

1. Introduction

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1.5 TOWN ACTION REQUESTED

The Initial Study examines the environmental impacts of the proposed project. This Initial Study is also being prepared to address various actions by the Town to adopt and implement the proposed project. It is the intent of this Initial Study to enable the Town, other responsible agencies, and interested parties to evaluate the environmental impacts of the proposed project and make informed decisions with respect to the requested entitlements. The discretionary actions required by the Town of Windsor are listed below:

- Adoption of a Mitigated Negative Declaration
- Approval of Building Plan Check
- Approval of Building and Grading Permits
- Approval of Site Plan and Design Review
- Approval of Stormwater Pollution Prevention Plan

1. Introduction

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2. Environmental Checklist

2.1 PROJECT INFORMATION

1. **Project Title:** Windsor Shell Station Project

2. **Lead Agency**:
   Town of Windsor
   9291 Old Redwood Highway
   Windsor, California 95492

3. **Contact Person and Phone Number:**
   Kimberly Voge, Planner
   707.838.1006

4. **Project Location:** The 0.71-acre project site is located at 9033 Old Redwood Highway (Assessor's Parcel Number [APN] 066-100-62) in the Town of Windsor, in Sonoma County. The project site is 280 feet west of Highway 101 and is bordered by commercial retail uses to the north, west, and south; and a vacant lot to the east.

5. **Project Sponsor's Name and Address:**
   AU Energy, LLC
   41805 Albrae Street, 2nd Floor
   Fremont, CA 94538

6. **General Plan Designation:** Retail Commercial (RC)

7. **Zoning:** Community Commercial (CC)

Description of Project: The Windsor Shell Station Project would update the existing facilities at the project site by demolishing the uses onsite; acquire approximately 4,194 square feet of right-of-way (ROW) from the Town (approximately 12.5 feet wide along the northern portion of the site); and result in the construction of a 2,432-square-foot, 20-foot-tall convenience store, 1,132-square-foot car wash with a self-service drive-through carwash tunnel with an attached 248-square-foot equipment room, and four fuel pumps (two fewer than existing conditions) with a 2,733-square-foot, 16.6-foot-tall canopy. Additionally, the existing fuel system's underground tanks would also be replaced. Site improvements include parking stalls, accessible path of travel to the right-of-way, masonry trash enclosure, site lighting, landscaping, and self-service vacuum and air/water equipment. Other site improvements include moving the existing driveway on the south side approximately 40 feet to the east, a new driveway on the west side, and extending the curb return at the southwest corner to reduce pedestrian conflicts. According to the State Water Resources Control Board (Water Board) GeoTracker website, the project site is an open

2. Environmental Checklist

Leaking Underground Storage Tank (LUST) site with remediation ongoing. Consequently, the Water Board has prohibited the use of stormwater best management practices (BMPs) that allow stormwater to infiltrate into the ground on the project site. Therefore, there will be no volume capture on the project site and the project would also include an off-site bioretention planter to provide stormwater treatment, volume capture, and trash capture for an area of Esposti Park that currently does not have any of these benefits.

8. **Surrounding Land Uses and Setting:**
   The project site is 280 feet west of Highway 101 and is bordered by commercial retail uses to the north, west, and south; and a vacant lot to the east.

9. **Other Public Agencies Whose Approval Is Required (e.g., permits, financing approval, or participating agreement):**
   North Coast Regional Water Quality Control Board

10. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

    Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.94 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

    The Town of Windsor notified Lytton Rancheria and Graton Rancheria on August 17, 2021 about the proposed project. Lytton Rancheria responded on September 13, 2021, stating that the Tribe does not request further consultation. Graton Rancheria did not respond within the 30-day consultation period.

2.2 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," as indicated by the checklist on the following pages.

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

2.3 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kim Voge — July 12, 2022

Signature — *Date*

Signature — *Date*

2.4 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "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.

4. "Negative Declaration: 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." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) **Earlier Analyses Used.** Identify and state where they are available for review.

   b) I**mpacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) **Mitigation Measures.** For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

2. Environmental Checklist

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3. Environmental Analysis

Section 2.4 provided a checklist of environmental impacts. This section provides an evaluation of the impact categories and questions contained in the checklist and identifies mitigation measures, if applicable.

3.1 AESTHETICS

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

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In nonurbanized 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?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

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

No Impact. The project site is surrounded by commercial retail, vacant land, and Highway 101, and is in an urban area that is generally flat. Views in the area consist of single- and multi-story structures, and vegetation. The proposed structures would be similar in height to the surrounding structures, as well as the existing structures onsite. The tallest structure onsite, the proposed convenience store, would be approximately 20 feet tall. Therefore, the proposed project would not have an adverse effect on a scenic vista. Therefore, no impact would occur.

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

No Impact. The nearest officially designated state scenic highway is State Route 116 (SR 116) approximately 6.7 miles southwest of the project site (Caltrans 2021). Due to the distance, no impact would occur to trees, rock outcroppings, and historic buildings within a state scenic highway.

3. Environmental Analysis

c) In nonurbanized 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?

No Impact. The project site is in an urbanized area that is surrounded by commercial retail uses. Project implementation would update the existing uses onsite, and therefore, the proposed project would not require a zoning amendment or General Plan Amendment. Because the proposed project would not change the existing uses onsite, the proposed project would not substantially degrade the existing visual character or quality of views of the site and its surroundings. Therefore, no impact would occur.

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

Less Than Significant Impact. The two major causes of light pollution are glare and spill light. Spill light is caused by misdirected light that illuminates areas outside the area intended to be lit. Glare occurs when a bright object is against a dark background, such as oncoming vehicle headlights or an unshielded light bulb.

The project site is in an urban setting that is developed with roadways, landscaping, and commercial retail uses. Surrounding land uses also generate light from streetlights, vehicle lights, and lights from commercial uses. Lighting levels would increase due to the increase in square footage, additional structure (car wash tunnel), and signage onsite. However, the proposed project would be required to adhere to the Town's Zoning Ordinance, and the Town would review the proposed lighting plan to ensure compliance with the Zoning Ordinance. Therefore, impacts would be less than significant.

3.2 AGRICULTURE AND FORESTRY 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:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY 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?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?				X

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?

No Impact. The project site is developed with an existing gas station and is designated as Urban and Built-Up (CDC 2016). Therefore, no impacts would occur.

3. Environmental Analysis

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is in an urbanized area and is zoned Community Commercial (CC). The proposed project would not conflict with agricultural zoning or a Williamson Act contract because it is not zoned for agricultural use. Williamson Act contracts restrict the use of privately owned land to agriculture and compatible open-space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value. Since the project site is zoned Community Commercial (CC), there is no Williamson Act contract in effect onsite. Therefore, no impact would occur.

