Winters City Council Meeting
City Council Chambers - 318 First Street, and Teleconference via ZOOM
Tuesday, July 7, 2020

To join Zoom meeting:
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Meeting ID: 860 2792 6472
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AGENDA

Members of the City Council
Wade Cowan, Mayor
Bill Biasi, Mayor Pro-Tempore
Harold Anderson
Jesse Loren
Pierre Neu
John W. Donlevy, Jr., City Manager
Ethan Walsh, City Attorney
Tracy Jensen, City Clerk

6:00 p.m. – Executive Session

Safe Harbor for Closed Session Pursuant to Government Code Section 54954.5

1. Pursuant to Government Code Section 54957 - Conference with Legal Counsel – Public Employment – City Manager

6:30 p.m. – Regular Session

PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Councilmembers.
Roll Call

Pledge of Allegiance

Approval of Agenda

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS
At this time, any member of the public may address the City Council on matters, which are not listed on this agenda. Citizens should reserve their comments for matter listed on this agenda at the time the item is considered by the Council. An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

CONSENT CALENDAR
All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Council support and may be enacted by the City Council in one motion in the form listed below. There will be no separate discussion of these items. However, before the City Council votes on the motion to adopt, members of the City Council, staff, or the public may request that specific items be removed from the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, June 2, 2020 (pp. 5-22)
B. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, June 16, 2020 (pp. 23-29)
C. Acceptance of SACOG Planning Grant Award – I-5050 Overpass Improvement Project (pp. 30-32)
D. BSK Contract Amendment No.7 – Conservation Easement Monitoring (pp. 33-34)
E. Final Acceptance of SB1 2018-2019 Street Rehab Project (pp. 35)
F. Final Acceptance of SB1 2019-2020 Street Rehab Project (pp. 36)
G. Final Acceptance of Sidewalk Repair/Replacement Project (pp. 37)
H. Rate Increase for City Integrated Waste Management Services (pp. 38-45)
I. Quitclaim Deeds for Dedication of Land for the Winters Highlands (Stone’s Throw) Phase 1A Subdivision (pp. 46-54)
PRESENTATIONS

Jesse Salinas, Assessor/Clerk-Recorder/Registrar of Voters, County of Yolo, to Apprise Council of the Expected Election Changes and Discuss Collaboration between the City of Winters and Yolo County for an Effective Election in November 2020

DISCUSSION ITEMS

1. Walnut Lane 10 Subdivision – Public Hearing and Consideration of the Proposed Walnut Lane 10 Mitigated Negative Declaration, Tentative Map and Planned Development Overlay Zoning for a 54-lot Single Family Subdivision (APN 038-050-019) (pp. 55-410)

2. Remodel South Side of Old P.D. into Finance/HR Office and Billing Department (pp. 411)

CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the July 2, 2020 regular meeting of the Winters City Council was posted on the City of Winters website at www.cityofwinters.org and Councilmembers were notified via e-mail of its' availability. A copy of the foregoing agenda was also posted on the outside public bulletin board at City Hall, 318 First Street on June 11, 2020, and made available to the public during normal business hours.

Tracy S. Jensen, City Clerk

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General Notes: Meeting facilities are accessible to persons with disabilities. To arrange aid or services to modify or accommodate persons with disability to participate in a public meeting, contact the City Clerk.

Staff recommendations are guidelines to the City Council. On any item, the Council may take action, which varies from that recommended by staff.

City of Winters
The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.

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City Hall – Finance Office - 318 First Street

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Minutes of the Regular Meeting of the Winters City Council Held at the Public Safety Facility Fire Bay, 700 Main Street, and by Teleconference via ZOOM on June 2, 2020

Mayor Wade Cowan called the meeting to order at 6:30 p.m.

Present: Council Members Jesse Loren, Pierre Neu, Mayor Pro Tem Bill Biasi, Mayor Wade Cowan (Council Member Harold Anderson joined the meeting at 6:45pm via Zoom)

Absent: None

Staff: City Manager John W. Donlevy, Jr., City Attorney Ethan Walsh, Director of Financial Management Shelly Gunby, Police Chief John Miller, Fire Chief Brad Lopez, Fire Captains Art Mendoza and Matt Schechla, Management Analyst Kristine DeGuerre, Building Official Gene Ashdown, City Clerk Tracy Jensen

Bob Polkinghorn led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy reported there were no changes to the agenda. Motion by Council Member Neu, second by Council Member Loren to approve the agenda. Motion carried with the following vote:

AYES: Council Members Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan
NOES: None

ABSENT: Council Member Anderson (joined the meeting at 6:45 p.m. via Zoom)
ABSTAIN: None

COUNCIL/STAFF COMMENTS: Mayor Cowan said this was Council's first live meeting since Governor Newsom's shelter-in-place order and asked everyone to adhere to the social distancing guidelines for COVID-19 by remaining six feet apart and wearing a mask. As per the Governor's order, those who are uncomfortable attending a live meeting may attend via teleconference (Zoom) or view the meeting on the City's YouTube channel (http://www.cityofwinters.org/city-council-meeting-recordings/) For those on Zoom, please use the "raise your hand" icon to speak during the desired agenda item.
For those who wish to speak at tonight's meeting, a Request to Address the City Council form is required due to the large number of speakers. Public comments will be limited to three minutes. As per the Governor’s order, all City Council votes will be done via roll call vote. Although this meeting is not taking place in Council Chambers, it is still a City Council meeting to discuss City business. Mayor Cowan requested that all attendees remain respectful and civil and to refrain from cheering, booing or talking over someone else, and requested all signs be held down and displayed only during the public comment portion of the meeting to avoid obstructing the view of others during the public comment period.

Mayor Ethan Walsh provided a report from the May 26th Closed Session meeting of the Winters City Council regarding labor negotiations with the various employee bargaining groups and indicated no reportable action resulted from this meeting.

PUBLIC COMMENTS: None

CONSENT CALENDAR

A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, May 19, 2020

B. Resolution 2020-27, A Resolution of the City Council of the City of Winters Establishing an Appropriation Limit Pursuant to Article XIIIB of the California Constitution for the Fiscal Year 2020-2021

City Manager Donlevy gave a brief overview. Motion by Council Member Loren, second by Mayor Pro Tem Biasi to approve the Consent Calendar. Motion carried with the following vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan

NOES: None

ABSENT: None

ABSTAIN: None

PRESENTATIONS: None

DISCUSSION ITEMS

1. Public Hearing and Adoption of Resolution 2020-26, a Resolution of the City Council of the City of Winters Approving the Engineer’s Report and Ordering the Levy and Collection of Assessments within the City of Winters City-Wide Maintenance Assessment District, Fiscal Year 2020/2021
City Manager Donlevy gave a brief overview. Mayor Cowan opened the public hearing at 6:50 p.m. and closed the public hearing at 6:50 p.m. Motion by Council Member Neu, second by Council Member Loren to approve Resolution 2020-26, approving the Engineer's Report and Ordering the Levy and Collection of Assessments within the City of Winters City-Wide Maintenance Assessment District, Fiscal Year 2020/2021. Motion carried with the following roll call vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Bias!, Mayor Cowan
NOES: None
ABSENT: None
ABSTAIN: None

2. Budget Workshop

Director of Financial Management Shelly Gunby gave an overview and provided a power point presentation. She clarified the $3.6M reserve is made up of 4 fund balances and not all of the reserve is in cash. The figure is closer to $1.8M in cash, with the rest tied up in money that is owed the City. Some entries show as revenue but the City hasn't received the cash yet. Council Member Loren asked if the City will be receiving any State or Federal funding due to COVID-19, and Ms. Gunby said the Governor plans on using that money for the State and only cities over 500,000 will receive federal money directly.

Council Member Loren asked if there was anything in the budget to help the City comply with Hexavalent Chromium or Chromium 6 (CR6). Ms. Gunby said although this would be paid out of the water fund and not the general fund, the City is currently in a holding pattern until the state-wide water standard is determined. City Manager Donlevy said once we do know about CR6, we'll need to figure out a plan. This could potentially be a $35M-$45M project spread around to 2,000 customers. This very serious and real issue could see an increase of $200/month for each rate payer across the board. The Federal Drinking Water Standard is 100 PPB and the State of California's Drinking Water Standard is at 50 PPB. The City of Winters' is 17 PPB, but the State wants to take it down to 1PPB. Council Member Loren said she sits on the board of a water resource agency and the State says it's coming our way. Mayor Cowan said there is no proven science and the City, along with our representatives at the Capitol, State Senator Dodd and State Assembly Member Aguiar-Curry, should issue impact statements to the State Water Board. Small jurisdictions make up less than 5% for California and the State doesn't appear to care what it costs. The Drinking Water Standard determination has been postponed, but it needs to be killed until they can come up with a reasonable solution.

Mayor Pro Tem Biasi asked if $1.8M in general fund reserves can be spent. Ms. Gunby said staff will use some of the reserve to counteract the lack of business, but the end of year cash balance should be approximately $1.4M and confirmed the City has been spending down the reserve balance over the last several years. Mayor Pro Tem Biasi
said the City can’t keep spending down the reserve balance or we won’t have enough to pay our bills. He asked since the City is preparing a one-year budget instead of a two-year budget, will staff and Council review in 6 months and be able to make any necessary adjustments instead of having an annual review for the 2-year budget? Ms. Gunby said in February 2021, staff will examine the first property tax payment, see which businesses are recovering, look at the City’s financial situation, and meet with employees to see where we’re at. Staff is preparing a one-year budget and can provide a two-year projection, but all budgets must be adopted by June 30th. Council Member Neu said he met with staff to discuss the $3.6M reserve fund and the biggest budget cut to employees (7.5% pay decrease, no merit increase). The same thing happened in 2008 and it took 8 years to get staff back to where they had been. Money has been set aside for litigation, but we better have money for the budget without putting it all on the staff. Council Member Neu spoke with the City Manager and City Attorney who said the petition received may initiate a lawsuit and litigation is possible but provided no specifics. Council Member Neu said he couldn’t vote for a budget with these kinds of cuts to the library, pool and Community Center. $250K won’t cover it, but it will help. He said he doesn’t want to see the continued cuts in pay.

Council Member Loren said part of planning of a City is being cautious, even when it’s uncomfortable. Nobody knows how long this will go on and we don’t know where we’re going to be next year, but it’s very sad for the community to know that people that have been hired will suffer with cuts. Council Member Anderson asked if the State was looking at taking part of the Assessment District money. City Manager Donlevy said no, the State is looking at the City’s sales tax, or potentially the City’s property tax. Mayor Cowan asked for and received the cost breakdown for the pool and Community Center. As per Ms. Gunby, the pool has a $125K-$150K deficit per year and the Community Center has a $80K-$100K deficit per year. Council Member Neu asked if staff didn’t run the pool, what would it cost and City Manager Donlevy said it would still cost $60K.

Sally Brown, 24 E. Main, requested Council dip into the hefty $3.6M reserve fund to continue supporting the few amenities that Winters has for its public: reopen the pool when it’s safe, resume the Senior Citizen lunch program at the Community Center, and pay the City’s share to keep the library open, which would otherwise result in reduced hours and programming. Other communities are dipping into their funds so do it now!

Lynette McClure, 26002 Vendo, asked about the projected sales tax increase due to at-home purchases. Ms. Gunby said sales tax goes into a county pool and is allocated out based on population and is not specific to our community. Ms. McClure also asked about the litigation contingency, a non-specific budget item, and whether staff knows what’s coming forward. City Attorney Walsh said it is a potential expense and if it is not used, it can be reallocated.

Rebecca Fridae, 112 Liwai Village Ct., asked Council to reconsider the cut to the library funding of $25K and to honor the agreement that was co-signed with Yolo County and WJUSD. Once we’re through the pandemic, the library will be open to everyone. Ms. City of Winters
Fridae also recognized the commitment of City staff, who have agreed to cut their salaries and reducing their income.

Mayor Cowan proposed funding for the library ($25K), re-opening of the pool later in the year, re-opening the Community Center for senior lunch out of the $250K litigation fund, and looking at the remainder as being part of the cash reserve. All these things are important for the community, and it is equally important for the seniors to be socially active. Council would also like to receive an update every 6-8 weeks to revisit and adjust if necessary, including the replacement of lost wages for staff.

3. Acceptance of Certificate of Sufficiency for the Initiative Petition Amending the City of Winters General Plan to Establish an Urban Growth Boundary and Request for Further Direction from City Council Pursuant to Elections Code 9215

Mayor Cowan said this initiative is a hot topic in Winters and he wanted to review how the Council’s consideration of the initiative will be conducted. City Attorney Walsh will provide an introduction of the initiative and reiterate Council’s options. The leadership of KWW (Keep Winters Winters) will provide a short introduction of the initiative. Following the initiative proponents opening statements, Council will then allow any member of the public to address the Council. A “Request to Address the City Council” form must be completed and due to the number of anticipated speakers, comments will be limited to three minutes. For all emailed comments received by Council and staff, the names and their position on the initiative will be read aloud and will become part of the permanent record. All Zoom participants who wish to speak can use the “raise your hand” icon and they will be called upon to do so. Following the public comment period, Council will then ask the leadership for the initiative to answer questions from the Council, who will then discuss the options and hopefully come to a decision. Mayor Cowan requested everyone to remain civil and respectful, not because anyone present are troublemakers, but because we are all friends and neighbors that are passionate about the future of Winters. This initiative is likely one of the most important items to come before the City Council in many years. And the outcome, regardless of which way it turns out, will have major ramifications for the future of the City of Winters for many years to come.

City Attorney Walsh said the petition put before Council tonight would amend the City’s General Plan to establish an urban growth boundary (UGB) with boundaries that are contiguous with the current City limits, and that any development beyond that boundary would go for a vote before the people. He then focused on the options being presented to Council tonight: adopt the initiative measure as is without alteration, adopt the resolution to place the initiative measure on the ballot for the next scheduled municipal election in March, 2022, or direct staff to prepare an impact report of the proposed initiative measure and return to Council for consideration within 30 days. City Attorney Walsh reviewed the requirements of the Elections Code regarding the placement of the initiative on the general municipal election ballot in November 2020, or the statewide primary election ballot in March, 2022, adding the City’s Municipal Code indicates the
City’s general municipal election shall be held the same day as the statewide primary election. City Attorney Walsh said he is looking at the plain language of the law and applying it as it is written. He said he would do additional research if Council desired but could not promise that a different conclusion would be reached.

Bill Lagatutta, KWW proponent, told Council “don’t tell us your hands are tied.” You have a choice. It’s a clever way to wait until 2022. He requested the measure be adopted tonight and spare the City two more years of agonizing debate. KWW played by the rules and Council never mentioned the next regular election would be in 2022. Delaying the decision by 30 days is not fair. Council can put the measure on the ballot on November 3, where it is certain to pass. Another option is to spare us an election and adopt the petition tonight. Making citizens wait for two years is not fair.

Perl Perlmutter, Attorney for KWW who drafted the initiative, said the initiative is the most effective tool for controlled growth and agricultural preservation. If adopted tonight, the City could avoid election costs or the cost to draft the impact report. If not adopted tonight, Mr. Perlmutter urged Council to place the initiative on the November 3 ballot. 814 signatures were submitted, and the Yolo County Registrar of Voters counted 500 valid signatures, enough to qualify the initiative.

Peter Hunter, KWW proponent and participant in the 1992 General Plan process, offered a local perspective about what Council should do and why. This issue strikes at the heart of the citizens of Winters and he requested that Council listen to them and act on their behalf. Mr. Hunter said he lost faith in City government following a City Council/Planning Commission workshop on 8/21/19, where a standing room only crowd listened to a two-hour presentation, where speakers voiced their dismay and disapproval only to have the names of those speakers not included in the meeting minutes. (These minutes were revised to include the names of the speakers, along with their comments, and adopted by Council on 10/15/2019.) He reviewed the four points of the initiative: no restriction on development within city limits; allows any public facilities to be built outside of UGB (Urban Growth Boundary) without citizen vote; private development outside of boundary has to go to vote; and if UGB is unworkable, revoke it and amend it with a majority vote of the people. Only two of these involve citizen votes. UGBs are not unusual and he urged Council to listen to their constituents, represent what they want, and adopt the initiative tonight.

Bob Polkinghorn, KWW proponent, said his colleagues have said what they needed to say. KWW deserves a fair shake and he asked Council not to deny the rights of the citizens. While collecting signatures, they were able to connect with a wide spectrum. KWW was considered an outsider group. These are people who helped make Winters Winters. There are dozens of UGBs throughout the state, 63 in northern California alone. None of these cities have gone bankrupt and not one has been sued. The litigation fund is unnecessary, and he said he doesn’t understand why it has been put in place. Integrity and trust are on the line.
Kayla Guerrero, 807 Walnut Ln., said she comes from both sides of Winters, old and new, and sees both sides. She wants what’s best for the City and wants a say when and what happens and requested Council to adopt the initiative tonight.

Woody Fridae, 112 Liwai Village Ct., thanked Council for their service and for conducting this matter in a fair and open way. He suggested using the 30-day study period to forge out an agreement and adopt something that will satisfy everyone.

Chris Turkovich, 636 Foxglove Circle, said a 30-day analysis is not sufficient to understand the debate. As per a letter written by Mr. Turkovich and shared with City staff and KWW, there are many issues that are not addressed in the initiative and requested that Council not accept the initiative as written. It was drafted by few and contains holes and assumptions. He requested they bring something to Council to rally behind.

Pam Scheeline, 101 Riverview Ct., urged Council to vote to place the initiative on the ballot in November and to represent the interests of their constituents. She is looking for leadership and a voice from our Council.

Peter Spahr, 105 Riverview Ct., thanked Council for their time and effort and said just because you can delay the election process doesn’t mean you should. 817 voters have signed the petition, so pass it. Build community, make it greater, and don’t disenfranchise everyone.

