

ENVIRONMENTAL CHECKLIST AND INITIAL STUDY

Project Title: GBH Commercial

Lead Agency: City of Winters
Community Development Department
318 First Street
Winters, CA 95694

Lead Agency Contact: Kate Kelly, Planning Manager
(530) 795-4910, x113

Project Location: The project site is generally located in the central area of the City of Winters. The property totals 4.522 acres comprised of APNs 003-370-28 (1.274 acres), 003-370-29 (1.01 acres) and 003-370-30 (2.238 acres) located at the southeast corner of Grant Avenue (SR 128) and East, adjacent to the Subway Sandwich Shop and the Winters II apartments.

Project Sponsor's: Larry J. John and/or D. Rick Cheney
4230 Douglas Blvd., Suite 100
Granite Bay, CA 95746

General Plan Designation(s): Central Business District (CBD)

Zoning: Central Business District (C-2)

Existing Conditions:

Surrounding land uses include:

North – Commercial, Office, and Single Family Residential

West – Commercial

East – City of Winters' Public Works Corporation Yard

South – Single Family and Multi-family Residential

Background: The property was subdivided into four parcels and the Grant Station Commercial building was established on the eastern most parcel in 1994. In 1997 a Site Plan for 19,000 square foot commercial building was approved by the Planning Commission on APN 003-370-28. The project was not implemented due to unresolved circulation issues.

Project History: The property was acquired by the Johns and Cheneys in 2005. The applicant convened a focus group with members of the community on November 14, 2006. A conceptual site plan and design proposal was presented to the Planning Commission at a workshop on January 23, 2007. The project was redesigned based upon the comments received at the January workshop and re-presented to the Planning Commission on February 27, 2007.

Previous Relevant Environmental Analysis: None identified

Description of the Project:

This project proposes to create a 49,427 square foot office and retail center at the SE corner of Grant Avenue (State Route 128) and East Street. The property is approximately 4.5 acres and is currently undeveloped. The Property is rectangular with frontage on Grant Avenue, Baker Street, and East Street. The frontage along Grant Avenue to the north is approximately 750 feet in length with a corresponding frontage along Baker Street on the southern border of the property. The depth of the site is roughly 255 feet between the right of ways of Grant Avenue and Baker Streets.

Tentative Map

The project proposes to subdivide 4.522 acres comprised of APNs 003-370-28 (1.274 acres), 003-370-29 (1.01 acres) and 003-370-30 (2.238 acres) into seven parcels ranging in size from 0.38 acres to 1.43 acres.

Land Use Changes

No change in general plan or zoning is proposed or required. The site is currently an vacant field and is used as ad hoc parking for adjacent uses and temporary sale of fireworks around the 4th of July.

The project proposes nine buildings as follows:

Building 1 is 4,470 square feet in a single story and is located in the northwest corner of the site. Due to the roofline, the building is 31.5 feet. This building will incorporate a drive through. It is intended to be a bank location for a local credit union.

Building 2 is a 2,731 square feet in one story with a building height of 24 feet. It is located just east of the main entry from Grant Street. A drive-through food service location is proposed for this building.

Buildings 3 and 4 are proposed to be 3,632 and 3,806 square feet respectively and front Grant Street in the central portion of the site. These buildings are a single story, however the treatment of the façade will give Building 3 a height of 23 feet and Building 4 an over all height of 31 feet. They are intended to provide retail space for businesses requiring a traditional storefront configuration. The size and number of spaces will be dictated by the needs of future tenants, but the basic configuration will allow for three to four individual spaces between 800 and 1200 square feet each.

Building 5 is a single story building reaching 24.5 feet in height and encompassing 4,595 square feet of floor area. The building is intended for a medical clinic.

Buildings 6, 7 and 8 are interconnected with a second floor outdoor arcade. The ground floor is intended for retail or office space and the upper level for office space. Buildings 6 and 8 are 33.5 feet tall. Building 7 is the tallest proposed building at 39 feet tall. The total square footage of Building 6 and 8 is 2,551 square feet each and Building 7 is 9,912 square feet.

Building 9, located in the southwest corner of the site, is intended as a professional office building. It is a 32.5 feet tall, two story building with a total of 10,749 square feet. Like Buildings 6-8, the lower floor is designed to operate as retail space if the market dictates need and opportunity.

Sewer Conveyance

Sanitary sewer service is proposed to be provided via a 6 main which would be constructed across the central portion of the site and would connect to an existing 6 inch municipal sanitary sewer line located at the eastern boundary of the property.

Sewer Treatment

The City's Wastewater Treatment Plant (WWTP) has a capacity of 0.92 million gallons per day (mgd). Space remains for approximately 600 additional residential hook-ups. The City's recent project approvals exceed this amount and expansion of the plant is planned. The Phase 2 expansion will bring the capacity to between 1.2 and 1.6 mgd.

Water Conveyance

Municipal water is proposed to be provided to the property via the existing 12 inch water main on the north side of the property, the 8 inch water main on the west side of the property, and the 6 inch water main on the south side of the property. Water would be conveyed within the property via an 8 inch line which is proposed to connect to the municipal lines on the west and south sides of the property.

Drainage Conveyance

Storm water is proposed to be collected on site via a series of grated intakes in parking and driveway areas conveyed off site via a east west running storm drainage line to the western edge of the property where it would connected to an existing 60 inch municipal stormwater drain line located in East Street.

Off-Site Infrastructure

The project would be required to fund and construct off-site improvements necessary to support the development. Such improvements would include, but not be limited to traffic control (traffic signal or roundabout), water lines, sewer lines and storm drainage lines. To the extent that acquisition or subsequent CEQA clearance is necessary for such work, that would be the responsibility of the developer.

Flooding

The project does not fall within the City's General Plan Flood Overlay Area. The project site lies in FEMA Flood Zone X (shaded) based on the FEMA Flood Insurance Rate Map (map revised November 20, 1998, Community-Panel Number 060425 0001 C). Zone X (unshaded) is a flood insurance rate zone assigned to property that is determined to be outside the 500-year floodplain.

Architecture

The project proposes an "Agricultural Industrial" design. It is intended to mimic common structures and shapes associated with agriculture in this region. A variety of siding and trim materials such as corrugated metal and board and batten siding are proposed. Faux grain silos have been added in several places. These are intended to lend character and reinforce the agrarian style. In addition to the adoption of Agricultural Industrial as a style, an effort was made to break up the façade by pulling portions forward and pushing others back in an attempt to give the impression that each store is unique and not built as one piece. The buildings range from 23 to 39 feet in height. The use of a variety of colors and materials is intended to support this effect.

Entitlements

The project requires the following approvals from the City:

Tentative Map

Conditional Use Permits for each of the drive-thrus

Design Review

Closure of East Street between Baker and Grant

Encroachment Permit for diagonal parking on Baker Street

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement): Encroachment permit from CalTrans for project interface with State Highway 128/Grant Avenue.

Other Project Assumptions: The Initial Study assumes compliance with all applicable State, Federal, and local codes and regulations including, but not limited to, City of Winters Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

Technical Studies: The following technical and other site-specific studies and reports have been prepared for the project and are relied upon in this analysis:

Arborist Report – Foothill Associates (October 2005)

A total of 20 trees were inventoried on the property, three of which are valley oaks (*Quercus lobata*). The remainder are pecan, almond, fig and the highly invasive tree of heaven (*Ailanthus altissima*).

Cultural Resources Survey – Far Western Anthropological Research Group

(February 2007) Record search and field survey. No cultural resources were identified in either the literature for this location or on the surface of the property.

Phase I Environmental Site Assessment – Wallace-Kuhl & Associates

(February 2007) Historical land use was researched dating back to the early 1900s, the User Questionnaire was reviewed, and the property was reconnoitered. The assessment revealed no evidence of historical or existing Recognized Environmental Conditions in connection with the site. No further investigation was recommended.

Biological Resources Assessment – Foothill Associates (March 2007)

A literature review was conducted and a pedestrian field survey undertaken in early February. No special status species or sensitive habitats were observed.