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

No Impact. Project development would not conflict with existing zoning for forest land, timberland, or timberland production. Forest land is defined as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits" (California PRC § 12223 [g]). Timberland is defined as "land…which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees" (California PRC § 4526). The project site is zoned Community Commercial (CC). Therefore, no impact would occur.

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

No Impact. Vegetation onsite is ornamental. Project construction would not result in the loss or conversion of forest land. Therefore, no impact would occur.

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?

No Impact. The project site is designated as Urban and Build-Up (CDC 2016). There is no important farmland or forestland on the project site or in the surrounding vicinity. Project development would not indirectly cause conversion of such land to non-agricultural or non-forest use. Therefore, no impact would occur.

3.3 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:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. 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?			X	
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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

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

Less than Significant Impact. The BAAQMD adopted the 2017 Bay Area Clean Air Plan (CAP) on April 19, 2017, to comply with state air quality planning requirements set forth in the California Health & Safety Code. The 2017 CAP includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to residents in the Basin, such as particulate matter (PM_{10} and $PM_{2.5}$), nitrous oxides (NO_x), reactive organic carbons (ROG), ozone, and toxic air contaminants (TACs); to reduce emissions of methane (CH_4) and other "super-greenhouse gases (GHGs)" that are potent climate pollutants in the near term; and to decrease emissions of carbon dioxide (CO_2) by reducing fossil fuel combustion.

The proposed control strategy for the CAP consists of 85 distinct measures targeting a variety of local, regional, and global pollutants. The control measures have been developed for stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants. The project would comply with the following CAP control measures, as shown in Table 3.3-1.

3. Environmental Analysis

Table 3.3-1
Project CAP Consistency

Control Measure	Description	Project Consistency
SS24: Sulfur Content Limits of Liquid Fuels	Revise Rule 9-1 to include fuel-specific sulfur content limits for diesel and other liquid fuels	The project would sell liquid fuels (e.g., diesel, gasoline) which would comply with BAAQMD Rule 9-1.
SS35: PM from Bulk Material Storage, Handling and Transport, Including Coke and Coal	Develop Air District rule limits to prevent and control wind-blown fugitive dust from bulk material handling operations. Establish enforceable visible emission limits to support preventive measures such as water sprays, enclosures and wind barriers.	The project would apply the BAAQMD Basic Construction Mitigation Measures which would include: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
TR22: Construction, Freight and Farming Equipment	Provide incentives for the early deployment of electric, Tier 3 and 4 off-road engines used in construction, freight and farming equipment. Support field demonstrations of advanced technology for off-road engines and hybrid drive trains.	Off-road construction equipment used during project construction would be Tier 3.
Source: BAAQMD 2017b.		

It should be noted that a quantitative carbon monoxide (CO) impact analysis is not required by BAAQMD (comparing project emissions to the California Ambient Air Quality Standards), if all of the following criteria are met:

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

Therefore, as the project would comply with the CAP criteria for consistency, the project would have a less than significant impact and would not conflict with the regional air quality plan.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact. The project would involve construction activities associated with demolition, site preparation, grading, paving, construction, and architectural coating applications. A similar project (Chevron project) located at 9200 Old Redwood Highway immediately north of the proposed project site, included demolition of 5,321 square feet of existing buildings, including construction of a 6,270 square foot convenience store and restaurant building, a 2,314 square foot car wash, and eight covered fuel pumps. Air quality modeling for that project determined that demolition and construction activities for that project would not exceed BAAQMD thresholds. Given that the proposed project would result in demolition of fewer square feet of buildings and fewer square feet of new construction, the proposed project's construction emissions would also be below BAAQMD thresholds. In addition, it is assumed that the proposed project would comply with the BAAQMD CEQA guidelines Basic Construction Mitigation Measures, including:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

For operational emissions, the proposed project would include similar uses to those that currently exist on the project site, including a convenience store, car wash, and fuel pumps. However, the number of pumps proposed would be a reduction compared to existing conditions, where there are currently six pumps and the proposed project would only include four pumps. Consequently, the proposed project would likely result in a reduction in vehicle trips compared to existing conditions, with a proportionate reduction in vehicle emissions. Because construction emissions would not exceed thresholds and operational emissions would likely be reduced compared to existing conditions, the proposed project would result in a less than significant project-specific impact.

3. Environmental Analysis

As discussed in the project description, the project site contains a leaking underground storage tank that is under a cleanup order from the Sonoma County DEH. A Corrective Action Plan must be implemented and it will include removal of the leaking tank and excavation of contaminated soils, which will be disposed offsite at a properly permitted landfill. As discussed, these actions would occur concurrently with project demolition/construction activities; however, the Town has no discretion with regard to the Corrective Action Plan. While implementation of the Corrective Action Plan would result in emission of criteria pollutants that would combine with those during project demolition and construction activities, because the BAAQMD thresholds indicate whether an individual project's emissions have the potential to affect cumulative regional air quality, it can be expected that the project-related construction emissions would not be cumulatively considerable.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The closest sensitive receptors are the existing mixed-use residential uses located south of the project site. As discussed above, the proposed project would not exceed BAAQMD threshold for criteria pollutants. Because the project would be below thresholds, which are intended to ensure negative health effects would not occur, the proposed project would not expose sensitive receptors to substantial pollutant concentrations.

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

Less Than Significant Impact. According to the BAAQMD, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The project does not include any uses identified by the BAAQMD as being a substantial generator of odors.

Construction activity associated with the project may generate detectable odors from heavy-duty equipment exhaust and asphalt off-gassing. These construction-related odors would be short term in nature and cease upon project completion. Any impacts to existing adjacent land uses would be short term, as previously noted, and are considered less than significant given the project size. Therefore, impacts related to odor would be less than significant.

3.4 BIOLOGICAL RESOURCES

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
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?				X
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?			X	
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?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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?				

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?

Less Than Significant Impact. The project site is fully developed with an existing gas station and the off-site basin would be constructed in an existing landscaped area adjacent to the parking lot for Esposti Park. Vegetation on both sites is ornamental. There is no native habitat and no habitat suitable for sensitive species onsite, as the site and surrounding areas are frequently disturbed. Any use of the site by sensitive species would be incidental foraging, which does not constitute habitat use. Impacts would be less than significant.

3. Environmental Analysis

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?

