

ATTACHMENT 5

ENVIRONMENTAL CHECKLIST AND INITIAL STUDY

(City of Winters, 05-12-10)

- Project Title:** Jordan Tentative Parcel Map
- Lead Agency:** City of Winters
Community Development Department
318 First Street
Winters, CA 95694
- Lead Agency Contact:** Nellie Dyer, Community Development Director
(530) 795-4910 x114
- Heidi Tschudin, Contract Planner
(916) 447-1809
- Project Location:** Southwest quadrant of Interstate 505 and State Route 128 (Grant Avenue) in Winters California, 95694 (see Exhibit 1, Vicinity Map) totaling 11.72 acres comprised of four buildable parcels, a remainder parcel, and a right-of-way parcel:
- Parcel 1 APN 038-070-032 (0.84 ac)
 - Parcel 2 APN 038-070-029 (0.87 ac)
 - Parcel 3 APN 038-070-031 (0.87 ac)
 - Parcel 4 APN 038-070-030 (0.84 ac)
 - Remainder Parcel APN 038-070-028 (7.5 ac)
 - Parcel A Gateway Drive right-of-way (0.80 ac)
- Project Applicant:** Bryan Bonino
Laugenour and Meikle Civil Engineers
608 Court Street
Woodland, CA 95695
(530) 662-1755
- Property Owner:** Jordan Family Partnership IV (Mary Jordan)
1600 Executive Court
Sacramento, CA 95825
(916) 973-2800

Land Use Designations: GENERAL PLAN -- The General Plan land use designation for the property is Planned Commercial/Business Park (PCB) with a band of Open Space (OS) along the Putah Creek corridor. The PCB designation covers 11.47 acres of the property and the OS designation covers 0.25 acres (of the Remainder Parcel) adjoining Putah Creek (see Exhibit 4, General Plan and Zoning Designations). PCB is described as follows in the General Plan (GP, page I-3):

Planned Commercial/Business Park (PCB)

This designation provides for restaurants, service stations, hotels and motels, retail and amusement uses, which are oriented principally to highway and through traffic, offices, light industrial, and wholesale commercial uses, public and quasi-public uses, and similar and compatible uses. The FAR shall not exceed 0.40.

All development under this designation shall be approved pursuant to an adopted master development plan (e.g., specific plan). As these master development plans are approved, the Planned Commercial/Business Park designation shall be replaced through a general plan amendment with the Highway Service Commercial, Business/Industrial Park, Open Space, or Public Quasi-Public designations as the City deems appropriate based on the approved master development plan.

OS is described as follows in the General Plan (GP, page I-4):

Open Space (OS)

This designation provides for agricultural uses, recreational uses, riparian vegetation and wildlife habitat protection, water retention, public and quasi-public uses, and similar and compatible uses consistent with the open space purposes of this designation. The FAR shall not exceed 0.05. The precise location of the boundary of the Open Space designation along Putah and Dry Creeks shall be determined by the City in conjunction with individual project proposals based on creek setback requirements and site-specific conditions.

GATEWAY MASTER PLAN - The property lies within the boundaries of the Gateway Master Plan (GMP). It comprises the eastern portion of the property intended for highway commercial development, as opposed to the western portion of the GMP intended for industrial/business park development. The GMP designates the property as Highway Commercial (GMP, p. 7). The GMP defers to the General Plan regarding allowed uses (GMP, p. 9)

ZONING - The zoning for the property is Highway Service Commercial—Planned Development Overlay (C-H/P-D). The C-H zone designation is described as follows in the Zoning Code:

Section 8-1.5109 Highway Service Commercial (C-H) Zone.

A. Purpose. The purpose of the Highway Service Commercial (C-H) Zone is to provide for commercial services and transient residential uses which are appropriate to highway locations and dependent upon highway travel. Principal permitted uses include minor automobile repair, restaurants including drive-thrus, service station, and minor utility services.

The P-D zone designation is described as follows in the Zoning Code:

Section 8-1.5117 Planned Development (P-D) Overlay Zone

A. Purpose. In order to achieve the General Plan goal "to promote the development of a cohesive and aesthetically pleasing urban structure for Winters", the P-D Overlay Zone has been included within the scope of the Zoning Ordinance to allow for the maximum flexibility consistent with the minimum development standards within each underlying zone category. Principal permitted uses include any uses or combination of uses which are found to be in overall conformity with the standards, regulations, intent, and purposes of the General Plan applicable to the project site, pursuant to an approved P-D permit.

Description of Project: The application is for a proposed new Tentative Parcel Map (Exhibit 2, Jordan Tentative Parcel Map No. 4975) to: 1) realign Gateway Drive and narrow it from a 70-foot ROW to a 60-foot ROW; and 2) reconfigure the lot layout to match the new roadway alignment. The result will be three front lots on larger acreage than the prior front four, plus the right-of-way parcel for realigned Gateway Drive and a smaller back parcel.

A summary of differences between the existing lot layout (Matz Parcel Map No. 4057, October 1993) and proposed modified layout (Jordan Tentative Parcel Map No. 4975) are as follows:

Existing	Proposed	Net Change
Parcel 1 APN 038-070-032 (0.84 ac)	Parcel 1 (1.71 ac)	+0.87ac (104% inc)
Parcel 2 APN 038-070-029 (0.87 ac)	Parcel 2 (2.00 ac)	+1.13ac (130% inc)
Parcel 3 APN 038-070-031 (0.87 ac)	Parcel 3 (1.03 ac)	+0.16ac (18% inc)
Parcel 4 APN 038-070-030 (0.84 ac)	Absorbed into other parcels	-0.84 ac (100% dec)
Parcel A Gateway Drive right-of-way (0.80 ac)	ROW (0.88 ac)	+0.08 ac (10 % inc)
Subtotal 4.22 acres	5.62 acres	+1.40 ac (33% inc)
Remainder Parcel APN 038-070-028 (7.50 ac)	Parcel 4 (6.10 ac)	-1.40 ac (19% dec)

The applicant has indicated that the project is necessary to accommodate a future planned stormwater diversion channel outlet and sewer lift station easement along the west side of the property that would limit development on existing Parcels 3 and 4. The applicant also wishes to create larger parcels overall along the freeway frontage indicating that they would be better suited for potential development.

In order for development to proceed on resulting parcels 1 through 3, the applicant is required to submit a development proposal (Zoning Ordinance, Section 8-1.5117.E.2) for purposes of design review and secure a P-D Permit. As a part of the design review process and in order to grant the P-D Permit, the City will confirm consistency with applicable design requirements and guidance for development along Grant Avenue, the GMP design requirements, Citywide Design Guidelines, and the Putah Creek Nature Area Master Plan (adopted June 23, 2008). Following approval, construction of the subject parcel and the first segment of the Gateway Drive loop could be undertaken. So long as the proposed development on the front parcels is consistent with the assumed land uses and does not exceed the trip “budget” discussed below, the development will fall within the prior CEQA clearances.

Access to the back parcel is proposed to occur via a 30-foot driveway access easement. A 25 x20 foot easement for future signage is also proposed adjoining I-505 within the proposed new back parcel. As previously noted, however, while the back parcel was covered programmatically under the General Plan EIR, it does not have site specific clearance under the GMP/Matz Parcel Map Mitigated Negative Declaration discussed below. As such, development or any other discretionary actions involving the back parcel (new Parcel 4) will require subsequent site-specific CEQA clearance and is not addressed in this Initial Study.

The proposed new Parcel Map includes one half (50 feet) of an anticipated new 100-foot stormwater diversion channel outlet to Putah Creek, along the western boundary of the property. The new outlet is a separate project identified in the City’s adopted Putah

Creek /Dry Creek Subbasins Drainage Report. Construction will require subsequent project-specific CEQA clearance and is not addressed in this Initial Study.

Project Approvals: The following specific entitlements are necessary for implementation of the project:

- Approval of Tentative Parcel Map
- Approval of Design Review for Development Plan for Parcels 1-3
- Approval of Planned Development Permit for Parcels 1-3
- Finding of Consistency with Gateway Master Plan
- Finding of Consistency with Putah Creek Nature Area Master Plan
- CEQA Clearance

Surrounding Land Uses and Setting: Surrounding land uses are as follows:

North	SR 128 (Grant Avenue); Chevron Gas Station; vacant Highway Commercial property
East	Interstate 505
South	Putah Creek
West	Vacant Industrial/Business Park property (within the Gateway Master Plan)

Historically the site has been used for agriculture and riparian open space. It is currently fallow. The most recent crop was winter wheat. The general topographic character is flat with less than one foot of elevation change across the property (elevation 127 ft to 128 ft). There is no natural vegetation on the portion of the site planned for development. There are three cottonwood trees (16 inches, 18 inches, and 24 inches) within the right-of-way along SR 128 (Grant Avenue).

Background: The entire Gateway Master Plan (GMP) area, of which this property is a part, was annexed (the Matz Annexation) into the City on August 4, 1992 (City Council Resolution No. 92-46). The GMP was approved by the Planning Commission on June 29, 1993 (Planning Commission Resolution No. 93-04). A Mitigated Negative Declaration was prepared for CEQA clearance. The GMP was approved by motion of the City Council on July 22, 1993 (as evidenced in the minutes of that meeting).

The GMP is comprehensive for the first phase of development (defined as the front four highway commercial lots). Infrastructure and utility planning contained in the GMP is provided only for Phase 1 (commencing with page 13) although the Preliminary Utility Plan exhibit appears to address the entire plan area. The Traffic analysis (including the Wilbur Smith Traffic Study, September 18, 1992) addresses only Phase 1 (commencing with page 16).

The GMP includes Building and Signage Design Themes (commencing on page 19) that appear to be intended to apply to the entire commercial highway area (page 25). The Landscape Design Elements component (commencing on with 29) together with the Putah Creek analysis (commencing on page 39) appear to address the entire plan

area. The Flood Hazard Map Revision Study (Yolo Engineers September 1992) appears to address the entire plan area.

The original Parcel Map for the subject property (Exhibit 3, Matz Parcel Map No. 4057, October 1993) was approved at the same time as the approval of the GMP. The Mitigated Negative Declaration prepared for the GMP also covered the Matz Parcel Map. This is discussed more below.

Previous Relevant Environmental Analysis: The City's 1992 General Plan was the subject of a certified Environmental Impact Report (GP EIR) that examined the environmental impacts associated with adoption of the General Plan. On May 19, 1992 the City Council adopted Resolution No. 92-13 certifying the two-volume EIR (SCH#91073080) prepared for the City General Plan and adopting the City General Plan.

Based on the draft General Plan land use map (page 19, General Plan DEIR) and specified development assumptions (page 25, General Plan DEIR), the GP EIR examined the environmental impacts associated with a minimum of 10.1 acres of highway commercial uses (93,800 square feet) on the subject property and 34.8 acres of business park uses (322,400 square feet) on the remainder of the GMP, immediately west of the subject property. This totals to 44.9 acres (416,200 square feet).

The subsequent Gateway Master Plan (GMP) (1993) and the Matz Parcel Map (No. 4057, October 1993) (including development of the front four parcels) were the subject of a Mitigated Negative Declaration (MND) that tiered from the GP EIR and examined the site specific environmental impacts associated with development of the front four parcels of the subject property. The GMP (traffic study) assumed the following development on the front parcels: one motel on 1.8 acres, one fast food restaurant (McDonalds) on 1.0 ac, one sit-down "high-turnover" restaurant on 1.0 acre, and one service station/convenience market. No other information such as assumed use square footages was provided, however the trip generation for the front parcels is assumed at 5,310 daily trips and/or 434 PM peak hours trips. Therefore, so long as this trip "budget" is not exceeded, development on the front parcels will fall within the assumptions of the GMP/Matz Parcel Map "Phase One" planning and analysis assumptions, and be covered by the prior CEQA clearances including the GP EIR.

The Planning Commission approved Resolution No. 93-04 on June 29, 1993 adopting the MND for the GMP/Matz Parcel Map. All applicable mitigation measures adopted as a part of this action become conditions of approval on the subject project (see Exhibit 5, Mitigation Measures for Gateway Master Plan/Matz Parcel Map Mitigated Negative Declaration (June 29, 1993); and Exhibit 6, Mitigation Monitoring and Reporting Program for the Matz Parcel Map, First Phase of the Gateway Master Plan (June 29, 1993)).

Other public agencies whose approval may be required:

The Yolo-Solano Air Quality Management District has rules that apply to construction projects. Various permits and approvals may be needed.

The Regional Water Quality Control Board has jurisdiction over discharge into Putah Creek and impacts to water quality. Discharge permits and/or various NPDES approvals may be needed.

The State Department of Fish and Game has jurisdiction over various species and habitat which may be impacted. Permits from this agency may be required.

Caltrans has jurisdiction over the state highway system. An encroachment permit may be needed for access to SR 128.

The federal Army Corps of Engineers has jurisdiction over wetlands features. A Section 404 permit and other approvals may be needed from this agency if wetlands features are impacted.

The federal Fish and Wildlife Service has jurisdiction over various species and habitat which may be impacted. Permits from this agency may be required.

Other Project Assumptions: The Initial Study assumes compliance with all applicable State, federal, and local codes and regulations.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be significantly affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Agricultural and Forest Resources | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Transportation and Traffic |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Mandatory Findings of Significance |
| | <input checked="" 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 as 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 that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.



 Signature

5-13-10

 Date

Nellie Dyer, Director

 Printed Name

Winters Community Development Dept

 Lead Agency

EVALUATION OF ENVIRONMENTAL IMPACTS:

Introduction

Following is the environmental checklist form (also known as an “Initial Study”) presented in Appendix G of the State 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.

Less Than Significant With 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. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”. The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, 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 “Less Than Significant with Mitigation Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources 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 is 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 measure identified, if any, to reduce the impact to less than significant.