Peer Review of Biological Assessment – Estep Environmental Consulting

(June 2007) The peer review generally concurred with Foothill Associates' Biological Assessment but recommends the addition of pre-construction surveys for White-tailed Kite.

Geotechnical Engineering Report – Wallace Kuhl Associates (March 2007)

The site, soil, and groundwater conditions were investigated and recommendations were provided for the site preparation and construction of the proposed project.

Environmental Noise Analysis – Brown-Buntin Associates (April 2007)

This report provides the results of noise monitoring and modeling performed for the proposed project. The report identifies areas of noise impact resulting from Grant Avenue traffic and expected on-site operational noise generators such as roof top HVAC units and delivery trucks which will need to be addressed so not to impact adjacent residential uses.

Winters Commercial Center Traffic Impact Study – Fehr & Peers (June 2007)

This study describes the near-term setting for transportation with and without the proposed Winters Commercial Center project in the City of Winters. The analysis provides information on the potential effects associated with increases in traffic volumes at six local intersections as a result of the proposed project. The service level analysis indicates that the proposed project would have a significant impact on intersection operations under baseline plus project conditions by degrading intersection operations to an unacceptable level of service (LOS) or by exacerbating previous deficiencies. However, with

guaranteed compliance with recommended mitigation measures the impact would be less than significant.

These reports are on file at the Community Development Department at the City of Winters.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be significantly affected by this project, as indicated by the checklist on the following pages.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Population and Housing |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Land Use and Planning | <input type="checkbox"/> None Identified |

DETERMINATION:

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 described in the 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 the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project. Nothing further is required.

Signature

Kate Kelly, Planning Manager
Printed Name

November 2, 2007

Date

Community Development Department
Lead Agency

ENVIRONMENTAL CHECKLIST

Introduction

Following is the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the Proposed Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the Proposed Project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Potentially Significant Unless Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less than significant level.

Less Than Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

Instructions

1. A brief evaluation 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 will 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, potentially significant unless mitigation is incorporated, 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. “Potentially Significant Unless Mitigation Incorporated” means “Less Than Significant With Mitigation Incorporated”. It applies where incorporation of mitigation measures has reduced as effect from “Potentially Significant Impact” too 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 (mitigation measures from earlier analyses may be cross-referenced).
5. Earlier analyses may be used where, pursuant to tiering, a 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 Analysis Used – Identify and state where available for review.
 - b. Impacts Adequately Addressed – Identify which effects from the above checklist were within the scope of and adequately addressed 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 “Potentially Significant Unless Mitigation Incorporated” describe the mitigation measures that 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 in the form of 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 in selected.
9. The explanation of each issue area should identify: a) the significance criteria or threshold, if any, used to evaluate each question; and b) the mitigation measures identified, if any, to reduce the impact to less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
1. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	■	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	■
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	■	☐
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	■	☐	☐

Discussion

- a. The proposed project would change the visual characteristics of the project site, however, this site is planned for urban development and existing residential, commercial, and municipal development surrounds the site. For these reasons, the proposed project would not substantially or adversely affect views of a scenic vista, and this impact would be less than significant.
- b. The portion of the project site proposed for development does not contain any protected scenic resources. The adjoining roadways are not listed or designated as a “scenic highway” and are not designated as scenic resources by the General Plan. As such, there would be no impact.
- c. The proposed project would not significantly degrade the visual surroundings of the area. The General Plan anticipates that the project site would develop at a density similar to that proposed. The project site is located adjacent to existing residential development to the south, existing commercial development to the east and north, and the City’s corporation yard to the west. All of the structures constructed under the proposed project would be subject to design review approval by the City of Winters to ensure consistency with the City’s Design Guidelines, which are intended to ensure that new development is compatible with the City’s small-town heritage (see Section 9, Land Use and Planning). With implementation of Mitigation Measure Aesthetics 1 requiring design review of the project, the change in visual character would be a less than significant impact.
- d. The proposed project would provide additional light and glare in the area. If unshielded, lighting can spill onto adjacent projects, and disturb adjacent residential uses.

The commercial structures constructed under the proposed project would be one or two stories tall, with exterior materials common to commercial, agricultural and residential development in the area, such as stone, wood, Hardie board, and corrugated metal. Project buildings would not be constructed of large glass walls or highly reflective exteriors. Therefore, the proposed project would not produce substantial glare. With the applicant's agreement to accept and implement the following mitigation measure, lighting impacts would be reduced to a less than significant level, because light would be focused downward. Therefore, spillover onto other properties would not occur, and the amount of light visible from offsite would be minimized.

Mitigation Measure Aesthetics 1 – *Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent areas and the night sky. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. Lighting plans with certification that adjacent areas will not be adversely affected and that offsite illumination will not exceed 2-foot candles shall be submitted to the City for review and approval as part of improvement plans.*

Prior to issuance of a building permit, the applicant shall submit a photometric and proposed lighting plan for the project to the satisfaction of the Community Development Department to ensure no spillover light and glare onto adjoining properties.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
2. AGRICULTURE RESOURCES:				
<i>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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could result in loss of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The project site is not designated as Prime Farmlands, Unique Farmlands, or Farmlands of Local Importance on the City’s Important Farmlands Map (1992 General Plan Background Report, Figure VIII-2). The Yolo County Important Farmland Map (California Department of Conservation, 2004) designates the project site as Urban and Built-Up Land. This is a less than significant impact.
- b. No part of the project site is under a Williamson Act contract nor immediately adjacent to any lands under Williamson Act contract. In addition, the project site is not located immediately adjacent to any lands zoned for agricultural uses. Therefore, there would be no impact on Williamson Contract land or other agriculturally zoned land.
- c. Development of the property will have no impact on the conversion of other properties to non-agricultural uses or loss of farmland in general. The project site is located in an urbanized area and is not adjacent to actively producing agricultural or farmland. The subject site is an infill property and one of several remaining undeveloped commercial parcels in the City. For this reason, no impact will occur in this category.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
3. AIR QUALITY.				
<i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The URBEMIS 2007 (version 9.2.2) program was used to estimate the maximum construction emissions from the proposed project’s site grading, equipment exhaust, construction worker vehicle trips, and other construction activities. URBEMIS 2007 was also used to estimate the regional (operational) emissions of the project. Construction was assumed to be completed over a 12-month period. The types and amounts of equipment to be utilized during the different phases of construction were based on published guidance.¹

**Table 3.1
GBH Commercial
Project Maximum Construction Emissions
Measured in Pounds Per Day**

	ROG	NO _x	PM ₁₀
Maximum Construction Emissions	3.07 lbs	8.44lbs	4.22 lbs
YSAQMD Threshold of Significance	54.79.0 lbs	54.79.0 lbs	80.0 lbs

¹ Sacramento Metropolitan Air Quality Management District, SMAQMD CEQA Frequently Asked Questions (FAQ), March 2006.

Table 3.2
GBH Commercial
Project Regional (Operational) Emissions
Measured in Pounds Per Day

	ROG	NO_x	PM₁₀
Area Sources	0.55 lbs	0.44 lbs	0.0 lbs
Vehicles	21.59 lbs	29.37 lbs	25.64 lbs
TOTAL	22.17 lbs	27.81 lbs	25.64 lbs
YSAQMD Threshold of Significance	54.79.0 lbs	54.79.0 lbs	80.0 lbs

- a. The Yolo-Solano Air Quality Management District is currently a non-attainment for ozone (State and Federal ambient standards) and Particulate Matter (State ambient standards). While air quality plans exist for ozone, none exists (or is currently required) for PM₁₀.

Based on consistency with the regional air plan, the YSAQMD CEQA guidance provides that a development project would have a cumulatively significant impact with respect to a non-attainment pollutant if the project requires a change in the existing land use designation (i.e., general plan amendment), and projected emissions of ozone precursors for the proposed project are greater than the emissions anticipated for the site if developed under the existing land use designation. The project would not require a change in the existing land use designations of CBD (Central Business District) As a result, the impact would be less than significant.