No Impact. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies; are known to provide habitat for sensitive animal or plant species; or are known to be important wildlife corridors. Riparian habitats occur along the banks of rivers and streams. No sensitive natural community or riparian habitat is present onsite, and no impact would occur (FWS 2021).

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?

Less Than Significant Impact. Wetlands are defined under the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include playas, ponds, and wet meadows; lakes and reservoirs; rivers, streams, and canals; estuaries; and beaches and rocky shores. There are no wetlands observed onsite but there is a wetland approximately 110 feet east of the site (FWS 2021). The proposed project would not result in impacts to this wetland, and therefore, impacts would be less than significant.

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?

Less Than Significant Impact. The ornamental trees onsite could be used for nesting by birds protected under the Migratory Bird Treaty Act (MBTA) (US Code Title 16, Sections 703-712), and California Fish and Game Code Sections 3503 et seq. Compliance with the MBTA requires:

- Avoiding grading activities during nesting season, February 15 to August 15, or,
- If grading activities are to be undertaken during the nesting season, a site survey for nesting birds by a qualified biologist before commencement of grading activities. If nesting birds are found, the applicant would consult with the USFWS regarding means to avoid or minimize impacts to nesting birds.

Further, all development projects in Windsor are subject to General Plan EIR Mitigation Measure BIO-1:

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

The buildings provide suitable roosting habitat for a variety of bat species, such as the pallid bat (*Antrozous pallidus*) and Yuma myotis (*Myotis yumanensis*) and bat roosts could be present in buildings proposed for demolition. Implementation of General Plan EIR Mitigation Measure BIO-1 and mitigation measure MM 4.1, below, would ensure that no nests or bat roosts are present in nearby trees or buildings when tree removal or building demolition occurs. As such, less than significant impacts would result.

MM 4.1 Prior to demolition of structures or removal of trees on the project sites, a qualified wildlife biologist shall conduct preconstruction surveys. If bats are identified as present on the site, bats shall be absent or humanely evicted and excluded from roost locations prior to demolition of buildings to avoid direct impacts. During the eviction process, potential roosts will be inspected and then sealed with exclusion devices to exclude bats. If bat eviction from buildings is necessary, it shall be done by a qualified biologist during the non-breeding season from October 1 to March 31. When flushing bats, structures shall be moved carefully to avoid harming individuals, and torpid bats given time to completely arouse and fly away.

Timing/Implementation: *Prior to demolition of structures*

Enforcement/Monitoring: *Town of Windsor Planning Division*

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

Less Than Significant Impact. The proposed project would be required to comply with Chapter 27.36, Tree Preservation and Protection, of the Windsor Municipal Code, which requires mitigation in the form of in-kind replacement, in-lieu replacement, and/or a combination of both. As the proposed project would require the removal of one street tree due to expansion into the right-of-way, the proposed project would be required to comply with the requirements of Chapter 27.36 of the Windsor Municipal Code and General Plan EIR Mitigation Measure BIO-1. Therefore, impacts would be less than significant.

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?

No Impact. The project site is in not within a Natural Community Conservation Plan or Habitat Conservation Plan area (CDFW 2021). The project site does not contain sensitive biological resources, and there are no local policies protecting biological resources applicable to the site. No impact would occur, and no mitigation is needed.

3.5 CULTURAL RESOURCES

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

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

No Impact. Less Than Significant Impact. Less Than Significant Impact With Mitigation Incorporated. Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally a resource is considered "historically significant" if it meets one of the following criteria:

i) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

ii) Is associated with the lives of persons important in our past;

iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values;

iv) Has yielded, or may be likely to yield, information important in prehistory or history.

Based historic aerials of the site, the existing structures onsite were constructed at some point between 1993 and 2005 (Historic Aerials 2021). Therefore, the existing structures onsite are not considered historic resources; no impact would occur.

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

Less Than Significant Impact With Mitigation Incorporated. The project site has been heavily disturbed through its development and use as a gas station, and does not contain any known archaeological resources. Similarly, the site for the bioretention planter has also been previously disturbed. However, as there is the potential to discover previously unknown archaeological resources during earth-moving construction activities, Mitigation Measure CUL-1 would be needed to reduce impacts to less than significant.

Mitigation Measure

CUL-1 Prior to issuance of grading permits, a qualified archaeological monitor shall be identified to be on call during ground-disturbing activities. If archaeological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified archaeologist shall be consulted to determine whether the resource requires further study. The archaeologist shall make recommendations to the Town of Windsor to protect the discovered resources. Archaeological resources recovered shall be provided to any local museum or repository willing and able to accept and house the resource to preserve for future scientific study.

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

Less Than Significant Impact. The project site is currently developed with an existing gas station and would require ground disturbing activities to implement the proposed project. California Health and Safety Code Section 7050.5 requires that if human remains are discovered on a project site, disturbance of the site shall halt until the coroner has investigated the circumstances, manner, and cause of death, and has made recommendations concerning their treatment and disposition to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and has reason to believe they are Native American, he or she shall contact the NAHC by telephone within 24 hours. Impacts to human remains would be less than significant.

3. Environmental Analysis

3.6 ENERGY

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. 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?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

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

Less Than Significant Impact.

Construction

During construction, the proposed project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction of the proposed project would require the use of construction equipment for grading, hauling, and building activities. Electricity use during construction would vary during different phases of construction––construction equipment during grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered equipment, such as interior construction and architectural coatings.

The project site is already served by electricity and gas provided by Pacific Gas and Electric (PG&E). Upon project completion, PG&E would continue to provide electricity and gas to the site. As energy use of the proposed project is expected to be similar to existing conditions, there would be adequate infrastructure capacity in the vicinity of the site that would be available to accommodate the electricity and natural gas demand for construction activities and would not require additional or expanded infrastructure.

The construction contractors would minimize idling of construction equipment during construction as required by state law (see Section 3.3, Air Quality). These required practices would limit wasteful and unnecessary energy consumption. Furthermore, these are no unusual project characteristics that would necessitate the use of construction equipment that is less energy efficient than at comparable construction sites in other parts of the state. Therefore, the proposed short-term construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

Moreover, transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered equipment. Construction techniques, equipment, and materials are consistent with other construction in Town. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Impacts would be less than significant.

Operation

Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, security, and control center functions; use of on-site equipment and appliances; and indoor, outdoor, and parking lot lighting. Additionally, the proposed project would result in the same land use as existing conditions and would not result in an excessive consumption of energy compared to other similar uses. Additionally, the use of natural gas would be limited to building heating as parking lots do not generate demand for natural gas.