Issues	Potentially Significant Impact	Less Than Significant w/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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development would change the visual characteristics of the site, however, this site has been planned for these land uses for 18 years. The 1992 General Plan EIR analyzed the potential impacts of development of 93,800 square feet of commercial development over the entire property (see pages 207 through 211 of the Draft EIR and page E&R 32 of the Final EIR), and the GMP/Matz Parcel Map MND examined the site-specific impacts of development of the front parcels (under the original parcel map) consistent with the General Plan. In both documents the potential for aesthetic/visual impacts was found to be less than significant assuming compliance with the General Plan policies, GMP, and GMP/Matz Parcel Map MMRP.

The front parcels (including the right-of-way for Gateway Drive) under the original land division total 4.2 acres and the proposed project would expand this to 5.6 acres. This expansion of 1.4 acres is not considered significant in terms of aesthetic impacts as it will not result in a substantive change in the design, type, or magnitude of development for which CEQA clearance has already been provided. The General Plan FEIR and the GMP/Matz Parcel Map MND are hereby relied upon for this analysis.

- a. There are no General Plan designated scenic vistas that would be adversely affected by implementation of this project. The 1992 General Plan EIR discusses view corridors to the Vaca Mountains, and concludes that development consistent with the General Plan would have no unmitigated impacts. 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 City has not designated any scenic resources on the project site (discussion of the Putah Creek Nature Park Master Plan is addressed under Biological Resources and Recreation). There are no historic buildings or rock outcroppings on the site. There are three cottonwood trees located along the SR 128/Grant Avenue right-of-way. These trees would be removed in order to complete planned improvements along Grant Avenue. Prior to the removal of any trees,

Mitigation Measure 22 of the GMP/Matz Parcel Map MND requires the preparation of an arborist's report with implementation of any recommendations for existing trees. For these reasons, the potential for impact would be less than significant.

- c. The proposed project would not result in significant degradation of the visual surroundings of the site or surrounding area. The General Plan designates this area for future development and the General Plan EIR concluded that there would be no unmitigated aesthetic or visual impacts.

Yolo County has designated Grant Avenue/Highway 128, between I-505 and Lake Berryessa, as a local "scenic highway corridor". City General Plan Policy VIII.A.7 requires the City to establish Design Guidelines for new development along Grant Avenue. Through the required P-D permit, this development would be subject to those guidelines, as well as the citywide design guidelines, and the design requirements of the GMP. Analysis of the subsequent P-D Permit will ensure consistency with these documents. Therefore this impact would be less-than-significant.

The GMP/Matz Parcel Map MND includes mitigation measures addressing landscaping (Mitigation Measures 18 through 21) and trees (Mitigation Measure 22).

- d. The proposed project would not result in any new sources of light and/or glare in the area beyond what was analyzed in the General Plan EIR. City General Plan Policy VIII.D.7 requires controls on new lighting to minimize spill-over, glare, and impacts to the night sky. Potential light and glare impacts are considered less-than-significant.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
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2. AGRICULTURE AND FOREST RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development would change the existing land use on the site, however, this site has been planned for these land uses for 18 years. The 1992 General Plan EIR assumed conversion of the entire GMP area from primarily agricultural to planned urban uses, including the potential impacts of development of 93,800 square feet of commercial development over the subject property (see pages 212 through 219 of the Draft EIR and pages E&R 32 and 33 of the Final EIR). The 1992 General Plan EIR found impacts to agriculture to be significant and unavoidable. The City Council adopted a Statement of Overriding Considerations accepting these

unavoidable impacts (Resolution 92-13, Exhibit C, adopted May 19, 1992) which is hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND examined the site-specific impacts of development of the front parcels (4.2 acres), consistent with the General Plan. The MND identified no site-specific impacts relevant to agricultural or forestry resources. The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to agricultural resources as both the General Plan EIR and the GMP/Matz Parcel Map MND assumed that the entire GMP area would be converted to urban uses.

- a. The General Plan designates this area for future development which would result in the conversion of prime farmland and land mapped under other categories. However, these impacts have already been analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less-than-significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.
- b. None of the project acreage is under a Williamson Act contract or zoned by the City for agricultural uses.
- c,d. None of the project acreage contains forest resources.
- e. The potential for other adverse agricultural impacts such as conversion of other farmland to non-agricultural uses is unchanged from the original analysis in the prior 1992 General Plan EIR. These impacts have already been analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less-than-significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

Issues	Potentially Significant Impact	Less Than Significant w/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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 proposed project is a resubdivision of property designated and zoned for highway commercial development. Development on this property would release air emissions; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the full GMP (see pages 193 through 205 of the Draft EIR and pages E&R 30 through 32 of the Final EIR) and found air quality impacts to be significant and unavoidable. The City Council adopted a Statement of Overriding Considerations accepting these unavoidable impacts (Resolution 92-13, Exhibit C, adopted May 19, 1992) which is hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND examined the site-specific impacts of development of the front parcels (4.2 acres), consistent with the General Plan. The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to air quality as it will not result in a substantive change in the design, type, or magnitude of development for which CEQA clearance has already been provided. The General Plan FEIR and the GMP/Matz Parcel Map MND are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND identified a number of mitigation measures to address air quality impacts during construction (Mitigation Measures 6 through 14). Mitigation Measure 15 requires coordination with the Transportation authority regarding a bus stop along Grant Avenue.

- a. The proposed project would not conflict with or obstruct implementation of applicable air quality plans, because the development that would result from

implementation of this project is consistent with land uses planned for the site in the City General Plan since at least 1992. Build-out of the City's 1992 General Plan is included in the air emissions inventory for the Sacramento region which is included in applicable air quality plans. These impacts have already been analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less-than-significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

- b, c, d. Yolo County is in designated as non-attainment for ozone under both State and federal standards and non-attainment for PM₁₀ under State standards (see table below).

POLLUTANT	ATTAINMENT FOR FEDERAL STANDARD	ATTAINMENT FOR STATE STANDARD
Ozone	No/Severe	No/Serious
NO _x	Yes	Yes
PM ₁₀	Yes	No
SO _x	Yes	Yes
CO	Yes	Yes

However, the potential for air quality impacts from the construction and development that may result from the proposed project is unchanged from the original analysis in the prior 1992 General Plan EIR. These impacts have already been analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less-than-significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

- e. The potential for impacts due to objectionable odors is unlikely to be significant at this specific location as no residential uses are proposed. Odors are typically as issue where agricultural and residential uses interface and where industrial and residential uses interface. This is typically addressed through reliance on buffers between uses or operational controls applied on a case-by-case basis through the design review process. There may be cases where the impact remains unavoidable, which is consistent with the determination reached in the 1992 General Plan EIR.

The prior adopted Statement of Overriding Consideration is relied upon in this determination regarding regional air quality emissions. Implementation of the

subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less-than-significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	■	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	■	☐	☐
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?	☐	■	☐	☐
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?	☐	■	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

Discussion

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development would change the existing land use on the site, however, this site has been planned for these land uses for 18 years. The 1992 General Plan EIR assumed development of the entire GMP area in highway commercial and industrial/business park uses, including the potential impacts of development of 93,800 square feet of commercial development on the subject property (see pages 155 through 168 of the Draft EIR and pages E&R 26 through 29 of the Final EIR). The 1992 General Plan EIR found impacts to biological resources to be significant and unavoidable. The City Council adopted a Statement of Overriding Considerations accepting these unavoidable impacts (Resolution 92-13, Exhibit C, adopted May 19, 1992) which is hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND examined the site-specific impacts of development of the front parcels (4.2 acres), consistent with the General Plan. The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to biological resources as both the General Plan EIR and the GMP/Matz Parcel Map MND assumed that the entire GMP area would be converted to urban uses.

- a-d. The potential for impacts to biological resources on a regional or cumulative level as a result of implementation of the project is unchanged from the original analysis in the prior 1992 General Plan EIR. These impacts have already been analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less-than-significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

The potential for site-specific impacts to biological resources associated with development on the front parcels was examined in the GMP/Matz Parcel Map MND. Mitigation Measures 23 through 25 of that document addresses biological resources. Pursuant to General Plan Policy VI.D.1, Mitigation Measure 23 requires dedication of land within 100-feet of top of the bank of Putah Creek. This will allow for implementation of the Putah Creek Nature Park Master Plan (March 2008).

Mitigation Measure 24 requires the applicant to pay any fees assessed by the Department of Fish and Game for purposes of reviewing the environmental review prepared for the project. This measure would have been satisfied in 1993 when the MND was adopted and the requisite Notice of Determination filed.

Mitigation Measure 25 requires the applicant to pay fees associated with impacts to Swainson's Hawk habitat and impacts to other sensitive species and/or habitat. It requires a "formal" 2081 consultation with the State Department of Fish and Game, and payment of appropriate fees. Pursuant to Section 15074.1 of the CEQA Guidelines, this measure is hereby updated/replaced with the following equivalent substitute measure for current conditions as follows:

#25. An updated Biological Resources Assessment shall be prepared subject to City acceptance, prior to commencement of any onsite work, to assess the potential for, and identify any current populations of, sensitive species and/or habitats on the front acreage. Habitats shall be quantified and standard mitigations/survey protocol requirements shall be imposed, including compliance with Yolo NCCP/HCP JPA Swainson's Hawk Interim Mitigation Fee Program for loss of Swainson's hawk foraging land, and applicable requirements for impacts to nesting raptors and burrowing owls.

CEQA Guidelines Section 15074.1 allows for the use of substitute mitigations where the measure is found to be equivalent or more effective. This applies here as the substitute measure will ensure a better understanding of existing conditions through the requirements for an updated site assessment, require the application of current performance standards for mitigation, and ensure consistency with the current requirements of the Yolo County NCCP/HCP Joint Powers Agency ("JPA") Swainson's Hawk Interim Mitigation Fee Program. Established in 1993, this program utilizes mitigation fees to acquire conservation easements protecting Swainson's hawk habitat.

- e. General Plan Policies VI.C.1 through VI.C.10, and VI.D.1 through VI.D.9, establish various requirements to protect and preserve the City's biological resources. Notwithstanding these policies, the City in 1992 concluded that impacts to biological resources resulting from implementation of the General Plan would be significant and unavoidable. The potential for impacts to biological resources on a regional or cumulative level as a result of implementation of the proposed project is unchanged from the original analysis in the prior 1992 General Plan EIR, which included the development the subject site. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less-than-significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

- 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. There is no impact in this category.

Issues	Potentially Significant Impact	Less Than Significant w/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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development could adversely affect unknown cultural resources; however, General Plan, GMP, and GMP/Matz Parcel Map MND all contain required measures to minimize the potential adverse effects of this impact. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP area (see pages 220 through 222 of the Draft EIR and pages E&R 33 and 34 of the Final EIR) and found impacts to cultural resources to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND examined the site-specific impacts of development of the front parcels (4.2 acres), consistent with the General Plan. The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to cultural resources as both the General Plan EIR and the GMP/Matz Parcel Map MND assumed that the entire GMP area would be converted to urban uses.

a-d. General Plan Policies V.F.1 and V.F.2 address archeological resources and require that construction stop and appropriate mitigation through the State Archaeological Inventory occur if potential sub-surface resources are uncovered. Mitigation Measure 42 of the GMP/Matz Parcel Map MND reinforces this with a requirement that site work stop and an evaluation be undertaken in the event of a subsurface cultural resource find.

Section 7050.5 of the California Health and Safety Code states that, when human remains are 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.

Compliance with these requirements will ensure that impacts on cultural resources are less than significant.

Issues	Potentially Significant Impact	Less Than Significant w/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.	☐	☐	■	☐
ii. Strong seismic ground shaking?	☐	☐	■	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
iv. Landslides?	☐	☐	■	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	■	☐
d. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■

Discussion

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development could result in impacts related to soils and geology; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 169 through 178 of the Draft EIR and page E&R 29 of the Final EIR) and found impacts to geological resources to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND examined the site-specific impacts of development of the front parcels (4.2 acres), consistent with the General Plan. The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to geology and soils as

both the General Plan EIR and the GMP/Matz Parcel Map MND assumed that the entire GMP area would be converted to urban uses.

- a-d. 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. There are no parts of the City located within an Alquist-Priolo Special Studies Zone.

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 within the City 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 Uniform 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.

General Plan Policies VII.A.1 through VII.A.3 address geological hazards and require compliance with applicable State codes and requirements. The GMP/Matz Parcel Map MND includes Mitigation Measures 1 through 5 which address impacts related to geology and soils, including Mitigation Measure 2 which requires submittal of a geotechnical report.

The proposed project would not result in new geological impacts or exposure to new hazards beyond what was analyzed in the General Plan EIR and GMP/Matz Parcel Map MND. Impacts in these areas are considered less-than-significant.

- e. The City does not allow septic systems. All projects are required to connect to wastewater treatment facilities. Therefore, there is no potential for impact.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Assembly Bill 32 adopted in 2006 established the Global Warming Solutions Act of 2006 which requires the State to reduce greenhouse gases (GHGs) by approximately 25 percent by 2020. GHGs contribute to global warming/climate change and associated environmental impacts. The major GHGs that are released from human activity include carbon dioxide, methane, and nitrous oxide. The primary sources of GHGs are vehicles (including planes and trains), energy plants, and industrial and agricultural activities (such as dairies and hog farms). New development results in the direct and indirect release of GHGs.