- b. Development projects are most likely to violate an air quality standard or contribute substantially to an existing or project air quality violation through generation of vehicle trips. New vehicle trips add to carbon monoxide concentrations near streets providing access to the site. Carbon monoxide is an odorless, colorless poisonous gas whose primary source is automobiles. Concentrations of this gas are highest near intersections of major roads.

An attainment area is when State and Federal ambient standards are met. Yolo County is an attainment area for carbon monoxide. Because Yolo County has relatively low background levels of carbon monoxide, and the project would not result in significant traffic congestion, the project's impact on carbon monoxide concentrations would be less than significant.

The project's maximum daily construction and maximum daily regional (operational) emissions would fall below the YSAQMD thresholds of significance for ROG, NO_x, and PM₁₀. Nonetheless, for purposes of consistency the City is imposing the same air quality mitigations measures on this project as it has other recent projects approved by the City. Additionally it should be pointed out that General Plan Policy VI.E.6 requires controls for construction-related dust.

With the applicant's agreement to accept and implement the following mitigation measure, ROG emissions would be minimized and this impact would be held to a less than significant level.

Mitigation Measure Air 1 – *Install an ozone destruction catalyst on all air conditioning systems.*

With the applicant's agreement to accept and implement the following mitigation measure, NO_x emissions would be minimized and this impact would be held to a less than significant level.

Mitigation Measure Air 2

- a. *Construction equipment exhaust emissions shall not exceed District Rule 2-11 Visible Emission limitations.*
- b. *Construction equipment shall minimize idling time to 5 minutes or less. Catalyst and filtration technologies shall be incorporated where feasible.*
- c. *The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.*

An enforcement plan shall be established to weekly evaluate project-related on-and-off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

Construction contracts shall stipulate that at least 20% of the heavy-duty off-road equipment included in the inventory be powered by CARB certified off-road engines, as follows:

<i>175 hp - 750 hp</i>	<i>1996 and newer engines</i>
<i>100 hp - 174 hp</i>	<i>1997 and newer engines</i>
<i>50 hp- 99 hp</i>	<i>1998 and newer engines</i>

In lieu of or in addition to this requirement, the applicant may use other measures to reduce particulate matter and nitrogen oxide emissions from project construction through the use of emulsified diesel fuel and or particulate matter traps. These alternative measures, if proposed, shall be developed in consultation with District staff.

With the applicant's agreement to accept and implement the following mitigation measure, PM₁₀ emissions would be minimized and this impact would be held to a less than significant level.

Mitigation Measure Air 3

- a. *Nontoxic soil stabilizers according to manufacturer's specifications shall be applied to all inactive construction areas (previously graded areas inactive for ten days or more).*
 - b. *Ground cover shall be reestablished in disturbed areas quickly.*
 - c. *Active construction sites shall be watered at least three times daily to avoid visible dust plumes.*
 - d. *Paving, applying water three times daily, or applying (non-toxic) soil stabilizers shall occur on all unpaved access roads, parking areas and staging areas at construction sites*
 - e. *Enclosing, covering, watering daily, or applying non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) shall occur.*
 - f. *A speed limit of 15 MPH for equipment and vehicles operated on unpaved areas shall be enforced.*
 - g. *All vehicles hauling dirt, sand, soil, or other loose materials shall be covered or shall be maintained at least two feet of freeboard.*
 - h. *Streets shall be swept at the end of the day if visible soil material is carried onto adjacent public paved roads.*
- c. Project traffic emissions would have an effect on air quality outside the project vicinity. Trips to and from the project and area sources associated with the proposed uses would result in air pollutant emissions within the air basin. As shown in Tables 3.1 and 3.2, the daily increase in regional emissions from auto travel and area sources for Reactive Organic Gases and Nitrogen Oxides (the two precursors of ozone) and PM₁₀ would not exceed the YSAQMD thresholds of significance. As a result, project regional (operational) air quality impacts would be less than significant.
- d. Construction activities such as clearing, excavation and grading operations, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would temporarily affect local air quality for adjacent land uses.

Although the project's maximum daily construction emissions would not exceed the YSAQMD significance thresholds, construction dust emissions would have the potential to cause nuisance. This is a potentially significant impact.

The majority of the PM₁₀ from construction shown would be soil particles, while a small fraction would be from diesel exhaust. Diesel exhaust particulate is a pollutant that has come under increased scrutiny in recent years. In 1998, the California Air Resources Board (CARB) identified particulate matter from diesel-fueled engines as a toxic air contaminant (TAC). CARB has completed a risk management process that identified potential cancer risks for a range of activities

using diesel-fueled engines.² High volume freeways, stationary diesel engines and facilities attracting heavy and constant diesel vehicle traffic (distribution centers, truckstops) were identified as having the highest associated risk.

Health risks from Toxic Air Contaminants are function of both concentration and duration of exposure. Unlike the above types of sources, construction diesel emissions are temporary, affecting an area for a period of days or perhaps weeks. Additionally, construction related sources are mobile and transient in nature, and the bulk of the emissions occurs within the project site at a substantial distance from nearby receptors. The site is level and would not require substantial grading. Because of its short duration, low number of diesel vehicles and distance between equipment and nearby receptors, health risks from construction emissions of diesel particulate would be a less than significant impact. The mitigation requirement contained in Mitigation Measure Air 2 would mitigate the dust generated from construction of the project to a less than significant impact.

- e. During construction the various diesel-powered vehicles and equipment in use on the site would create odors. These odors are temporary and not likely to be noticeable much beyond the project boundaries. The potential for diesel odors impacts is less than significant.

² California Air Resources Board, Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles, October 2000.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
a. Have a substantial adversely 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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a,d. Foothill Associates biologists prepared a Biological Resources Assessment for this project site dated March 6, 2007. The City's contract biologist Jim Estep prepared a peer review of Foothill Associates' work in a letter dated June 10, 2007. Based on the various technical reports, the biological conditions and resources at the project site are summarized below.

General Site Conditions

The site is comprised of annual grassland vegetation and is disked and/or mowed periodically. Several relatively small trees are scattered along the northern and western property lines.

Wildlife Use

Wildlife use of the project area is limited as a result of the disturbed habitat conditions, small size, and the site's location wholly within an urbanized area. The area also receives substantial human disturbance due to its close proximity to neighboring residential and commercial areas. Species observed by the Foothill Associates biologist during the February 12, 2007 field survey were limited to mourning dove (*Zenaida macroura*), American crow (*Corvus brachyrhynchos*), and yellow-billed magpie (*Pica nuttalli*).

Special Status Plants

The property lacks wetlands, vernal pools, and it has been repeatedly disked and mowed. No special status plant species were observed on the site by the Foothills Associates' biologist and thus no mitigation is required.

Special-Status Wildlife

The following Special-Status Wildlife potentially occur in the Winters area:

- Valley Elderberry Longhorn Beetle (VELB)
- Vernal Pool Fairy Shrimp
- Vernal Pool Tadpole Shrimp

The site does not contain blue elderberry (*Sambucus mexicana*) upon which VELB is dependent. Nor does it support vernal pool species. Therefore, VELB and vernal pool species will not be impacted by the proposed project.

- Northwestern Pond Turtle
- Tiger Salamander
- California Tiger Salamander
- California Red-legged Frog
- Giant Garter Snake

Pond turtles, giant garter snakes, and California red-legged frogs require slow-moving rivers, streams, or ponds with permanent or near permanent water sources. These habitats do not occur on the site, therefore, these species will not be impacted by the proposed project.

California tiger salamanders require seasonal wetland features such as vernal pools for egg laying and during their development stages. Due to the lack of wetlands on the property, this species will not be impacted by the proposed project.

- Bald Eagle
- Yellow Breasted Chat
- Western Burrowing Owl
- Swainson's Hawk
- White-tailed Kite

Bald eagles nest in mountainous areas near large, permanent water bodies such as lakes reservoirs, and river systems. The lack of suitable habitat on the site precludes the presence of this species. Therefore, this species will not be impacted by the proposed project.

Yellow-breasted chats inhabit riparian thickets. Given that there is no riparian vegetation on the site, this species will not be impacted by the proposed project.