Jeff Tenpas, 24 E. Main, said the runaway actions by City staff have led us down the wrong road. Council has been led along and there is no turning back. Mr. Tenpas said he doesn’t want to see the doubling in size of Winters and is relieved this came to light. He asked Council to vote for and support democracy in action and doesn’t want to see it drag on.

Sally Brown, 24 E. Main, said everyone would like to have Council vote tonight to put the initiative on the November 2020 ballot. All signers were under the impression that it was going to be on this ballot. Does the City have the duty to provide clarity to KWW? She asked Council to find a solution to put the initiative on the ballot or allow KWW to withdraw and resubmit within the magic window. Council can turn this from a citizen initiative to a Council resolution and include it on the November ballot. Council has three choices: vote, resubmit the initiative, or put the initiative on the ballot.

Susan Hamilton, 27270 Co. Rd. 87, wanted to give a plug for farmers. She is sinking their well down again and if development goes in on their water table, it will put them out of business. Businesses in Winters do rely on agriculture and saying they don’t isn’t fair. She requested that Council allow citizens the ability to vote on where this goes.

Mike Olivas, 706 Foxglove Circle, said it was disrespectful of Mr. Polkinghorn and Mr. Lagatutta to question Council’s integrity. He reminded Council that they represent all 7,000 residents in Winters, not just 817 voters. He recalled working on the general plan that started in 1988, taking five years to get to the general plan in 1992, including 50-60
open meetings for public participation and spending millions of dollars going through plans. Now KWW wants to blow it up. What happens to infrastructure? He agrees with moving some growth to the North and agrees with smart growth. Thirty days to do an impact report is fair but KWW wants to get it right now by forcing you to vote on it. This is a big impact to the City and he recommended putting off the initiative to the 2022 election.

Joel Kling, 307 Main St., wants to have a say in what’s going to happen. He wants a voice and this is what the citizens want. A vote, if given, won’t suit everyone, but that’s democracy.

Craig McNamara, 9264 Boyce Rd., asked Council to adopt the initiative tonight.

Bethany Gale, 623 Snapdragon St., said she is afraid that their voices will be delayed. KWW followed the process and she is asking Council to give people a timely voice and put the initiative on the ballot in 2020.

David Springer, 200 Madrone Ct., said there are enough votes to pass the initiative. In order to avoid months and years of tension between citizens and City Hall, he requested the language be adopted tonight and listed four compelling reasons why: retain the character and vitality of the downtown core; converting ag land to housing is a bad idea; climate change is real and continues to heat up the planet; and economic development, where residential development generates a minuscule amount of tax in comparison to the downtown businesses. He urged Council to vote to adopt the initiative language tonight, or soon.

Jean-Marc Leininger said he was concerned about the actions of the City Attorney. His constituency gathered more than double signatures necessary, and by using legal interpretation is denying the opportunity to vote on the initiative. Much can be done before March 2022. It’s time for Council to do their job and see that the democratic process is done in a timely fashion. Place the initiative on the ballot or adopt it outright.

Stan Lester, 8560 Holmes Ln., has been a Winters resident since 1974 and is asking Council to accept the initiative as written without putting taxpayers through a delay. Over 800 ballot signatures were obtained and it’s obvious that the initiative will pass when it is placed before the voters. Citizens need to be heard and represented. It is your job as elected officials to accept the will of the voters and pass the initiative tonight. If Council is truly sincere about supporting ag, you will pass the initiative tonight. Preserve the precious commodities for countless generations: ag land.

Sarah Shirley, 415 Baker St., asked Council to stick to the spirit of democracy. City Attorney Walsh is sticking to the letter of the law, not the spirit of the law. The citizens have spoken and they want their voices heard. Winters is the center of the universe! Adopt the initiative outright or put it up for a vote in the 2020 election.
Denise Cotrell, 210 Main St., agreed with the previous speaker, Sarah Shirley, and hopes Council adopts the initiative tonight or follows the democratic process to allow us to vote on it in November.

Lisa Gorski, 11 Abbey St., is representing her family by voicing their concerns of opposition to the voices of the community. She is not anti-development but is committed to making Winters a better place. She has been following City Council meetings but doesn’t have clarity on the City’s development plan. She is asking Council to respect the democratic process by being role models. The decisions you make will have a long-time impact. Council has the power and the trust of the citizens in this democratic process by allowing them to vote in November 2020.

Nora Carey, 213 Main St., wants an honest, open, safe and diverse place for people to share their opinions. She asked Council to make an honest and open decision to give citizens a chance to vote on the initiative.

Al Vallecillo, 210 Main St., said of the past election cycles since 2011, only one Council member received over 800 votes. Two Council members received over 1,000 votes during the last election. When 814 people sign a petition in the middle of a pandemic, they’re serious about what they’re doing. The Economic Development Advisory Committee (EDAC) made recommendations to change the General Plan but nothing has come from those General Plan amendments. KWW is here to stay. Keep Winters a viable community and improve its economic circumstances for more businesses and more jobs to be created.

Emarie Van Galio, 202 Russell St., said this meeting is not about what KWW stands for. They were under the assumption that the petition would be on the November ballot. Once it’s on the ballot, it doesn’t mean it’s going to pass. Folks need to start their own campaign if they don’t want it to pass. Let the voters decide. She asked Council to do the right thing.

Sonya Godinez, 200 Toyon Ln., said the City Attorney’s recommendation for Council to put the initiative on the ballot in 2022 is ridiculous. This is gross manipulation. Put it on the ballot this November.

Ellie Yeatman, 209 Abbey St., hates conflict. She said she has been called anti-city council and no growth. No so. She voted for all of the current Council Members, some more than once, and she trusts the Council. This is simply about how she wants a say in how the city grows. Let’s vote on it. Don’t prolong the tension for two long years.

Stephen Montagna, 405 Baker St., said there are plenty of options when it comes to the law and asked staff and Council to look deeper. Look at what the initiatives are all about. Power must be construed liberally to promote the democratic process. If you wait for two years while expanding growth, you will need the litigation fund. You can choose to withdraw the initiative and re-submit it.
Denise Standridge, 399 East St., listened to the comments and looked at the staff report, which she takes issue with. City Attorney Walsh cited several statutes, yet there is nothing confusing about holding a special election. When you sign it, you own it.

Joe Skorupa, 26804 Via Rosales, said the process was followed. The initiative will pass now or later. Delaying the inevitable does not gain anything. Pass the initiative and move forward.

Lorrae Rominger, 601 First St., said she is not against growth. She is against turning farmland into housing developments. Beauty and charm bring visitors to Winters. Housing on unfarmable land makes sense. Protect the agricultural land by putting the initiative on the ballot and giving the citizens a voice.

Rob Carrion, 1102 Griffin Way, supports the initiative and asked Council to consider passing it within the next ten days. Do what’s right for your constituents. Hear our voices in November.

Valentina Lowden, 320 Niemann, said the concerns regarding the sphere of influence, General Plan update, and the budget crisis all have merit. Although she welcomes development at the end of Niemann Street, she doesn’t support development in North Winters. She asked Council to consider the initiative that has been signed by more than 800 citizens and whose signatures have been verified. Trust the citizen’s judgement about our City and the community’s strong desire to be part of the City’s growth.

Mona Biasi, 400 Edwards St., said we all care about the signers of the petition, the sense of community, the generosity of the people in the video made by KWW. Then it began talking about becoming Vacaville and about a plan that has not been submitted and misleading and false statements were made about the Council. Where did the misinformation start, the negative slant against the City and the Council? This has fueled the lack of trust in our City’s leaders. Trying to corrode the distortions is impossible. How easily it is to believe the dirt without knowing the facts. They have taken the Express articles as truth. KWW posts opinion pieces that continue to malign the City Manager. The City Council and City Manager are not the bad guys. They care about Winters. They are people of integrity who have demonstrated a dedication to the City. They devote their time to the betterment of the City of Winters and volunteer for nearly every activity. The City Manager is helping the downtown businesses. City leadership is thankless. They are not doing if for personal gain, only for the betterment of the City. If they don’t support KWW, it doesn’t mean they are in favor of growth. Judge our City leaders by their actions and continued commitment to the City of Winters. Urge KWW to find out the facts. Listen to their concerns about the issues. Set the UGB out at the northern edge of the General Plan. Stop the personal attacks, the belittling and berating because someone has a different opinion. Try to be civil and be kind to your neighbors.

Will Meikle, 215 Grant Ave., fully backs KWW 100%. Winters doesn’t need rampant development. Mr. Meikle is pro development for careful development. He thanked Council and said this initiative needs to pass. It’s what the people want.
Lisa Levy, 215 Grant Ave., said she has seen a lot of changes in 21 years. Change is inevitable. We should have a voice about how the community changes. She is putting trust and faith in the Council to represent the citizens. Vote tonight to pass the initiative, or let the initiative be decided by the people at the ballot box.

Mayor Cowan read a brief summary of several emails and letters received from the following residents:

- Debra Nicholson asked Council to listen to their constituents and let the voters vote this November.
- Ana Kormos asked Council to respect the voices of their constituents by either adopting the initiative now or placing it on the November ballot.
- Gregory Lanzaro said the initiative should be placed on the November ballot. Given the large measure of support for this initiative, this is the only fair and just action to take.
- Sonya Godinez says she's not anti-growth or anti-Council and wants the initiative on the November ballot.
- Patty Rominger asked Council to adopt the initiative outright or place it on the November ballot.
- Lorrae Rominger said a significant and growing part of the population of Winters supports this initiative, the required number of signatures was gathered, and she wants the initiative included on the November ballot.
- Joan Brenchley asked Council to listen to their constituents and put the initiative on the November ballot this year and let the voters decide.
- Kevin Cornell asked that the ballot measure not be delayed until the next regularly scheduled municipal election, but place it on the November ballot.
- Dixie Schaefer asked that the initiative be placed on the November ballot so the citizens of Winters can vote on it now. Waiting until 2022 is too late. By then the developments will have occurred without our input.
- Debbie Hemenway said she signed the petition to bring the measure to the voters this fall. She asked Council to trust the public to weigh the proposal and then vote. The citizens deserve the respect for their voices and opinions.
- Tom Sedlack asked that the KWW-generated initiative, supported by so many Winters residents, appear on the November ballot and thanked Council for their anticipated positive action.
- Rick and Susan Von Geldern urged Council to respect the voice of their constituents and approve the initiative or place it on the November ballot. Denying, delaying or postponing the initiative would be an effort to hinder the voice of the people.
- Gregory Hanson asked Council to allow the initiative to be placed on the November ballot and not delay the people’s vote by placing the initiative on the March 2022 ballot.
- Nanette Hanson asked Council to allow the initiative to be placed on the November ballot and not delay the people’s vote by placing the initiative on the March 2022 ballot.
Diane Cary asked Council to respect the initiative process and respect the wishes of the people you represent enough to allow the initiative to go forward for the November 2020 ballot.

Judy Hubert asked Council to listen to the citizens of Winters by placing the initiative on the November ballot.

Diane Ullman asked Council to place the initiative on the November ballot or adopt it outright.

Bruno Pitton supports KWW and suggested several ways to have a deliberative democratic process and provided several good points as to how this issue should have or could be done.

Nora Carey supports KWW and wants the initiative adopted now or included on the November ballot.

Lura Meyer wants the initiative adopted now or included on the November ballot.

Monica Rodriguez supports KWW and said Council has four options: adopt initiative, put initiative on November ballot, order an impact report, or delay the vote until March 2022. Option 4 is not acceptable, and wants the initiative adopted now or included on the November ballot.

Drew Missureli moved to Winters from Davis six months ago and doesn’t want the City to grow too quickly. He supports the initiative, adding he loves the food court in the downtown.

Keith Cary said this issue calls for direct democracy and the initiative should be placed on the ballot in a timely fashion.

Richard & Evelyne Rominger said the City should concentrate on internal development within the City limits, including the continued development of the downtown area. Due to the City’s current financial condition, the KWW initiative should be adopted now.

Lisa Levy and Will Meikle are outraged over the City Attorney’s interpretation of when the initiative can go on the ballot and wants the initiative adopted now or in November.

Teri Shore of Greenbelt Alliance, an organization who is a supporter of “Urban Growth Boundaries” initiatives, recommends the adoption of the initiative or include it on the November ballot.

Kris Baitoo says that 11% of Winters signed the initiative and wants the initiative adopted now or included on the November ballot. Kris referenced the 2017 Community Values proclamation and said don’t sell the soul of the City because one man sees development as a way to receive revenue.

Sally Brown refers to the number of signers being greater than the number of votes for some of those on the Council. She wants the initiative adopted now or included on the November ballot, and believes there are also two other options: allow the withdrawal and resubmittal of the petition within 88-102 days or turn it into a Council resolution to put on the ballot.

Andre Baitoo wants the initiative adopted now or included on the November ballot, and moving it to 2022 is part of the City Manager’s personal agenda.

Steve Levy relayed a great story about how he found Winters in 1979 and make it his home in 1999. He wants the initiative adopted now or included on the November ballot.
Joan & Chris Medina and Family don’t want to become the next Dixon. Growth needs to stop and they support KWW.

Richard Kleeberg believes there would have been many more signatures if not for COVID-19. He supports adopting the initiative now or in November and apologized for not attending the meeting due to health reasons.

Elizabeth Ehnot supports the City Council and whatever decision the Council feels is best for the City. She was on the school board for 12 years, so she knows what it is like to have a meeting like this.

David Springer supports the initiative being adopted now rather than placing it on the November ballot or ordering City staff to develop an impact report. Mr. Springer also provided a document that lists four very detailed reasons for establishing an urban limit line at the current city limits. The reasons include retaining the character of the City, preserving agricultural land and jobs, climate change, and City finance impacts.

Emily McNamara wants the initiative adopted today or included on the November ballot.

Lanette McClure wants the initiative adopted today or included on the November ballot.

Chris Turkovich said he believes the initiative carries more potential risk for Winters than any potential benefit and asked why KWW is drawing their UGB line at the current City limit boundary and not the General Plan boundary. The intent of the initiative is to set aside over three decades of planning and adopt a new vision through an initiative that has not been publicly debated. Adjusting the KWW’s UGB to mirror the current General Plan Boundary could accomplish the goal of the KWW group while keeping intact the many good features of the general plan that would still limit large growth out into the County. We should not be risking stability and sensibility for fear of the future.

Corrin Armstrong says she trusts our City elected officials and our City Manager as they have our best interests at heart. She suggested the creation of an Ag Preserve to protect ag land, and the money being spent on this initiative could be spent creating something that would be beneficial for many generations to come.

Nikki Chapman supports the Council to make the right decision.

Jennifer Lane said protecting existing wildlands and agricultural habitat is imperative in protecting the future health, wellbeing and economic integrity of our community. She asked Council to make an informed and progressive choice with the immediate adopting of the initiative while simultaneously listening to your constituency.

Michael Pardee urged the City Council to adopt the initiative tonight or put it to the citizens to vote upon this fall and not postpone the vote for another two years.

Jamie Dotey strongly urged the Council to adopt the initiative tonight or put it to the citizens to vote upon this fall. Jamie is appalled at the rapid growth that the City has been going through and correlates accelerated growth to a rapid rise in vandalism (tagging) and vagrancy along the creek. This is no coincidence and if we continue to grow, there will not be a Winters worth living in.

Corrine Martinez (via Zoom) is one of the original signers of the initiative and was compelled to do so as a citizen. While determining the future of the town, there are
those empowered to make decisions on our behalf. There is overwhelming support of the initiative and it will be better when we get to the other side. Winters is a unique and beautiful place and that should be the voice carrying the initiative forward. Adopt it outright or put it to the voters in November.

- Taylor Buley (via Zoom) doesn’t know of any inaccuracies of reporting in the Winters Express and doesn’t share the opinions of all members of the community. Everyone thought the initiative was going to vote in November; place it on the ballot and give people the opportunity to vote on it.
- Steve Morgan thanked Council for the job. Transparency and democracy are important and he asked Council to place the initiative on the November ballot.

Mayor Cowan then asked the KWW team to approach the podium to field questions from Council. Council Member Loren asked a series of questions, including who wrote the FAQ’s, who manages the KWW website, and who updates the KWW Facebook page. She intimated that Council is portrayed as not being transparent. Council must adhere to the rules of the Brown Act, although this might hurt relationships between the Council and some of the residents of Winters.

KWW Attorney Perl Perlmutter confirmed the initiative sets a limit as to where the City can grow.

Mayor Pro Tem Biasi asked KWW representatives to find out the rest of the story. There are a lot of things that people who signed the petition may not be aware of. As per Chris Turkovich’s letter, if the people signing had known, they wouldn’t have signed it. There are ramifications that are realized after initiatives are passed. People need more information and need to be informed about these potential ramifications, which may have huge impacts. Were they told about potential ramifications about traffic circulation? Has there been a traffic study done on circulation? Are you comfortable with Grant Avenue and Railroad Avenue becoming four lanes? Some impacts are listed, but most have not been addressed adequately. Mayor Pro Tem Biasi said huge changes to the General Plan Land Use map will impact the City for generations to come and will drive up housing costs.

Council Member Neu referred to Mona Biasi’s comments about how we respond to each other and how we should be civil and to respect each other. KWW did what they thought they should do and giving people a chance to vote is the democratic thing to do. More transparency in dealing with the North area may have avoided this initiative. Council Member Neu was elected to the Council with less than 815 votes, and he was elected by the people of Winters to represent the people of Winters. In retrospect, there should have been more interaction between the City and KWW. Council Member Neu stated he did not believe the initiative will cause all the problems that some think it will. The initiative doesn’t make a growth boundary, it gives the citizens a vote as to whether they want a growth boundary. If the initiative is included on the November 2020 ballot, people can get together to work out some issues and talk things out. It’s not the will of the people to postpone this for two years and that’s not good community relations.
Council Member Anderson said it's not positive no matter what direction it goes. The farther we go without compromise, the more difficult it will be.