“Climate change” as a specific or distinct topic was not mentioned in the 1992 General Plan; however, the related topics of pedestrian-friendly land use and design features, transportation and circulation, energy efficiency, air quality, and waste management were addressed and are prominent in the General Plan. The existing General Plan includes the following policies relevant to this topic:

- Urban limit line (Policy I.A.2)
- Jobs housing balance (Policy I.A.6, I.E.2)
- Pedestrian and bicycle orientation (I.A.8, III.G.1 – III.G.6, VIII.A.4, VIII.B.1 – VIII.B.3, VIII.C.3)
- Infill and reuse (Policy I.B.2, I.B.5, II.B.1 – II.B.6)
- Interconnected grid streets and alleys (Policy III.A.9, VIII.C.2)
- Transit (Policy III.B.1, III.B.2, III.B.3)
- Trip reduction (Policy III.C.1, III.C.2, III.C.3, III.C.4)
- Protection of habitat (Policy VI.C.1 – VI.C.10, VI.D.1 – VI.D.9)
- Protection of air quality (VI-E.1 – VI.E.11)
- Energy conservation (II.C.1, II.C.2, VI-F.2 – VI.F.5)

- Emergency response (VII.D.1 – VII.D.4)
- Open space (VIII.A.6)
- Tree canopy (VIII.D.1 – VIII.D.6)

These policies are effective in reducing GHGs and minimizing impacts from climate change. The subject project is consistent with the goals or land use designations of the General Plan and would result in no development beyond that already approved in 1992. Compliance with these policies will be effective in minimizing GHG emissions and climate change impacts from this already planned new development.

- a. The GMP/Matz Parcel Map MND did examine the question of whether development on the GMP would result in "...any change in climate, locally or regionally?" (p. 9). The MND concluded that due to the small scale of the proposed project (54 acres total), it was not anticipated that significant impacts on climate would occur.

The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to climate change as it will not result in a substantive change in the design, type, or magnitude of development for which CEQA clearance has already been provided.

- b. Given the relevant policies already built into the General Plan (see discussion above) and the small scale of this phase of the project (less than 6 acres), the proposed project would not result in a conflict with the State's AB 32 goals. This impact is considered less than significant.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
8. 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 checked="" type="checkbox"/>	<input 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 checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant 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

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development could result in impacts related to hazards and hazardous materials; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 117 through 122 of the Draft EIR and page E&R 21 of the Final EIR) and found impacts to emergency facilities and services to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND identified no site-specific impacts relevant to hazards or hazardous materials. The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered

significant with regard to this area of impact as both the General Plan EIR and the GMP/Matz Parcel Map MND assumed that the entire GMP area would be converted to urban uses.

- a-c. During construction, oil, diesel fuel, gasoline, hydraulic fluid, and other liquid hazardous materials would be used. Similarly, paints, solvents, and various architectural finishes would also be used.

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.

Project-specific land uses and operations that might involve the use, transport or disposal of hazardous materials would be analyzed on a case-by-case basis for each future development project. Because the routine transport, use, and disposal of hazardous materials is regulated by federal, State, and local regulations, this impact is considered less than significant.

- d. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. The proposed project would not result in new hazards or exposure to new hazards beyond what was analyzed in the General Plan EIR. Impacts in this area are considered less-than-significant.
- e,f. The City is not within two miles of any public or private airports or air strips, 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.
- g. The proposed project would have no known effect on adopted emergency response plans or emergency evacuation plans. This would be considered less-than-significant under CEQA.
- h. The project area does not qualify as "wildlands" where wildland fires are a risk; therefore, no adverse impact would occur in this categories.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
9. 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 or provide substantial additional sources of polluted runoff?	<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 flood hazard area, 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

The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 169 through 178 of the Draft EIR and page E&R 29 of the Final EIR; see also pages 105 through 113 of the Draft EIR and pages E&R 19 through 21) and found hydrology impacts to be less-than-significant, with the exception of water quality impacts from increased runoff into Putah Creek and Dry Creek which was found to be significant and unavoidable. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis. Included in those Findings was a Statement of Overriding Considerations accepting the unavoidable water quality impacts (Resolution 92-13, Exhibit C, adopted May 19, 1992) which is hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND analyzed the potential for hydrology and water quality impacts specific to the site. Mitigation Measures 16 and 17 were identified to ensure that building pads are above flood water surface levels. The project site does not currently lie within a mapped FEMA floodplain hazard zone, however, it is located within a local 100-year residual floodplain as identified in the Putah Creek/Dry Creek Subbasins Drainage Report, Figure 3. The City requires that all development mitigate flood hazards based on the most recent best available information. Together with GMP/Matz Parcel Map MND Mitigation Measures 16 and 17 this will mitigate the potential for impacts from flooding.

With regard to potable water Mitigation Measure 33 requires additional service mains. With regard to stormwater run-off Mitigation Measures 37 through 41 address various storm drain requirements to be satisfied by the project.

The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to hydrology and water quality as both the General Plan EIR and the GMP/Matz Parcel Map MND assumed that the entire GMP area would be converted to urban uses.

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 and/or Dry 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.

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. There are no facilities specifically proposed for recharge as a part of the project. The site is not identified for recharge and has been planned for development since at least 1992. 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 development that occurs as a result of the proposed project. As discussed in more detail in Item 17(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. Drainage improvements and incidental development that occur as a result of 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 GMP. Run-off from development that may proceed as a result of the project is already planned for within the drainage system. Therefore any increase in runoff is considered less than significant.
- g,h. There is no housing proposed as a part of the project nor is the site a part of a floodplain. As such impacts related to the federal floodplain designation are considered less than significant.
- i. The City 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, there are no physical or geologic features that would produce a mudflow hazard. Therefore, no impact would occur.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
10. LAND USE AND PLANNING. <i>Would the project:</i>				
a. Physically divide an established community?	☐	☐	☐	■
b. Conflict with any applicable land use plan, policy, 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?	☐	☐	■	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	■

Discussion

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This site has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 43 through 70 of the Draft EIR and pages E&R 9 through 14 of the Final EIR) and found land use impacts to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND examined the site-specific impacts of development of the front parcels (4.2 acres), consistent with the General Plan. The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to impacts to land use as both the General Plan EIR and the GMP/Matz Parcel Map MND assumed that the entire GMP area would be converted to urban uses.

- a. Development of the project area is consistent with the 1992 General Plan and 1993 Gateway Master Plan (GMP) and would not divide an established community. Therefore, no impact would occur.
- b. The GMP and zoning ordinance currently designate the project site for highway commercial uses. The project is consistent with the land use and policies of General Plan and the land use and development regulations of the zoning ordinance.

The General Plan PCB designation descriptions states (P. 1-3): *As these master development plans are approved, the Planned Commercial/ Business Park designation shall be replaced through a general plan amendment with the Highway Service Commercial, Business/Industrial Park, Open Space, or Public Quasi-Public designations as the City deems appropriate based on the approved master development plan.* Adoption of the GMP satisfies this by showing the PCB area designated specifically for roadways, highway commercial uses, business park, and open space adjoining Putah Creek. There was no general

plan amendment that accompanied the adoption of the GMP, however, for the purposes of this analysis, adoption of the GMP by the means used is assumed to substantially satisfy this requirement. This determination is supported by the fact that the outcome in terms of the content of the GMP is entirely consistent with the General Plan direction. The potential for impact due to this procedural difference is considered less than significant.

- 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. Therefore no impact would occur.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
11. 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 checked="" 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 checked="" 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. Implementation of the project, and resultant development that may occur would not result in the loss of any known mineral resources. Impacts would be less-than-significant.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
12. 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development will add noise during construction and will permanently add to ambient noise levels; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 179 through 192 of the Draft EIR and pages E&R 29 through 31 of the Final EIR) and found noise impacts to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND includes two mitigation measures related to noise control. Mitigation Measure 26 restates that activity on the site is subject to the city's noise control regulations. Mitigation Measure 27 establishes maximum hours for construction work; however the hours in this measure have been superseded by the hours in the city's current noise ordinance which is discussed more below.

The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to noise impacts as it would not result in a substantive change in the design, type, or magnitude of development for which CEQA clearance has already been provided. The General Plan FEIR and the GMP/Matz Parcel Map MND are hereby relied upon for this analysis.

- a-d. The Noise Element of the City of Winters General Plan establishes standards for the evaluation of noise compatibility (including land use compatibility standards, exterior noise levels limits, and interior noise level limits) and requirements for noise studies. The City has both a Noise Ordinance and Standard Specifications that regulate construction noise. These regulations restrict construction activities to 7:00am to 7:00 pm Monday through Friday only (holidays excluded). Implementation of the project would be subject to these policies and regulations.

The General Plan EIR examined the potential for impact from full development of the General Plan and determined that this impact was less-than-significant. There are no new noise impacts that would result from the proposed project. Impacts in these categories remain less-than-significant. The project site is located at the southwest quadrant of I-505 and SR 128. Traffic noise from these two facilities is dominant at this location and it is unlikely that temporary noise from project construction or permanent noise from the future planned land uses would be noticeable against the future expected ambient condition.

- e. The nearest public airport is over 2 miles from the City and no part of the City falls within an airport land use plan. There is no potential for exposure to excessive air traffic noise, so no impact would occur.
- f. The project area 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	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
13. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The 1992 General Plan EIR analyzed the potential impacts of build-out of the General Plan (see pages 43 through 70 of the Draft EIR and pages E&R 9 through 14 of the Final EIR) and found housing and population impacts to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND analyzed population and housing and found the potential for impacts to be less than significant.

- a. This development could not result in additional dwelling units or population. It would result in the development of retail, office, and industrial uses that would produce jobs and revenue generating opportunities for the City. Infrastructure, services, and utilities proposed to serve this project are master planned to accommodate the proposed level of growth. Because all aspects of the project are consistent with the planning assumptions of the General Plan, the project would not be considered growth inducing. This impact is less-than-significant.
- b,c. The project involves no displacement of housing or people. Impacts would be less-than-significant in these categories.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
14. 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

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development could result in impacts to public services; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 117 through 134 of the Draft EIR and pages E&R 21 through 24 of the Final EIR) and found public services to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND includes several mitigation measures related to public services. Mitigation Measure 20 requires that landscaping be maintained through a Landscape Maintenance District which must be formed prior to any development on the property. Mitigation Measure 30 requires the development to pay development impact fees for fire, public safety, and other general capital improvements. Mitigation Measure 31 requires the development to pay development impact fees for schools. Mitigation Measure 32 requires the installation of fire hydrants and the preparation of a hydrant plan.

The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to public services impacts as it would not result in a substantive change in the design, type, or magnitude of development for which CEQA clearance has already been provided. The General Plan FEIR and the GMP/Matz Parcel Map MND are hereby relied upon for this analysis.

a,b. The City of Winters Fire Department provides fire protection services to the City. The City of Winters Police Department provides police protection services. The

proposed project could increase demand for these fire and police protection services by increasing the amount of development and number of employees, visitors, and residents within the Departments' service areas. This increase in development is consistent with the General Plan and therefore, result in no new impacts beyond those examined in the 1992 General Plan EIR.

- c. The City is served by the Winters Joint Unified School District, which serves the City of Winters and surrounding unincorporated areas of Yolo and Solano Counties. The District is comprised of the John Clayton Kinder School, Waggoner Elementary School (grades 1-3), Shirley Rominger Intermediate School (grades 4-5), Winters Middle School (grades 6-8), Winters High School (grades 9-12) and Wolfskill Continuation High School.

Funding for schools and impacts for school facilities impacts is preempted by State law. Policies I.F.2, I.F.3, IV.H.5, and IV.H.6 of the General Plan related to funding and timing of school facilities have been superseded by State law (Proposition 1A/SB 50, 1998, Government Code Section 65996) which governs the amount of fees that can be levied against new development. Payment of fees authorized by the statute is deemed "full and complete mitigation." These fees are used to construct new schools.

The proposed project includes no residential uses and therefore would not directly result in the generation of students. Nevertheless, under State law, the development will be required to pay applicable school fees. Because the amount of these fees is pre-empted by the State, the potential for impacts to schools is considered by law to be a less-than-significant impact.

- d. The City requires the development of parkland in conjunction with subdivision development at a ratio of 7 acres per 1,000 persons (General Plan Policy V.A.1). However, there is no residential development proposed as apart of this project. Therefore, impacts in this category would be less-than-significant.
- e. Development that could result from the proposed project would create incremental increases in demand for other services and facilities in the City of Winters. However, because this growth would be consistent with the General Plan, there would be no new impacts beyond what was already analyzed in the General Plan EIR. This impact is less-than-significant.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
15. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 123 through 126 of the Draft EIR and pages E&R 21 through 23 of the Final EIR) and found recreation impacts to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND examined the potential for recreation impacts and found it to be less than significant.

The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to recreation impacts as it would not result in a substantive change in the design, type, or magnitude of development for which CEQA clearance has already been provided. The General Plan FEIR and the GMP/Matz Parcel Map MND are hereby relied upon for this analysis.