Western burrowing owls require relatively open grassland habitat with suitable natural burrows or artificial burrows such as pipes, culverts, and debris piles that can be used for nesting. While habitat conditions are considered marginal due to the extent of human disturbance, Burrowing Owl could potentially nest and forage in the project area. However, no sign of this species has been detected onsite.

With the applicant's agreement to accept and implement the following mitigation measures, impacts on special status species would be less than significant.

Mitigation Measure Biological 1 – *The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving equivalent suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Mitigation shall be consistent with the City's adopted Habitat Mitigation Program. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.*

Swainson's Hawk could potentially forage in the grassland and seasonal wetland habitats, but no potential nesting trees are available onsite or in the immediate vicinity. Typically, CDFG considers annual grassland habitat within 10 miles of an active Swainson's Hawk nest to be potential foraging habitat for the species. However, the CDFG staff report regarding mitigation for impacts to Swainson's Hawk in the Central Valley acknowledges that project that support less than 5 acres of foraging habitat and are surrounded by existing development do not provide the foraging habitat requirements needed to sustain the reproductive efforts of a Swainson's Hawk pair, unless there is a known nest within a ¼ mile of the project. Consequently, CDFG does not recommend that the CEQA lead agency require foraging mitigation for these types of projects.

Although the conditions on site and adjacent to the site provide limited nesting habitat for raptors, there is some potential for a raptor to nest on the site or within close proximity. With the applicant's agreement to accept and implement the following mitigation measures, impacts on special status raptors would be less than significant.

Mitigation Measure Biological 2 -- *The project proponent shall mitigate for potential project-related impacts to nesting raptors (Swainson's Hawk, White-tailed Kite, Northern Harrier, and Loggerhead Shrike) by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 0.25 mile of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests are found during the preconstruction survey, a 0.25-mile (1,320-foot) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.*

The trees and grassland on the site provide suitable nesting habitat for a number of common and special-status birds protected solely by the Migratory Bird Treaty Act (MBTA) which prohibits the killing of migratory birds. Therefore, if any vegetation or tree removal occurs during the typical avian nesting season (February 1 to August 31), a pre-construction survey is necessary. With the applicant's agreement to accept and implement the following mitigation measures, impacts on migratory birds would be less than significant.

Mitigation Measure Biological 3 -- *The project proponent shall mitigate for potential project-related impacts to migratory birds by conducting a pre-construction survey for nests on the site. The preconstruction survey shall be performed no more than 14 days prior to the onset of vegetation and/or tree removal. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of migratory bird known to occur in the vicinity of the City of Winters. If active migratory bird nest(s) are found onsite during the preconstruction survey, the nest(s) shall not be disturbed or removed until the young have fledged and the nest is no longer active. A buffer may be required. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.*

Alternatively, potential impacts to nesting birds or unfledged young would be avoided if vegetation and/or tree removal occurred only between September 1 and January 21.

b.c. Sensitive habitats include those that are of special concern to resource agencies or those that are protected under CEQA, Section 1600 of the California Fish and Game Code, or Section 404 of the Clean Water Act. There are no wetlands, riparian areas, or sensitive habitats located on or adjacent to the site. Therefore, the proposed project will not impact these resources.

e. The trees on the site are not listed on the City's Historic Tree list, the site does not contain wetlands, and with compliance with the above mitigation measures for burrowing owl, Swainson's Hawk, raptors, and migratory birds would be consistent with the natural resources polices contained in the City's General Plan. This impact is less than significant.

f. No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been adopted for the project site. The County and cities are in the process of developing a countywide plan, but it is not complete. In May of 2006 the City adopted it's Habitat Management Program which provides for "on the ground" mitigation to be located within 7 miles of Winters in order to provide locally beneficial mitigation. With compliance with the Winters Habitat Mitigation Program, this impact is less than significant.

Mitigation Measure Biological 4 -- Any mitigation required shall be implemented in a manner consistent with requirements, purpose and intent of the City of Winters' Habitat Mitigation Program.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
5. CULTURAL RESOURCES. <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

a,b. A cultural resources assessment was prepared for this site by Far Western Anthropological Research Associates (February, 2007). The assessment provides the results from the research of existing cultural resources data bases, review of historic maps, and a field survey performed by a qualified archeologist. The entire property was inspected. No evidence of cultural resources was observed.

Although no evidence of cultural resources was observed in the study area, there is always the possibility that unidentified resources could be encountered on or below the surface during grading and construction. With the applicant's agreement to accept and implement the following mitigation measure related to unknown sub-surface cultural resources, the potential for impact would be mitigated to a less than significant level by ensuring that such resources are evaluated and protected as appropriate.

Mitigation Measure Cultural 1 – *If cultural resources (historic, archeological, paleontological, and/or human remains) are encountered during construction, workers shall not alter the materials or their context until an appropriately trained cultural resource consultant has evaluated the situation. Project personnel shall not collect cultural resources. Prehistoric resources include chert or obsidian flakes, projectile points, mortars, pestles, dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits often in old wells and privies.*

c. No paleontological resources are known or suspected and no unique geologic features exist on the project site. However, the potential exists during construction to uncover previously unidentified resources. Implementation of

Mitigation Measure Cultural 1 will mitigate this concern to less than significant levels.

- d. No human remains are known or predicted to exist in the project area. However, the potential exists during construction to uncover previously unidentified resources. Compliance with Section 7050.5 of the California Health and Safety Code will reduce the potential impact to a less than significant level.

Mitigation Measure Cultural 2 - *Should human remains be discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.*

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
6. GEOLOGY AND SOILS.				
<i>Would the project:</i>				
a. Expose people or structures to 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

The subject site is situated geologically in the Sacramento Valley, within the westerly portion of the Great Valley geomorphic province of California. Sands, silts, and clays encountered in the near vicinity are recognized as the upper member of the Quaternary-aged Modesto Formation. The soils of this unit are characterized as arkosic alluvium deposits.

According to the biological reports, the survey maps of the Natural Resources Conservation District (NRCS) (formerly the USDA Soil Conservation Service) the soil on the site is Rincon silty clay loam, 0-2 percent slopes.

- ai, ii. There are no known faults within the City of Winters. The site is located approximately 6 km (3.7 miles) from the Great Valley Thrust Fault, as shown on recent maps by the U.S. Geological Survey and the California Geological Survey.

The Alquist-Priolo Special Studies Zones Act of 1972 regulates development near active faults to mitigate the hazard of surface fault rupture and prohibits the development of structures for human occupancy across the traces of active faults. The project site is not located within an Alquist-Priolo Special Studies Zone.

The City is located in an area of relatively low seismic activity. According to the Seismic Risk Map of the United States, Winters is in Zone 3. Within Zone 3, the potential for earthquakes is low; however, there is the possibility for major damage (VIII to X on the Modified Mercalli Scale from a nearby earthquake). A rating of VIII to X on the Modified Mercalli Scale generally means the Richter scale magnitude would be between 6.0 to 7.9. Effects associated with this intensity range from difficulty standing to broken tree branches to damage to foundations and frame structures to destruction of most masonry and frame structures.

Any major earthquake damage on the project site is likely to occur from ground shaking and seismically-related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. Seismically-induced shaking and some damage should be expected to occur during an event, but damage should be no more severe in the project area than elsewhere in the region. Framed construction on proper foundations constructed in accordance with California Building Code requirements is generally flexible enough to sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking, and this would be a less than significant impact.

- aiii, c,d. A geotechnical investigation was conducted for the project site dated March 8, 2007 by Wallace Kuhl. Wallace Kuhl also conducted a geotechnical investigation at this project site in 1993 for a previously proposed project. The geologic investigation, which included four borings throughout the project site in 2007 and six in 1993, found that surface and near-surface soils on the project site are capable of supporting commercial structures of the type proposed for the project provided specified conditions are implemented. With the applicant's agreement to accept and implement the following mitigation measure, impacts of geologic hazards will be reduced to a less than significant level.

Mitigation Measure Geology 1 -- Grading of the site, design of foundations for proposed structures and construction of other related facilities on the property shall follow the criteria identified in the Geotechnical Investigation (Wallace Kuhl, March 8, 2007) prepared for the project.