Mayor Cowan stated KWW has been talking about this initiative for 6 months, while Council has been unable to talk about it until tonight as advised. He wants to present the other side of the story despite what residents are being told. This imminent proposal doubling the size of Winters in the next two years is false information. The desire of staff and Council to create a specific plan with property owners does many good things for the City. Initiatives will take away that opportunity by changing the land use to open space. Revising the General Plan to open space is not so easy. If the initiative passes, several plans within the General Plan will have to be re-done. After speaking with Lisa Myer of Legal Services, who said she was shocked at what KWW is trying to accomplish, was surprised that she hadn't been contacted by KWW representatives. Mayor Cowan recited some numbers as to how fast Winters is growing, including residential units that passed final inspection and were ready to occupy. That number of single-family dwellings, 158 over a 10-year period, is below a 2% growth rate and were all approved by Councils prior to 2008 and did not include any of the current Council members. Also approved during this 10-year span was an apartment complex with 74 units and 6 ADUs. Prior to 2008 and 2004, 615 units were approved, which calculates out at a 25% growth rate. The projections of the next five years is a possible 2.5% growth, or 54 units, and over a 20-year period, an average of 1.14% on an annual basis is expected, with a possible high of 3%.

Council Member Loren described how we came to be where we are today. In 2019, there were rumblings about a developer dating back to 2016. Resolution 2001-05, adopted on 3/6/2001, requires Council approval prior to accepting development applications for projects outside the City's General Plan area. Council wanted to bring forth clarification and on 10/15/2019, Resolution 2019-43 was adopted, requiring Council to determine whether to initiate processing of development applications for projects outside of the City boundaries and requiring annexation. If there was a proposed single plan, this resolution clarified that planning outside the Urban Limit Line would require review and would go to Council, putting a mechanism in place to say no. Winters is growing slower than anyone else realizes at a 1.2% growth rate. Council Member Loren said she disagreed with most of the FAQs and asked KWW if they could clarify some of the FAQs. She stated she ran for office to represent everyone and everyone needs to know what the impacts might be.

Peter Hunter said the north area plan was the catalyst for this action. It was the concept of development happening north of town, as the City is bound on three sides, including Dry Creek to the West, Putah Creek to the South, and I-505 to the East. The Sphere of Influence (SOI) should follow City limits and the extended SOI is going in the only direction possible, to the north. Pre-zoning was done 30 years ago. Put it where it makes sense and the public will support it. If someone comes in with intent, the Council has the ability to say yes or no and they will never come in with the level of detail needed to make an informed decision.
Mayor Cowan stated the SOI is part of the General Plan. The initiative wants to change the General Plan and that's a problem. The resolution that was re-worded in 2019 is very clear: City Council will consider whether to direct staff to process any application for planning or development entitlements for a project located in whole or in part outside of the Urban Limit Line prior to acceptance of the application for processing, and projects located outside of the existing City boundaries, which would necessarily require annexation of land to within the City boundaries and amendments to the City's Zoning Code as a minimum, shall be brought before the City Council for consideration prior to acceptance for filing, and that the City Council shall be asked to determine whether (a) the application shall be processed or (b) the application shall be scheduled for denial. Peter Hunter said the initiative defines that it has to go to the people.

Mayor Cowan said if KWW wants to sit down, he's confident they can come up with an UGB and have it done and approved before November 3rd. The problem lies the with the SOI, which highly impacts the City. Council would like to approve an impact report within 30 days so we can see the impacts to the City. During those 30 days, he is hopeful that the two groups can sit down and develop a UGB that everyone can agree on, which would then go to the vote of the people.

Council Member Neu said a loop road always seems to be an issue and that it can't be moved, but it could be placed in other places. Mayor Pro Tem Biasi said he has heard fears raised numerous times this week that the City Council and City Manager are all for growth. At the workshop held last August, he asked the Contract Planner what Council could do to help control the growth rate. Contract Planner Dave Dowswell said there are numerous tools available for Council to use to control that rate and Mayor Pro Tem Biasi said he sees Council using those tools to grow at a rate that is smart for the City of Winters. He has also heard numerous comments the City's General Plan is very old and outdated, but elements within the plan have been updated several times over the years and agreed there is more work to do. The General Plan called for the population of Winters to be at 12,500 by 2010 and with the current population around 7,300, he said he doesn't see the City growing at the rate that is being portrayed.

Under Option 3 outlined in the Staff Report, Mayor Pro Tem Biasi requested that a motion should include directing staff to prepare an impartial and informational report analyzing the impact of the measure. The report may include any or all of the following: its fiscal impact, its effect on the internal consistency of the City's general and specific plans, including the housing element, the consistency between planning and zoning, its effect on the use of land, the impact on the availability and location of housing, and the ability of the City to meet its regional housing needs, its impact on funding for infrastructure of all types, including but not limited to transportation, schools, parks, and open space, its impact on the community's ability to attract and retain business and employment, its impact on the uses of vacant parcels of land, its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization, and any other matters the City Council requests to be in the report.

Regarding the 9212 Report, as per the Elections Code, Council has 30 days to undertake the task, which must be done by an impartial, unbiased firm. Council Member Loren
requested to add to the motion the inclusion of the review of the legal responsibility of a stipulated legal judgement with inclusionary standards.

City Attorney Walsh asked Council to also direct staff to obtain a third party to prepare an impact report and analyze the impact this would have with a stimulated judgement and authorize the City Manager to hire that outside consultant.

Mayor Pro Tem Biasi said the long-term ramifications need to be completed and the impacts need to be known. City Attorney Walsh asked if a not-to-exceed cost was to be included. This will be delegated to the City Manager’s discretion. Council Member Neu said staff has offered three options and this is one of the options. The report will come back to Council in 30 days. Mayor Cowan said a special meeting will be scheduled in 30 days to review the report and make a final decision about putting the initiative on the November 2020 ballot or put it out to 2022. Or possibly we can come up with a compromise with KWW during the same 30 days, and if an agreement is reached, it will be presented at the meeting in 30 days. City Attorney Walsh said as part of the analysis, should staff continue to look at the November date and Mayor Cowan replied yes. Council Member Anderson said the motivation to use Dry Creek as the western boundary was to keep the growth line from going across the creek, where Peter Hunter was motivated to preserve his ag land.

KWW Representative Bob Polkinghorn said the City’s hiring of a consultant would not be neutral and suggested that KWW prepare the 9212 report. Mayor Pro Tem Biasi said the report must be completed by an agreed-upon third party. Council Member Loren said KWW is willing to work with us and willing to word with the future. There has to be some kind of trust in the process. KWW Attorney Perlmutter said 9212 reports that are being done are not always impartial and recommended a two-member ad hoc committee. City Attorney Walsh then proposed a two-member ad hoc committee to serve, must meeting periodically with KWW to discuss potential resolution, and remain in communication about the 9212 report. Mayor Cowan and Council Member Neu was selected as the ad hoc committee members to meet with the attorneys and KWW.

Motion by Mayor Pro Tem Biasi, second by Council Member Loren to direct City staff to prepare a report analyzing the impact of the proposed Initiative Measure and return to the City for consideration of the Measure within thirty (30) days. Motion carried with the following roll call vote:

Motion carried with the following roll call vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Cowan and Council Member Neu were nominated to serve on an ad hoc committee to meet with attorneys and KWW representatives to discuss potential
resolution and remain in communication regarding the 9212 report. Motion by Mayor Pro Tem Biasi, second by Council Member Loren to approve these members for the ad hoc committee. Motion carried with the following vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan
NOES: None
ABSENT: None
ABSTAIN: None

CITY MANAGER REPORT: None

INFORMATION ONLY: None

ADJOURNMENT: Mayor Cowan adjourned the meeting at 12:37 a.m. on Wednesday, June 3rd.

__________________________
Wade Cowan, MAYOR

Attest:

__________________________
Tracy S. Jensen, City Clerk
Minutes of the Regular Meeting of the Winters City Council
Held via Teleconference (Zoom) on June 16, 2020

Mayor Cowan called the meeting to order at 6:30 p.m. and announced that all Council votes will be taken via roll call vote. For those who wish to speak via Zoom, please use the "raise your hand" icon to speak during the desired agenda item.

Present: Council Members Harold Anderson, Jesse Loren, Pierre Neu, Mayor Pro Tempore Bill Biasi, Mayor Wade Cowan
Absent: None
Staff: City Manager John W. Donlevy, Jr., City Attorney Ethan Walsh, Director of Financial Management Shelly Gunby, Police Chief John Miller, Building Official Gene Ashdown, Management Analyst Kristine DeGuerre, City Clerk Tracy Jensen

Council Member Jesse Loren led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy reported no changes to the agenda. Motion by Council Member Loren, second by Council Member Neu to approve the agenda with no changes. Motion carried with the following roll call vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan
NOES: None
ABSENT: None
ABSTAIN: None

COUNCIL/STAFF COMMENTS: Verbal updates were provided by Council.

PUBLIC COMMENTS: Tina Lowden, 320 Niemann St., said the recent BLM protest in Winters was well done. There were a lot of City leaders in attendance, including Police Chief Miller. Kudos to the organizers, who did a great job.

Jeff Tenpas, 24 E. Main St., seconded Tina's remarks and asked about the City's Use of Force policy.
CONSENT CALENDAR


B. Purchase of OpenGov Budgeting & Planning Software

C. Association Side Letter Agreements

D. Cooperator Agreement with Yolo RCD - Arundo Eradication Program

E. Resolution 2020-29, a Resolution of the City Council of the City of Winters Accepting an Irrevocable Offer of Dedication (IOD) of Right of Way and Easements for Sidewalk and Pedestrian Access Purposes for the Winters Highlands (Stone's Throw) Phase 1A Subdivision

F. Proclamation Celebrating June 2020 as World Elder Abuse Awareness Month

G. Implementation of Paymentus Credit Card Services

H. Local Early Action Planning Grant Application

City Manager Donlevy gave an overview and said as staff and Council go through it, the Consent Calendar includes some very important things that will help the City in the long term, including budget software, Arundo removal, credit card services and the ability to issue e-bills. Motion by Council Mayor Pro Tem Biasi, second by Council Member Neu to approve the Consent Calendar. Motion carried with the following roll call vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan

NOES: None

ABSENT: None

ABSTAIN: None

PRESENTATIONS: None

DISCUSSION ITEMS

1. Review Winters Policy Department Draft Automated License Plate Reader (ALPR) Policy

Police Chief John Miller gave an overview of the draft Automatic License Plate Reader (ALPR) policy, which complies with and addresses all the issues under the California Civil Code under SB34 and SB54. The department contracts with Lexipol, who is utilized to draft policy manuals, which may be modified by local jurisdictions, although most are adopted as issued as they are well-drafted and meet the requirements. Staff reviewed several ALPR policies online and drafted a general order to be utilized in conjunction with the policy manual. Of the 23 or 24 general orders currently in place, staff may modify the general order if needed instead of modifying the entire policy.
Kate Laddish, 400 Morgan St., asked Chief Miller to clarify two items before adopting the draft policy, which states the WPD will conduct audits "periodically." She requested the policy should specifically include when the audits are conducted. She also requested the policy contain the number of agencies that Winters Police Department can receive information from or share information with to eliminate unintended use or abuse of data in the future. Mayor Cowan confirmed Ms. Laddish also submitted a letter to Council outlining these requests, which will be retained as part of the City's permanent record.

Council Member Loren previously spoke to Chief Miller regarding the open-ended language contained in the policy. She then directed staff to add language to specify annual or semi-annual audits. Mayor Cowan agreed with changing the audit frequency to semi-annual or annually and then asked how many agencies the information will be shared with. Chief Miller recommended annual audits, although the City's Records Retention Schedule for ALPR technology is 1 year plus 13 months. Regarding the number of agencies, the Winters Police Department is part of a larger network, and part of the system is to utilize and share the data. He recommended not capping it as he does not know how many agencies will sign the MOU with Winters P.D. Mayor Cowan added that all surrounding agencies are currently using this technology.

Council Member Loren thanked Chief Miller and requested he report out how the policy is being used. Great detail is not necessary, but she would like to see how it is benefiting the community. Mayor Cowan requested this report coincide with the annual audit.

Mayor Pro Tem Biasi said it would be difficult to put a cap on the agencies included in the MOU, which may limit us on investigations and also limit the usefulness of the program. Council Member Neu asked staff to clarify annual or annual plus 13 months. Chief Miller reiterated the City's Records Retention Schedule for data is 12 months plus 13 months, yet the periodic audit for the ALPR policy will be performed annually. If anyone queries our data, it leaves an audit trail and must include the reason they have queried the data.

Motion by Council Member Loren, second by Council Member Anderson to adopt the Winters Police Department Draft Automated License Plate Reader (ALPR) Policy and to include an annual audit period. Motion carried with the following roll call vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan
NOES: None
ABSENT: None
ABSTAIN: None
2. Resolution 2020-30, a Resolution of the City Council of the City of Winters Approving and Adopting a Budget of Estimated Revenues and Expenditures for Fiscal Year 2020-2021

City Manager Donlevy indicated the overall City budget has been discussed at the last four City Council meetings, including the financial impacts of COVID-19. In one scenario provided by staff, the litigation contingency fund of $250K has been added back into the overall budget, and the City will deal with any issues if/when they arise.

Director of Financial Management Shelly Gunby prepared and presented two budget plans for Council to review. Although the general fund revenue sources and amounts remain unchanged from the last City Council meeting, the general fund expenditures differ due to several factors, including the removal of the litigation contingency fund, the recension of pay cuts, the deferral of a 2.5% COLA from 7/1/20 to 7/1/21, $25K in library funding, and restoring funding to Police and Fire.

City Manager Donlevy said the swimming pool and Community Center closures are not cuts, but savings at this point. The State has issued guidelines for swimming, which is currently the #1 issue in California. If the City has an opportunity to open the pool for lap swimming and recreation swim, it will be done. Pool supporters Sally Brown and Kate Laddish have a Zoom meeting scheduled with staff on Thursday to discuss lap swimming parameters at the very least. City Manager Donlevy said lap swimming will require a reservation system, constant social distancing, no restroom use, and will require that lap swimmers become a 'member' and sign an agreement stating if one lap swimmer contracts COVID-19, all lap swimmers must quarantine for 14 days. The same would hold true for youth swimming. Council also discussed the closure of the Community Center due to restrictions on public gatherings of more than 10 people, which is strictly prohibited, and how this is affecting the senior lunch program at the Community Center. Unfortunately, the Community Center falls into Stage 4 of reopening. Mayor Cowan noted the receipt of letters from Bob Polkinghorn, Jim Rix, Sally Brown, Mark Fink, and Moira Barsotti to restore funding to the pool and library, and to get the seniors back to the Community Center. Council Member Anderson has reviewed information and protocols for the swimming pool and surmised it is achievable for adults but not for children with parents, who would likely gather in groups. Mayor Cowan thanked Shelly for all her work on the budget and for finding a way to restore 5% back to the employees. He suggested a budget review every two months going forward. Ms. Gunby concluded by saying this is a realistic budget, with significant reductions in staffing (25%) and wages (2%). COVID-19 has been decimating and the need for economic development and the diversification of our economy is greater now than ever before. City Manager Donlevy requested Council adopt Resolution 2020-30 without the litigation contingency fund and to review the overall budget in September.

Sally Brown, 24 E. Main, thanked staff for their service and being receptive to input. She is very interested in the pool reopening and resume swimming for all groups, including lap swimmers, swim lessons, swim team and recreation swim. She recommended the appointment of an ad hoc committee that includes a representative
from each swim group, adding she is willing to donate $500 to help fund the pool for all swim groups.

Kate Laddish, 400 Morgan, thanked Shelly for her extraordinary work, and voiced her approval of no pay cuts, restoring the funding for the library, and opening of the pool if there is a way to meet the protocols beyond lap swimming. She is confident that social distancing lap swimming can be accomplished, but recreation swim is tougher. Some other programs may not happen this year unless they change drastically. There are many creative and dedicated people in the community and she looks forward to continuing the conversation.

Tina Lowden, 320 Niemann, applauded staff for their efforts in balancing the budget, and encouraged the City to reinstate the following expenditures: Community Center for the seniors, who need nutritional meals and the social interaction with each other; keep our financial commitment to the Yolo County Library, which is central for all ages within the community; and open the pool for lap swimmers during the months of July, August and September. Since most of the City's tax revenue come from the highway businesses, she encouraged everyone to support these businesses and together we will get through this budgetary situation.

Mayor Pro Tern Biasi said he was glad to see we're discussing the pool. The State and Yolo County issued recommendations after the staff report was finalized and meeting these requirements will add to the overall cost. He said he was in favor of pursuing a group to work out a schedule, adding there are a lot of details to work out on the pool. No mass gatherings or receptions are allowed at the Community Center and although the seniors would like to reopen, the biggest recommendation in the guidelines is to not put our seniors in an enclosed space. Staff will continue to review and will keep an eye out as things change. Funding for the library is important, as is not cutting personnel pay by 5% and the re-opening of businesses. Staff and Council previously discussed funding for potential litigation and the recommendation was to take it out. An Ad Hoc committee has been meeting with representatives from Keep Winters Winters with hopes of producing a fruitful compromise and doing away with the need for a litigation fund. Council Member Loren concurred with Mayor Pro Tem Biasi's comments and suggested phasing in parts of the pool by starting with lap swim and then move forward to other programs. She said she supports the updated budget that contains some tough decisions that may hurt people and thanked John and Shelly for bringing the budget forward. Council Member Neu agreed with the budget discussion and said this is the best possible budget under these circumstances.

Motion by Council Member Neu, second by Council Member Loren to adopt Resolution 2020-30 approving and adopting a budget of estimated expenditures for Fiscal Year 2020-2021 without the litigation contingency fund and no pay reduction. Motion carried with the following vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi, Mayor Cowan
3. Update on Elections Code Section 9212 Report (Oral Report Provided by City Attorney)

City Attorney Ethan Walsh gave an overview and recommended hiring an outside consultant to prepare the initiative impact report. Ad Hoc Committee members Cowan and Neu will discuss this with the KWW proponents. City Attorney Walsh has had several meetings and conversations with KWW's attorney, which have been very constructive, and they have agreed to keep these discussions private for now. City Attorney Walsh noted the approximate cost to complete the 9212 base report, $75K, that would include any supplemental planning and engineering analysis. Staff has 30 days to complete the report, and it would be in the City's best interest to narrow the scope and have City Attorney Walsh prepare the streamlined report. Once prepared, the KWW attorney will have the opportunity to review the report. Staff will then bring the report to Council at the July 2nd Special City Council meeting. City Manager Donlevy requested Council feedback on Ethan's recommendation given the cost of the report and trying to use the budget in a more efficient way.