- a. The project includes no residential uses that would increase demand for parks facilities and recreational programs. The GMP/Matz Parcel Map MND specifically discusses that the GMP will include development of bike and pedestrian trails along Putah Creek as a part of future development. Although not shown on the map, consistency with the GMP and the Putah Creek Nature Park Master Plan will be addressed during design review as a part of the subsequent P-D Permit application. Therefore, the potential for impacts in this category will be less-than-significant.
- b. Consistent with the General Plan development of the GMP will implement portions of and connections to Putah Creek Nature Park Master Plan. Therefore this is a less-than-significant impact.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
16. TRANSPORTATION/CIRCULATION.				
<i>Would the project:</i>				
a. Conflict with as applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	■	☐
b. Conflict with an applicable congestion management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	■	☐
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?	☐	☐	☐	■
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
e. Result in inadequate emergency access?	☐	☐	■	☐
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	■	☐

Discussion

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development could result in transportation and circulation impacts; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 71 through 96 of the Draft EIR and pages E&R 15 through 17 of the Final EIR) and found traffic impacts to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP/Matz Parcel Map MND addressed site specific traffic and circulation impacts associated with development of the GMP, in particular the front parcels of the subject parcel map. The GMP includes a detailed traffic study of development of the front parcels assuming one motel on 1.8 acres, one fast food restaurant (McDonalds) on 1.0 ac, one sit-down "high-turnover" restaurant on 1.0 acre, and one service station/convenience market. Traffic improvements required as a result of that study include (Gateway Traffic Study, p. 2): 1) Reduction of speed limit on Grant Avenue to 35 mph from the I-505 NB ramps west through town; 2) Installation of a WB left-turn

lane at the project access (Gateway Drive); and 3) Installation of a WB acceleration lane for left-turns from the project access (Gateway Drive). The MND identifies two additional mitigations triggered by the project. Mitigation Measure 28 requires implementation of the improvements recommended in the traffic study prior to occupancy of any uses on the front parcels. It also requires the preparation of a study of SR 128 (Grant Avenue) from the NB ramps west to the Main Street, prior to subdivision of the back parcel. Mitigation Measure 29 requires compliance with City parking requirements, and recommends parking for RVs and trucks for the highway commercial uses.

The proposed project would expand the area of initial development from 4.2 to 5.6 acres. This expansion of 1.4 acres is not considered significant with regard to public services impacts so long as the types of land uses are similar to those assumed for the initial development and so long as the intensity of initial development does not exceed a trip "budget" from the site of 5,310 daily trips or 434 PM peak hour trips for which CEQA clearance has already been provided. The General Plan FEIR and the GMP/Matz Parcel Map MND are hereby relied upon for this analysis.

- a,b. The General Plan Transportation and Circulation Element contains policies that address circulation using various modes, and parking. The project is required to be consistent with these requirements and with the GMP. Therefore the proposed project would not result in new traffic impacts beyond what was analyzed in the General Plan EIR and GMP/Matz Parcel Map MND. Impacts in these areas are considered less-than-significant.
- c. The project area 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. All new roadway construction would be built according to adopted City standards and specifications and would satisfy requirements for emergency access. For this reason, the potential for design hazards would be less-than-significant.
- f. Development that results from the proposed project would be required to satisfy policies, plans, and programs supporting alternative transportation, including appropriate pedestrian and bicycle route connections. Therefore, this impact would be less than significant.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
17. 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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

The proposed project is a resubdivision of property designated and zoned for highway commercial development. This development could result in impacts to utility and service systems; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire GMP (see pages 97 through 116, and 133 through 134 of the Draft EIR and pages E&R 17 through 21, and 24 of the Final EIR) and found utility and service impacts to be less-than-significant. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis.

The GMP includes a utility infrastructure plan for development of the front parcels. This plan analyzes the provision of water, sewer, storm drainage, roadways, natural gas, and electric service to serve development on the front parcels. The project Title Report identifies a number of utility and service easements that currently traverse the property. The City Engineer has reviewed all of these materials to ensure that proposed new map is consistent with these requirements and that adequate utilities and services can/will be provided.

The GMP/Matz Parcel Map MND addressed site specific utility and service impacts and identified several relevant mitigations. Mitigation Measures 30 and 31 require the payment

of all applicable development impact fees, including those for various services and infrastructure. Mitigation Measure 34 requires construction of a sewer lift station. Mitigation Measure 35 requires dedication of additional land for a sewer easement. Mitigation Measure 36 requires that all utility services (including sewer) be stubbed to the City right-of-way as a part of initial development. Mitigations related to water and storm drainage are addressed earlier in this report under Hydrology.

- a. Development that proceeds as a result of the proposed project would be required to connect to the City's sewage treatment plant for wastewater treatment. The City's plant is permitted by the State and must meet applicable water quality standards. Land uses envisioned in were analyzed in the previous General Plan EIR and not anticipated to generate wastewater that contains unusual types or levels of contaminants. Therefore, the project is not expected to 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. All development within the City would receive sewer and water service from the City of Winters. The City of Winters Wastewater Treatment Plant (WWTP) currently has a capacity of 0.92 million gallons per day (mgd). The estimated number of new dwelling unit equivalents (DUEs) that could be served under current capacity is approximately 700 to 800 DUEs. Service to development on the front parcels of this site is assumed within that remaining capacity. No project is allowed to build without available sewer and water service. Therefore, these impacts are considered less-than-significant.
- c. The proposed project includes an easement along the western boundary for one half (50-feet) of a future planned new 100-foot stormwater diversion channel outlet to Putah Creek that would serve build-out to the north, pursuant to the General Plan. The drainage facility will require separate CEQA analysis and is not a part of the subject project. Until such time as the new outlet is constructed, development on the proposed project can proceed based on interim on-site drainage facilities or partial permanent facilities consistent with the City's drainage master plan. This is a less-than-significant impact.
- d. Development resulting from the proposed project would be served by the City's municipal water supply. This development would result in no new impacts to water supply and availability beyond those already anticipated under the General Plan and therefore there are no new impacts in this category. As development occurs, the City's water system is regularly re-examined to determine what, if any, new facilities are needed for adequate service. No project is allowed to build without available water service. This is a less-than-significant impact.
- 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 City's General Plan build-out is part of the planned growth for which the landfill has been sized and therefore solid waste generated as a result of this project would not have unanticipated impacts on the life of the landfill. This impact is considered less than significant.

Issues	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
18. 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?	☐	☐	■	☐
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)?	☐	☐	■	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	■	☐

Discussion

a-c. The full range of impacts from this project were anticipated and examined in the 1992 General Plan EIR and subsequent GMP/Matz Parcel Map MND upon which this analysis relies. Impacts to biological resources, cumulative air quality, loss of agricultural land, and water quality were identified as significant and unavoidable and a Statement of Overriding Considerations was adopted by the City Council. There are no new impacts associated with the project that were not previously analyzed and mitigated. Impacts in these categories are therefore considered less-than-significant.

ATTACHMENTS:

- Exhibit 1 Vicinity Map
- Exhibit 2 Jordan Tentative Parcel Map No. 4975
- Exhibit 3 Matz Parcel Map No. 4057, October 1993
- Exhibit 4 General Plan and Zoning Designations
- Exhibit 5 Mitigation Measures for Gateway Master Plan/Matz Parcel Map Mitigated Negative Declaration (June 29, 1993)
- Exhibit 6 Mitigation Monitoring and Reporting Program for the Matz Parcel Map, First Phase of the Gateway Master Plan (June 29, 1993)

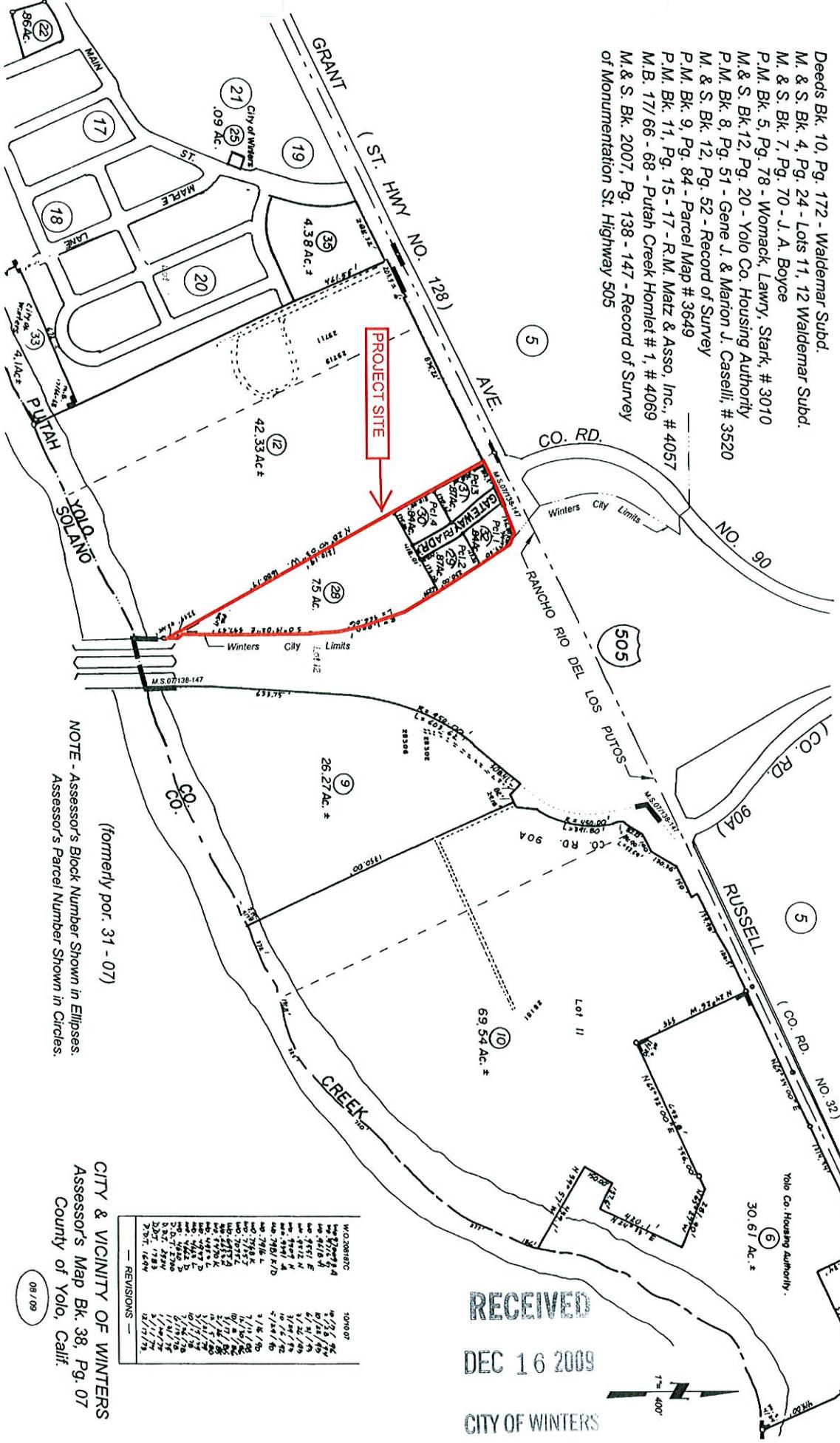
EXHIBIT 1

POR. OF RANCHO RIO DEL LOS PUTOS
LOTS 11, 12, 13 WALDEMARS SUBD. T. 8N., R. 1W., M.D.B. & M.

CAUTION - These Maps ARE NOT to be used for legal descriptions.

38 - 07

Deeds Bk. 10, Pg. 172 - Waldemar Subd.
M. & S. Bk. 4, Pg. 24 - Lots 11, 12 Waldemar Subd.
M. & S. Bk. 7, Pg. 70 - J.A. Boyce
P.M. Bk. 5, Pg. 78 - Wornack, Lawry, Stark, # 3010
M. & S. Bk. 12, Pg. 20 - Yolo Co. Housing Authority
P.M. Bk. 8, Pg. 51 - Gene J. & Marion J. Caselli, # 3520
M. & S. Bk. 12, Pg. 52 - Record of Survey
P.M. Bk. 9, Pg. 84 - Parcel Map # 3649
P.M. Bk. 11, Pg. 15 - 17 - R.M. Matz & Asso., Inc., # 4057
M.B. 17/66 - 68 - Putah Creek Homlet # 1, # 4069
M. & S. Bk. 2007, Pg. 138 - 147 - Record of Survey of Monumentation St. Highway 505



NOTE - Assessor's Block Number Shown in Ellipses.
Assessor's Parcel Number Shown in Circles.
(formerly por. 31 - 07)

CITY & VICINITY OF WINTERS
Assessor's Map Bk. 38, Pg. 07
County of Yolo, Calif.