- aiv, b. The site topography is essentially flat with an elevation of 128 above mean sea level. Surface runoff flows toward the surrounding streets and an unlined ditch with runs along the Grant Avenue frontage at the northern boundary of the site. There are no steep slopes within the project site. There are no drainages with steep slopes running through or adjacent to the project site. Because the site conditions would not result in landslides or potential for substantial erosion or loss of topsoil, the potential for impact in this category is considered less than significant.

- e. The project would construct sewer pipelines that connect to wastewater treatment facilities and would not involve the construction of septic tanks. Therefore, there would be no impact.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
7. HAZARDS AND HAZARDOUS MATERIALS.				
<i>Would the project</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. During construction, oil, diesel fuel, gasoline, hydraulic fluid, and other liquid hazardous materials would be used at the project site. Similarly, paints, solvents, and various architectural finishes would be used during construction.

If spilled, these substances could pose a risk to the environment and to human health. In the event of a spill, the City of Winters Fire Department is responsible for responding to non-emergency hazardous materials reports. The use, handling, and storage of hazardous materials are highly regulated by both the Federal Occupational Safety and Health Administration (Fed/OSHA) and the

California Occupational Safety and Health Administration (Cal/OSHA). Cal/OSHA is responsible for developing and enforcing workplace safety regulations. Both federal and State laws include special provisions/training for safe methods for handling any type of hazardous substance. The City currently complies with the City's Emergency Response Plan, and the Yolo County Hazardous Waste Management Plan.

Because the types of retail and office uses expected to be located in the proposed commercial complex do not typically use, transport or dispose of large amounts of hazardous materials, and the routine transport, use, and disposal of hazardous materials are regulated by federal, State, and local regulations, this impact is considered less than significant.

- b. A Phase I Environmental Site Assessment was prepared for this property by Wallace Kuhl (February 2007). The report concludes that there is no evidence of hazardous conditions in connection with the property. The database search revealed no nearby properties that would adversely affect the site. The site is not listed on any of the federal, state, or local data bases. No adverse conditions were observed during the site visit. No further investigation was recommended. Therefore, the impact would be less than significant.
- c. The project site is not located near any school. Therefore, no impact would occur.
- d. The project is not located on a site that is included on a list of hazardous materials sites compiled by the Yolo County Environmental Health Department-Hazardous Waste Site Files pursuant to Government Code 65962.5. Therefore, no impact would occur.
- e. The project site is not within two miles of a public airport, and is not within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents. Therefore, there would be no impact.
- f. There are no private airstrips in proximity of the project site, so there would be no impact.
- g,h. The proposed project would have no effect on any emergency plan, because it would not significantly alter the existing street system, and would provide street connections to and through the project site. The project area does not qualify as "wildlands" where wildland fires are a risk. For these reasons, no impact would occur in these categories.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
8. HYDROLOGY AND WATER QUALITY				
<i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to control?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a,f. Surface water quality can be adversely affected by erosion during project construction, or after the project is completed, if urban contaminants in stormwater runoff are allowed to reach a receiving water (e.g. Putah Creek). Construction activities disturbing one or more acres are required by the Central Valley Regional Water Quality Control Board (CVRWQCB) to obtain a General Construction Activity Stormwater Permit and a National Discharge Elimination

System (NPDES) permit. These permits are required to control both construction and operation activities that could adversely affect water quality. Permit applicants are required to prepare and retain at the construction site a Stormwater Pollution Prevention Plan (SWPPP) that describes the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-stormwater management controls. Dischargers are also required to inspect construction sites before and after storms to identify stormwater discharge from construction activity, and to identify and implement controls where necessary.

The proposed project is composed of approximately 4.5 acres, and thus would fall subject to these requirements. Compliance with these required permits would ensure that runoff during construction and occupation of the project site would ensure that runoff does not substantially degrade water quality. Therefore, this is a less than significant impact.

- b. The proposed project would construct impervious surfaces over portions of the project site that are currently undeveloped. However, the site is not identified as a recharge area and has been planned for development since at least 1992. The majority of groundwater recharge in Winters occurs along drainages. Therefore, it can be concluded that development of the project site would not substantially affect the aquifer.

The City of Winters would supply groundwater to the proposed project. As discussed in more detail in Item 16(d), while the proposed project would contribute to an increase in municipal groundwater use, total groundwater use within the City would exceed historic water use levels only slightly in wet years, and would be lower than historic pumping levels in wet years. Groundwater levels have been fairly stable in the City of Winters, even with the highest historic pumping levels. Therefore, impacts on groundwater would be less than significant.

- c,d,e. The proposed project would change absorption rates, drainage patterns, and the rate and amount of surface runoff, but would not alter the course of a river or stream. The City's storm drainage system has been planned to accommodate development of the General Plan, including the project site. Because the proposed project can be accommodated within the City's planned storm drain system, the increase in runoff is considered less than significant.
- g,h. The project does not fall within the City's General Plan Flood Overlay Area. The site is designated on federal floodplain maps as Zone X (outside of the 100-year floodplain). As such impacts related to flooding are considered less than significant.
- i. The project site is located approximately 10 miles east of the Monticello Dam on Lake Berryessa. Failure or overtopping of the dam could result in severe flooding

of the Winters' area and loss of life. However, this occurrence, which is addressed in the Yolo County Emergency Plan, is not considered a likely or substantial risk. Therefore, the proposed project would not expose individuals to a substantial risk from flooding as a result of the failure, and the impact would be less than significant.

- j. The project area is not located near any large bodies of water that would pose a seiche or tsunami hazard. In addition, the project site is relatively flat and is not located near any physical or geologic features that would produce a mudflow hazard. Therefore, no impact would occur.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
9. LAND USE AND PLANNING.				
<i>Would the project:</i>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. Development of the project site is consistent with the City General Plan and has been the long-term plan for the property. The project would fill in and connect the established residential community of the City, not divide it. Therefore, no impact would occur.
- b. The General Plan and zoning ordinance currently designates the project site for commercial uses.

The applicant has applied for Design Review approval which includes an analysis of compliance with lot development standards, and a review of building and landscape design, facades, and elevations to ensure that the proposed project will be compatible with existing development in Winters and that it satisfies the Community Design Guidelines. With the applicant’s agreement to accept and implement the following mitigation measures, this potential impact would be mitigated to a less than significant level.

Mitigation Measure Land Use 1 -- All aspects of the project shall be subject to design review to ensure compatibility with the surrounding area and satisfaction of the Community Design Guidelines and other applicable principles of good community design.

- c. No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been adopted for the project site. The County and cities are in the process of developing a countywide plan, but it is not complete. In May of 2006 the City adopted it’s Habitat Management Program which provides for “on the ground” mitigation to be located within 7 miles of Winters in order to provide locally beneficial mitigation.

With compliance with the Winters Habitat Mitigation Program per Mitigation Measure Biological 4 this impact is less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
10. MINERAL RESOURCES. <i>Would the project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>

Discussion

a,b. The project site is not designated as a mineral resource zone or locally important mineral resource recovery site. The construction of the proposed project would not result in the loss of any known mineral resources. Impacts would be less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
11. NOISE. <i>Would the project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The Noise Element of the City of Winters General Plan establishes an exterior noise level standard of 65 dB CNEL (Community Noise Equivalent Level) at the outdoor activity areas of new commercial uses affected by roadway noise. An exterior noise level of up to 70 dB CNEL is considered to be Conditionally Acceptable and may be allowed only after a detailed acoustical analysis is performed and needed noise abatement features are included in the design.

A Noise Analysis was prepared by Brown-Buntin Associates for the proposed project in April of 2007. Brown-Buntin used the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA RD-77-108) to predict traffic noise levels at the site. As shown, in Table III of that analysis, noise exposure for all Buildings 1 -5 which front on Grant Avenue would slightly exceed the exterior standard of 70 dB CNEL. Typical façade designs and construction in accordance with prevailing industry practices would result in an exterior to interior noise attenuation of 20 to 25 db with windows closed and depending on the materials used for façade construction. Since the worst-case predicted noise

levels were 71.4 Ldn dB along Grant Avenue, typical construction materials are expected to result in interior noise levels of 51.4 dB CNEL or less.