The proposed project would be required to comply with the most recent version of the California Building Energy Efficiency Standards (Title 24) and CALGreen Code, and therefore, the project will be more energy efficient than the existing facility. Project development would not interfere with achievement of the 60 percent Renewable Portfolio Standard set forth in SB 100 for 2030 or the 100 percent standard for 2045. These goals apply to PG&E and other electricity retailers. As electricity retailers reach these goals, emissions from end user electricity use will decrease from current emission estimates. As the proposed project would result in similar energy use compared to existing conditions, and would be required to comply with applicable regulations, impacts would be less than significant.

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

Less Than Significant Impact. The Town of Windsor is currently updating its 2012 Climate Change Adaptation Plan, and the County of Sonoma has a Regional Climate Action Plan that was adopted in 2016. The proposed project would be required to comply with these plans, as well as state regulations that regulate the use and consumption of energy, such as AB 32 which aims to reduce the impacts of GHG emissions, as well as, California Code of Regulations Title 24, Part 6 (Energy Efficiency Standards), and Part 11 (CALGreen). Also, Chapter 2, California Code of Regulations, of the Windsor Municipal Code, adopts Title 24, Part 6 and Part 11 as part of the Town's standards. As the proposed project is required to comply with these regulations, as applicable, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts would be less than significant.

3. Environmental Analysis

3.7 GEOLOGY AND SOILS

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. 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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
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?			X	
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?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

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.

Less Than Significant Impact. The project site is not located in a State of California designated "Alquist-Priolo" Earthquake Fault Zone; a known Alquist-Priolo Earthquake Fault Zone is approximately 1.5 miles northeast of the site (CGS 2015). The Healdsburg Fault is approximately 1.25 miles to the northeast of the site (CGS 2015). All new construction would be subject to the California Building Code (CBC) seismic design force standards and Title VII, Chapter 2 of the Town's Municipal Code. Compliance with these

standards is required and would ensure that the structures and associated improvements are designed and constructed to withstand expected seismic activity and associated potential hazards, thereby minimizing risk to the public and property. Compliance with seismic design criteria contained in the California Building Code (CBC) would minimize impacts. Therefore, impacts would be less than significant.

ii) Strong seismic ground shaking?

Less Than Significant Impact. The site structures would be subject to moderate to strong seismic shaking as the project site is in the seismically active area of northern California. Structures must be designed and constructed to resist the effects of seismic ground motions as outlined in the 2019 California Building Code Section 1613. Compliance with the 2019 CBC would reduce impacts to less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. According to the Town of Windsor General Plan, the project site is in an area with a low liquefaction susceptibility. Nonetheless, the proposed project would be required to comply with the 2019, CBC which would reduce impacts to less than significant.

iv) Landslides?

No Impact. The project site and surrounding areas are flat; therefore, the potential for landslides is minimal.

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

Less Than Significant Impact. The proposed project would include land clearing, excavating, and other soil-disturbing activities which would expose site soils to wind and water erosion. All construction activities would be subject to the Town of Windsor Municipal Code (Title IX, Chapter 4), which contains restrictions and best management practices (BMP) to reduce and/or prevent soil erosion. Furthermore, for construction sites that disturb more than 1 acre, a developer must prepare a stormwater pollution prevention plan (SWPPP) in accordance with the requirements of the Construction General Permit. The SWPPP must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Compliance with these existing regulatory requirements would minimize the potential for soil erosion during project construction and operation. The project would have a less than significant impact.

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?

Less Than Significant Impact. See Impacts 3.7a(iii) and a(iv). Compliance with existing regulations would minimize risk related to potentially unstable soils and/or geologic units at the site. This impact would be less than significant.

3. Environmental Analysis

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?

Less Than Significant Impact. Compliance with existing regulations would minimize risk associated with potentially expansive soils at the project site. The impact would be less significant.

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?

No Impact. The project site is currently served by a public sewer system and does not propose the use of any septic systems or other alternative wastewater disposal systems. No impact would occur.

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

Less Than Significant Impact. Paleontological resources are fossilized remains of past life on earth such as bones, shells, leaves, tracks, burrows, and impressions. The 2040 General Plan EIR indicates that the project site is within a low Paleontological Sensitivity zone (EIR Figure 10, page 133), consisting of undivided alluvium and terrestrial sediments from the Holocene period. Given the low paleontological sensitivity and the site's existing development in an urban setting, impacts related to paleontological resources would be less than significant.

3.8 GREENHOUSE GAS EMISSIONS

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. As discussed previously, a similar type of project located at 9200 Old Redwood Highway, immediately north of the proposed project site, was approved by the Town in 2019. That project included a convenience store and carwash, like the proposed project, but it also included a restaurant and four more fuel pumps than the proposed project. Nonetheless, modeling prepared for that project determined that total project-related greenhouse gas emissions would be 470.08 metric tons of CO2 equivalent per year ($MTCO_2eq/yr$), which is substantially below BAAQMD's threshold of 1,100 $MTCO_2eq/yr$. Because the proposed project would include fewer fuel pumps and no restaurant, the proposed project's greenhouse gas emissions would be less than the Chevron project and would, therefore, also be well below the BAAQMD thresholds for greenhouse gases. Consequently, the proposed project's contribution to greenhouse gas emissions would not be considerable and would not directly or indirectly have a significant impact on the environment.

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

Less Than Significant Impact. The Town of Windsor's *2040 General Plan* (2018) contains GHG reduction targets consistent with Senate Bill (SB) 32 and the CARB Scoping Plan. As shown in Table 3.8-1, *Project Consistency with General Plan*, the project would comply with the applicable goals and policies listed in the General Plan. In addition, as discussed above, the project would not exceed the BAAQMD GHG screening threshold of 1,100 $MTCO_2eq/yr$. Therefore, the project would not conflict with or impede implementation of reduction goals identified in the General Plan, the Scoping Plan, or other federal, state, and regional strategies to help reduce GHG emissions. As such, impacts would be less than significant in this regard.