Mayor Cowan said this would be the best approach and Ethan's report will satisfy the law. Mayor Pro Tem Biasi said as per Ethan's advice, moving forward on a streamlined report is a good direction. Council Member Loren said she strongly supports this process and by letting the process take place, that's how we move forward.

Bob Polkinghorn thanked Council and the City Attorney for a clear presentation and confirmed on behalf of KWW the outline described above. He thanked staff for engaging in a productive way with KWW and their attorney and supports Ethan's outline.

Jeff Tenpas said this is going in the right direction and that spending money on an expensive report is not the way to go.

Taylor Buley expressed his surprise that KWW wants these discussions kept private and not as open as possible for these types of discussions. This seems to go against the spirit of the movement and the value of transparency through these processes. Bob Polkinghorn said it was by mutual agreement between the Ad Hoc Committee and KWW to maintain confidentiality.

Mayor Cowan thanked Mr. Polkinghorn for addressing this and confirmed it was a mutual decision regarding ongoing conversations while trying to work through things.
Staff hopes to present the report before the 30-day limit and it is possible that we can come to a consensus.

City Attorney Walsh said regarding private conversations, there is a thorough process and nobody is going to make public decisions without public input, followed by the petition going before the voters. It is easier to discuss it in a private setting and the public will have an opportunity to address the issue. Council Member Anderson reminded everyone that July 2nd is the 30th day and City Attorney Walsh confirmed the special City Council meeting will be scheduled on July 2nd.

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**Executive Session**

Safe Harbor for Closed Session Pursuant to G.C. Section 54954.5

1. Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation – City Manager
2. Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Anticipated Litigation (One Matter)

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CITY MANAGER REPORT: Acknowledgement goes out to our partners Yolo OES and Solano County Fire regarding the Quail Fire. One home was lost but the collaboration between Solano County and Yolo OES was good. Kudos to the Winters Police Department and the young folks who organized the BLM protest. There is chatter about the fireworks, which is a Phase 4 activity as per the Governor’s State guidance and protocols. We want to have the fireworks show, but the last few years have been a challenge due to local fires and COVID-19. $5k remains in a deposit account, and there is no huge bank of money. This was not an easy call and hopefully next year we can have a show. The re-opening of the business community, including Hotel Winters and non-retail businesses is predicated on compliance with State and County requirements.

INFORMATION ONLY: Council Member Loren said there is an outdoor concert at the Palms on Friday, June 19th from 6-8pm. Keep the Palms viable by going to the Palms website and donate online.

ADJOURNMENT: Mayor Cowan adjourned the meeting at 8:26 p.m.

__________________________
Wade Cowan, MAYOR

ATTEST:

Tracy S. Jensen, City Clerk

__________________________
City of Winters
TO: Honorable Mayor and Councilmembers
DATE: July 7, 2020
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Kristine DeGuerre, Management Analyst, Public Works
SUBJECT: Acceptance of SACOG Planning Grant Award - I-505 Overpass Improvement Project

RECOMMENDATION: Accept the SACOG Planning and Project Development Grant Award for I-505 Overpass Improvement Project and authorize the City Manager or designee to execute agreements, and other documents, as needed for the project.

BACKGROUND: For many years, the City has had a goal to improve public safety for pedestrians and bicyclists traveling between the City Limits and El Rio Villa. In 2017-18 the City and Yolo County were awarded $200,000 in SACOG funding to complete a Project Study Report. Staff worked with Caltrans to complete this Report, which identified improvements along the Grant Avenue/Hwy 128/I-505 Overcrossing Corridor. The Report included alternatives for a project to improve safe travel for pedestrians and bicyclists coming from the east side of the I-505 Overpass.

In June 2019, City staff applied for a $250,000 Grant from SACOG’s 2019 Planning & Project Grant Program. The project funds were initially designated for the environmental phase of the I-505 Overpass Pedestrian/Bicycle Improvements project, however it was determined that additional funding was necessary in-order to complete that phase. Staff met with SACOG and were able to refine the scope such that the initial topographic survey and environmental site assessments could be completed with the funding. This information will inform the subsequent design layout with the hope that we can find additional funding for design, CEQA/NEPA, and construction. The limits of the work under the Grant are along Grant Avenue, from Matsumoto over I-505 Overpass and into El Rio Villa housing community.

As part of the funding process, and due to the project limits being within State Right of Way, the City must coordinate with Caltrans. Agreements and other documents, such as the Cooperative Agreement and Request for Authorization (RFA), will be prepared. Staff is also planning to apply for funding from the State and Regional Active Transportation
Programs (ATP), for subsequent phases of this project. This application is due this fall, and the City Engineer’s staff is assisting with the application. Yolo County is also a stakeholder in the project and has generously offered to share the cost of putting together this complex application. Staff is seeking Council approval to allow the City Manager or designee to execute these and other required documents.

**FISCAL IMPACT:** None from the General Fund. The initial phase of work will be funded out of the $250,000 SACOG Planning Grant Program and any local transportation funds will be designated by the Finance Department.

**Attachment:** Excerpt from Metropolitan Transportation Improvement Program (MTIP)
**Section 2 Individually Listed Projects and Grouped Project Listings (with Detailed Back-up)**

<table>
<thead>
<tr>
<th>Project Title</th>
<th>YOL-19529</th>
<th>YOL</th>
<th>Land Agency</th>
<th>City of Winters</th>
<th>Project 89 of 116</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Project of Group 28 - Grant Ave/SR 128/I 505/Russell Blvd Corridor Improvements Project - Land Surveys</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EA Number</th>
<th>Last Revised</th>
<th>Completion Year</th>
<th>Fed FY</th>
<th>Revenue Source</th>
<th>Engineering</th>
<th>Right of Way</th>
<th>Construction</th>
<th>Total Revenue</th>
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</thead>
<tbody>
<tr>
<td>n/a</td>
<td>19-25</td>
<td>2021</td>
<td>2020</td>
<td>Regional Surface Transportation Program</td>
<td>$250,000</td>
<td>$0</td>
<td>$0</td>
<td>$250,000</td>
</tr>
</tbody>
</table>

**Project Description:**

In Winters, on Grant Ave./State Route 128 (SR-128)/Interstate 505 (I-505) Overcrossing/Russell Blvd. from Matsumoto Lane to Fredericks Dr.: Conduct land surveys for the addition of bike and pedestrian improvements across the SR-128/I-505 interchange. See YOL19392 for previous Phase. (Total project cost is $14 million). Toll Credits for ENG.

**Federal Project**

<table>
<thead>
<tr>
<th>Total Cost</th>
<th>$250,000</th>
</tr>
</thead>
</table>

**Previously Approved MTIP**

<table>
<thead>
<tr>
<th>Project Title</th>
<th>YOL-19529</th>
<th>YOL</th>
<th>Land Agency</th>
<th>City of Winters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Project of Group 28 - Grant Ave/SR 128/I 505/Russell Blvd Corridor Improvements Project - Land Surveys</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EA Number</th>
<th>Last Revised</th>
<th>Completion Year</th>
<th>Fed FY</th>
<th>Revenue Source</th>
<th>Engineering</th>
<th>Right of Way</th>
<th>Construction</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>n/a</td>
<td>19-20</td>
<td>2021</td>
<td>2020</td>
<td>Regional Surface Transportation Program</td>
<td>$250,000</td>
<td>$0</td>
<td>$0</td>
<td>$250,000</td>
</tr>
</tbody>
</table>

**Project Description:**

On Grant Ave./State Route 128 (SR-128)/Interstate 505 (I-505)/Russell Blvd. from Railroad Ave. to Fredericks Dr.: Conduct land surveys for the addition of bike and pedestrian improvements, roundabouts, beautification, and an alternate method for pedestrians crossing the SR-128/I-505 interchange. See YOL19392 for previous Phase. (Total project cost is $23 million). Toll Credits for ENG.

**Federal Project**

<table>
<thead>
<tr>
<th>Total Cost</th>
<th>$250,000</th>
</tr>
</thead>
</table>

Sacramento Area Council of Governments

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Wednesday, June 10, 2020
CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: July 7, 2020
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Kristine DeGuerre, Management Analyst, Public Works
SUBJECT: BSK Contract Amendment No. 7 – Conservation Easement Monitoring

RECOMMENDATION: Staff recommends the Council approve amendment No. 7 to Agreement No. 009—16 with BSK Services for the ongoing monitoring and reporting services for the Conservation Easement area in the amount not to exceed $13,938 for fiscal year 2020-21. Tasks to be completed are similar to previous monitoring and reporting efforts.

BACKGROUND: A Valley Elderberry Longhorn Beetle (VELB) conservation easement area was established in the Winters Nature Park as part of our Northbank Trail project. US Fish and Wildlife Service (USFWS) mandates ten years of ongoing monitoring and reporting associated with the easement area, which begins when the plantings occurred. Additional tasks have been added to the monitoring due to plants being added and an extra review step requested by CalTrans to the process. These changes have resulted in the need for a third field day to complete the evaluation and monitoring. Additional time is also allotted for possible revisions to the final report to address comments received by Caltrans and City staff.

The City can expect similar contract amounts for ongoing services over the next few years to satisfy the USFWS, assuming there are no additional requirements added. Staff has not received any comments from USFWS regarding the last four annual reports submitted to them.

FISCAL IMPACT: Funding will be from the General Fund, not-to-exceed $13,938.

ATTACHMENTS:
Addendum Task Order dated June 16, 2020
THIS ADDENDUM, effective as of this 16th day of June 2020, is by and between City of Winters ("Client") and, BSK Associates, Inc. ("Consultant").

THE PROJECT is generally described as:

Winters Putah Creek Conservation Area Elderberry Monitoring Project

and is located at:

Winters Putah Creek Elderberry Conservation Area

Winters, Yolo County, California ("Project Site")

THIS AGREEMENT consists of the following documents which are incorporated herein by reference:

- The terms and conditions of the "Consultant Services agreement no. 009-16" (Effective Date: 6/7/2016); and

Additional Scope of Services (All work would be done for on a time and materials basis):

- 2020 Mitigation Area monitoring (Site Visit), 1 draft report, and 1 final report for transplants and associated plants ($11,638)
- Project Management ($2,300)

Total Addendum Request: $13,938

Company agrees to perform the Services set forth in this Agreement and in accordance with its terms, including all attachments incorporated herein by reference. This Agreement may not be modified or altered, except in writing as specifically described in this Agreement.

CLIENT:

Signature: ____________________________
Print Name: John W. Donlevy, Jr.
Title: City Manager
Company: City of Winters
Date: ____________________________

CONSULTANT:

Signature: ____________________________
Print Name: Kevin Grove
Title: Environmental Group Manager
Company: BSK Associates
Date: ____________________________
CITY OF
WINTERS
California
Est. 1875

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members
DATE: July 7, 2020
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Eric Lucero Public Works Superintendent
SUBJECT: Final Acceptance of SB1 2018-19 Street Rehab Project

RECOMMENDATION: Staff recommends that the City Council accept the SB1 2018-19 Street Rehab Project as complete and direct the City Clerk to file a Notice of Completion.

BACKGROUND: The City entered into a contract with Vintage Paving Company to rehab city streets throughout the town. The scope of work included:

- Crack Seal
- Slurry Seal
- Grind and Pave

The project began in October of 2019 with the crack seal and was completed in May of 2020 with a slurry seal coat. Because of funding the grind and pave portion was removed from this project and reallocated to the following fiscal years project.

DISCUSSION: The project was completed in accordance with the approved contract. Staff recommends the City Council accept the project and direct the City Clerk to file a Notice of Completion.

FISCAL IMPACT: No funding impacts are associated with this request.
TO: Honorable Mayor and Council Members  
DATE: July 7, 2020  
THROUGH: John W. Donlevy, Jr., City Manager  
FROM: Eric Lucero Public Works Superintendent  
SUBJECT: Final Acceptance of SB1 2019-20 Street Rehab Project  

RECOMMENDATION: Staff recommends that the City Council accept the SB1 2019-20 Street Rehab Project as complete and direct the City Clerk to file a Notice of Completion.

BACKGROUND: The City entered into a contract with Vintage Paving Company to rehab city streets throughout the town. The scope of work included:

- Crack Seal  
- Slurry Seal  
- Grind and Pave  
- Striping

The rehab began on May 13, 2020. With the project coming in under budget staff asked council to approve a change order to add striping to the project. Council approved the change order at the May 19, 2020 council meeting. The striping was completed on May 28, 2020 to complete the project.

DISCUSSION: The project was completed in accordance with the approved contract. Staff recommends the City Council accept the project and direct the City Clerk to file a Notice of Completion.

FISCAL IMPACT: No funding impacts are associated with this request.
CITY OF WINTERS
CALIFORNIA
EST. 1879

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members
DATE: July 7, 2020
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Eric Lucero Public Works Superintendent
SUBJECT: Final Acceptance of Sidewalk Repair/Replacement Project

RECOMMENDATION: Staff recommends that the City Council accept the Sidewalk Repair/Replacement Project as complete and direct the City Clerk to file a Notice of Completion.

BACKGROUND: The City entered into a contract with Vintage Paving Company to rehab sidewalks throughout the town. The scope of work included:

- Demo old concrete
- Regrade
- Form
- Repour concrete

The rehab began on April 14, 2020 and was completed on May 20, 2020.

DISCUSSION: The project was completed in accordance with the approved contract. Staff recommends the City Council accept the project and direct the City Clerk to file a Notice of Completion.

FISCAL IMPACT: No funding impacts are associated with this request.
RECOMMENDATION: Staff recommends the Council accept proposed rate increase of 3.01% by Integrated Waste Management Services dated June 23, 2020 in accordance with Resolution 2020-10 that was Adopted on February 4, 2020 allowing for such rate increases each July 1st through July 1, 2025. If approved, the increase would go into effect July 7, 2020.

BACKGROUND: USA Waste of California, Inc. (doing business as Waste Management of Winters) ("WM") has provided integrated waste management services (including the collection, transportation and processing of recycling, green waste and disposal of solid waste) to the City for many years. On June 20, 2017, the City entered into a new 10-year franchise agreement to continue providing those services. The franchise agreement establishes rates that WM will charge for solid waste services and provides the circumstances under which rates may be increased. On December 3, 2019, Council approved an amendment to the franchise agreement to allow for annual adjustments based on both increases in the Consumer Price Index (CPI) and in the event that the fees charged to Waste Management for delivering the City's waste products to the Yolo County Landfill ("tipping fees") are increased. The proposed rate increases would increase the current rates to account for the increases in CPI and tipping fees, and would further allow that beginning on July 1, 2020, and each July 1 thereafter, through July 1, 2025, the rates may be adjusted on an annual basis to account for the increases in the cost of living based on CPI, and the increase in tipping fees that occurred in the past year, or are projected to occur in the next year, to the extent that the cost of the tipping fees exceed the CPI adjustment. The increases are based on increases to the cost of doing business that is incurred by WM, as reflected in increases to the CPI. Therefore these increases reflect an increase in the cost of the service being provided, and accurately reflect the reasonable cost of providing the integrated waste management services provided by WM. Further, if tipping fees are increased in a given year, that similarly is an actual increase in the cost of
providing these services. The tipping fee increases are only incorporated into the rates to the extent that the tipping fee increases would exceed the CPI increase. This allows the City to ensure that the increases are limited to the cost of the service provided. The City sent out Public Hearing Notices that described the rate increases in detail on December 19, 2019 to all property owners and WM customers and as of February 4, 2020, staff had received no protests regarding the proposed new rates. The new rates went into effect on February 5, 2020.

FISCAL IMPACT: Average residential rate increase would be $1.21 per month starting July 7, 2020.

ATTACHMENTS:
Waste Management CPI Letter dated June 23, 2020 & Annual Rate Review and Rate Summary dated July 7, 2020
June 23, 2020

John W. Donlevy, Jr.
City Manager
City of Winters
318 First Street
Winters, CA 95694

Dear Mr. Donlevy,

Attached is our annual rate review in accordance with Amendment 3, Section 17.2(a) of our franchise agreement between the City of Winters and USA Waste of California, Inc. (dba. Waste Management of Winters).

The annual rate adjustment is calculated by using the All Urban Consumers – Water and sewer and trash collection services as published by the Bureau of Labor Statistics, for the 12-month period ending nearest, but at least sixty (60) days prior to, the Adjustment Date. Additionally, on each Adjustment Date, the Service Rates in Exhibit 1 shall be automatically adjusted to capture (i) Contractor’s increased fees paid to the Disposal Facility (“Tip Fees”) since the last Adjustment Date.

The City of Winters will receive an increase of approximately 3.01% based upon the consumer price index and tipping fee increases.

Below is a summary table of the proposed rates for City of Winters services along with the calculation of the new rates and supporting documentation. If you have any questions, please let me know.

**Typical Residential Service Bundle Summary - New Rates**

<table>
<thead>
<tr>
<th>Bundle Description</th>
<th>New Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-32g Trash/1-96g Recycle/1-96g Green Waste/Yearly Bulky</td>
<td>$37.57</td>
</tr>
<tr>
<td>1-64g Trash/1-96g Recycle/1-96g Green Waste/Yearly Bulky</td>
<td>$41.50</td>
</tr>
<tr>
<td>1-96g Trash/1-96g Recycle/1-96g Green Waste/Yearly Bulky</td>
<td>$48.69</td>
</tr>
</tbody>
</table>

Please do not hesitate to contact me at (209) 329-4989 or krodrig4@wm.com with any questions.