Operational Noise

The proposed project would generate operational noise through the use of heating, ventilation, and air conditioning (HVAC) equipment located on building rooftops, parking lot noise, and refuse truck trash collection.

HVAC

Noise from fans and other HVAC equipment could be a potential noise impact for the existing residences located on the south side of East Baker Street. The greatest potential for significant noise effects would occur if fans or similar equipment were located near to sensitive receivers. In this case, the nearest roof-mounted HVAC unit would be located about 70 feet from the nearest residence. Per the Brown-Buntin Associates analysis, one relatively large 4-ton HVAC unit generates a noise level of 51 dBL_{eq} at a distance of 70 feet. The HVAC units are expected to be partially shielded from view by the building roof, which would provide a 5 to 7 dB noise level reduction for a person in a yard across East Baker Street. Noise levels from the HVAC units would therefore be in the range of 44 to 46dB, which would be potentially significant during nighttime hours.

Parking Lot Noise

Noise due to traffic in parking lots is limited by the low speeds, so that the noise from this source is not usually expected to be significant. Human activity in parking lots such as talking, yelling, and opening and closing of car doors is a source of noise. Such activities would typically occur during daytime and evening hours. The noise levels associated with these activities cannot be precisely defined because of the variables such as the number of parking movements, time of day and the like. It is typical for a passing car in a parking lot to produce a maximum noise level of 60 to 65 dBA at a distance of 50 feet which is comparable to the level of a raised voice.

The nearest property line to the parking lot is about 50 feet from the edge of the parking space at the western portion of the lot. East Baker Street and its attendant traffic is located between the parking lots and the nearest residential uses. Given the relatively small size of the project, and the consequently small number of vehicle movements expected to occur in the parking lots, the noise of cars in the parking lots as perceived at the nearest residences is judged to be less than significant.

Refuse Bin Pickup

Two refuse bin areas are proposed to be located on the south side of the property which would be relatively close to the adjacent multi-family residences. Noise is expected when refuse is placed in the bins and when refuse collection trucks come to empty to bins. Brown-Buntin Associates consider the overall

noise level due to the operation of emptying the refuse bins to be approximately the same as the noise level generated by a diesel truck passing by.

Per the Brown-Buntin Associates analysis, a diesel truck passing by at low speed is expected to generate a Sound Exposure Level (SEL) of 82 dB at 100 feet. Emptying the refuse bin could occur about 75 feet away from the nearest residential property line. The SEL at the nearest property line would be about 84 dB.

Emptying the refuse bin is expected to occur two to three times a week, one time per day, and for about two minutes per visit. Furthermore, emptying the refuse binds is likely to occur during daytime hours (7 am to 7pm) the L_{eq} value for refuse bin emptying is determined by the following formula:

$$L_{eq} = \sum SEL / 3600$$

This is the sum of the noise energy in each hour divided by the number of seconds in one hour.

Based upon the given assumptions, emptying the refuse bin is expected to generate a noise level of 48 dB L_{eq} at the nearest property line, which would comply with the daytime noise level standard of 50 dB L_{eq} . Thus the noise impact from the refuse bins would be less than significant.

Intrusive Noise Levels

The existing Mariani Nut Company's facilities are located to the west and north of the project site and have been in operation for decades. The facilities were observed to produce about 56 dB of noise at a distance of about 50 feet from the roadway centerline. This noise source operates during nighttime hours during certain times of year, and the resulting noise levels exceed the City's Municipal Code nighttime noise standard of 45 dB over most of the project site. However, the project is not expected to include any uses that would be particularly sensitive to noise at nighttime. Thus, the noise impact from the Mariani operation would be less than significant.

With the applicant's agreement to accept and implement the following mitigation measures, this potential impact would be mitigated to a less than significant level.

Mitigation Measure Noise 1 – HVAC noise shall not exceed 45 dBA at the nearest residential property line. This shall be demonstrated to the City via a noise analysis prepared by a qualified consultant prior to issuance of occupancy permits for Buildings 6, 7, 8, and 9.

- b. Some groundborne vibration could occur during construction. However, the activities that typically generate excessive vibration, such as pile driving, are not

employed for typical one and two story commercial building construction. Therefore, adjacent and nearby residents should not be disturbed by ground vibration during project construction. This impact would be less than significant.

- c. Traffic and commercial activities associated with the proposed project would contribute to existing noise levels in the project vicinity. However, the increase would be minor due to the size of the project, and it would not be higher than levels assumed under General Plan build-out because this project was assumed to develop in commercial uses. Therefore, this impact is considered less than significant.
- d. Construction activities associated with the project could generate noise levels in the range of 80-90 dBA at a distance of 50 feet. Noise levels at the nearest residence could approach these levels during construction activities along the project boundary. However, construction noise would be for a short duration, and limited to the construction hours (typically daylight hours). The City has both a Noise Ordinance and Standards Specifications that regulate construction noise. These regulations restrict construction activities to 7:00am to 7:00 pm Monday through Friday only (holidays excluded). Therefore, the project is expected to have a less than significant impact related to temporary or periodic increase in ambient noise levels. To further control noise impacts during construction the following mitigation is required.

With the applicant's agreement to accept and implement the following mitigation measures, this potential impact would be mitigated to a less than significant level.

Mitigation Measure Noise 2 – Construction equipment shall be fitted with adequate engine mufflers and enclosures.

- e. The nearest public airport is over 2 miles away and the project site is not within an airport land use plan. Therefore, project residents would not be exposed to excessive air traffic noise, and this impact would be less than significant.
- f. The project site is not located near a private airstrip and would not be exposed to noise from the private airstrip, so no impact would occur.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
12. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The commercial uses proposed for the project site are consistent with the 1992 General Plan assumptions for the area and no residential units are proposed. Therefore, infrastructure, services, and utilities are master planned to accommodate the proposed level of growth. The proposed project is infill in an urbanized area and does not require the extension of roads and other infrastructure to the project site. Because the development of the project site is consistent with the planning assumptions of the General Plan, the proposed project would not induce growth.
- b,c. The site is an undeveloped, vacant parcel. The project involves no displacement of housing or people. Thus, there would be no impact.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
13. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a,b. The Winters Fire Protection District provides primary fire protection service to the project site. The City of Winters Police Department provides primary police protection service. The proposed project could increase demand for these fire and police protection services by increasing the amount of development and businesses within the Departments’ service areas. This increase in development is consistent with City plans for the project site, as reflected in the General Plan.

Development within the project site would also contribute taxes and fees toward the City’s General Fund, which would be used, in part, to fund fire and police protection services needed by the project. Because the project site is already in the City, the proposed project would not increase the size of the service area of the Fire District or Police Department. However, the City’s fiscal health over the years has been severely impacted by actions of the State. The potential sales tax funds generated by the tenants of the proposed retail buildings would be beneficial to the City. Thus, the proposed project would have a less than significant adverse impact.

c, d, and e. The proposed project is for retail, office, banking, and medical buildings. As such, it does not require trigger requirements for school services, parkland, or other public facilities.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
14. 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?	□	□	■	□
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?	□	□	■	□

Discussion

a and b. As discussed in Item 13(c,d and e), the proposed commercial development would not generate recreational demands. This is a less than significant impact.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
15. TRANSPORTATION/CIRCULATION.				
<i>Would the project:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

A Traffic Impact Study (dated June, 2007) was prepared to examine the impacts from the proposed commercial project in the City of Winters. The analysis provides information on the potential effects associated with increases in traffics volumes at six local intersections as a result of the proposed project. Based on the findings of the Grant Avenue Access Study (Ferh & Peers, 2006), the following two roadway scenarios were evaluated:

- ~ East Street Access to Grant Avenue Open (existing conditions)
- ~ East Street Access to Grant Avenue to Grant Avenue Closed

a,b. The proposed residential project would generate additional traffic in the City of Winters – approximately 2,800 total trips, with 210 trips in the AM peak hour and 320 trips in the PM peak hour. The service level analysis indicates that the

project trips have a significant impact on intersection operations at the following locations:

- ~ Grant Avenue/Dutton Street – Addition of project trips exacerbates a previous deficiency by adding more than 5 seconds delay in the PM peak hour and degrades intersection operations from LOS D to LOS E in the AM peak hour (East Street open and closed scenarios).
- ~ Grant Avenue/East Street – Addition of project trips degrades intersection operations from LOS D to LOS F in the AM peak hour and PM peak hour (East Street open scenario only).
- ~ Grant Avenue/Walnut Lane – Addition of project trips exacerbates a previous deficiency by adding more than 5 seconds of delay in the PM peak hour and degrades intersection operations from LOS D to LOS F in the AM peak hour (East Street open and closed scenarios).
- ~ Grant Avenue/Morgan Street – Addition of project trips exacerbates a previous deficiency by adding more than 5 seconds of delay in the PM peak hour (East Street open and closed scenarios).