NO.	DATE	REVISIONS
1	10/10/07	W.D. 2008/08/07
2	10/10/07	10/10/07
3	10/10/07	10/10/07
4	10/10/07	10/10/07
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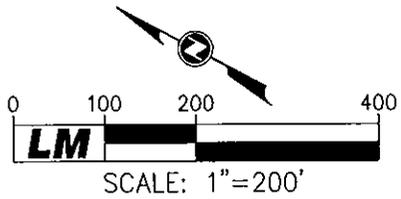
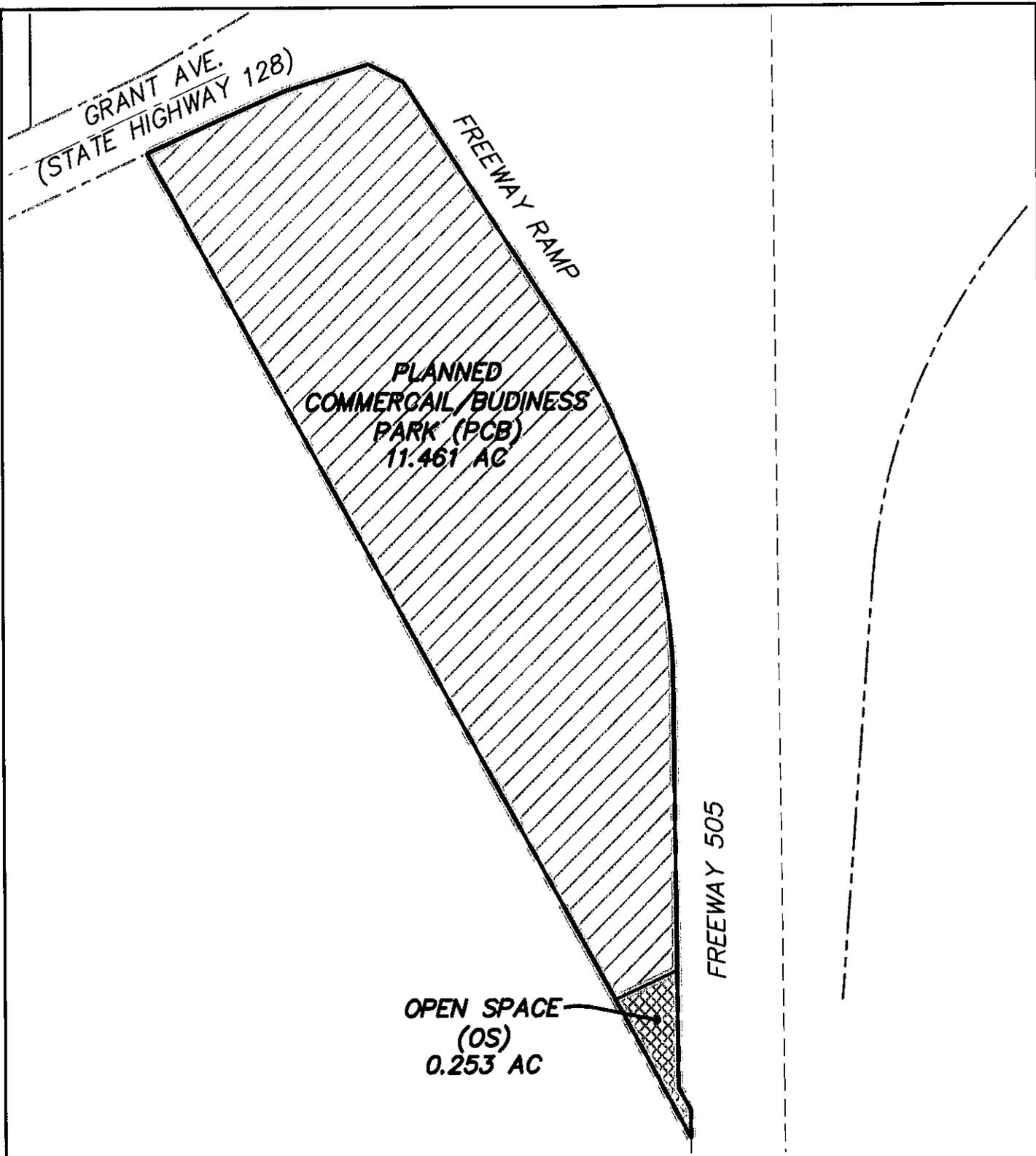
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DEC 16 2009
CITY OF WINTERS



EXHIBIT 2

EXHIBIT 3

EXHIBIT 4



SCALE: 1"=200'

**EXISTING GENERAL PLAN
DESIGNATION**

FOR
**JORDAN PROPERTY
 GATEWAY DRIVE**
 CITY OF WINTERS
 YOLO COUNTY, CALIFORNIA
 SHEET 1 OF 1 MAY 11, 2010

LM LAUGENOUR AND MEIKLE
 CIVIL ENGINEERING · LAND SURVEYING · PLANNING
 608 COURT STREET, WOODLAND, CALIFORNIA 95695 · PHONE: (530) 662-1755
 P.O. BOX 828, WOODLAND, CALIFORNIA 95776 · FAX: (530) 662-4602

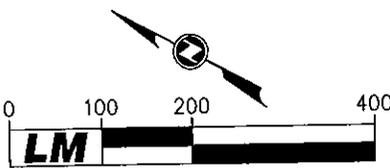
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GRANT AVE.
(STATE HIGHWAY 128)

FREEWAY RAMP

HIGHWAY
SERVICE
COMMERCIAL
- PLANNED
DEVELOPMENT
OVERLAY
(C-H/P-D)
11,714 AC

FREEWAY 505



SCALE: 1"=200'

EXISTING ZONING
DESIGNATION

FOR

JORDAN PROPERTY
GATEWAY DRIVE

CITY OF WINTERS

YOLO COUNTY, CALIFORNIA

SHEET 1 OF 1

MAY 11, 2010

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EXHIBIT 5

**CITY OF WINTERS ENVIRONMENTAL CHECKLIST FORM
EVALUATION OF ENVIRONMENTAL IMPACT
WINTERS GATEWAY MASTER PLAN
AND
MATZ PARCEL MAP
INITIAL STUDY/NEGATIVE DECLARATION**

I. BACKGROUND

1. Name of Proponent:
Robert M. Matz
2. Address of Proponent and Representative:
Dan Figueroa, Community Planning Services
P.O. Box 805
3. Project Description:
"Winters Gateway" is a 53.9 acre proposed Highway Commercial and Business Park Master Plan site. The Master Plan site currently exists as a 11.6 acre parcel which is planned for highway commercial use and a 42.3 acre parcel planned for business/industrial park uses. Both parcels include an open space corridor, as designated by the General Plan, along Putah Creek which comprises the southern boundary of the project site.

In addition to the Master Plan, a Parcel Map to create four commercial highway (C-H) lots (Phase 1) totalling approximately 4.4 acres in area and a remainder parcel of approximately 7.4 acres to be developed at a later date for C-H use is being proposed. The Master Plan and Parcel Map are jointly analyzed in this environmental document. The Parcel Map along with stormdrainage, water and sewer lines as well as a two lane secondary collector street to serve the Parcel Map site constitute Phase I of the buildout of the Master Plan area. No specific land use applications have been submitted for the 42.3 acre area planned for business/industrial uses. Subsequent projects requiring land use permits in the Master Plan area may be subject to more specific environmental review.
4. Site History:
In July of 1992, the City Council approved the annexation of the entire Master Plan area into the City of Winters City Limits. The annexation was formalized by LAFCO in April of 1993. Historically, the site has been used for agriculture, riparian open space, and a residential dwelling.

5. Existing and Surrounding Uses:

Presently, both the 11.6 acre parcel and the 42.3 acre parcel are in agricultural production. A single family dwelling, a barn, and associated accessory structures exist on the northwest section of the 42.3 acre parcel. The land to the west of the Master Plan area is presently being developed as a residential planned community development with future planned commercial uses. The land north of the project site is outside of the City Limits and is mainly undeveloped except for a service station and is planned for future commercial use by the Winters General Plan. Beyond I-505 which is the eastern boundary of the project site, exists agricultural land and the Yolo County Housing Authority. The southern boundary of the site is Putah Creek and the agricultural land beyond lies within the jurisdiction of Solano County.

II. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | |
|----|---|-----|-------|---------|
| 1. | 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? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: Mitigation measures have been incorporated into the proposed project in order to ensure that environmental impacts are reduced to a less than significant level.

- | | | | | |
|----|--|-----|-------|---------|
| 2. | Does the project have the potential to achieve short-term benefits to the detriment of long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief period of time while long-term impacts will endure into the future.) | YES | MAYBE | NO
X |
|----|--|-----|-------|---------|

DISCUSSION: Mitigation measures have been incorporated into the proposed project in order to ensure that environmental impacts are reduced to a less than significant level.

- | | | | | |
|----|---|-----|-------|---------|
| 3. | Does the project have impacts which are individually limited but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: Mitigation measures have been incorporated into the proposed project in order to ensure that environmental impacts are reduced to a less than significant level.

- | | | | | |
|----|--|-----|-------|---------|
| 4. | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | YES | MAYBE | NO
X |
|----|--|-----|-------|---------|

DISCUSSION: Mitigation measures have been incorporated into the proposed project in order to ensure that environmental impacts are reduced to a less than significant level.

III. DETERMINATION

On the basis of this initial evaluation:

- | | |
|---------|---|
| _____ | I/We find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared. |
| X _____ | I/We 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 the MITIGATION MEASURES described on the attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared. |
| _____ | I/We find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |

CITY OF WINTERS, COMMUNITY
DEVELOPMENT & BUILDING DEPARTMENT
By: _____
Reviewed by: _____

IV. ENVIRONMENTAL IMPACTS**Note:**

* denotes mitigation measures

1. **EARTH** Will the proposed result in significant:
- a. Unstable earth conditions, or YES MAYBE NO
changes in geological substructures? X

DISCUSSION:

The proposed project would not result in any unstable earth conditions or create changes in the geological substructure. The topography of the site is relatively flat with 0-2% slopes. Based on the USDA Soil Conservation Service Survey, the soil map unit characterizing the site is Brentwood Silty Clay Loam which has the following engineering properties: high shrink and swell potential, medium to high compressibility, medium to low strength and fair stability. (General Plan EIR X).

According to the California Division of Mines and Geology, the Winters area lies within Seismic Zone III which has the potential for an earthquake that can cause major damage. In order to reduce this impact to a less than significant level, the following mitigation measure shall be implemented:

- * New development shall be constructed in accordance to the requirements of the Uniform Building Code in order to ensure that new structures are able to withstand the effects of seismic activity, including liquefaction, and underground utilities shall be designed to withstand seismic forces in accordance with State requirements.

- b. Disruption, displacement, compaction YES MAYBE NO
or overcovering of the soil? X

DISCUSSION:

Development in accordance with the proposed project will require compaction and alteration of topsoil for street paving, utilities, and construction sites. In order to mitigate this impact to a less than significant level, the following mitigation measure shall be implemented:

- * The developer shall submit a geotechnical report upon submittal of the initial improvement plan package. The improvement plans shall be approved and signed by the soils engineer prior to approval by the City.

3. The City is in need of commercial and industrial growth, and that land use would provide a greater benefit than the use of the land for agricultural purposes.

For these reasons, the impact is not presumed to be significant.

- | | | | | |
|----|---|-----|-------|---------|
| h. | Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure or similar hazards? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: Development in accordance with the proposed project could result in potential earthquake hazards because the City is located adjacent to the Midland Fault Zone, which has the potential of causing moderate to serious ground shaking. Landslides are not considered to be a threat due to the flat topography. Differential settling of unconsolidated material is possible.

The General Plan incorporates policies which require that a) development should be constructed in accordance with the Uniform Building Code, taking into account the engineering properties of the soils and subsurface materials, and the maximum anticipated seismic event of a 7.0 Richter Scale earthquake on the Midland Fault; and b) to minimize the effects of ground shaking on future structures, foundations should be placed on bedrock or strong native or reworked soil. In order to reduce this impact to a less than significant level, project proponents shall comply with the following:

- * Appropriate engineering procedures should be undertaken during site and foundation preparation and construction to reduce potential damage and injury caused by an earthquake.

2. **AIR** Will the proposed result in substantial:

- | | | | | |
|----|--|-----|-------|---------|
| a. | Air emissions or deterioration of ambient air quality? | YES | MAYBE | NO
X |
|----|--|-----|-------|---------|

DISCUSSION: Construction and earthmoving activities could leave the soil exposed to wind thereby generating dust. In addition, construction vehicles may generate fuel emissions.

The following mitigation measures are anticipated to reduce the impact of the project during construction phases to a less than significant level:

- * Tarpaulins or other effective covers should be used for haul trucks.
- * All inactive portions of the construction site which have been graded will be seeded and watered until vegetation is grown.
- * Grading shall not occur when wind speeds exceed 20 mph over a one hour period.
- * Construction vehicle speed on unpaved roads shall not exceed 15 mph.
- * Construction equipment and engines shall be properly maintained.
- * If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.
- * Construction practices will minimize vehicle idling.
- * Potentially windblown materials will be watered or covered.
- * Construction areas and streets will be swept.

Minor vehicular related air quality impacts may also be expected to result from the project. According to the Winters Gateway Traffic Study prepared by Wilber Smith and Associates, the proposed commercial development would generate approximately 5,310 daily trips.

The development of the Parcel Map site for proposed highway service type uses such as a motel, service station, fast-food restaurant and sit-down restaurant, may have the beneficial effect of reducing the number of out of town consumer and commuter trips by augmenting local services and employment opportunities. Likewise, development of the Business/Industrial portion of the Master Plan area would have a similar effect.

the year 2010. General Plan Policy IV.5. mandates that the City monitor groundwater levels at least twice a year to determine if a progressive, long-term decline in water levels is occurring. No significant effect on the direction or rate of groundwater flow is anticipated.

- | | | | | |
|----|---|-----|-------|---------|
| h. | Change in the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: Development in accordance with the proposed project is not anticipated to adversely impact groundwater. Groundwater in the Winters area is located approximately between 80 and 100 feet below the surface (General Plan Background Report Chapter VIII). Earthwork required for the proposed project will not involve cuts or excavations at those depths. No adverse impact is anticipated.

- | | | | | |
|----|---|-----|-------|---------|
| i. | Reduction in the amount of water otherwise available for public water supplies? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: The Water System Master Plan indicates that there is adequate groundwater to supply the City of Winters beyond the population anticipated for the year 2010, therefore the impact is not anticipated to be significant.

- | | | | | |
|----|---|-----|-------|---------|
| j. | Exposure of people or property to water related hazards such as flooding? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: The most recent Flood Insurance Rate Map (FIRM), effective date December 16, 1980, depicts a portion of the Master Plan site as lying within Zone A which is characterized as a potential flood hazard area.

In order to reduce this impact to a level of insignificance, the mitigation measures discussed in section 3.d., Page 10, shall be implemented.

4. PLANT LIFE Will the proposal result in substantial:

- | | | | | |
|----|--|-----|-------|---------|
| a. | Change in the diversity of species, or the number of any species of plant (including trees, shrubs, grass, crops, and aquatic plants)? | YES | MAYBE | NO
X |
|----|--|-----|-------|---------|

DISCUSSION:

At present, the site is characterized primarily as agricultural land with shrubbery, grasses and scattered trees lining the drainage canal at the I-505 boundary and clustered around the exiting dwelling site. The 11.6 acre parcel has been used for growing grape root stocks for the past four years and orchards prior to that. The 42.3 acre parcel has been used for growing row crops such as wheat and tomatoes in the recent past and was orchard prior to that.