Sincerely,
Kayla Rodriguez  
Public Sector Manager

Enclosures:
Rate adjustment proposed rate sheet

Cc: Jeremy Berry – District Manager  
Cc: Carol Scianna – Environmental Services Manager  
Cc: Kristine DeGuerrre
City of Winters
Effective 7/7/2020

Typical Residential Service Bundle Summary - New Rates

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Current Monthly Rate</th>
<th>CPI Change</th>
<th>Disposal Change</th>
<th>New Total Monthly Rate (includes franchise charge)</th>
<th>Estimated Franchise Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOLID WASTE COLLECTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 32 gallon</td>
<td>$19.05</td>
<td>$0.57</td>
<td>$(0.02)</td>
<td>$19.60</td>
<td>$2.94</td>
</tr>
<tr>
<td>2 - 32 gallon</td>
<td>$30.75</td>
<td>$0.93</td>
<td>$(0.04)</td>
<td>$31.64</td>
<td>$4.75</td>
</tr>
<tr>
<td>3 - 32 gallon</td>
<td>$42.48</td>
<td>$1.28</td>
<td>$(0.06)</td>
<td>$43.70</td>
<td>$6.56</td>
</tr>
<tr>
<td>4 - 32 gallon</td>
<td>$54.17</td>
<td>$1.63</td>
<td>$(0.07)</td>
<td>$55.73</td>
<td>$8.36</td>
</tr>
<tr>
<td>1 - 64 gallon</td>
<td>$22.87</td>
<td>$0.69</td>
<td>$(0.03)</td>
<td>$23.56</td>
<td>$3.53</td>
</tr>
<tr>
<td>2 - 64 gallon</td>
<td>$40.46</td>
<td>$1.22</td>
<td>$(0.05)</td>
<td>$41.63</td>
<td>$6.24</td>
</tr>
<tr>
<td>3 - 64 gallon</td>
<td>$58.07</td>
<td>$1.75</td>
<td>$(0.08)</td>
<td>$59.74</td>
<td>$8.96</td>
</tr>
<tr>
<td>4 - 64 gallon</td>
<td>$75.64</td>
<td>$2.28</td>
<td>$(0.10)</td>
<td>$77.82</td>
<td>$11.67</td>
</tr>
<tr>
<td>1 - 96 gallon</td>
<td>$29.96</td>
<td>$0.90</td>
<td>$(0.04)</td>
<td>$30.72</td>
<td>$4.61</td>
</tr>
<tr>
<td>2 - 96 gallon</td>
<td>$53.21</td>
<td>$1.60</td>
<td>$(0.07)</td>
<td>$54.74</td>
<td>$8.21</td>
</tr>
<tr>
<td>3 - 96 gallon</td>
<td>$76.56</td>
<td>$2.30</td>
<td>$(0.10)</td>
<td>$78.76</td>
<td>$13.81</td>
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<tr>
<td>4 - 96 gallon</td>
<td>$99.91</td>
<td>$3.01</td>
<td>$(0.13)</td>
<td>$102.97</td>
<td>$15.42</td>
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<tr>
<td>RECYCLING</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1 - 96 gallon</td>
<td>$3.00</td>
<td>$0.09</td>
<td>$0.00</td>
<td>$3.09</td>
<td>$0.46</td>
</tr>
<tr>
<td>2 - 96 gallon</td>
<td>$7.37</td>
<td>$0.22</td>
<td>$0.00</td>
<td>$7.59</td>
<td>$1.14</td>
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<tr>
<td>GREEN WASTE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96 Gallon Cart EOW + Loose Piles + Leaf Drop Season</td>
<td>$9.54</td>
<td>$0.29</td>
<td>$0.00</td>
<td>$9.83</td>
<td>$1.47</td>
</tr>
<tr>
<td>Addl Cubic Yard</td>
<td>$22.08</td>
<td>$0.66</td>
<td>$0.00</td>
<td>$22.74</td>
<td>$3.41</td>
</tr>
<tr>
<td>LARGE ITEM COLLECTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Yearly Bulky Pickup - Up to 4 Cu Yds</td>
<td>$4.91</td>
<td>$0.15</td>
<td>$(0.01)</td>
<td>$5.05</td>
<td>$0.76</td>
</tr>
<tr>
<td>Multi Family Yearly Bulky Pickup - Up to 2 Cu Yds</td>
<td>$4.91</td>
<td>$0.15</td>
<td>$(0.01)</td>
<td>$5.05</td>
<td>$0.76</td>
</tr>
<tr>
<td>Additional bulky pickup after included yearly pickup</td>
<td>$22.30</td>
<td>$0.67</td>
<td>$(0.03)</td>
<td>$22.94</td>
<td>$3.44</td>
</tr>
<tr>
<td>SPECIAL SERVICE CHARGES / ANCILLARY CHARGES</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Backyard/Sideyard Pickup Charge</td>
<td>$11.96</td>
<td>$0.36</td>
<td>N/A</td>
<td>$12.32</td>
<td>$1.85</td>
</tr>
<tr>
<td>Backyard/Sideyard Pickup Charge - Disabled Customers</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Vacation Stop/Restart per incident</td>
<td>$74.59</td>
<td>$2.25</td>
<td>N/A</td>
<td>$76.84</td>
<td>$11.53</td>
</tr>
<tr>
<td>Reactivation Charge (if due to non payment) - no delivery</td>
<td>$58.06</td>
<td>$1.75</td>
<td>N/A</td>
<td>$59.81</td>
<td>$8.97</td>
</tr>
<tr>
<td>Reactivation Charge (if due to non payment) - with delivery</td>
<td>$103.22</td>
<td>$3.11</td>
<td>N/A</td>
<td>$106.33</td>
<td>$15.95</td>
</tr>
<tr>
<td>Contamination Per Incident - Recycle or Green Waste*</td>
<td>$10.99</td>
<td>N/A</td>
<td>N/A</td>
<td>$10.99</td>
<td>$1.65</td>
</tr>
<tr>
<td>Overage per incident - all commodities*</td>
<td>$10.99</td>
<td>N/A</td>
<td>N/A</td>
<td>$10.99</td>
<td>$1.65</td>
</tr>
<tr>
<td>32 gallon Cart Exchange/Delivery</td>
<td>$6.70</td>
<td>$0.20</td>
<td>N/A</td>
<td>$6.90</td>
<td>$1.04</td>
</tr>
<tr>
<td>64 gallon Cart Exchange/Delivery</td>
<td>$6.70</td>
<td>$0.20</td>
<td>N/A</td>
<td>$6.90</td>
<td>$1.04</td>
</tr>
<tr>
<td>96 gallon Cart Exchange/Delivery</td>
<td>$6.70</td>
<td>$0.20</td>
<td>N/A</td>
<td>$6.90</td>
<td>$1.04</td>
</tr>
<tr>
<td>Bad Check Charge per incident</td>
<td>$25.00</td>
<td>N/A</td>
<td>N/A</td>
<td>$25.00</td>
<td>$3.75</td>
</tr>
<tr>
<td>Finance / Late Payment Charge</td>
<td>2.5% or minimum</td>
<td>N/A</td>
<td>N/A</td>
<td>$5.00</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*Contamination and Overage charges are charged per cart per incident after 1 written warning.

COMMERCIAL COLLECTION SERVICES

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Current Monthly Rate</th>
<th>CPI Change</th>
<th>Disposal Change</th>
<th>New Total Monthly Rate (includes franchise charge)</th>
<th>Estimated Franchise Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOLID WASTE COLLECTION*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96 gallon cart 1X week</td>
<td>$48.67</td>
<td>$1.46</td>
<td>$(0.06)</td>
<td>$50.07</td>
<td>$7.51</td>
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<tr>
<td>96 gallon cart 2X week</td>
<td>$97.36</td>
<td>$2.93</td>
<td>$(0.13)</td>
<td>$100.16</td>
<td>$15.02</td>
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<tr>
<td>96 gallon cart 3X week</td>
<td>$146.02</td>
<td>$4.40</td>
<td>$(0.19)</td>
<td>$150.23</td>
<td>$22.53</td>
</tr>
<tr>
<td>96 gallon cart 4X week</td>
<td>$194.70</td>
<td>$5.86</td>
<td>$(0.25)</td>
<td>$200.16</td>
<td>$30.05</td>
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<td>96 gallon cart 5X week</td>
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<td>1 yd 1X week</td>
<td>$66.11</td>
<td>$1.99</td>
<td>$(0.09)</td>
<td>$68.10</td>
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<tr>
<td>1 yd 2X week</td>
<td>$132.27</td>
<td>$3.98</td>
<td>$(0.17)</td>
<td>$136.15</td>
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<td>1 yd 3X week</td>
<td>$198.34</td>
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<td>1 yd 4X week</td>
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<td>$7.96</td>
<td>$(0.34)</td>
<td>$272.07</td>
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<tr>
<td>1 yd 5X week</td>
<td>$330.57</td>
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<td>$(0.43)</td>
<td>$340.09</td>
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<td>Volume</td>
<td>Frequency</td>
<td>Rate</td>
<td>Service Charge</td>
<td></td>
<td></td>
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<tr>
<td>--------</td>
<td>-----------</td>
<td>----------</td>
<td>----------------</td>
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<td></td>
</tr>
<tr>
<td>1 yd</td>
<td>6X week</td>
<td>$396.72</td>
<td>$408.14</td>
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</tr>
<tr>
<td>1.5 yd</td>
<td>1X week</td>
<td>$99.11</td>
<td>$101.96</td>
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<tr>
<td>1.5 yd</td>
<td>2X week</td>
<td>$198.34</td>
<td>$204.05</td>
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<tr>
<td>1.5 yd</td>
<td>3X week</td>
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<tr>
<td>1.5 yd</td>
<td>4X week</td>
<td>$396.72</td>
<td>$408.14</td>
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<td>1.5 yd</td>
<td>5X week</td>
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<td>6X week</td>
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<td>1X week</td>
<td>$132.27</td>
<td>$136.08</td>
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<tr>
<td>2 yd</td>
<td>2X week</td>
<td>$264.45</td>
<td>$267.07</td>
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<tr>
<td>2 yd</td>
<td>3X week</td>
<td>$362.72</td>
<td>$366.14</td>
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</tr>
<tr>
<td>2 yd</td>
<td>4X week</td>
<td>$461.13</td>
<td>$468.17</td>
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<tr>
<td>2 yd</td>
<td>5X week</td>
<td>$561.73</td>
<td>$569.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 yd</td>
<td>6X week</td>
<td>$661.33</td>
<td>$670.47</td>
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</tr>
<tr>
<td>3 yd</td>
<td>1X week</td>
<td>$198.34</td>
<td>$204.05</td>
<td></td>
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</tr>
<tr>
<td>3 yd</td>
<td>2X week</td>
<td>$362.72</td>
<td>$366.14</td>
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<tr>
<td>3 yd</td>
<td>3X week</td>
<td>$559.04</td>
<td>$562.95</td>
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<tr>
<td>3 yd</td>
<td>4X week</td>
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<tr>
<td>3 yd</td>
<td>5X week</td>
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<td>3 yd</td>
<td>6X week</td>
<td>$1,160.06</td>
<td>$1,169.33</td>
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<tr>
<td>4 yd</td>
<td>1X week</td>
<td>$264.45</td>
<td>$267.07</td>
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<tr>
<td>4 yd</td>
<td>2X week</td>
<td>$528.92</td>
<td>$544.15</td>
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<tr>
<td>4 yd</td>
<td>3X week</td>
<td>$793.37</td>
<td>$816.22</td>
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<tr>
<td>4 yd</td>
<td>4X week</td>
<td>$1,057.81</td>
<td>$1,088.27</td>
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<tr>
<td>4 yd</td>
<td>5X week</td>
<td>$1,322.29</td>
<td>$1,360.37</td>
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<tr>
<td>4 yd</td>
<td>6X week</td>
<td>$1,586.75</td>
<td>$1,632.45</td>
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</tr>
<tr>
<td>5 yd</td>
<td>1X week</td>
<td>$396.72</td>
<td>$408.14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 yd</td>
<td>2X week</td>
<td>$793.37</td>
<td>$816.22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 yd</td>
<td>3X week</td>
<td>$1,190.06</td>
<td>$1,224.33</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 yd</td>
<td>4X week</td>
<td>$1,586.75</td>
<td>$1,632.45</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 yd</td>
<td>1X week</td>
<td>$396.72</td>
<td>$408.14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 yd</td>
<td>2X week</td>
<td>$793.37</td>
<td>$816.22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 yd</td>
<td>3X week</td>
<td>$1,190.06</td>
<td>$1,224.33</td>
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<tr>
<td>6 yd</td>
<td>4X week</td>
<td>$1,586.75</td>
<td>$1,632.45</td>
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<tr>
<td>6 yd</td>
<td>5X week</td>
<td>$1,983.42</td>
<td>$2,040.54</td>
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<tr>
<td>6 yd</td>
<td>6X week</td>
<td>$2,300.12</td>
<td>$2,348.66</td>
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</tr>
</tbody>
</table>

*Recycling service is included with trash service rate

**MIXED ORGANICS RATES**

<table>
<thead>
<tr>
<th>Volume</th>
<th>Frequency</th>
<th>Rate</th>
<th>Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 Gallon</td>
<td>1x Week</td>
<td>$20.72</td>
<td>$21.31</td>
</tr>
<tr>
<td>32 Gallon</td>
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<td>$41.44</td>
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<td>64 Gallon</td>
<td>1x Week</td>
<td>$24.86</td>
<td>$25.38</td>
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<td>64 Gallon</td>
<td>2x Week</td>
<td>$49.73</td>
<td>$51.17</td>
</tr>
<tr>
<td>64 Gallon</td>
<td>3x Week</td>
<td>$74.59</td>
<td>$76.74</td>
</tr>
<tr>
<td>2 Yard Mixed</td>
<td>1x Week</td>
<td>$297.78</td>
<td>$306.35</td>
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<td>2 Yard Mixed</td>
<td>2x Week</td>
<td>$595.57</td>
<td>$612.73</td>
</tr>
<tr>
<td>2 Yard Mixed</td>
<td>3x Week</td>
<td>$891.34</td>
<td>$919.07</td>
</tr>
<tr>
<td>3 Yard Mixed</td>
<td>1x Week</td>
<td>$300.12</td>
<td>$308.76</td>
</tr>
<tr>
<td>3 Yard Mixed</td>
<td>2x Week</td>
<td>$600.27</td>
<td>$617.96</td>
</tr>
<tr>
<td>3 Yard Mixed</td>
<td>3x Week</td>
<td>$900.36</td>
<td>$926.29</td>
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</table>

**EXTRA PICKUP CHARGES**

<table>
<thead>
<tr>
<th>Volume</th>
<th>Frequency</th>
<th>Rate</th>
<th>Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Yard</td>
<td>Extra Pickup</td>
<td>$57.66</td>
<td>$59.13</td>
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<tr>
<td>1.5 Yard</td>
<td>Extra Pickup</td>
<td>$69.91</td>
<td>$71.42</td>
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<tr>
<td>2 Yard</td>
<td>Extra Pickup</td>
<td>$70.16</td>
<td>$71.68</td>
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<tr>
<td>3 Yard</td>
<td>Extra Pickup</td>
<td>$83.66</td>
<td>$85.18</td>
</tr>
<tr>
<td>4 Yard</td>
<td>Extra Pickup</td>
<td>$95.16</td>
<td>$97.69</td>
</tr>
<tr>
<td>6 Yard</td>
<td>Extra Pickup</td>
<td>$120.16</td>
<td>$123.62</td>
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</table>

**SPECIAL SERVICE CHARGES / ANCILLARY CHARGES**

<table>
<thead>
<tr>
<th>Service</th>
<th>Rate</th>
<th>Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Push Rate - 0 - 75 feet</td>
<td>$4.15</td>
<td>$4.27</td>
</tr>
<tr>
<td>Bin Exchange per incident in excess of 1 time per year</td>
<td>$74.59</td>
<td>$76.84</td>
</tr>
<tr>
<td>Cart Exchange per incident in excess of 1 time per year</td>
<td>$22.39</td>
<td>$23.06</td>
</tr>
<tr>
<td>Bin Key/Unlock charge per bin per month</td>
<td>$4.48</td>
<td>$4.61</td>
</tr>
<tr>
<td>Gate service charges per bin per month</td>
<td>$5.96</td>
<td>$6.14</td>
</tr>
</tbody>
</table>

Commercial Bin Relocation | $76.84 | $78.15 |
Excess yards/Snapshot Change per container per incident: $150.00
Contamination Charge per container per incident: $50.00
Cart or Bin Cleaning Charge in excess of 1 time per year: $129.64
Reactivation Charge (if due to non payment) - no delivery: $58.06
Reactivation Charge (if due to non payment) - with delivery: $103.22
Bad Check Charge: $25.00