With the applicant's agreement to accept and implement the following mitigation measures, these potential impact would be mitigated to a less than significant level by installing signals where warrants are met.

Mitigation Measure Traffic 1

a) Grant Avenue/Dutton Street – The project applicant shall make a fair-share contribution toward construction of either a two-way left-turn lane or a median with eastbound left-turn pocket at the intersection. This improvement would provide acceptable intersection operations during the AM and PM peak hours.

b) Grant Avenue/East Street – Consistent with the findings of the Grant Avenue Access Study the project applicant shall close the East Street approach to Grant Avenue as part of the frontage improvements to the project site. The traffic diversion caused by this closure does not cause a significant LOS impact to the adjacent intersections and the grid street network allows for reasonable alternatives for the residents and businesses along East Street.

c) Grant Avenue/Walnut Lane – The project applicant shall realign the north leg of Walnut Lane and construct a traffic signal or roundabout at the Walnut Lane intersection to provide access to the project site.

d) Grant Avenue/Morgan Street – The applicant shall make a fair share contribution toward construction a roundabout or signaling this intersection. This improvement will require consolidating access to the parcels on the north side of the street and relocating their access point to be opposite of Morgan Street.

- c. The project site is not located near an airport and it does not include any improvements to airports or change in air traffic patterns. No impact would occur.
- d,e. The proposed project includes land uses that are similar to other development in the project vicinity. The circulation system does not include any tight curves or other design hazards. As discussed in Item 15a,b above, a traffic signal and connections to nearby roadways would ensure that the project site had adequate access without substantially increasing congestion on local roadways. For these reasons, there would be no adverse impacts related to roadway hazards or interference with emergency access.
- f. Based on the proposed retail/commercial and office uses and the attending square footage, the project would require 207 parking spaces. The site plan provides for 194 on-site spaces and an additional 36 space located along Baker Street for a total of 230 spaces including 10 ADA spaces. The project will meet parking standards established in the Winters Zoning Code for retail/commercial and office uses. Therefore, approval of the project would result in adequate parking supply, and the impact would be less than significant.
- g. The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. The project includes appropriate pedestrian and bicycle route connections. Therefore, this impact would be less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
16. UTILITIES AND SERVICE SYSTEMS.				
<i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. Public sewer service is available adjacent to the project site. Each unit constructed as part of the proposed project will be required to connect to City sewage treatment plant for wastewater treatment. The City's plant is permitted by the State and must meet applicable water quality standards. As a retail/office development, the proposed project is not anticipated to generate wastewater that contains unusual types or levels of contaminants, so it would not inhibit the ability of the Winters Wastewater Treatment Plant (WWTP) to meet State water quality standards. For these reasons, this would be a less than significant impact.

- b,e. Municipal water is proposed to be provided to the site via the existing 12 inch water main on the north side of the property, the 8 inch water main on the west side of the property, and the 6 inch water main on the south side of the property. Water would be conveyed within the site via an 8 inch line which is proposed to connect to the municipal lines on the west and south sides of the property.

Sanitary sewer service is proposed to be provided via a 6 main which would be constructed across the central portion of the site and would connect to an existing 6 inch municipal sanitary sewer line located at the eastern boundary of the property. The City's Wastewater Treatment Plant (WWTP) has a capacity of 0.92 million gallons per day (mgd). Space remains for this proposed project and approximately 600 additional residential hook-ups. The City's recent residential project approvals exceed this amount and expansion of the plant is planned. The City will continue to monitor the WWTP on an annual basis to assess available capacity. The Phase 2 expansion of the WWTP will bring the capacity to 1.2 mgd. The timing of this expansion is not set. The Phase 2 expansion will need to take place before full build out of the residential units

With the applicant's agreement to accept and implement the following mitigation measures, this potential impact would be mitigated to a less than significant level by ensuring that adequate wastewater treatment capacity is available.

***Mitigation Measure Utilities 1** -- The proposed systems for conveying project sewage, water, and drainage shall be finalized and approved by the City Engineer prior to final map. The project is required to fund and construct off-site improvements necessary to support the development. Such improvements could include, but not be limited to a water well, water lines, sewer lines and storm drainage lines. Should property acquisition or additional CEQA clearance be required for off-site improvements, this will be the responsibility of the developer.*

- c. The construction of impervious surfaces on the project site for commercial development would incrementally increase storm water runoff in the project vicinity. Stormwater drainage from the project site would be conveyed to the existing storm drainage main in East Street. The existing storm drainage system is designed to sufficiently handle the stormwater capacity that the project would create during a 100-year flood. Therefore, the project would not result in additional environmental effects beyond those analyzed in this document. This is a less than significant impact.
- d. The proposed project would be served by the City of Winters, which uses groundwater for municipal water supply. The City of Winters currently operates five groundwater wells to meet urban demand for water. Over the last ten years the City's pumping has ranged from a low of 1,540 acre-feet in 1995 to a high of 1,830 acre-feet in 2003. In 2003, production from the five wells dropped again to 1,565 acre-feet. In addition to the City's pumping, local agriculture, three local industries, one commercial enterprise, and several rural residences also pump water from the aquifer underlying the General Plan boundary. Over the last two years this additional pumping totaled approximately 90 acre-feet/year on top of the City's pumping. In summary, currently between 1,655 and 1,920 acre-feet per year of groundwater are pumped to serve uses within the General Plan boundary. This compares to pumping in 1990 of about 2,660 acre-feet. The difference is due to whether or not surface water was available for agriculture. When less surface water is available, as was the case in 1990, there is greater groundwater pumping by agriculture.

By 2020, demand for groundwater within the City is estimated to increase to 3,620 acre-feet per year unrestricted and 3,250 acre-feet per year assuming a conservation scenario of six percent. The Proposed Project is estimated to generate a demand for municipal water of 6.42 acre-feet of water annually as shown in the table below.

GBH Commercial Estimated Water Demand			
Land Use	Size (acres)	Production Factor (acre-feet/year)	Estimated Volume (acre-feet/year)
Retail	1.35	1.43	1.93
Office	1.91	1.43	2.73
Medical	0.63	1.43	0.90
Banking	0.60	1.43	0.86
Total	4.49	1.43	6.42

Production Factors taken from Table 3- Land Use-Based Demand for Winters General Plan Buildout- Revised 2004 Water Supply Assessment for Winters Highlands, Callahan Estates, Creekside Estates, and Ogando/Hudson, Residential Developments

The increment of pumping needed to serve the proposed project would be available and would not adversely affect groundwater levels or storage underlying the City. This impact is less than significant. However, analysis for the City’s Water Master Plan Update recommends that a new well will be required for any future development in the City. The City is in the process of bidding out the construction of a new that will be located near the intersection of West Grant Avenue and West Main Street.

With the applicant’s agreement to accept and implement the following mitigation measure, the potential for impact associated with water supply and infrastructure will be mitigated to a less than significant level.