3. Environmental Analysis

Table 4.7-3
Project Consistency with General Plan

General Plan Goal	Policies	Project Consistency
Goal ER-5: Improve the sustainability and resilience of Windsor through compliance with local, State, and Federal policies and standards that aim to reduce greenhouse gas emissions in the community.	**ER-5.5:** The Town shall continue to assess and monitor performance of greenhouse gas emissions (GHG) reduction efforts beyond the AB 32 designated 2020 goal, including progress towards meeting long-term GHG emissions reduction goals for 2030 (consistent with SB 32) and 2050, as well as the effects of climate change and associated levels of risk, in order to plan a community that is resilient and can adapt to changing climate conditions and its negative impacts.	The BAAQMD GHG threshold of 1,100 $MTCO_2eq$/year was adopted to correlate emission impacts in relation to meeting the AB 32 GHG reduction goals, as required by Public Resources Code Section 21082.2. As the project would not exceed the BAAQMD threshold of 1,100 $MTCO_2eq$/year and would not have a significant impact in this regard, the project would not impede the goals of AB 32 and would be consistent with ER-5.5.
	ER-5.8: The Town shall promote energy conservation/energy efficiency improvement programs for residential and commercial properties such as those offered by Sonoma County Energy Independence Program (SCEIP) and Property Assessed Clean Energy (PACE), that reduce energy demand which contribute to background levels of regional air emissions and GHG emissions.	The project would comply with the latest California Building Energy Efficiency Standards (Title 24) requirements, which would promote energy conservation and energy efficiency improvements that are greater than what is currently on-site. Therefore, the project would help reduce both energy demand and regional air and GHG emissions and would be consistent with ER-5.8.
	ER-5.12: The Town shall actively encourage the retrofitting of existing buildings throughout Windsor in order to align those buildings more closely with the Town's energy performance standards.	The project would comply with California Green Building Standards Code (CALGreen) and would use water-conserving plumbing fixtures/ fittings and outdoor potable water use in landscape areas, and would recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste. Thus, the project would be consistent with ER-5.12.

Source: Windsor 2018.

3.9 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. 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?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
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?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

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

Less Than Significant Impact. The proposed project would involve construction activities that could result in the transport, use, and disposal of hazardous materials such as gasoline fuels, asphalt, lubricants, toxic solvents, pesticides, and herbicides. The transport, use, storage, and disposal of these materials would comply with existing regulations established by several agencies including the Department of Toxic Substances Control, the US Environmental Protection Agency (EPA), the US Department of Transportation, and the Occupational Safety and Health Administration. The proposed project would continue to operate as a gas station, and, in addition to gasoline, may require the use of cleaners, solvents, paints, and other custodial products that are potentially hazardous. These materials would be used and stored in compliance with State and federal requirements. With exercise of normal safety practices, the project would not create substantial hazards to the

public or environment. The proposed project is required to comply with all applicable local, state, and federal regulations during project construction and operation, which would reduce impacts to less than significant.

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?

Less Than Significant Impact. Construction projects are required to maintain supplies onsite for containing and cleaning small spills of hazardous materials, and have a defined process for addressing spills. Construction would also use equipment that would bring hazardous materials to the project site, including diesel, gasoline, paints, solvents, cement, and asphalt. While the risk of exposure to hazardous materials cannot be eliminated, adherence to existing regulations would ensure compliance with safety standards related to the use and storage of hazardous materials and with the safety procedures mandated by applicable federal, state, and local laws and regulations. Compliance with these regulations would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with the proposed project and the potential for accident or upset is less than significant.

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

Less Than Significant Impact. The Bridges Community Based School North County Consortium is 0.25-mile northwest of the site; however, this is s district office. As such, there are no students at this site. Operation of the proposed project would be the same as existing conditions and would not generate an excess of hazardous emissions or require the handling of acutely hazardous materials, substances, or waste, compared to existing conditions. Project operations would be similar to existing conditions and would involve the use of potentially hazardous materials. However, when used correctly, these would not result in a significant hazard to residents or workers in the project vicinity. Therefore, the proposed project would result in a less than significant 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?

Less Than Significant Impact. According to EnviroStor and GeoTracker, the project site is listed as a Leaking Underground Storage Tank (LUST) Cleanup Site (DTSC 2021; SWRCB 2021). The LUST Cleanup Site status is "Open – Remediation as of 12/12/2019." The potential contaminants of concern are diesel, gasoline, and waste oil/motor/hydraulic/lubricant, and the potential media of concern is an aquifer used for drinking water supply (SWRCB 2021). As discussed above, the leaking underground storage tank is under a cleanup order from the Sonoma County DEH. A Corrective Action Plan must be implemented, and it will include removal of the leaking tank and excavation of contaminated soils, which will be disposed offsite at a properly permitted landfill. As discussed, these actions would occur concurrently with project demolition/construction activities; however, the Town has no discretion with regard to the Corrective Action Plan. The Corrective Action Plan would be reviewed and approved by the Sonoma County DEH and the progress would be monitored by the county to ensure activities comply with the Corrective Action Plan, which prevent the potential for creating a significant hazard to the public or the environment.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles or 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?

No Impact. The project site is not within 2 miles of an airport and would not result in safety hazards related to aircraft operation. No impact would occur.

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

Less Than Significant Impact. Construction would take place within the project site and include acquisition of approximately 4,194 square feet of ROW from the Town. No roadway closures are anticipated. If roadway closure(s) or reduction in access/capacity is necessary during construction, the project applicant would work with the Town of Windsor Public Works Department to ensure traffic operations are not adversely affected. This impact would be less than significant.

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

No Impact. The project site is in an urbanized area and is not located in a Very High Fire Hazard Severity Zone (VHFHSZ) (CALFIRE 2008). Nonetheless, due to recent fires that have threatened the Town of Windsor, the Town Council has directed staff to require measures to improve fire resiliency, including conditions of approval that require compliance with Section 7A of the Fire Code (except for the provisions related to doors and windows). Therefore, no impacts would occur.

3.10 HYDROLOGY AND WATER QUALITY

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
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:			X	
i) result in a substantial erosion or siltation on- or off-site;			X	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

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

Less Than Significant Impact. The project site is within the jurisdiction of the North Coast Regional Water Quality Control Board (RWQCB). Drainage and surface water discharges during construction and operation of the proposed project would not violate any water discharge requirements. However, site preparation and other soil-disturbing activities during construction of the project could temporarily increase the amount of soil erosion and siltation entering the local stormwater drainage system.

The on-site stormwater runoff will be subject to a 100 percent treatment requirement only including full trash capture. The project would include an off-site area, located at Esposti Park at the northeast corner of Shiloh Road and Old Redwood Parkway, for construction of a volume reduction measure that will offset the increase in stormwater runoff volume on the project site as well as full trash capture. Based on the City requirements

and constraints, the project would include a stormwater treatment system that will treat all stormwater runoff from the site impervious surfaces, including full trash capture. The site will also provide full trash capture by installing catch basin inserts from the State Water Board approved list of trash capture devices in all the catch basins on-site.