Finance / Late Payment Charge: 2.5% or minimum $5.00

**INDUSTRIAL COLLECTION SERVICES**

| SOLID WASTE COLLECTION | Current Monthly Rate | CPI Change | Disposal Charge | New Total Monthly Rate (includes franchise charge) | Estimated Franchise Charge />
|-------------------------|----------------------|------------|-----------------|---------------------------------------------------|-----------------------------
| 10 cubic yards - includes 1.75 tons | $265.67 | $8.00 | $(0.35) | $273.32 | $41.00 |
| 20 cubic yards - includes 3 tons | $503.18 | $15.15 | $(0.65) | $518.78 | $77.65 |
| 25 cubic yards - includes 4 tons | $609.53 | $18.35 | $(0.79) | $627.89 | $94.06 |
| 30 cubic yards - includes 5 tons | $700.02 | $21.07 | $(0.91) | $718.09 | $108.03 |
| 40 cubic yards - includes 7 tons | $878.67 | $26.45 | $(1.14) | $903.98 | $135.60 |
| CAD COLLECTION | $275.83 | $8.30 | $7.77 | $295.90 | $43.94 |
| 10 cubic yards - includes 1.75 tons | $261.26 | $7.86 | $7.18 | $276.30 | $41.45 |
| 20 cubic yards - includes 3 tons | $491.81 | $14.80 | $13.52 | $505.33 | $78.02 |
| 25 cubic yards - includes 4 tons | $599.28 | $18.04 | $16.48 | $617.76 | $95.07 |
| 30 cubic yards - includes 5 tons | $692.14 | $20.83 | $19.03 | $712.00 | $108.80 |
| 40 cubic yards - includes 7 tons | $931.37 | $28.03 | $25.62 | $956.00 | $138.35 |
| GREEN WASTE ONLY COLLECTION (NO FOOD WASTE) | $286.75 | $8.63 | $7.03 | $295.41 | $44.31 |
| 10 cubic yards - includes 1.75 tons | $261.26 | $7.86 | $7.18 | $276.30 | $41.45 |
| 20 cubic yards - includes 3 tons | $491.81 | $14.80 | $13.52 | $505.33 | $78.02 |
| 25 cubic yards - includes 4 tons | $599.28 | $18.04 | $16.48 | $617.76 | $95.07 |
| 30 cubic yards - includes 5 tons | $692.14 | $20.83 | $19.03 | $712.00 | $108.80 |
| 40 cubic yards - includes 7 tons | $931.37 | $28.03 | $25.62 | $956.00 | $138.35 |
| GREEN WASTE / FOOD WASTE MIXED COLLECTION | $286.75 | $8.63 | $7.03 | $295.41 | $44.31 |
| 10 cubic yards - includes 1.75 tons | $261.26 | $7.86 | $7.18 | $276.30 | $41.45 |
| 20 cubic yards - includes 3 tons | $491.81 | $14.80 | $13.52 | $505.33 | $78.02 |
| 25 cubic yards - includes 4 tons | $599.28 | $18.04 | $16.48 | $617.76 | $95.07 |
| 30 cubic yards - includes 5 tons | $692.14 | $20.83 | $19.03 | $712.00 | $108.80 |
| 40 cubic yards - includes 7 tons | $931.37 | $28.03 | $25.62 | $956.00 | $138.35 |
| RECYCLE COLLECTION | $163.53 | $4.92 | $0.00 | $168.45 | $25.27 |
| 10 cubic yards - includes 1.75 tons | $286.75 | $8.63 | $7.03 | $295.41 | $44.31 |
| 20 cubic yards - includes 3 tons | $539.78 | $16.25 | $0.05 | $556.08 | $83.41 |
| 25 cubic yards - includes 4 tons | $657.75 | $19.80 | $0.07 | $677.62 | $103.64 |
| 30 cubic yards - includes 5 tons | $759.67 | $22.87 | $0.08 | $782.54 | $117.79 |
| 40 cubic yards - includes 7 tons | $961.18 | $28.93 | $0.10 | $990.21 | $148.53 |
| COMPACTOR COLLECTION | $445.86 | $13.42 | $(0.58) | $458.70 | $68.80 |
| 15yd compactor per haul* | $445.86 | $13.42 | $(0.58) | $458.70 | $68.80 |
| 20yd compactor per haul* | $486.75 | $14.65 | $(0.63) | $500.77 | $75.12 |
| 30yd compactor per haul* | $568.52 | $17.11 | $(0.74) | $585.64 | $87.73 |
| *Plus disposal. Industrial Compactor rates do not include disposal |
| EXCESS TONNAGE - Includes Franchise Charges | $61.04 | N/A | N/A | $62.73 | $9.41 |
| Excess MSW Per Ton* | $61.04 | N/A | N/A | $62.73 | $9.41 |
| Excess C&D Per Ton* | $73.31 | N/A | N/A | $82.15 | $12.35 |
| Excess Green Waste (No Food Waste) Per Ton* | $65.88 | N/A | N/A | $75.74 | $10.94 |
| Excess Green Waste / Food Waste Mixed Per Ton* | $75.29 | N/A | N/A | $85.15 | $11.65 |
| Excess Recycling Per Ton* | $0.00 | N/A | N/A | $0.00 | $0.00 |

*Actual Landfill Rates charged and subject to change
<table>
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<tr>
<th>Service Description</th>
<th>Rate 1</th>
<th>Rate 2</th>
<th>Rate 3</th>
<th>Rate 4</th>
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</thead>
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<tr>
<td>RO Inactivity per day Charge after 7 days</td>
<td>$12.09</td>
<td>$0.36</td>
<td>N/A</td>
<td>$12.45</td>
</tr>
<tr>
<td>Trip Charge - unable to service container after customer schedules a haul</td>
<td>$193.52</td>
<td>$5.82</td>
<td>N/A</td>
<td>$199.34</td>
</tr>
<tr>
<td>Relocate Charge</td>
<td>$199.34</td>
<td>$29.90</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reactivation Charge (if due to non payment) - no delivery</td>
<td>$58.06</td>
<td>$1.75</td>
<td>N/A</td>
<td>$59.81</td>
</tr>
<tr>
<td>Reactivation Charge (if due to non payment) - with delivery</td>
<td>$193.52</td>
<td>$5.82</td>
<td>N/A</td>
<td>$199.34</td>
</tr>
<tr>
<td>Delivery Charge</td>
<td>$193.52</td>
<td>$5.82</td>
<td>N/A</td>
<td>$199.34</td>
</tr>
<tr>
<td>Bad Check Charge</td>
<td>$25.00</td>
<td>N/A</td>
<td>N/A</td>
<td>$25.00</td>
</tr>
<tr>
<td>Late Payment / Finance Charge</td>
<td>2.5% or minimum $5.00</td>
<td>N/A</td>
<td>N/A</td>
<td>2.5% or minimum $5.00</td>
</tr>
</tbody>
</table>

All rates include franchise fee 15%
TO: Honorable Mayor and Council Members  
DATE: July 7, 2020  
THROUGH: John W. Donlevy, Jr., City Manager  
FROM: Alan Mitchell, City Engineer  
SUBJECT: Quitclaim Deeds for Dedication of Land for the Winters Highlands (Stone’s Throw) Phase 1A Subdivision  

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 2020-34, to:

1. Consent to Quitclaim Deeds for Dedication of Land for the Winters Highlands (Stone’s Throw) Phase 1A Subdivision – Lots 39-48; and
2. Authorize the City Manager to sign the Quitclaim Deeds and any other associated documentation on the City’s behalf

BACKGROUND: With the reduction of road width for Moody Slough, east of W. Main Street, the area between the separated sidewalk and the houses in Winters Highlands Ph 1A (Aspire) was large. Dave Dowswell in Planning proposed to shift the ten houses approximately 15 feet towards Moody Slough, which resulted in a longer driveway apron on the backside of the houses (Fenley Way), and a more conventional frontage along the street and sidewalk. The houses are constructed in this way and many have been occupied.

The subject area along the south side of Moody Slough, east of W. Main Street, included a 20-foot landscape area and 10-foot PUE, between the sidewalks and the houses, after the houses were shifted. A 14-foot landscape strip was included between the sidewalk and the roadway. City staff was concerned with the cost to maintain the additional 20 feet of landscaping behind the sidewalk and proposed to deed the area over to each parcel along Moody Slough, which results in a 32-foot front yard for those houses. The City would be responsible for maintaining the 14-foot landscape strip and the sidewalk.

The first step in the process of transferring the property to each parcel, was for the City to accept that portion of land, in order to take ownership of the 20-foot strip along the ten houses. On May
19, 2020, the City Council adopted Resolution No. 2020-25, to consent to accept a portion of an
Irrevocable Offer of Dedication (IOD) of Right of Way and Public Utility Easement, for the
Winters Highlands (Stone’s Throw) Phase 1 Subdivision. See attached Exhibit A.

**DISCUSSION:** A Licensed Surveyor has prepared a legal description for the portion of the 20-
foot strip, for each of the 10 lots. Each description is attached to a Quitclaim Deed. A Quitclaim
Deed is a legal instrument that is used to transfer interest in real property. Each Quitclaim Deed
will transfer property interests from the City to the homebuilder - K. Hovnanian Aspire. Once the
City executes the Deeds; the Title Company will record the Quitclaim Deeds along with a
Corrective Deed at the same time to assign ownership to each of the current homeowners for
each lot. The homeowners will then be responsible to maintain the landscaping between their
house and the sidewalk, which is typical. The people that have/are buying the homes have been
notified of this process and are agreeable.

**ALTERNATIVES:** None recommended by staff.

**FISCAL IMPACT:** No City funds impacted.

**ATTACHMENTS:** Resolution No. 2020-34
Exhibit A
Sample Quit Claim Deed (Lot 39)
RESOLUTION NO. 2020 – 34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
TO CONSENT TO QUITCLAIM DEEDS FOR DEDICATION OF LAND FOR THE
WINTERS HIGHLANDS (STONE’S THROW) PHASE 1A SUBDIVISION – LOTS 39-48

WHEREAS, the City Council on June 19, 2018 approved Winters Highlands (Stone’s Throw) Phase 1 Subdivision Final Map #4507, and consented to an Irrevocable Offer of Dedication (IOD) of Right of Way and Public Utility Easement (PUE); and

WHEREAS, the Irrevocable Offer of Dedication was recorded on August 23, 2018; and

WHEREAS, the Circulation Master Plan shows Moody Slough as a 2-lane Collector, consistent with Main St. north of Grant, and therefore Council approved the reduction in roadway width, for Moody Slough east of W. Main Street, associated with Winters Highlands Phase 1; and

WHEREAS, the City Planning Department approved the shifting of 10 houses in the Winters Highlands Phase 1A (Aspire) Subdivision that fronted Moody Slough, to move them approximately 15 feet closer to Moody Slough; and

WHEREAS, the recorded IOD along the south side of Moody Slough, east of W. Main Street, includes a 20-foot landscape area and 10-foot PUE, between the sidewalks and the houses; and

WHEREAS, the City does not want to maintain the 20-foot landscape area behind the sidewalk, and therefore desires to divide it up and deed portions over to each of the 10 residential lots; and

WHEREAS, on May 19, 2020, the City Council adopted Resolution No. 2020-25, to consent to accept a portion of an Irrevocable Offer of Dedication (IOD) of Right of Way and Public Utility Easement, for the Winters Highlands (Stone’s Throw) Phase 1 Subdivision; and

WHEREAS, there are 10 residential lots along the frontage of Moody Slough, and a Licensed Surveyor has prepared a legal description for the portion of the 20-foot strip, for each of the 10 lots; and

WHEREAS, each legal description is attached to a Quitclaim Deed, which will transfer property interests from the City to the homebuilder - K. Hovnanian Aspire.

WHEREAS, the adoption of this Resolution will consent to Quitclaim Deeds for dedication of land for each of the 10 residential lots along Moody Slough Road in the Winters Highlands (Stone’s Throw) Phase 1A Subdivision – Lots 39-48.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Winters as follows:

1. Consent to Quitclaim Deeds for Dedication of Land for the Winters Highlands (Stone’s Throw) Phase 1A Subdivision – Lots 39-48; and
2. Authorize the City Manager to sign the Quitclaim Deeds and any other associated documentation on the City’s behalf

PASSED AND ADOPTED by the City Council of the City of Winters, on this 7th day of July, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
Wade Cowan, MAYOR

ATTEST:

______________________________
Tracy S. Jensen, City Clerk
MOODY SLOUGH ROAD

RIGHT OF WAY DEDICATION AREA
0.197 ACRES

DOC-2018-0020138-00

N89°43'21"E 384.46'
S69°43'21"W 421.07'

BASIS OF BEARINGS

N0°05'32"W 21.99'
S44°48'54"W 28.24'

10' P.U.E.
2018 MAPS 89-95
2019 MAPS 32-35

WEST MAIN STREET

FENLEY WAY

RIGHT OF WAY DEDICATION
FOR
CITY OF WINTERS
LOCATED IN A PORTION OF SECTION 21,
tOWNSHIP 8 NORTH, RANGE 1 WEST,
MOUNT DIABLO MERIDIAN,
CITY OF WINTERS,
YOLO COUNTY, CALIFORNIA

SHEET 1 OF 1 MAY 14, 2020

EXHIBIT A

LICENSED LAND SURVEYOR
BRYAN P. BOWLING
L.S. 7521
STATE OF CALIFORNIA

CIVIL ENGINEERING - LAND SURVEYING - PLANNING

LAUGENOUR AND MEIKLE
600 COURT STREET, WOODLAND, CALIFORNIA 95695 PHONE: (530) 662-1755
P.O. BOX 826, WOODLAND, CALIFORNIA 95776 FAX: (530) 662-4502

S: Land Projects\2159-7\dwg\2159-7_EXH_ROW_DEDICATIONS
RECORDING REQUESTED BY:
First American Title Company

MAIL TAX STATEMENT
AND WHEN RECORDED MAIL DOCUMENT TO:

K. Hovnanian Homes
3721 Douglas Blvd Ste 150
Roseville, CA 95661

QUITCLAIM DEED

A.P.N.: 030-421-010-000

The Undersigned Grantor(s) Declare(s):
CITY TRANSFER TAX $
DOCUMENTARY TRANSFER TAX $
SURVEY MONUMENT FEE $

computed on the consideration or full value of property conveyed, OR
computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
unincorporated area; [X] City of Winters, and

SURVEY MONUMENT FEE $

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF WINTERS

hereby remise, release and forever quitclaim to

K. HOVNANIAN ASPIRE AT STONES THROW, LLC, a California limited liability company

the following described property in the City of Winters, County of Yolo, State of California:

That real property in the City of Winters, County of Yolo, State of California, situate in a portion of Section 21, Township 8 North, Range 1 West, Mount Diablo Base and Meridian, and being a portion of that Irrevocable Offer of Dedication as described in Document No. 2018-0020138-00, Yolo County Records, also being a portion of that Right-of-Way Dedication as described in Document No. 2020-0016428, Yolo County Records.

LEGAL DESCRIPTION AND PLAT ARE ATTACHED HERETO AS EXHIBIT "A" AND "B".
Dated: ______________________

CITY OF WINTERS

By: ______________________

Name: ______________________

Title: ______________________

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF ______________________
COUNTY OF ______________________

On ______________________, before me, ______________________, Notary Public, personally appeared ______________________, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

______________________________
Notary Signature
EXHIBIT A
RIGHT-OF-WAY QUITCLAIM
by the
CITY OF WINTERS
to
LOT 39

That real property in the City of Winters, County of Yolo, State of California, situate in a
portion of Section 21, Township 8 North, Range 1 West, Mount Diablo Base and Meridian, and
being a portion of that Irrevocable Offer of Dedication as described in Document No. 2018-
0020138-00, Yolo County Records, also being a portion of that Right-of-Way Dedication as
described in Document No. 2020-0016428, Yolo County Records, and being more particularly
described as follows:

RIGHT-OF-WAY QUITCLAIM:

BEGINNING at the Northeast corner of Lot 39 as shown on that map filed in Book 2019 of
Maps at Pages 32-35, said County Records; thence, from said POINT OF BEGINNING and
along the North line of said Lot 39, South 89°43'21" West 75.00 feet to the Northwest corner of
said Lot 39; thence, leaving said North line, North 00°05'32" West 20.00 feet; thence North
89°43'21" East 36.40 feet; thence South 62°51'02" East 43.42 feet to the POINT OF BEGINNING.

Containing 1,114 square feet (0.026± acre) of land, more or less.

The basis of bearings for this description is said North line of Lots 39-48 from said map filed in
Book 2019 of Maps at Pages 32-35 shown as N 89°43'21" E.

End of description.

This description was prepared by me or under my direction in
accordance with Section 8761 of the Professional Land Surveyors Act.

[Signature]
Bryan P. Bonino, L.S. 7521

Date 6/9/2020
CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: July 7, 2020
FROM: David Dowswell, Contract Planner, Community Development Department
THROUGH: John W. Donlevy, Jr., City Manager

SUBJECT: Walnut Lane 10 Subdivision - Public Hearing and Consideration of the proposed Walnut Lane 10 Mitigated Negative Declaration, Tentative Map and Planned Development Overlay Zoning for a 54-lot Single Family Subdivision (APN 038-050-019)

RECOMMENDATION:

That the City Council:

1. Receive staff report on the Walnut Lane 10 Subdivision.
2. Conduct public hearing to consider comments on the Mitigated Negative Declaration, Tentative Map and Planned Development Overlay Zoning.
3. Adopt Resolution 2020-20 (Attachment J) adopting a Mitigated Negative Declaration (MND) as the appropriate level of environmental review under CEQA and find that the MND represents the independent judgment of the City
4. Approve the Walnut Lane 10 Subdivision Mitigation Monitoring Reporting Program (Attachment K).
5. Adopt Resolution 2020-21 (Attachment L) approving the Walnut Lane 10 Subdivision 54-lot Tentative Map.
6. Adopt Ordinance 2020-04 (Attachment M) adding a Planned Development (PD) Overlay Zone to the existing R-1 7000 zoning allowing lots less than the minimum lot widths and averaging less than 7000 square feet.
BACKGROUND:

The applicant, Jim Corbett, purchased the property in the mid-90s. Prior to purchasing the property the existing almond orchard had been abandoned. There has been no other use of the property. In 2012 the City approved the I-505/Grant Avenue 140-acre land use and zoning changes, which included a Mitigated Negative Declaration. The approvals did not include this property. It did include the Skreden property immediately to the west.

On February 7, 2019 the applicant applied to subdivide the 10-acre property into 54 lots, 52 standard lots and two duplex/duet affordable lots. After reviewing the application staff determined that a Mitigated Negative Declaration needed to be prepared.

On June 17, 2019 the applicant hired the De Novo Planning Group (DPNG) to prepare a Mitigated Negative Declaration (MND). The administrative draft MND was completed in early December 2019. Notice of Intent (NOI) and Notice of Completion (NOC) (Attachment A) to adopt a MND were delivered to the state clearinghouse on January 30. The NOI was mailed to all contiguous property owners on the same date. The 30-day comment period was from January 30, 2020 to March 2, 2020. The comment period was extended to March 24, 2020 (Attachment B).