It is anticipated that the proposed project will enhance the diversity of species of plants at the site via landscaping with trees, shrubs and grasses. The specific landscaping elements have not been approved at this time.

- * Landscaping and irrigation plans shall be prepared by a landscape architect, who is approved by the City, and included as part of the subdivision improvement plans. These plans shall be subject to review and approval by the Streets and Trees Commission.
- * The improvement plans shall include landscaping and automatic irrigation for the public right-of-way of Highway 128 and Parcel "A". Said plans shall call for sleeves under the sidewalk and driveway, at each lot, for a future automatic irrigation system in the parkway strip.
- * Landscaping within open space areas, the public right-of-way, and other areas directed by the City shall be maintained through a landscape maintenance district. Formation of the district shall be required prior to the recordation of the final map and prior to development within any of the existing parcels. Contact the City Engineer's Office for further details.

5. ANIMAL LIFE Will the proposal result in substantial:

- | | | | | |
|----|--|-----|-------|---------|
| a. | Change in the diversity of species, or numbers of any species of animal (bird, land animals including reptiles, fish and shellfish, benthic organisms or insects)? | YES | MAYBE | NO
X |
|----|--|-----|-------|---------|

DISCUSSION: The loss of existing wildlife habitat may result in the displacement of species to the surrounding land and perhaps the permanent loss of smaller, less mobile wildlife species. The impact on the diversity of species and number of species at the site is not considered to be significant exclusive of special status species.

- | | | | | |
|----|--|-----|-------|---------|
| b. | Reduction in the numbers of any unique, rare or endangered species of animals? | YES | MAYBE | NO
X |
|----|--|-----|-------|---------|

DISCUSSION: The project site can be characterized as riparian forest, cropland, vineyard, and grasslands, which may serve as important special status species habitat for several special status species including, but not limited to the Tri-colored Blackbird and the Swainson's Hawk.

In order to provide a streamlined mechanism to mitigate the loss of species habitat from urban development, the City of Winters has signed a Memorandum of Understanding along with Yolo County, and the Cities of West Sacramento, Davis and Woodland, sanctioning the initiation of a process to establish a county-wide Habitat Management Plan (HMP). The HMP would involve the identification of valuable habitat land and the use of mitigation fee banking to support conservation easements to preserve valuable habitat land outside of existing urban limits. In order to reduce the impact on threatened and endangered species to a less than significant level, the following mitigations measures shall be implemented:

- * Pay assessment fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 as necessary. Fees are payable by the project applicant upon filing a Notice Determination by the City of Winters.

motel, service station and sit-down restaurant, business/industrial uses such as: office, light industrial and other compatible uses; and open space along the Putah Creek corridor. The proposed Master Plan and Parcel Map are consistent with the City's General Plan and Zoning Ordinance. Therefore, the impact is not anticipated to be significant.

9. NATURAL RESOURCES Will the proposal result in substantial:

- | | | | |
|--|-----|-------|----|
| a. Increase in the rate of use of any natural resources? | YES | MAYBE | NO |
| | | | X |

DISCUSSION: Commercial development at the proposed project site would result in increased use of water resources and electricity. Moreover, new construction will consume lumber, steel, sand, gravel, concrete, and other mineral and petrochemical products. However, the total resource depletion rate is not expected to be substantially changed as a result of the proposed project.

- | | | | |
|--|-----|-------|----|
| b. Depletion of any non-renewable natural resources? | YES | MAYBE | NO |
| | | | X |

DISCUSSION: No significant impact is anticipated to occur. See 9.a.

10. RISK OF UPSET Will the proposal involve:

- | | | | |
|--|-----|-------|----|
| a. A risk of explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions? | YES | MAYBE | NO |
| | | | X |

DISCUSSION: The proposed project is not anticipated to involve a risk of explosion or release of hazardous substances, therefore, the impact is not anticipated to be significant.

- | | | | |
|--|-----|-------|----|
| b. Possible interference with an emergency response plan or emergency evacuation plan? | YES | MAYBE | NO |
| | | | X |

DISCUSSION: The proposed project is not anticipated to interfere with an emergency response plan or emergency evacuation plan, therefore, the impact is not anticipated to be significant.

11. POPULATION: Will the proposed plan:

- | | | | | |
|----|---|-----|-------|---------|
| a. | Alter location, distribution, density or growth rate of the human population? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: The proposed commercial and future business/industrial park development may create a demand for additional housing in the area by creating additional jobs. The proposed project would also create a more balanced land use pattern by providing more business/industrial and commercial services and jobs to existing and future residents in the area. Accommodation of this growth has been anticipated in the General Plan, therefore, the impact is not anticipated to be significant.

12. HOUSING Will the proposed plan:

- | | | | | |
|----|---|-----|-------|---------|
| a. | Affect existing housing, or create a demand for additional housing? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: The provision of additional jobs in the community may increase the demand for additional housing. Development of the proposed highway commercial development is not anticipated to significantly impact existing housing. The impact is not anticipated to be significant.

13. TRANSPORTATION Will the proposal result in:

- | | | | | |
|----|--|-----|-------|---------|
| a. | Generation of substantial additional vehicle movement? | YES | MAYBE | NO
X |
|----|--|-----|-------|---------|

DISCUSSION: Buildout of the Parcel Map site would generate approximately 5,310 daily trips as determined by a traffic study conducted by Wilbur Smith and Associates. The traffic impact analysis submitted with the proposal was insufficient. The study submitted analyzes traffic impacts based on less than 20% growth in the City of Winters. The City feels that this analysis should be based on 100% build-out of the General Plan. With the implementation of the following mitigation measures, the impact is not anticipated to be significant:

c. Schools? YES MAYBE NO
X

DISCUSSION: The proposed project does not include any residential development and is not anticipated to have an impact local schools. The City has not adopted an impact fee for commercial or industrial development, however State law gives local school districts the authority to impose a \$.26 per sq.ft. fee on commercial development which this project may be subject to at the discretion of the Winters Joint Unified School District. The impact of this project on schools is not anticipated to be significant.

* Pay fees as required by the Winters Joint Unified School District.

d. Parks or other recreational facilities? YES MAYBE NO
X

DISCUSSION: The Gateway Master Plan identifies bike and pedestrian trails along Putah Creek which are anticipated to be a component of future land use applications. Other than enhancement of the existing recreational facilities, the impact of this proposal on parks or other recreational facilities is anticipated to be De Minimis.

e. Maintenance of public facilities, including roads? YES MAYBE NO
X

DISCUSSION: Development in accordance with the proposed uses is expected to increase the need for maintenance of landscaping, lighting, streets and riparian areas.

In order to reduce this impact to a less than significant level, the following measure shall be implemented:

* Landscaping within open space areas, the public right-of-way, and other areas directed by the City shall be maintained through a landscape maintenance district. Formation of the district shall be required prior to the recordation of the final map and prior to development within any of the existing parcels. Contact the City Engineer's Office for further details.

Gateway Master Plan sets forth highway commercial design elements which may be incorporated into future highway commercial developments. The guidelines include recommended design and materials for facades, windows, roof lines, accents, and landscape accents. Each individual project in the Master Plan area will be subject to review upon application for special use permit.

19. RECREATION Will the proposal result in:

- | | | | | |
|----|---|-----|-------|---------|
| a. | An impact upon the quantity of existing recreational opportunities? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: The proposed Master Plan has a beneficial impact on recreational opportunities as it identifies access to Putah Creek and a bicycle/pedestrian trail along Putah Creek. The proposed parcel map for phase 1 of the highway service commercial development does not have an impact on recreational opportunities.

20. CULTURAL RESOURCES Will the proposal result in:

- | | | | | |
|----|---|-----|-------|---------|
| a. | The alteration or destruction of a prehistoric or historic archaeological site? | YES | MAYBE | NO
X |
|----|---|-----|-------|---------|

DISCUSSION: The location of the property is in close proximity to Putah Creek, along which a number of prehistoric cultural resources have been found. At present, there is no evidence which indicates that cultural resources exist at that specific site, however it is possible that historic activities have obscured evidence of them.

In order to reduce the impact to a less than significant level, the following mitigation measure shall be implemented:

- * If artifacts or unusual amounts of stone, bone or shell should be uncovered during construction activities, work should be halted and a qualified archeologist should be consulted for an on-site evaluation. If the bone appears to be human, California law mandates that the Coroner of Yolo County and the Native Heritage Commission also be contacted.

V. SUGGESTED MITIGATION MEASURES

EARTH

1. New development shall be constructed in accordance to the requirements of the Uniform Building Code in order to ensure that new structures are able to withstand the effects of seismic activity, including liquefaction, and underground utilities shall be designed to withstand seismic forces in accordance with State requirements.
2. The developer shall submit a geotechnical report upon submittal of the initial improvement plan package. The developer shall submit a geotechnical report upon submittal of the initial improvement plan package. The improvement plans shall be approved and signed by the soils engineer prior to approval by the City.
3. Applicant shall obtain a NPDES Permit from the Regional Water Quality Control Board prior to commencement of grading.
4. An erosion and sedimentation control plan shall be included as a part of the improvement plan package for all developments in the Master Plan area. The plan shall include, but shall not be limited to interim protection measures such as benching, sedimentation basins, stormwater retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on the plans.
5. Appropriate engineering procedures should be undertaken during site and foundation preparation and construction to reduce potential damage and injury caused by an earthquake.

AIR

6. Tarpaulins or other effective covers should be used for haul trucks.
7. All inactive portions of the construction site which have been graded will be seeded and watered until vegetation is grown.
8. Grading shall not occur when wind speeds exceed 20 mph over a one hour period.
9. Construction vehicle speed on unpaved roads shall not exceed

15 mph.

10. Construction equipment and engines shall be properly maintained.
11. If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.
12. Construction practices will minimize vehicle idling.
13. Potentially windblown materials will be watered or covered.
14. Construction areas and streets will be swept.
15. In order to facilitate Yolo Bus usage, the applicant for the Matz Parcel Map shall work with the Yolo County Transit Authority to establish a bus stop and enclosure at a location acceptable to the YCTA and the City. The developer shall provide a covered, well lighted, all-weather enclosure with a bench, that is architecturally compatible with the vicinity. The shelter shall be constructed simultaneously with the development of the first parcel of the Matz Parcel Map. The cost of constructing this improvement shall be divided in an equitable manner among the end users of the improvement.

WATER

16. All effected building pads shall be raised a minimum of 1 foot above the 100 year flood water surface as determined by F.E.M.A.
17. The subdivider shall obtain a Flood Plain Development Permit and comply with all requirements therein prior to the City's issuance of a grading permit for those affected areas.

PLANT LIFE

18. Landscaping and irrigation plans shall be prepared by a landscape architect, who is approved by the City, and included as part of the subdivision improvement plans. These plans shall be subject to review and approval by the streets and Trees Commission.
19. The improvement plans shall include landscaping and automatic irrigation for the public right-of-way Highway 128 and Parcel "A". Said plans shall call for sleeves under the sidewalk and driveway, at each lot, for a future automatic irrigation system in the parkway strip.

20. Landscaping within open space areas, the public right-of-way, and other areas directed by the City shall be maintained through a landscape maintenance district. Formation of the district shall be required prior to the recordation of the final map and prior to development within any of the existing parcels. Contact the City Engineer's Office for further details.
21. Landscaped slopes along streets shall not exceed 3:1. Level areas having a minimum width of one (1) foot shall be required at the toe and top of side slopes.
22. No mature trees shall be removed from the Master Plan site until an arborist report with recommendations for the existing trees, have been reviewed and approved by the Community Development Director. The developer shall pay all costs associated with implementing this mitigation measure.
23. Applicants requesting land use entitlement along the Putah Creek corridor shall make an irrevocable offer of dedication to the City of Winters of that land south of the property line also known as the 100' setback area from Putah Creek. The plan shall include information on the existing environment (trees, grade, etc.) and landscaping to be carried out by the applicant.
24. Pay assessment fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 as necessary. Fees are payable by the project applicant upon filing a Notice of Determination by the City of Winters.
25. Prior to the granting of an entitlement to initiate grading on the subject property, either issuance of a building permit or recording of final subdivision map, the project proponent shall pay the appropriate fee per acre in conjunction with a formal consultation pursuant to CFGC Section 2081 which may involve securing a management agreement for the conversion of habitat for threatened and endangered species.
26. All activity at the Master Plan site will be subject to the noise standards set forth in the Winters Municipal Code.
27. In areas abutting residential zones, no construction work is to be done prior to 7:00 a.m. or after 5:00 p.m., on Saturday, Sunday, or legal holidays. In commercial or industrial zones abutting other commercial and/or industrial zones on all sides, no construction work is to be done prior to 6:00 a.m. or after 6:00 p.m., Monday through Sunday.
28. The developer shall implement all traffic conditions contained herein prior to issuance of any certificates of occupancy for buildings within the project area. The developer shall

commission an appropriate traffic study of Highway 128 from the north bound off-ramps of I-505 to the intersection of Main Street inclusive. This study shall recommend mitigation measures which will leave this stretch of roadway and all intersecting streets at LOS "C" or better, as required by the General Plan. Said study shall be completed and approved by the City Engineer prior to approval of any parcel or tentative parcel maps for the Remainder parcel. Traffic improvement costs shall be paid in an equitable manner by the end users of the project, as approved by the City.

29. New development will be required to comply with parking regulations stated in the Winters Zoning Ordinance which will reduce the impact to a less than significant level. Additionally, parking accommodations for recreational vehicles and trucks are also strongly encouraged for highway service commercial uses.

DEVELOPMENT IMPACT FEES AND PERMIT FEES

30. Pay the development fees adopted by the City Council for: water, wastewater, general stormdrain, streets, public safety capital, general capital, fire, monitoring.
31. Pay fees required by other agencies which may include the County of Yolo, California Department of Fish and Game, Winters Joint Unified School District, State Water Resources Control Board.