Mitigation Measure Utilities 2 – *Building permits shall be issued for each building only after the City Engineer has established that water supply will be available to serve the building.*

- f, g. Solid waste from the project site will be collected by the City of Winters and disposed of at the Yolo County Central Landfill, a 722-acre facility. The landfill has a capacity of 11 million tons with capacity for planned growth through 2025. The proposed project site has been planned for commercial development since at least 1992. This project is part of the planned growth for which the landfill has been sized and therefore solid waste generated by the project would not have unanticipated impacts on the life of the landfill. Therefore, this impact is considered less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
17. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to 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, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. No important examples of major periods of California history or prehistory in California were identified, and mitigation identified in Section 5 would ensure that subsurface resources, if present, would be protected. Wetlands and habitat for special-status species were identified on-site. Mitigation measures provided under Section 4 (Biological Resources) and Section 5 (Cultural Resources) of this Initial Study would ensure that impacts on biological resources would be less than significant.
- b. As discussed throughout this Initial Study, the proposed project is consistent with the Winters General Plan and assumptions made in the Winters General Plan EIR. Therefore cumulative impacts as analyzed in the 1992 General Plan EIR remain valid, and this project would not result in new or increased cumulative effects.
- c. As discussed in Sections 1 (Aesthetics), 3 (Air Quality), 6 (Geology and Soils), 8 (Hydrology and Water Quality), 9 (Land Use Planning), 11 (Noise), 15 (Transportation/Traffic), and 16 (Utilities and Service Systems) the potential for impacts on human beings would be reduced to less than significant levels by mitigation identified in these sections.

Summary of Mitigation Measures

Mitigation Measure Aesthetics 1 – Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent areas and the night sky. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. Lighting plans with certification that adjacent areas will not be adversely affected and that offsite illumination will not exceed 2-foot candles shall be submitted to the City for review and approval as part of improvement plans.

Prior to issuance of a building permit, the applicant shall submit a photometric and proposed lighting plan for the project to the satisfaction of the Community Development Department to ensure no spillover light and glare onto adjoining properties.

Mitigation Measure Air 1 – Install an ozone destruction catalyst on all air conditioning systems. With the applicant's agreement to accept and implement the following mitigation measure, NOx emissions would be minimized and this impact would be held to a less than significant level.

Mitigation Measure Air 2

- a. Construction equipment exhaust emissions shall not exceed District Rule 2-11 Visible Emission limitations.
- b. Construction equipment shall minimize idling time to 5 minutes or less.
- c. The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.

An enforcement plan shall be established to weekly evaluate project-related on-and-off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

Construction contracts shall stipulate that at least 20% of the heavy-duty off-road equipment included in the inventory be powered by CARB certified off-road engines, as follows:

175 hp - 750 hp	1996 and newer engines
100 hp - 174 hp	1997 and newer engines
50 hp- 99 hp	1998 and newer engines

In lieu of or in addition to this requirement, the applicant may use other measures to reduce particulate matter and nitrogen oxide emissions from project construction through the use of emulsified diesel fuel and or particulate matter traps. These alternative measures, if proposed, shall be developed in consultation with District staff.

Mitigation Measure Air 3

- a) Nontoxic soil stabilizers according to manufacturer's specifications shall be applied to all inactive construction areas (previously graded areas inactive for ten days or more).
- b) Ground cover shall be reestablished in disturbed areas quickly.
- c) Active construction sites shall be watered at least three times daily to avoid visible dust plumes.
- d) Paving, applying water three times daily, or applying (non-toxic) soil stabilizers shall occur on all unpaved access roads, parking areas and staging areas at construction sites
- e) Enclosing, covering, watering daily, or applying non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) shall occur.
- f) A speed limit of 15 MPH for equipment and vehicles operated on unpaved areas shall be enforced.
- g) All vehicles hauling dirt, sand, soil, or other loose materials shall be covered or shall be maintained at least two feet of freeboard.
- h) Streets shall be swept at the end of the day if visible soil material is carried onto adjacent public paved roads.

Mitigation Measure Biological 1 – The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey

shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving equivalent suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Mitigation shall be consistent with the City's adopted Habitat Mitigation Program. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

Mitigation Measure Biological 2 -- The project proponent shall mitigate for potential project-related impacts to nesting raptors (Swainson's Hawk, White-tailed Kite, Northern Harrier, and Loggerhead Shrike) by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 0.25 mile of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests are found during the preconstruction survey, a 0.25-mile (1,320-foot) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

Mitigation Measure Biological 3 -- The project proponent shall mitigate for potential project-related impacts to migratory birds by conducting a pre-construction survey for nests on the site. The preconstruction survey shall be performed no more than 14 days prior to the onset of vegetation and/or tree removal. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of migratory bird known to occur in the vicinity of the City of Winters. If active migratory bird nest(s) are found onsite during the preconstruction survey, the nest(s) shall not be disturbed or removed until the young have fledged and the nest is no longer active. A buffer may be required. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

Alternatively, potential impacts to nesting birds or unfledged young would be avoided if vegetation and/or tree removal occurred only between September 1 and January 21.

Mitigation Measure Biological 4 -- Any mitigation required shall be implemented in a manner consistent with requirements, purpose and intent of the City of Winters' Habitat Mitigation Program.

Mitigation Measure Cultural 1 – If cultural resources (historic, archeological, paleontological, and/or human remains) are encountered during construction, workers shall not alter the materials or their context until an appropriately trained cultural resource consultant has evaluated the situation. Project personnel shall not collect cultural resources. Prehistoric resources include chert or obsidian flakes, projectile points, mortars, pestles, dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits often in old wells and privies.

Mitigation Measure Cultural 2 - Should human remains be discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

Mitigation Measure Geology 1 -- Grading of the site, design of foundations for proposed structures and construction of other related facilities on the property shall follow the criteria identified in the Geotechnical Investigation (Wallace Kuhl, March 8, 2007) prepared for the project.

Mitigation Measure Land Use 1 -- All aspects of the project shall be subject to design review to ensure compatibility with the surrounding area and satisfaction of the Community Design Guidelines and other applicable principles of good community design.

Mitigation Measure Noise 1 – HVAC noise shall not exceed 45 dBA at the nearest residential property line. This shall be demonstrated to the City via a noise analysis prepared by a qualified consultant prior to issuance of occupancy permits for Buildings 6, 7, 8, and 9.

Mitigation Measure Noise 2 – Construction equipment shall be fitted with adequate engine mufflers and enclosures.

Mitigation Measure Traffic 1

a) Grant Avenue/Dutton Street – The project applicant shall make a fair-share contribution toward construction of either a two-way left-turn lane or a median with eastbound left-turn pocket at the intersection. This improvement would provide acceptable intersection operations during the AM and PM peak hours.

b) Grant Avenue/East Street – Consistent with the findings of the Grant Avenue Access Study the project applicant shall close the East Street approach to Grant Avenue as part of the frontage improvements to the project site. The traffic diversion caused by this closure does not cause a significant LOS impact to the adjacent intersections and the grid street network allows for reasonable alternatives for the residents and businesses along East Street.

c) Grant Avenue/Walnut Lane – The project applicant shall realign the north leg of Walnut Lane and construct a traffic signal or roundabout at the Walnut Lane intersection to provide access to the project site.

d) Grant Avenue/Morgan Street – The applicant shall make a fair share contribution toward construction a roundabout or signaling this intersection. This improvement will require consolidating access to the parcels on the north side of the street and relocating their access point to be opposite of Morgan Street.

Mitigation Measure Utilities 1 -- The proposed systems for conveying project sewage, water, and drainage shall be finalized and approved by the City Engineer prior to final map. The project is required to fund and construct off-site improvements necessary to support the development. Such improvements could include, but not be limited to a water well, water lines, sewer lines and storm drainage lines. Should property acquisition or additional CEQA clearance be required for off-site improvements, this will be the responsibility of the developer.

Mitigation Measure Utilities 2 – Building permits shall be issued for each building only after the City Engineer has established that water supply will be available to serve the building.

Attachments:

1. Location Map
2. Site Plan
3. Updated Tentative Map dated August 24, 2007
4. Building Elevations
5. Mitigation Monitoring Plan (MMP)