On April 15, 2020 the applicant hosted a neighborhood video meeting. Thirteen residents (Attachment C) participated in the meeting. Concerns expressed at the meeting included:

- How will this project affect the flooding problems which have occurred for the properties to the south for many years?
- Increased traffic on Walnut Lane.
- Lack of a secondary road into and out of the area and the potential safety risks due to limited access.

On May 26, 2020 the Planning Commission considered the proposed project. At the hearing there was considerable comment from a number of citizens. At the conclusion of the public hearing the Commission voted 6 to 1 to recommend the City Council adopt the Mitigated Negative Declaration (MND), Tentative Map (Attachment D) and Planned Development Overlay Zone (Attachment E).

PROJECT DESCRIPTION:

The applicant is requesting approval for the development of 54 single family residential lots, 52 standard lots and 2 duplex/duet lots, associated amenities, and infrastructure improvements (“the Project”). The Project site will include approximately 2.2 acres of streets, yielding 7.8 net acres. The density of the Project site will be approximately 5.4 units per gross acre and 6.9 units per net acre. The average lot size will be approximately 6,368 square feet (sf), with an anticipated range of lot sizes from 6,090 to 7,765 square feet, with an exception of the half-plex units (lots 37A and 37B), which would have lot sizes of approximately 4,595 and 3,509 sf, respectively. It is anticipated the Project would be constructed in one phase. The Project’s southernmost lots would be located directly
adjacent to the existing residential development. The abandoned almond orchard located on the Project site will be removed during Project construction activities. In addition to the tentative map, the applicant is requesting the property be rezoned by adding a Planned Development (PD) overlay zoning to allow the minimum lot width to be less than 60 feet for interior lots and 70 feet for corner lots and to allow the average lot size to be less than 7,000 square feet.

**Infrastructure and Access**
Access to the Project site is currently provided from Walnut Lane and Almond Drive. Three access points are proposed for the Project: one southwestern entrance and one northeastern entrance off Walnut Lane, and an additional southeastern entrance off Almond Drive. Walnut Lane, located along the southwestern boundary of the Project site, will be extended along the full length of the western boundary of the Project site and improved. The Project will contain several internal streets, as shown on the tentative map. The Project will provide stubbed street to allow for connection to the Skreden residential property to the east. Additionally, as part of the Project, Walnut Lane will be upgraded to provide curb, gutter and sidewalk on the east side of the roadway, and sufficient pavement to accommodate two travel lanes. However, curb, gutter, and sidewalk would not be installed on the westerly side of Walnut Lane. There is a pathway along the southern edge of Walnut Park that connects to Dutton Street that was designed to support city pick-up trucks. This pathway could be used in an emergency by ambulance and fire trucks, it could not be used by fire engines.

The Project would be served by existing City water, sewer, and storm drainage infrastructure. The proposed water system will be tied into the 8-inch water line in Walnut Lane and the 8-inch water line in Almond Drive. An 8-inch water line connection is also proposed to the northeast to connect with the future Skreden 61 subdivision. Stormwater would drain to the east of the Project site via a v-ditch to the Grant Avenue culvert.

**DISCUSSION:**

At the Planning Commission hearing residents of the nearby homes located off Walnut Lane spoke about several concerns they have with the proposed Project, including the potential for this project to exacerbate the flooding problem, increased traffic and only one access road (Walnut Lane) for existing and new residents.

**Tentative Map**
At the Planning Commission hearing, Jack Vickrey, 115 Orchard Lane, which abuts the proposed subdivision, expressed concern that the average lot size for the proposed subdivision was less than the city standard of 7,000 square feet and less than the size of his lot and the other 8 lots located on the north side of Orchard Lane abutting the proposed Project. On June 3 staff met with Jack Vickrey. At the meeting he suggested the number of lots (lots 43 through 53 on the Tentative Map) abutting the Orchard Lane lots be reduced from 11 to 10 lots, which would result in the average size of the remaining 10 lots increasing to 7,199 square feet, meeting the city standard. Increasing the average
lot size to 7,199 square feet would eliminate the necessity to add a PD overlay zoning to these 10 lots. Increasing the average lot size to be comparable to those on Orchard Lane would allow for a more natural transition between the existing homes and future homes. This change would be an alternative to what the Planning Commission recommended. Staff has added a condition (#23 highlighted in bold), which the Council could adopt, requiring the applicant to implement this change.

Flooding
Several people who submitted letters, participated in the community meeting or spoke at the Planning Commission meeting expressed concern about the potential for this project to exacerbate the historical flooding problem that has affected the existing homes to the south of the project site off Orchard Lane and Almond Drive. The Project will be required to provide a berm along the northern edge of the subdivision which will divert any water to the east by a v-ditch and weir to the Skreden property to accommodate, store and convey stormwater to an existing culvert at Grant Avenue. Due to the flood improvements being made for the proposed subdivision the potential for flooding to occur in the future for the existing homes will likely be eliminated.

Increased Traffic
People who submitted letters, participated in the community meeting and spoke at the Planning Commission meeting also expressed concern about the increase in traffic. The average daily traffic (ADT) on Walnut Lane is 1,780 trips according Circulation Master Plan and Roadway Impact Fee Program Update (CMP) prepared in 2018 by Fehr & Peers. The Project would increase the ADT by 529 trips. According to the CMP the intersection of Walnut Lane and the round-about currently operates at LOS C. With the additional traffic from the Project the intersection will still operate at LOS C. At ultimate buildout of the General Plan the intersection would operate at LOS D, which is allowed.

Lack of Secondary Access Road
People expressed concern about the lack of a second road leading into or out from the Project site. The Project will connect to Almond Drive at two points (Streets A and B) to Walnut Lane. Eventually, when the property to the east is developed, Street A will connect to this property and ultimately to an extension of East Main Street leading to East Grant Avenue. There is pathway along the southern edge of Walnut Park that connects to Dutton Street. This pathway could be used, if needed, by residents if Walnut Lane if the round-about was blocked. A second emergency vehicle access (EVA) is the private driveway that leads from Railroad Avenue along the northern edge of the Project site to the north end of Walnut Lane. The applicant is in discussions to obtain an easement, assuming from the owner of the driveway. If an easement is obtained this access would be an (EVA) only. Again, it could be used by residents in case the intersection of Walnut Lane and the round-about was blocked.

The fire department and city engineer have reviewed the Project and have determined the existing access of Walnut Lane, with a second EVA at the end of Walnut Lane to Railroad Avenue, is acceptable from an emergency standpoint. If an easement cannot be
obtained the applicant will need to propose an alternative acceptable to the fire
department and city engineer. A condition was included addressing this situation.

Planned Development Zoning
Section 17.48.010 of the Municipal Code (Zoning Ordinance) states, “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.”

The width and average size of the proposed lots are smaller than the lots immediately to
the south on Almond Drive and Orchard Lane but are larger than those on Broadview and
Colby Lanes. Staff supports the applicant’s request to rezone the Project site to add a PD
Overlay Zone to the existing R-1, Single Family 7000 zoning, which will allow a reduction
in the width of interior lots 60 to 59 feet and for corner lots from 70 to 65 feet 8 inches and
a reduction of the average lot size from 7,000 to 6,368 square feet (Attachment L, Exhibit
B). As mentioned above, Staff has provided an alternative recommendation (Condition
#23 in the Conditions of Approval) that the number of lots along the southern edge of the
proposed Project (lots #43 through #53) be reduced from 11 to 10 lots and the average
lot size be increased to more than 7,000 square feet. Increasing the average lot size will
eliminate the need to add the PD Overlay zoning to these 10 lots. The PD Overlay zoning
would still be added to the remaining 43 lots (lots #1 through #42). Any further
modifications to the City’s lot development standards for these 43 lots would be
considered by the Planning Commission when a production builder brings forward plans
for the model homes.

ENVIRONMENTAL REVIEW: An Initial Study/MND was
circulated on January 30, 2020, for a 30-day comment period extending through March
2, 2020, which was subsequently extended March 24, 2020 (Attachment F). Several
comment letters were received from residents as well as comments from interested
agencies (Attachment G). Staff and the environmental consultant, DPNG, have had an
opportunity to review all correspondence and have provided grouped responses based
on the commenters’ area of concern (Attachment H). At the May 23 Planning Commission
meeting Liz Coman questioned why her and her husband’s letter was not specifically
mentioned in the Response to Comments prepared by DPNG. DPNG indicated that
although the Coman letter, plus three others were not specifically mentioned in the
Response to Comments, their concerns were addressed by DPNG. DPNG prepared a
response to these four letters. They have been added to Attachment H, pages 36 through
41.

In addition, DPNG prepared an errata to the Initial Study/MND which shows additions,
underlined, and deletions, struckthrough based on the responses to the comment letters
(Attachment I). These edits which will be incorporated into the final version of the Initial
Study/MND, do not represent substantial revisions to the Initial Study/MND, and do not
require recirculation of the Initial Study/MND pursuant to CEQA Guidelines Section
Lastly, the Initial Study/MND includes mitigations as a result of the Project. A Mitigation Monitoring Reporting Program (MMRP) will be incorporated into the Project conditions (Attachment F).

ATTACHMENTS:

A. Notice of Intent/Notice of Completion
B. Letter from State Office of Planning and Research acknowledging extending comment period to March 24, 2020
C. List of participants in April 15 community meeting
D. Walnut Lane 10 Subdivision Tentative Map
E. May 26, 2020 Planning Commission Minutes
F. Initial Study/Mitigated Negative Declaration (MND)/ Mitigation Monitoring Reporting Program
G. Comment letters
H. Response to comment letters and updated memo
I. Errata Initial Study/MND
J. Resolution 2020-20 adopting the IS/MND for the Walnut Lane Project
K. Resolution 2020-21 adopting the Walnut Lane 10 Subdivision Tentative Map
L. Ordinance 2020-04 amending the official Zoning Map of the City by adding of PD Overlay zone to the existing R-1, Single Family Zoning
M. Amended Conditions of Approval
Project Title: Walnut Lane 10 Project

Lead Agency: City of Winters

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

Contact Person: Dave Dowswell

Phone: 530-794-6714

City: Winters

Zip: 95694

County: Yolo

Project Location: County: Yolo

City/Nearest Community: Winters

Cross Streets: Walnut Lane (nearest intersection: Walnut Lane/Catron Court)

Longitude/Latitude (degrees, minutes and seconds): 38° 31' N/ 121° 57' 58.4" W Total Acres: 10

Assessor's Parcel No.: 038-050-019

Within 2 Miles: State Hwy #: State Route 128

Waterways:

Airports:

Railways:

Schools:

Document Type:

CEQA: [ ] NOP [ ] Draft EIR [ ] Early Cons [ ] Supplement/Subsequent EIR [ ] Neg Dec [ ] Mit Neg Dec [ ] NEPA: [ ] NOI [ ] Draft EIS [ ] Other: [ ] Joint Document [ ] Final Document [ ] FONSI

Other:

Local Action Type:

[ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation [ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment [ ] General Plan Element [ ] Planned Unit Development [ ] Use Permit [ ] Coastal Permit [ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [ ] Other:

Development Type:

[ ] Residential: Units 54 Acres 10

[ ] Office: Sq.ft. Acres Employees

[ ] Commercial: Sq.ft. Acres Employees

[ ] Industrial: Sq.ft. Acres Employees

[ ] Educational:

[ ] Recreational:

[ ] Water Facilities: Type MGD

[ ] Transportation: Type

[ ] Mining: Mineral

[ ] Power: Type MW

[ ] Waste Treatment: Type MGD

[ ] Hazardous Waste: Type

[ ] Other:

Project Issues Discussed in Document:

[ ] Aesthetic/Visual [ ] Fiscal [ ] Recreation/Parks [ ] Vegetation

[ ] Agricultural Land [ ] Flood Plain/Flooding [ ] Schools/Universities [ ] Water Quality


[ ] Archeological/Historical [ ] Geologic/Seismic [ ] Sewer Capacity [ ] Wetland/Riparian

[ ] Biological Resources [ ] Minerals [ ] Soil Erosion/Compaction/Grading [ ] Growth Inducement

[ ] Coastal Zone [ ] Noise [ ] Solid Waste [ ] Land Use

[ ] Drainage/Absorption [ ] Population/Housing Balance [ ] Toxie/Hazardous [ ] Cumulative Effects

[ ] Economic/Jobs [ ] Public Services/Facilities [ ] Traffic/Circulation [ ] Other:

Present Land Use/Zoning/General Plan Designation:

Undeveloped (almond orchard)/Single Family Residential (R-1)/Low Density Residential (LDR)

Project Description: (please use a separate page if necessary)

The Project includes development of 54 residential units, associated amenities, and infrastructure improvements on the approximately 10.0-acre Project site. The Project would include 52 single-family detached residential units and 2 half-plex units. Each residential lot would be approximately 6,400 square feet (sf), with an anticipated range of lot sizes from approximately 6,100 to 7,900 square feet, with an exception for the half-plex units located in lots 37A and 37B, which would have lot sizes of approximately 4,595 and 3,509 sf, respectively.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g., Notice of Preparation or previous draft document) please fill in.
### Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

| X | Air Resources Board                                      | X | Office of Historic Preservation                         |
|   | Boating & Waterways, Department of                       |   | Office of Public School Construction                     |
|   | California Emergency Management Agency                    |   | Parks & Recreation, Department of                       |
|   | California Highway Patrol                                 |   | Pesticide Regulation, Department of                     |
| X | Caltrans District # 3                                     | X | Public Utilities Commission                              |
|   | Caltrans Division of Aeronautics                          |   |                                                            |
|   | Caltrans Planning                                         |   |                                                            |
|   | Central Valley Flood Protection Board                     |   |                                                            |
|   | Coachella Valley Mtns. Conservancy                        |   |                                                            |
|   | Coastal Commission                                        |   |                                                            |
|   | Colorado River Board                                      |   |                                                            |
|   | Conservation, Department of                              |   |                                                            |
|   | Corrections, Department of                               |   |                                                            |
|   | Delta Protection Commission                               |   |                                                            |
|   | Education, Department of                                 |   |                                                            |
|   | Energy Commission                                         |   |                                                            |
| X | Fish & Game Region # 2                                    |   |                                                            |
|   | Food & Agriculture, Department of                        |   |                                                            |
|   | Forestry and Fire Protection, Department of               |   |                                                            |
|   | General Services, Department of                          |   |                                                            |
|   | Health Services, Department of                           |   |                                                            |
|   | Housing & Community Development                          |   |                                                            |
| X | Native American Heritage Commission                       |   |                                                            |

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### Local Public Review Period (to be filled in by lead agency)

Starting Date: 1/24/2020  
Ending Date: 2/24/2020

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### Lead Agency (Complete if applicable):

Consulting Firm: De Novo Planning Group  
Applicant: Jim Corbett  
Address: 1020 Sunnycast Lane #106  
Address: 33167 Greenview Drive  
City/State/Zip: El Dorado Hills, CA 95762  
City/State/Zip: El Macero, CA 95618  
Contact: Beth Thompson  
Phone: (530) 368-5647

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Signature of Lead Agency Representative: ___________________________  
Date: ___________________________

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Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project

January 30, 2020

Notice is hereby given that the City of Winters as lead agency, has prepared a draft Mitigated Negative Declaration/Initial Study (MND/IS) for the Walnut Lane 10 Project. The MND/IS analyzes the potential environmental effects associated with the proposed project in accordance with the California Environmental Quality Act (CEQA). In accordance with Section 15072 of the CEQA Guidelines, the City of Winters has prepared this Notice of Intent (NOI) to provide responsible agencies and other interested parties with notice of the availability of the MND/IS and solicit comments and concerns regarding the environmental issues associated with the proposed project.

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

Contact Person: Dave Dowswell, City Planner, (530) 794-6714

Project Title: Walnut Lane 10 Project

Project Location: The approximately 10-acre project site is located with the City of Winters, along the northern edge of the city, east of Railroad Avenue and north of State Route 128. The project site is Yolo County Assessor’s Parcel Number (APN) 038-050-019. See the Project Description section of the Initial Study for additional details.

Project Description: The Walnut Lane 10 Project (Project) would develop 54 single family residential units and associated infrastructure improvements on the Project site. See the Project Description section of the Initial Study for additional details.

The project is not listed on the Hazardous Waste and Substances Sites List as set forth in Government Code Section 65962.5.

Public Review Period: A 30-day public review period for the Mitigated Negative Declaration/Initial Study will commence on January 30, 2020 and will end on March 2, 2020 for interested individuals and public agencies to submit written comments on the document. Any written comments on the MND/IS should be sent to the attention of Dave Dowswell, City Planner, at the address listed above, and must be received at the City of Winters by 5:00 PM on February 29, 2020. The project file and copies of the MND/IS are available for review at the City of Winters City Hall at the address listed above.
Public Hearing:

A public hearing will be held to consider adoption of the Mitigated Negative Declaration and action on the project on March 24, 2020 before the Planning Commission. The meeting will be held at 6:30 pm in the City Council Chambers located at City Hall at the address provided above. A subsequent meeting is scheduled to be held by the City Council on April 20, 2020 at the same time and location.

The city does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the prior to the public hearing.

Availability of Documents:

The Mitigated Negative Declaration, Environmental Checklist/Initial Study and supporting documentation are available for public review at Winters City Hall, Community Development Department, 318 First Street, Winters, CA 95694. These documents can be viewed in person or online at [www.winters.ca.gov](http://www.winters.ca.gov).
Extension of Public Comment Period for the
Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the
Walnut Lane 10 Project

February 26, 2020

Notice is hereby given that the City of Winters as lead agency, is extending the public comment period for the draft Mitigated Negative Declaration/Initial Study (MND/IS) for the Walnut Lane 10 Project. The MND/IS analyzes the potential environmental effects associated with the proposed project in accordance with the California Environmental Quality Act (CEQA). In accordance with Section 15072 of the CEQA Guidelines, the City of Winters has prepared this Extension of Public Comment Period for the Notice of Intent to provide responsible agencies and other interested parties with notice of the availability of the MND/IS and solicit comments and concerns regarding the environmental issues associated with the proposed project.