The State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board (RWQCB) regulate and protect waters in California and the region by enforcing waste discharge permits, such as the National Pollutant Discharge Elimination System (NPDES) permits and Clean Water Act Section 404 quality permits. As required by SWRCB Construction General Permit Order No. 99-08-DWQ, the Town is required to reduce or eliminate pollutant discharges into stormwater and non-stormwater runoff construction sites. Compliance with the Construction General Permit requires each qualifying development project to file a Notice of Intent with the SWRCB. Permit conditions require development of a SWPPP, which must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Inspection of construction sites before and after storms is also required to identify stormwater discharge from the construction activity and to identify and implement erosion controls, where necessary. Compliance with the Construction General Permit is reinforced through the Town of Windsor Municipal Code, which requires the development of an erosion and sediment control plan that is equivalent to the required SWPPP.

In addition, refueling and parking of construction equipment and other vehicles on-site during construction could result in oil, grease, and other related pollutant leaks and spills that could enter runoff. However, the project applicant would be required to prepare and comply with a SWPPP that would include pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills), demonstrate compliance with all applicable local and regional erosion and sediment control standards, identify responsible parties, and include a detailed construction timeline. The SWPPP must also include BMPs to reduce construction effects on receiving water quality by implementing erosion control measures and reducing or eliminating non-stormwater discharges. Compliance with State and local regulations as well as the implementation of BMPs, impacts would be less than significant.

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

Less Than Significant Impact. The proposed project does not propose groundwater wells that would extract groundwater from an aquifer. The proposed project would result in the same uses that currently exist on the project site. As such, the proposed project would not have the potential to have a significant impact on local groundwater supplies. Therefore, impacts would be less than significant.

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 a substantial erosion or siltation on- or off-site?

Less Than Significant Impact. Surface water drainage would be controlled by building regulations, with the water directed toward existing streets, flood control channels, storm drains, and catch basins. The proposed drainage for the site would not channel runoff on exposed soils, would not direct flows over unvegetated soils, and would not otherwise increase the erosion or siltation potential of the site or any downstream areas. The proposed project would be required to implement BMPs to reduce erosion and sedimentation of downstream watercourses during project construction. As such, impacts would be less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less Than Significant Impact. The proposed project would be required to implement BMPs to ensure drainage flows do not exceed existing drainage flows. Similar to existing conditions, the proposed project would also include landscaping which would reduce runoff. Therefore, impacts would be less than significant.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. Because the site is currently fully developed, the proposed project would not substantially alter the existing drainage patterns on the site and therefore, would not exceed the capacity of existing or planned drainage systems serving the project site. Compliance with existing regulations related to water quality protection would reduce impacts to less than significant.

iv) Impede or redirect flood flows?

Less Than Significant Impact. According to the Federal Emergency Management Agency (FEMA), the project site is not within a flood zone (FEMA 2021). Additionally, the Town's General Plan and GIS database indicate that the project site is not within a floodway, but is adjacent to a regulatory floodway. As the proposed project would not construct housing within a flood zone, impacts would be less than significant.

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

Less Than Significant Impact. A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. The project site is not located near the ocean or any large bodies of water capable of producing tsunami or seiche waves.

As indicated in Impact 3.10c(iv), the project site is not in a flood hazard zone. According to the Local Hazard Mitigation Plan, the project site is outside, but adjacent to, the Lagunita 1427 Dam inundation area and Warm Springs Dam inundation area (Windsor 2017). The Warm Springs Dam, which poses the primary dam failure hazard in Windsor, was evaluated in 2006 and rated IV which is considered low urgency; risk of failure is considered low (Windsor 2017). The project site is not in an area that is subject to seiches, mudflows, or tsunamis due to the absence of any nearby bodies of water and mud/debris channels. Therefore, impacts are considered less than significant.

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

Less Than Significant Impact. The proposed improvements would not conflict with a water quality control plan or groundwater management plan. As previously discussed, the proposed project would be required to comply with local, state, and federal regulations pertaining to water quality, and would implement BMPs to reduce impacts. Further, General Plan Policy PFS-4.3, Low Impact Development, the Town has Low Impact Development (LID) requirements for new development and reconstruction projects to reduce pollutants in storm water. The Town implements LID in conjunction with the policies specified by the State Water Resources Control Board (SWRCB) and National Pollutant Discharge Elimination System (NPDES) Permit regarding storm water runoff, treatment and collection. Therefore, impacts would be less than significant.

3.11 LAND USE AND PLANNING

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				X
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?				X

a) Physically divide an established community?

No Impact. The proposed project is surrounded by commercial retail uses to the north and west, commercial and residential to the south, and a vacant lot to the east. The proposed project would develop the site with the same uses that currently exist onsite and would not divide an established community. Therefore, no impact would occur.

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?

No Impact. The proposed project would result in the same uses that currently exist onsite, and therefore, would not conflict with any land use plan, policy, or regulation, including the Town's zoning and General Plan land use designations. No impact would occur.

3.12 MINERAL RESOURCES

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?				X
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?				X

a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

No Impact. There are four mineral resource zones (MRZ):

- **MRZ-1.** Adequate information indicates that no significant mineral deposits are present or likely to be present.
- **MRZ-2.** Adequate information indicates that significant mineral deposits are present or there is a high likelihood for their presence, and development should be controlled.
- **MRZ-3.** The significance of mineral deposits cannot be determined from the available data.
- **MRZ-4.** There is insufficient data to assign any other MRZ designation.

The project site is in MRZ-1, where significant mineral deposits are unlikely or not present (CDC 2005). This mineral resource designation is intended to prevent incompatible land use development on areas determined to have significant mineral resource deposits. The project site is developed with a gas station and in an urbanized area. Therefore, no impact would occur.

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?

No Impact. As indicated in the Town of Windsor General Plan, the only designated mineral resource "sector" or regional significance close to Windsor is the middle reach area of the Russian River because of the continued extraction of construction grade aggregate and alluvial deposits. The proposed project is over 2 miles east of the Russian River and would not impact resources near this area. Therefore, no impact would occur.

3. Environmental Analysis

3.13 NOISE

Would the project result in:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. 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?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
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?				X

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?

Less Than Significant Impact. Traffic noise from Old Redwood Highway is the predominant noise source in the project area. The existing car wash onsite also contributes to the noise environment in the project area. Figure 16, Existing Noise Contours, of the General Plan EIR, shows that most of the project site is exposed to noise levels of up to 70 decibels (dBA) Ldn generated by traffic on Old Redwood Highway (Windsor 2018).