FIRE

32. Fire hydrants shall be installed as required by the Fire Chief. A separate hydrant plan shall be prepared and submitted for his review and approval of the improvement plans.

WATER

33. In addition to the water mains shown in the Master Plan, a 14" main shall be added on the west leg of the loop street connecting East Baker to Main Street.

SEWER

34. A sewer lift station with 24 hour minimum storage capacity shall be constructed at a location acceptable to the City Engineer.
35. The applicant shall dedicate an additional 15 feet of land to expand the existing 10 foot sewer easement to 25 feet. Details shall be worked out with the City Engineer.

36. Sewer, as well as all other utility services, shall be stubbed to the right-of-way with the initial construction.

STORMWATER

37. The existing ditch along Highway 128 shall be undergrounded to the satisfaction of the City Engineer.
38. A comprehensive storm drainage master plan shall be prepared by a registered civil engineer for all upstream watershed(s), including the entire Tentative Map area, and shall be submitted to the City Engineer for review. The master plan shall incorporate secondary flood routing analysis and shall include final sizing and location of on-site and off-site storm conduit channels, structures and detention basins. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate off-site storm water. Approval for the master plan by the City Engineer shall be required prior to submittal of the final map and/or construction drawings for checking. The cost associated with all improvements required by the study shall be paid by the subdivider.
39. All perimeter parcels and lost shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
40. Subdivider shall be responsible for acquisition of all storm drain or other easements from adjacent property owners which are required for the construction and maintenance of perimeter and off-site improvements.
41. The easement shown along the southern boundary of lot 2 shall be temporary. This storm drain line shall be replaced by a line down the project's entrance street when the street is extended. This line and easement shall be abandoned at that time.

CULTURAL RESOURCES

42. If artifacts or unusual amounts of stone, bone or shell should be uncovered during construction activities, work should be halted and a qualified archeologist should be consulted for an on-site evaluation. If the bone appears to be human, California law mandates that the Coroner of Yolo County and the Native Heritage Commission also be contacted.

ENVIRONMENTAL REFERENCE MATERIAL

1. City of Winters Community Development and Building Department. Sewer System Master Plan. Winters, California, CH2M Hill, 1991.
2. City of Winters Community Development and Building Department. Storm Drainage Master Plan. Winters, California, CH2M Hill, 1991.
3. City of Winters Community Development and Building Department. Water System Master Plan. Winters, California, CH2M Hill, 1991.
4. City of Winters Community Development and Building Department. Winters General Plan. Winters, California, 1986.
5. City of Winters Community Development and Building Department. Winters Zoning and Land Development Code. Winters, California.
6. Flood Maps. National Flood Insurance Program, 1978.
7. Putah Creek Hamlet Tentative Map Initial Study. Harland Bartholomew & Associates, Inc., 1991.
8. U.S.G.S. Quadrangle Map, Winters, California.
9. California Air Quality Data Summary of 1989.
10. City of Winters Community Development and Building Department. Building Ordinance.
11. City of Winters Community Development and Building Department. Circulation Master Plan. Winters, California, Wilbur Smith Associates, 1991.

ENVIRONMENTAL CHECKLIST

A. Project Description

1. **Type of Project:**
Master Plan and Parcel Map
2. **Brief Description:**
Master Plan for business/industrial and highway commercial uses and parcel map for highway commercial site.
3. **Location:**
I-505 and HWY 128 intersection.
4. **Proposed Density of Development:**
Highway service commercial uses: FAR not to exceed .40
Business/Industrial uses: FAR not to exceed .40
5. **Amount of Impervious Surfacing:**
Loop road to access the Master Plan area. The first increment to be constructed as a component of the Matz Parcel Map for highway commercial uses. Associated parking areas will also be paved.
6. **Access and Nearest Public Road(s):**
The proposed East Gateway Drive, the eastern portion of a proposed future loop road, will access the Parcel Map site. East Gateway drive would serve as access from Grant Avenue (HWY 128) just south of Co. Rd. 90, and the terminal end of the loop road would provide access from Grant Avenue (HWY 128) just west of Co. Rd. 90.
7. **Source of Water Supply:**
City of Winters Water System, Well #1
8. **Sewage Disposal Method:**
City of Winters Sewer System
9. **Proximity of Power Lines:**
Overhead utility lines exist on the north side of 128.
10. **Potential for further land divisions and development:**
Yes

B. Environmental Setting

Physical Environment:

1. **Terrain**

- a. **General Topographic Character:**
Flat
 - b. **Slopes:**
0-2%
 - c. **Elevations:**
125'
 - d. **Limiting Factors:**
None
2. **Soils**
- a. **Types and Characteristics:**
Brentwood Silty Clay Loam - USDA Soil Map Unit
 - b. **Limiting Factors:**
High shrink and swell potential, medium to high compressibility, medium to low strength and fair stability.
3. **Natural Hazards of the Land**
- a. **Earthquake Zone:**
Seismic Zone III
 - b. **Erosion Potential:**
None to slight
 - c. **Landslide Potential:**
None
 - d. **Fire Hazard:**
High. Interface between open-space to the south and north.
 - e. **Expansive Soil Potential:**
High shrink and swell potential.
4. **Hydrology**
- a. **Surface Water:**
Putah Creek on the southern border of the site.
 - b. **Ground Water:**
Between 80-100 feet below the surface.
 - c. **Drainage Characteristics:**
Water is conveyed to the site from the north and west in sheet flows south and east to roadside ditches on either side of Highway 128.

- d. **Annual Rainfall (normal):**
20.63"
 - e. **Limiting Factors:**
A portion of the site is depicted as lying within Flood Zone A on the most recent Flood Insurance Rate Map.
5. **Visual/Scenic Quality:**
View of the Vaca Mountains to the west, I-505 to the east, vacant land to the north and Putah Creek corridor to the south.
6. **Acoustic Quality:**
Noise impacts from I-505 and HWY 128 may occur at areas abutting those transportation corridors.
7. **Air Quality:**
Regional Air Quality attainment is unmet for Ozone and Particulate matter according to State air quality standards.
- Biological Environment:**
8. **Vegetation:**
Agricultural crops, riparian forest along Putah Creek, grasslands in drainage canals.
9. **Wildlife Habitat:**
Potential habitat for special status species including, but not limited to: Swainson's Hawk and Tri-colored blackbird.
- Cultural Environment:**
10. **Archaeological and Historical Resources in the area:**
Potential for archaeological resources to exist at the site.
11. **City of Winters General Plan designation:**
Planned Commercial Business Park, Open Space
12. **Existing Zoning:**
Highway Service Commercial
Planned Industrial
13. **Existing Land Use on-site:**
Vineyard, row crops, single family dwelling with barn and accessory structures, and riparian habitat.

- 14. Surrounding Area:**
- a. Land Uses:**
 - North-Chevron Station and farmland
 - South-Putah Creek
 - West-Planned residential and commercial development
 - East-I-505, Orchards and El Rio Villa
 - b. Zoning:**
 - North-Yolo County, Agriculture-Phased low density residential
 - South-Solano County, Agriculture intensive
 - West-Medium Density Residential Planned Development and Commercial Planned Development
 - East-Yolo County, Agriculture
 - c. General Plan Designation:**
 - North-Neighborhood Commercial and Highway Service Commercial
 - South-Solano County
 - West-Medium Density Residential and Planned Commercial.
 - East-Yolo County
 - d. Lot Sizes:**
 - Parcel Map parcel sizes: four one acre lots with a seven acre remainder parcel. No other applications for subdivision of the remainder of the 53 acre Master Plan area are being considered.
 - e. Population:**
 - One single family residence on the 42.3 acre parcel.
- 15. Character of Site and Area:**
Agricultural, riparian
- 16. Relevant Responsible Agencies:**
- Yolo/Solano Air Pollution Control District
 - California Department of Fish and Game
 - California Department of Transportation
 - California Highway Patrol
 - ECO
 - Mosquito Abatement District
 - Pacific Bell
 - Regional Water Quality Control Board
 - SACOG
 - Solano County Planning
 - Sonic Cable T.V.
 - U.S. Army Corp. of Engineers
 - Water Resources Control Board
 - Winters Joint Unified School District
 - Winters Fire District

17. Fire Protection Service:

- a. Nearest Fire Station:**
10 Abbey Street, Winters
- b. Water Availability:**
City of Winters Water System

18. Schools in Area:

Winters Joint Unified School District

EXHIBIT 6

CITY OF WINTERS

COMMUNITY DEVELOPMENT DEPARTMENT

AGREEMENT TO MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MATZ PARCEL MAP, FIRST PHASE OF THE GATEWAY MASTER PLAN

THIS AGREEMENT, entered into this 29 day of June 1993, by and between the City of Winters, hereinafter referred to as "CITY" and Winters Commercial Investors, LTD., a California Limited Partnership, an applicant requesting approval of a discretionary project subject to the California Environmental Quality Act hereinafter referred to as "APPLICANT."

W I T N E S S E T H

NOW, THEREFORE, the parties do hereby mutually agree as follows:

I. BACKGROUND OF MITIGATION MONITORING AND REPORTING PROGRAMS:

The California Environmental Quality Act (commonly known as CEQA and found at Public Resources Code Section 21000 et. seq.) was enacted in 1970 with the finding that the maintenance of a quality environment is a matter of statewide concern. A monitoring program is required by Section 21081.6 of the California Public Resources Code. The purpose of this agreement is to establish a monitoring program that will ensure compliance with all mitigation measures adopted by the City as Lead Agency during project implementation.

II. APPLICANT RESPONSIBILITIES AND FINANCIAL OBLIGATION:

The mitigation measures outlined in this agreement shall be carried out by the APPLICANT and approved by the designated City Employee within the specified time frames for each mitigation measure called out in this Program. Until such time the appropriate City Employee approves the mitigation measures as being carried out in accordance to this program the APPLICANT is responsible for dutiful completion of the mitigation measure.

The APPLICANT hereby agrees to submit a deposit of \$5,000.00 to the City of Winters to pay for the required Mitigation Monitoring and Reporting Program and maintain a balance of \$1,000.00 until such time satisfactory compliance with all mitigation measures has been completed.

The APPLICANT further agrees to pay the necessary cost of hiring professional consultants which are necessary in carrying out the monitoring of mitigation measures such as Field Biologists, Engineers, and any other professional deemed necessary by the City Staff.

III. MITIGATION MEASURES AND MONITORING/REPORTING PROGRAM:

MITIGATION MEASURE #1: APPLICANT SHALL CONTROL DUST EMISSIONS DURING GRADING.

1. Tarpaulins or other effective covers should be used for haul trucks.
2. All inactive portions of the construction site which have been graded will be seeded and watered until vegetation is grown.
3. Grading shall not occur when wind speeds exceed 20 mph over a one hour period.
4. Construction vehicle speed on unpaved roads shall not exceed 15 mph.
5. Construction equipment and engines shall be properly maintained.
6. If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.
7. Construction practices will minimize vehicle idling.
8. Potentially windblown materials will be watered or covered.
9. Construction areas and streets will be wet swept.

Must be completed by: on going during time of earthwork and construction of street improvements

Completion

Date: _____ Signature: _____

Public Works Director

MITIGATION MEASURE #2: DEVELOPER SHALL MITIGATE POST-CONSTRUCTION IMPACTS ON AIR QUALITY

1. In order to facilitate Yolo Bus usage, the applicant for the applicant for the Matz Parcel Map shall work with the Yolo County Transit Authority to establish a bus stop and enclosure in the general vicinity of Lot No. 1. The developer shall provide a covered, well lighted, all-weather enclosure with a bench, that is architecturally compatible with the vicinity. The shelter shall be constructed simultaneously with the development of the use at Lot No. 1. The cost of constructing this improvement shall be divided in an equitable manner among the end users of the improvement.

2. Commercial and industrial developments shall comply with the City's Commuter Trip Reduction Ordinance when applicable.

Must be completed: 1. Simultaneously with the development of lot #1, 2. Ongoing after occupancy of site.

Completion

Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #3: Landscaping within open space areas, the public right-of-way, and other areas directed by the City shall be maintained through a landscape maintenance district.

Must be completed: Formation of the district shall be required prior to the sale of any parcels within the tentative map area and prior to development within any of the existing parcels.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #4: Landscaping and irrigation plans shall be prepared by a landscape architect, who is approved by the City, and included as part of the subdivision improvement plans and/or site plans. These plans shall be subject to review and approval by the Streets and Trees Commission. The improvement plans shall include landscaping and automatic irrigation for the public-right-of-way of Highway 128 and Parcel "A" shall be adorned with cobbles. Said plans shall call for sleeves under the sidewalk and driveway , at each lot, for a future automatic irrigation system in the parkway strip as well as to the median islands. Drought tolerant and native plant species shall be incorporated into landscaping plans to the maximum extent possible and drip irrigation systems shall be used in the landscaping of new public and private open space areas.

Must be completed: Upon submission of improvement plans.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #5: No trees shall be removed prior to recordation of final map or approval of grading plan.

Must be completed: Prior to recordation of final map or approval of grading plan.

Completion

Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #6: Landscape slopes along streets shall not exceed 3:1. Level areas having a minimum width of one (1) foot shall be required at the toe and top of said slopes.

Must be completed: On-going during the life of the project.