As indicated in Section 7-1-1018, Construction Hours, of Title VII, Building and Housing, of the Town of Windsor Municipal Code, construction, alteration, or repair activities that are authorized by a valid Town permit may be conducted between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday. No construction, alteration, or repair activities are permitted on Sunday unless authorized by the Building Official; however, in no event is construction activity permitted on Sunday before 9:00 a.m. or after 5:00 p.m.

The proposed project would update existing facilities onsite. The proposed project would decrease the number of fuel pumps and increase the retail square footage; however, the car wash would generate the most noise. The proposed carwash would be relocated from the western portion of the site to the northern portion of the site. Because the proposed car wash would be relocated approximately 100 feet from its existing location, there would not be a substantial change in the noise generated with the proposed project. Additionally, the increase in retail square footage (approximately 100 square feet) would not result in a noticeable increase in noise. Therefore, the noise generated onsite would be similar to existing conditions; impacts would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. Operationally, the proposed project would not result in in an increase in vibration. However, during construction activities, vibration could occur during demolition and construction. Vibration from construction activities rarely reaches the levels that can cause architectural damage but can annoy people in buildings close to the construction site. According to the Federal Transit Administration, the criterion for architectural damage is 0.12 in/sec peak particle velocity (PPV) for fragile or historical resources, 0.20 in/sec PPV for non-engineered timber and masonry buildings, and 0.30 in/sec PPV for engineered concrete and masonry. Small construction equipment generates vibration levels of less than 0.10 PPV in/sec at 25 feet away. The nearest sensitive receptor to the project site is the residences approximately 385 feet south of the site. Construction-generated vibration levels at the nearest receptors would be much less than the vibration level of 0.10 PPV in/sec at 25 feet. Impacts would be less than significant.

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?

No Impact. The project site is not within 2 miles of an airport and would not result in safety hazards related to aircraft operation. No impact would occur.

3. Environmental Analysis

3.14 POPULATION AND HOUSING

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. 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)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

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)?

Less Than Significant Impact. Construction of the proposed project would require contractors and laborers. Because of the size of the project, it is anticipated that the supply of general construction labor would be available from the local and regional pool. The proposed project would not result in a change in zone or General Plan land use designation, therefore, would not directly affect population. No residential uses are being proposed for the site. Therefore, impacts would be less than significant.

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

No Impact. The project site currently operates as a gas station. The proposed project would update the facilities onsite, and would not displace people or housing. Therefore, no impact would occur.

3.15 PUBLIC SERVICES

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project:				
a) 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:				
Fire protection?			X	
Police protection?			X	
Schools?				X
Parks?				X
Other public facilities?			X	

a) Fire protection?

Less Than Significant Impact. The project site currently operates as a gas station and would continue to operate as a gas station upon project completion. The proposed project is not anticipated to result in a significant change in demand for fire protection, and therefore the need for new or expanded facilities that would result in physical environmental effects would not occur. Therefore, impacts would be less than significant.

b) Police protection?

Less Than Significant Impact. The project site currently operates as a gas station and would continue to operate as a gas station upon project completion. The proposed project is not anticipated to result in a significant change in demand for police protection, and therefore the need for new or expanded facilities that would result in physical environmental effects would not occur. Therefore, impacts would be less than significant.

c) Schools?

No Impact. Typically, residential uses generate a need for school facilities. As the proposed project would continue to operate as a gas station upon project completion, the proposed project is not anticipated to impact school facilities. No impacts would occur.

3. Environmental Analysis

d) Parks?

No Impact. Residential uses tend to generate a need for parks. The proposed project would operate as a gas station once the proposed project is complete and would not include residential uses. Therefore, no impact would occur.

e) Other public facilities?

Less Than Significant Impact. The project site currently operates as a gas station and would continue to operate as a gas station upon project completion. The proposed project is not anticipated to result in a significant increase in demand for other public facilities, and therefore the need for new or expanded facilities that would result in physical environmental effects would not occur. Therefore, impacts would be less than significant.

3.16 RECREATION

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION.				
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?				X
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?				X

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?

No Impact. See Impact 3.15(d). The proposed project would not result in the construction of residential uses which would typically result in a demand for recreational facilities. As such, the proposed project would not result in an increase in use of existing parks and recreational facilities. No impact would occur.

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?

No Impact. See Impact 3.15(d). The proposed project would not result in the construction of residential uses which would typically result in a demand for recreational facilities. As such, the proposed project would not require the construction or expansion of recreational facilities. No impact would occur.

3.17 TRANSPORTATION

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064. subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

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

Less Than Significant Impact. The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system. The proposed project would move the existing driveway on the southern portion of the site approximately 40 feet to the east, include a new driveway on the western portion of the site, and extend the curb return at the southwest corner to reduce pedestrian conflicts. Additionally, the proposed project would not impact the future downtown bike-pedestrian crossing, which would bound the northern site boundary, and would be constructed by the Town (see Figure 4, *Site Plan*). Therefore, impacts would be less than significant.

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

Less Than Significant Impact. The proposed project would result in an increase to the convenience store's square footage (approximately 100 square feet) and a reduction in fuel pumps (by two pumps). The Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA (SB 743) identifies several criteria that may be used by jurisdictions to identify certain types of projects that are unlikely to have a significant VMT impact and can be "screened" from further VMT analysis. One of these screening criteria pertains to local-serving retail, which is defined as having fewer than 50,000 square feet of gross floor area. The theory behind this criterion is that while a larger retail project may generate interregional trips that increase a region's total VMT, small retail establishments do not necessarily add new trips to a region, but change where existing customers shop within the region, and often shorten trip lengths. The proposed project includes 3,812 square feet, which is well below the local-serving retail threshold of 50,000 square feet; therefore, it is reasonable to conclude that the project would have a less-than-significant transportation impact related to VMT.

Further consideration was given to the project type and its potential to draw traffic that is regional, versus local, in nature. Gas stations and their associated market/restaurants are inherently convenience-based uses; customers of these uses typically choose to stop because they are located along their planned route of travel and are generally unwilling to travel substantially out of their way to visit such outlets, particularly when closer options are available. In addition to those captured from Old Redwood Highway, the project is expected to attract customers from drivers already passing by on Highway 101; these customers would result in no new vehicle miles traveled as this would be an interim stop on a trip that was already being made. As the proposed project would not result in a substantial change in operational activities, vehicle miles traveled would be similar to existing conditions. Therefore, impacts would be less than significant.

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

Less Than Significant Impact. The proposed project would move the existing driveway on the southern portion of the site approximately 40 feet to the east, include a new driveway on the western portion of the site, and extend the curb return at the southwest corner to reduce pedestrian conflicts. The overall layout of the site would not result in any unsafe vehicle-pedestrian conflict points. There are no design features that would substantially increase hazards. Therefore, impacts would be less than significant.

d) Result in inadequate emergency access?