Completion

Date: _____ Signature: _____

Public Works Director

MITIGATION MEASURE #7: Development along Putah Creek east of Railroad Ave. shall be set-back at least 100 feet from the top of the Creek bank. Where there is no discernable bank, the set-back shall be measured from the line closest to the Creek where riparian vegetation is permanently established and the landform is stable. Land from the centerline of the Creek to the set-back area along Putah Creek shall be dedicated in the form of an open space and public access easement or in fee title to the City on the final map. Applicant shall submit a landscaping and recreation improvement plan for the setback area at the time the remainder parcel is subdivided. The plan shall include information on the existing environment (trees, grade, etc.) and proposed landscaping and recreation improvements which are consistent with City policies. The landscaping and recreation improvement plan is to be carried out and implemented pursuant to a subdivision improvement agreement by the applicant. Improvements shall be maintained via an appropriate assessment district.

Must be completed: An irrevocable offer of dedication or public easement shall be made prior to recordation of final map and landscaping plan submittal will be determined in the subdivision agreement for this project.

Completion

Date: _____ Signature: _____

Community Development Director

MITIGATION MEASURE #8: The developer shall commission an appropriate traffic study based on 100% build-out of the General Plan area, performed by a Traffic Engineer acceptable to the Public Works Director, of HWY 128 from the North bound off-ramps of I-505 to the intersection of Main Street inclusive. This study shall recommend mitigation measures which will leave this stretch of roadway and all intersecting streets at LOS "C" or better, as required by the General Plan.

Must be completed: Said study shall be completed and approved by the Public Works Director prior to approval of any parcel or tentative parcel maps for the Remainder Parcel.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #9: The 1992 Winters General Plan provides for limited access on Grant Avenue. By Resolution No. 92-14 dated May 19, 1992, the Winters City Council adopted development fees for new development including a Streets and Highways Facilities Fee. The subject Parcel Map provides for a street intersection with Grant Avenue which was not contemplated by the Winters General Plan. Therefore, to mitigate these impacts, the subdivider agrees for himself and all successors in interest that building permits for Parcels 1 through 4 inclusive of the subject Parcel Map will require the payment of Streets and Highways Traffic Mitigation Fees in an amount which is 1.8 one hundred and eighty percent (180%) the amount of the fee in effect at the time the building permits are issued. This additional fee is a mitigation measure addressed pursuant to CEQA to mitigation negative traffic impacts and the increase of the impact fee is utilized here only as a convenient vehicle to determine and administer the financial obligation of timing and payment.

Must be completed: Fees shall be paid upon issuance of building permits for projects within Parcel 1 through 4.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #10: Restricted access shall be shown on the final map along the entire north and east property lines, as required by the City, and shall be dedicated to the State. The City will consider the appropriateness of a driveway onto HWY 128 from the west property line of parcel 3 during the improvement plan review. Restricted access may be deleted in this area to allow such a driveway if, at the discretion of the Public Works Director, such an access will not adversely affect traffic flows.

Must be completed: Prior to approval of final map for Phase 1.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #11:

A median island shall be installed in Parcel "A". Parcel "A" shall be increased to 70 feet wide, exclusive of turn pockets, with a 17 foot median island, a pavement width of 18 feet in each direction, and six foot sidewalks. A free right turn lane, 165 feet in length, shall be added onto East bound Hwy 128. There shall be a minimum landscape width of ten feet behind the sidewalks which shall be privately maintained.

Must be completed: Prior to issuance of certificates of occupancy for Phase 1.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #12:

Median island geometrics, including location and sizes of median cuts and stacking lanes, shall be determined at the time of improvement plan submittal. The median island in Parcel "A" shall run from Hwy 128, south a minimum of 180 feet. Driveway access to all Parcels shall be limited in size, location, and number to allow for safe and efficient flow of traffic. Several parcels, depending on their use and layout, may be limited to a single driveway, per parcel. All access points are subject to the approval of the Director of Public Works. In the event that access is provided through common driveways, a common access and maintenance agreement for such common facilities shall be recorded concurrent with Parcel Map. The form and content of these agreements shall be subject to approval by the Director of Public Works. These agreements shall include a clause which prohibits their modification after recordation with prior written approval by the City.

Must be completed: Prior to final map approval for Phase 1.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #13:

Applicant shall dedicate additional right-of-way and widen Highway 128 to its ultimate width along the entire property frontage. The City shall require a minimum of 120 feet in right-of-way. The proposed cross-section for Highway 128 between the project entrance and the on/off ramps is inadequate. This stretch of roadway shall have two through lanes in each direction, a left turn pocket into the project, and a landscaped median island. Adequate stacking shall be provided for the left-turn movement into the project to avoid blocking of the freeway on and off-ramps. Transitions between the proposed and existing sections shall be made off-site, and

the applicant shall be responsible for the acquisition of all rights-of-way required.

Must be completed: Prior to issuance of certificates of occupancy for Phase 1.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #14: A sewer lift station shall be provided at a location as determined by the Public Works Director during preparation of construction plans. This facility shall be designed to accommodate planned future utility crossings, and have a minimum of 24 hours storage.

Must be completed: Prior to approval of improvement plans.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #15: The applicant shall dedicate an additional 15 feet of land to expand the existing 10 foot sewer easement to 25 feet. Details shall be worked out with the Public Works Director.

Must be completed: Prior to recordation of final map.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #16: Sewer, as well as all other utility services, shall be stubbed to the right-of-way with the initial construction.

Must be completed: At the time of construction of the utilities.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #17: The existing ditch along Highway 128 shall be undergrounded to the satisfaction of the Public Works Director.

Must be completed: Upon construction of public utilities.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #18: A comprehensive storm drainage master plan shall be prepared by a registered Civil Engineer for all upstream watersheds, including the entire Tentative Map area, and shall be submitted to the Public Works Director for review. The master plan shall incorporate secondary flood routing analysis and shall include final sizing and location of on-site and off-site storm conduit channels, structures, and detention basins. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate off-site stormwater. All stormdrains into creeks and channels shall have flap gates installed unless waived by the Public Works Director.

Must be completed: Approval for the master plan by the Public Works Director shall be required prior to submittal of the final map and/or construction drawings for checking.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #19: Portions of the subdivision are in and/or adjacent to a FIRM Special Flood hazard Area. Consequently, all effected building pads shall be raised a minimum of 1 foot above the 100 year flood water surface as determined by F.E.M.A. The subdivider shall obtain a Flood Plain Development Permit and comply with all requirements therein prior to the City's issuance of a grading permit for those affected areas.

Must be completed: Prior to the City's issuance of a grading permit for those affected areas.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #20: The developer shall provide proof of application for a letter of map revision from the Federal Emergency Management Agency (F.E.M.A.) and shall provide a copy of the Conditional Letter of Map Revision (CLOMR) removing property from the flood plain.

Must be completed: Prior to issuance of any building permits for any buildings within the project area.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #21: All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the Public Works Director.

Must be completed: Prior to approval of improvement plans.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #22: Ensure that concentrated drainage from the site does not cross sidewalks.

Must be completed: Upon grading at the site.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #23: Subdivider shall be responsible for acquisition of all storm drain or other easements from adjacent property owners which are required for the construction and maintenance of perimeter and off-site improvements.

Must be completed: Prior to recordation of final map.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #24: The easement shown along the southern boundary of lot 2 shall be temporary. This storm drain line shall be replaced by a line down the project's entrance street when the street is extended. This line and easement shall be abandoned at that time.

Must be completed: Upon construction of street extension.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #25: In addition to the water mains shown in the Master Plan, a 12"

main shall be added on the West leg of the loop street connecting East Baker to Main Street.

• Must be completed: At such time as this street is constructed.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #26: A soils and geotechnical report shall be submitted for review with the initial improvement plan package. The improvement plans shall be approved and signed by the soils engineer prior to the approval by the City.

Must be completed: Prior to final map approval.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #27: An erosion and sedimentation control plan shall be included as part of the improvement plan package. The plan shall be prepared by the applicant's Civil Engineer and approved by the Public Works Director. The plan shall include but not be limited to interim protection measures such as benching, sedimentation basins, storm water retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on the plans.

Must be completed: Prior to final map approval.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #28: Grading shall be done in accordance with a grading plan prepared by the applicant's Civil Engineer and approved by the Public Works Director. The amount of earth removed shall not exceed that specified in the approved grading plan. All grading work shall be performed in one continuous operation. The grading plans shall be included in the subdivision improvement plans. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a

result of the proposed development.

Must be completed: Prior to final map approval.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #29: The applicant shall be responsible for acquiring a NPDES construction activity permit from the Regional Water Quality Control Board, prior to commencement of construction activities.

Must be completed: Prior to commencement of construction activities.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #30: A bulb of adequate radius for fire equipment turn-about shall be constructed at the southerly end of East Gateway Drive.

Must be completed: Simultaneously with the construction of the street.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #31: Cut and fill slopes shall be in conformance with the recommendations of the soils engineer, but shall in no case be steeper than 3 to 1 in public rights-of-way and easements, and 2 to 1 in other areas.

Must be completed: Upon grading.

Completion

Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #32: Landscaped slopes along streets shall not exceed 3:1. Level areas having a minimum width of one (1) foot shall be required at the toe and top and said slopes.

Must be completed: Upon grading.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #33: New development shall be constructed in accordance to the requirements of the Uniform Building Code in order to ensure that new structures are able to withstand the effects of seismic activity, including liquefaction, and underground utilities shall be designed to withstand seismic forces in accordance with State requirements.

Must be completed: Upon construction of structures and utilities.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #34: Applicant shall pay assessment fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 as necessary.

Must be completed: Upon filing of Notice of Determination by the City of Winters.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #35: Applicant shall pay appropriate fee per acre in conjunction with a formal consultation pursuant to California Fish and Game Code Section 2081 which may involve securing a management agreement for the conversion of habitat for threatened and endangered species.

Must be completed: Prior to recordation of final parcel map.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #36: Developer shall provide paved, marked, and tree shaded parking for off-street parking per City Ordinance. The Landscape/Shading Plan detailing improvements is to be approved by the Community Development Department.

Must be completed: Prior to issuance of certificates of occupancy.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #37: Commercial development in the Parcel Map area shall provide bicycle parking facilities to the approval of the Community Development Department.

Must be completed: Prior to issuance of certificates of occupancy.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #38: All walls and fences which face public right-of-ways shall be designed in such a way as to provide for an attractive part of the environment and shall be built of similar materials and architectural style as the main structure on the lot. The design shall be to the approval of the City.

Must be completed: Prior to issuance of building permits.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #39: Materials, color scheme and architectural design of the project shall meet Community Development and Building Department approval and shall conform to applicable City Design Guidelines.

Must be completed: Prior to approval of Site Plans.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #40: All structures within new subdivisions shall be designed and constructed with the opportunities available as required by the Subdivision Map Act (Government Code Section 66473.1) for future passive or natural heating and cooling opportunities.

Must be completed: Prior to issuance of building permits.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #41: Project applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.

Must be completed: At time that such taxes, fees and charges become due and payable.

Completion
Date: _____ Signature: _____
Community Development Director

MITIGATION MEASURE #42: The subdivider shall be required to obtain all necessary permits including, but not limited to, the U.S. Army Corps of Engineers Regulatory Branch, the California Department of Fish and Game, and the U.S. Fish and Wildlife Service prior to developing within said agencies jurisdictions(s).

Must be completed: Prior to commencement of any construction unless otherwise required by said agencies.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #43: The existing water well on the site shall be eliminated.

Must be completed: Prior to issuance of certificates of occupancy.

Completion
Date: _____ Signature: _____
Public Works Director

MITIGATION MEASURE #44: On HWY 128, median islands will be striped pursuant to City and Caltrans requirements, as part of improvements. Subdivider shall pay the City the cost of constructing, including landscaping and irrigation, future median islands on Grant Avenue along the frontage of the property.

Must be completed: Said payment shall be made to the City prior to approval of the parcel map.

Completion
Date: _____ Signature: _____
Public Works Director

IV. PENALTIES AND REMEDY FOR NON COMPLIANCE

Failure to complete mitigation measures outlined in this Mitigation Monitoring and Reporting Program and signed off for adequacy by the Community Development Director within the specified time lines indicated in this Program may result in the following action(s) taken by the CITY:

CIVIL AND ADMINISTRATIVE REMEDIES - The CITY may carry out or seek remedies as permitted by law, including, but not limited to the following:

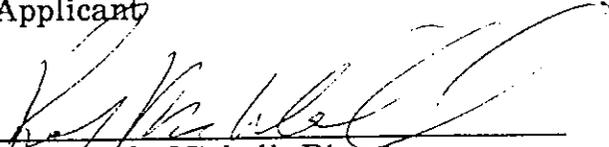
1. Injunctive relief:
2. A stop work order subject to the following:
 - a. Whenever the designated City staff finds that there is non-compliance with the adopted Program and that this non-compliance presents a serious and immediate threat to the public health, safety and welfare, the Community Development Director shall issue a stop work order which shall prohibit further work on the Project that is the subject of the adopted Program.
 - b. Authority to recommence work on the Project that is the subject of an adopted Program after issuance of a stop work order may be granted by the Community Development Director upon the establishment of such terms, conditions and requirements as are reasonably necessary to protect the public health, safety, and welfare and as are consistent with the terms, conditions, and requirements of the adopted Program.

I hereby declare under penalty of perjury that I have read the foregoing mitigation measures, that they are in fact the mitigation measures which were imposed upon the granting of this Mitigation Monitoring and Reporting Program, and that I agree to abide fully by said mitigation measures.

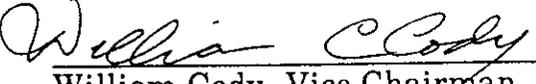
IN WITNESS WHEREOF, the parties hereunto have set their hands this 29 day of June.



Winters Commercial Investors LPD., a California Limited Partnership
Applicant



Robert MacNicholl, Director
Community Development Department



William Cody, Vice-Chairman
City of Winters
Planning Commission

NOTE: Issuance of this Mitigation Monitoring and Reporting Program does not waive requirement of obtaining Building and Health Department permits before starting construction, nor does it waive any other requirements.