Less Than Significant Impact. The surrounding roadways would continue to offer emergency access to the project site and surrounding properties during and after construction. Moreover, the proposed project would not result in inadequate emergency access. Impacts would be less than significant.

3.18 TRIBAL CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. 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), or		X		
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.		X		

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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 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), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact With Mitigation Incorporated. Pursuant to AB 52, the Town notified two tribes, Lytton Rancheria and Graton Rancheria on August 18, 2021, about the proposed project. Lytton Rancheria responded on September 13, 2021, stating that the Tribe does not request further consultation. Graton Rancheria did not respond within the 30-day consultation period. Although the project site is developed and in operation as a gas station, the proposed project would include ground-disturbing activities that could uncover tribal cultural resources. Nevertheless, the proposed project would implement Mitigation Measure CUL-1 to ensure impacts to tribal cultural resources would be reduce to a level of less than significant.

Mitigation Measure

CUL-1 Prior to issuance of grading permits, a qualified archaeological monitor shall be identified to be on call during ground-disturbing activities. If archaeological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified archaeologist shall be consulted to determine whether the resource requires further study. The archaeologist shall make recommendations to the Town of Windsor to protect the discovered resources. Archaeological resources recovered shall be provided to any local museum or repository willing and able to accept and house the resource to preserve for future scientific study.

3.19 UTILITIES AND SERVICE SYSTEMS

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. 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?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
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?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

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?

Less Than Significant Impact. The proposed project would update the existing uses onsite. The proposed project would not result in a substantial change in utility use compared to existing conditions as the proposed project would reduce the number of fuel pumps by two and increase the convenience store square footage by approximately 100 square feet. The bioretention planter would be constructed on a site where stormwater treatment does not currently exist and the improvements would occur on a portion of the site that has been previously disturbed. As such, the proposed project would not result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities. Impacts would be less than significant.

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

Less Than Significant Impact. The proposed project would update the existing facilities onsite and would not result in a substantial change in water demand compared to existing conditions. The newer carwash would incorporate newer water use and reclamation technology compared to the existing carwash onsite. Therefore,

the proposed project would not result in a substantial change in water use and existing water supplies would be sufficient to serve the project site and Town. Impacts would be less than significant.

c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The wastewater generated by the proposed project would be similar to existing conditions and would not result in a substantial change as the proposed project would update the existing facilities onsite. Therefore, impacts would be less than significant.

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?

Less Than Significant Impact. Waste from the project site would be transferred to the Healdsburg Transfer Station which has a maximum throughput capacity of 720 tons per day and the Central Disposal Site which has a maximum capacity of 32,650,000 cubic yards, a maximum throughput of 2,500 tons per day, and a remaining capacity of 9,181,519 cubic yards (CalRecycle 2019a,b). The proposed project would generate a demand for solid waste collection services; however, because the proposed uses would be nearly identical to the existing uses, the increase would be negligible. Given the capacity of the facilities that would serve the project site, waste facilities with adequate capacity are available to accommodate the solid waste generated by the proposed project. Therefore, impacts would be less than significant.

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

Less Than Significant Impact. Solid waste would be generated during construction and operation of the proposed project. The proposed project would comply with all regulations pertaining to solid waste, such as the California Integrated Waste Management Act. The project applicant and construction contractor would comply with all applicable laws and regulations, and make every effort to reuse and/or recycle the construction debris that would otherwise be taken to a landfill. Hazardous waste, such as paint used during construction, would be disposed of only at facilities permitted to receive them in accordance with local, state, and federal regulations. The proposed project would comply with all applicable federal, state, and local statutes and regulations related to solid waste disposal. Therefore, impacts would be less than significant.

3.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
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?			X	
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?			X	
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?			X	

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project would not conflict with adopted emergency response or evacuation plans. The surrounding roadways could continue to provide emergency access to the project site and surrounding properties during construction and post-construction. The proposed project would not result in inadequate emergency access, and impacts would be less than significant.

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?

Less Than Significant Impact. There are three primary factors used in assessing wildfire hazards—topography, weather, and fuel. The project site is relatively flat and is in an urbanized environment and is not within a Very High Fire Hazard Severity Zone (VHFHSZ) (CALFIRE 2008). The proposed project would not impact weather or topography. At project completion, the project site would consist of impervious and pervious surfaces. Therefore, impacts of exposing project occupants to pollutant concentrations from or exacerbating a wildfire would be less than significant.

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?

Less Than Significant Impact. The proposed project would not require the installation or maintenance of associated infrastructure as the project site is already developed, and the proposed project would result in the update of the existing facilities onsite. As indicated previously, the project site is in an urbanized area and is not within a VHFHSZ. The proposed project would not add infrastructure such as roads or overhead power lines in areas with wildland vegetation. Therefore, impacts would be less than significant.

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?

Less Than Significant Impact. The project site is relatively flat. The project site is not designated as having a landslide potential, and the project site is not in a flood zone (FEMA 2021). Therefore, it is unlikely that the site would be susceptible to downslope or downstream flooding or landslides as a result of post-fire slope instability. The impacts would be less than significant.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. 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?			X	
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.)			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

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?

Less Than Significant Impact. The project site is in an urban setting, surrounded by development. The project site is developed with an existing gas station and contains ornamental vegetation. Project development would not degrade the quality of the environment; reduce the population, range, or habitat of a species or wildlife or a rare or endangered plant or animal species; or eliminate an important example of the major periods of California history or prehistory. The project site does not contain native habitat, nor is the site suitable for sensitive habitats. Impacts to biological and historic resources would be less than significant.

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.)

Less Than Significant Impact. The proposed project would update the existing facilities onsite and would not result in a substantial change and therefore would not be cumulatively considerable. The proposed project would not result in significant and unavoidable impacts. The impacts associated with the project would either

be reduced to less than significant levels through the implementation of mitigation measures, are limited to the project site, or are so negligible that they would not result in a significant contribution to any cumulative impacts.

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

Less Than Significant Impact. The proposed project would update the existing facilities onsite and would not substantially increase environmental effects that would directly or indirectly affect human beings. Impacts would be less than significant.

3. Environmental Analysis

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5. List of Preparers

LEAD AGENCY

Kimberly Voge, Planner

PLACEWORKS

Patrick Hindmarsh, Senior Associate

Jasmine A. Osman, Associate If

5. List of Preparers

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