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

Contact Person: Dave Dowswell, City Planner, (530) 794-6714

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Public Review Period: The public review period for the Mitigated Negative Declaration/ Initial Study commenced on January 24, 2020 and will end on March 24, 2020 for interested individuals and public agencies to submit written comments on the document. Any written comments on the MND/IS should be sent to the attention of Dave Dowswell, City Planner, at the address listed above, and must be received at the City of Winters by 5:00
Public Hearing:

PM on March 24, 2020. The project file and copies of the MND/IS are available for review at the City of Winters City Hall at the address listed above.

A public hearing will be held to consider adoption of the Mitigated Negative Declaration and action on the project on March 24, 2020 before the Planning Commission. The meeting will be held at 6:30 pm in the City Council Chambers located at City Hall at the address provided above. A subsequent meeting is scheduled to be held by the City Council on April 20, 2020 at the same time and location.

The city does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the prior to the public hearing.

Availability of Documents:

The Mitigated Negative Declaration, Environmental Checklist/Initial Study and supporting documentation are available for public review at Winters City Hall, Community Development Department, 318 First Street, Winters, CA 95694. These documents can be viewed in person or online at www.cityofwinters.org.
<table>
<thead>
<tr>
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<th>Email</th>
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<tr>
<td>1</td>
<td>Kris Baitoo</td>
<td>Walnut Lane (adjacent)</td>
<td><a href="mailto:kbaaitoo@bata.com">kbaaitoo@bata.com</a></td>
<td>(415) 828-3200</td>
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<tr>
<td>2</td>
<td>Kayla Guerrero</td>
<td>807 Walnut Lane</td>
<td><a href="mailto:kguerrer@bata.com">kguerrer@bata.com</a></td>
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<td>3</td>
<td>Joseph Guerrero</td>
<td>807 Walnut Lane</td>
<td><a href="mailto:jguerrer@bata.com">jguerrer@bata.com</a></td>
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<td>Dana &amp; Colleen Cox</td>
<td>810 Walnut Lane</td>
<td><a href="mailto:danaandco@bata.com">danaandco@bata.com</a></td>
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<tr>
<td>5</td>
<td>Sally Ivory</td>
<td>841 Walnut Lane</td>
<td><a href="mailto:sivory@bata.com">sivory@bata.com</a></td>
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<td>6</td>
<td>Bob Polkinghorn</td>
<td>842 Walnut Lane</td>
<td><a href="mailto:bpolking@bata.com">bpolking@bata.com</a></td>
<td>(510) 205-5629</td>
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<td>7</td>
<td>Liz Coman</td>
<td>105 Orchard Lane</td>
<td><a href="mailto:lcoman@winters.wwd.org">lcoman@winters.wwd.org</a></td>
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<td>Rob Coman</td>
<td>105 Orchard Lane</td>
<td><a href="mailto:rcoman@email.com">rcoman@email.com</a></td>
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<td>9</td>
<td>Don James</td>
<td>108 Orchard Lane</td>
<td><a href="mailto:donjames125@gmail.com">donjames125@gmail.com</a></td>
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<td>Gerald Taylor</td>
<td>110 Orchard Lane</td>
<td><a href="mailto:gertaylor38@yahoo.com">gertaylor38@yahoo.com</a></td>
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<tr>
<td>11</td>
<td>Whitney Vickrey</td>
<td>115 Orchard Lane</td>
<td><a href="mailto:whitvickrey@gmail.com">whitvickrey@gmail.com</a></td>
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<td>12</td>
<td>Jack Vickrey</td>
<td>115 Orchard Lane</td>
<td><a href="mailto:jvick125@gmail.com">jvick125@gmail.com</a></td>
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<tr>
<td>13</td>
<td>Ilse &amp; Clare Medearis</td>
<td>108 Almond Drive</td>
<td><a href="mailto:imeadea@gmail.com">imeadea@gmail.com</a></td>
<td>(530) 941-3422</td>
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<td>Judy Coatham</td>
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<td><a href="mailto:sandcaille92@hotmail.com">sandcaille92@hotmail.com</a></td>
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<td>Coleen Jurado</td>
<td></td>
<td><a href="mailto:nomiu9@gmail.com">nomiu9@gmail.com</a></td>
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<td><a href="mailto:markskreden@gmail.com">markskreden@gmail.com</a></td>
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<td>Jim Corbett</td>
<td>Walnut 10 owner</td>
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<tr>
<td>22</td>
<td>Dave Dowswell</td>
<td>City Planner</td>
<td><a href="mailto:dave.dowswell@cityofwinters.org">dave.dowswell@cityofwinters.org</a></td>
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<tr>
<td>23</td>
<td>Stan Mette</td>
<td>Planner</td>
<td><a href="mailto:stamette@yahoo.com">stamette@yahoo.com</a></td>
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<tr>
<td>24</td>
<td>Mike Motroni</td>
<td>Civil Engineer</td>
<td><a href="mailto:mtronim@email.com">mtronim@email.com</a></td>
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**ATTACHMENT C**
TENTATIVE SUBDIVISION MAP - TRACT 5173
WALNUT LANE 10
CITY OF WINTERS, CALIFORNIA
FEBRUARY 7, 2019
[REVISED: OCTOBER 2, 2019]

52 LOTS (58'x105' TYP.)
2 HALF-PLEX LOTS (37A & 37B)
10.0 ± AC. (G)

LEGAL DESCRIPTION

LAND USE SUMMARY

PLOT PLAN

MIN. SETBACKS

WALNUT LANE 10 - TENTATIVE SUBDIVISION MAP
Item A will be continued to the June 23, 2020 Regular Planning Commission Meeting.

Adams moved to approve the continuation; Contreras seconded.

CITIZEN INPUT:

None.

COMMISSIONER/STAFF COMMENTS:

None.

AYES: Commissioners Adams, Altamirano, Contreras, Northrup, Rose Chairman Myer

NOES: None

ABSTAIN: None

ABSENT: Commissioner Schrupp

DISCUSSION ITEM:

B. Public Hearing and Consideration of the proposed Walnut Lane 10 54-lot single-family subdivision located at the north end of Walnut Lane (APN 038-050-019). Entitlements include:
   a. Mitigated Negative Declaration, and
   b. Tentative Map, and
   c. Planned Development (PD) Overlay Zoning

Contract Planner Dave Dowswell gave a presentation about the proposed project.

Manager John Donlevy discussed the methods of public comment through Zoom.

Chairman Myer stated that the letters received regarding the Walnut Lane 10 subdivision include questions and concerns about flooding, traffic, safety, climate, communication methods. All communication submitted will be public record.

City Attorney Ethan Walsh discussed the legalities about proposed subdivisions. Proven adverse health and safety impacts should be proven by accurate findings.

Beth Thompson of De Novo Planning Group gave a summary of the environmental documentation that includes Initial Study and Negative Declaration that were executed for the proposed project. Comments from the public were received and reviewed before responses were given.

Tim Denham Engineer at Wood Rodgers discussed the configuration of the project that includes, lots, infrastructure plans, drainage, traffic impacts, easements and emergency vehicle access.
Alan Mitchell, City Engineer, discussed future access points to the proposed subdivision from adjacent property known as “Farmstead” to the East.

CITIZEN INPUT:
Roy Jones, 106 Orchard Lane, asked if the new homes will include one-story and two-story plans and if the plan for the applicant is to sell off the lots.

Planner Dave Dowswell stated that the plans have not been proposed for the lots. Jim Corbett, project applicant answered that his plan is to sell the property to a developer after the project is approved.

Whitney Vickrey, 115 Orchard Lane, discussed the possibility of having a lower density neighborhood at the proposed subdivision. A mirror of the adjacent neighborhood is preferred.

City Attorney stated that if the project is approved with a lower density it will conflict with the Housing Accountability Act.

Dean Unger, 100 Orchard Lane, asked if there will be a detention facility for the project.

Commissioner questioned if a v-ditch will be utilized as a short-term solution for flooding.

Time Denham Engineer at Wood Rodgers stated that a temporary v-ditch will drain to the adjacent property to the east. The v-ditch will resolve the flooding issue that would occur to the south in the past.

Jack Vickrey, 115 Orchard Lane, gave a brief presentation about the possible issues that can be created by the proposed project. The issues discussed included flooding/water permeability, prime soil classification, and neighborhood cohesion.

COMMISSIONER/STAFF COMMENTS:
Comissioner Contreras questioned the traffic issues posed by the proposed development.

City Engineer Alan Mitchell stated that the roundabout at East Grant Ave and Walnut Lane meets or exceeds the level of service required in order to add more traffic from the proposed development the Walnut Lane.

City Manager Donlevy discussed the mitigation measures that will resolve traffic and flooding issues. Design review will determine the layout of the homes.

Commissioner Contreras stated that the Planning Commission should be given more time to continue to analyze the proposed project.

Commissioner Northrup stated that the Planning Commissioner should move forward with the proposed project. City Council has the option to bring it back for review.

Chairman Myer moved to approve the proposal; Northrup seconded.
MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD
MAY 26, 2020

AYES: Commissioners Adams, Altamirano, Northrup, Rose, Chairman Myer

NOES: Commissioner Contreras

ABSTAIN: None

ABSENT: Commissioner Schrupp

DISCUSSION ITEM:

C. Appoint member from the Planning Commission to the Affordable Housing Steering Committee

Commissioner Rose will be appointed to the Affordable Housing Steering Committee.

Commissioner Adams moved, Northrup seconded.

CITIZEN INPUT:

None.

COMMISSIONER/STAFF COMMENTS:

None.

AYES: Commissioners Adams, Altamirano, Contreras, Northrup, Rose, Chairman Myer

NOES: None

ABSTAIN: None

ABSENT: Commissioner Schrupp

COMMISSIONER/REPORTS:

City Manager Donlevy stated that staff is looking for ways to host in person meetings during existing circumstances.

ADJOURNMENT: Chairman Myer adjourned the meeting at 8:27 p.m.

ATTEST:

Dagoberto Fierros, Management Analyst

Paul Myer, Chairman

4
INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION FOR:

WALNUT LANE 10 PROJECT

JANUARY 2020

Prepared for Submittal to:
City of Winters
318 First Street
Winters, CA 95694
(530) 794-6714

Prepared by:
De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
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INITIAL STUDY CHECKLIST

PROJECT TITLE
Walnut Lane 10 Project

LEAD AGENCY NAME AND ADDRESS
City of Winters
318 First Street
Winters, CA 95694
(530) 794-6714
dave.dowswell@cityofwinters.org

CONTACT PERSON AND PHONE NUMBER
Jim Corbett
33167 Greenview Drive
El Macero, CA 95618
(530) 309-5947
jimcorb1@yahoo.com

PURPOSE OF THE INITIAL STUDY
An Initial Study (IS) is a preliminary analysis which is prepared to determine the relative environmental impacts associated with a project. It is designed as a measuring mechanism to determine if a Project will have a significant adverse effect on the environment, thereby triggering the need to prepare an Environmental Impact Report (EIR). It also functions as an evidentiary document containing information which supports conclusions that a project will not have a significant environmental impact or that the impacts can be mitigated to a “Less Than Significant” or “No Impact” level. If there is no substantial evidence, in light of the whole record before the agency, that a project may have a significant effect on the environment, the lead agency shall prepare a Negative Declaration (ND). If the IS identifies potentially significant effects, but: (1) revisions in the project plans or proposals would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment, then a Mitigated Negative Declaration (MND) shall be prepared.

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the proposed Walnut Lane 10 Project (Project) may have a significant effect upon the environment. Based upon the findings and mitigation measures contained within this report, a Mitigated Negative Declaration (MND) will be prepared.

PROJECT LOCATION AND SETTING

PROJECT LOCATION
The Project’s regional location is shown in Figure 1. The Project site consists of approximately 10.0 acres located along the northern edge of the City of Winters (City), east of Railroad Avenue and north of State Route (SR) 128. The Project site is owned by the Corbett Family Trust and is comprised of the parcel containing Yolo County Assessor’s Parcel Number (APN) #038-050-019. The Project site is located in Section 22 of Township 8 North, Range 1 West, as depicted on the
1953 (Photo-revised 1968, Photo-inspected 1978) Winters USGS 7.5-minute topographic map (Mount Diablo Base and Meridian), as shown in Figure 2.

The Project site is bounded to the south by existing single family residences, to the west by Walnut Lane and existing single family residences, and to the north and east by farmland. The farmland to the north is characterized by orchard farming, and the farmland to the east by dry farming. The northern and western boundaries of the Project site are adjacent to the current city limits. The Project area and site boundary are shown in Figure 3.

EXISTING SITE USES
The Project site is currently developed with an abandoned almond orchard. There is an agricultural well within the southwest corner of the Project site that was formerly utilized to irrigate the site for agricultural purposes. Existing vegetation on the Project site also consists of grasses.

The Project site is generally flat, although there is also a slight depression in the middle of the Project site. There are no paved areas or roadways within the Project site, and there are no structures, sheds, tanks, or storage areas located on-site. Vehicular access to the Project site is currently provided from the southwest.

SURROUNDING LAND USES
The land directly to the north of the Project site is currently cultivated for agricultural uses. The parcels to the west and south of the Project site are characterized by residential uses, and the parcel to the east of the Project site is characterized by agriculture (currently being dry farmed). The parcel to the north of the Project site is the Hostetler property, which contains an orchard and has a dirt perimeter road. The parcels further south of the Project site, beyond the immediate land uses, include additional residential and commercial land uses. Walnut Park is located approximately 400 feet to the southwest of the Project site.

A separate residential development (not part of the Project) is proposed on the 61-acre parcel located to the east of the Project site (located on APN #038-050-018). This adjacent property is currently vacant but has been utilized for hay and alfalfa cultivation in recent years. It is anticipated that this adjacent property will be developed in future with approximately 220 single-family lots with a mix of lot sizes, a 4-acre park and detention basin site, and approximately 11 acres of commercial development (the Skreden 61 project).

PROJECT DESCRIPTION
The Project includes development of 54 single family residential units, associated amenities, and infrastructure improvements on the approximately 10.0-acre Project site. The Project site would include approximately 2.2 acres of streets, yielding 7.8 net acres. The density of the Project site would be approximately 5.4 units per gross acre and 6.9 units per net acre. Each lot would be approximately 6,400 square feet (sf), with an anticipated range of lot sizes from approximately 6,100 to 7,900 square feet, with an exception for the half-plex units located in lots 37A and 37B, which would have lot sizes of approximately 4,595 and 3,509 sf, respectively. The Project would be constructed in one phase. The Project site plan is shown in Figure 4. As shown in Figure 4, the Project's southernmost lots would be located directly adjacent to the existing residential lots located directly south of the Project site. There is a slight depression in the middle of the Project site that would be filled to bring the lots level with the residential subdivision located to the south of the Project site. Additionally, the existing almond orchard, that is located on the Project site
and the agricultural well that is located in the southwest corner of the Project site would be removed during Project construction activities, in accordance with Yolo County requirements.

Infrastructure and Access

Access to the Project site is currently provided from Walnut Lane and Almond Drive. Three access points are proposed by the Project: one southwestern entrance and one northeastern entrance off of Walnut Lane, and an additional southeastern entrance off of Almond Drive. It is anticipated that Walnut Lane, located along the southwestern boundary of the Project site, would be extended along the full length of the western boundary of the Project site and improved. The Project would contain several internal streets, as shown by the site plan in Figure 4. Sidewalks, curb, and gutter would also be provided, in compliance with City standards. Project infrastructure will generally be provided as shown on Figure 5.

The Project would provide stubbed streets to allow for connection to the low-density residential property to the east, and would provide direct connection to the existing stubbed streets that connect to the existing single-family neighborhood residential neighborhood located directly to the south of the Project site (via Almond Drive and Walnut Lane). Additionally, as part of the Project, Walnut Lane will be upgraded to provide curb, gutter and sidewalk on the east side of the roadway, and sufficient pavement to accommodate two travel lanes. However, curb, gutter, and sidewalk would not be installed on the westerly side of Walnut Lane.

The Project would be served by existing City water, sewer, and storm drainage infrastructure. The proposed water system will be tied into the 8-inch water line in Walnut Lane and the 8-inch water line in Almond Drive. An 8-inch water line connection is also proposed to the northeast to connect with the future Skrede 61 subdivision. Stormwater would drain to the east of the Project site via a v-ditch to the Grant Avenue culvert.

There is a slight depression in the middle of the Project site that would be filled to bring the lots level with the residential subdivision located to the south of the Project site.

Winters Joint Unified School District would serve the Project. Power and natural gas would be provided by Pacific Gas and Electric (PG&E). Telephone service would be provided by AT&T or Wave Cable. Solid waste service would be provided by Waste Management.

GENERAL PLAN AND ZONING DESIGNATIONS

General Plan

The existing General Plan land uses and zoning designations are shown in Figure 6. The Project site is designated Low Density Residential (LDR) by the Winters General Plan Land Use Map. According to the City of Winters General Plan, the LDR designation provides for single-family detached homes, secondary residential units, public and quasi-public uses, and similar and compatible uses. Residential densities of 1.1 to 7.3 units per gross acre are allowed by this land use designation (Zoning Code Chapter 17.60, Table 5). With 54 units on 10.0 acres, the proposed density would be approximately 5.4 dwelling units per gross acre, which is within the allowed density range.
Zoning

The Project site is zoned Single Family Residential (7,000) (R-1) by the City of Winters Zoning Map. As provided in the Winters Municipal Code, the R-1 zone accommodates a variety of uses, including permitted uses for a variety of residential uses including single-family, two-family or duplex, farmworker housing unit, and accessory dwelling units, for utility services, as well as conditional uses for bed and breakfast inns, convalescence and care service facilities, day care facilities, public parks, religious institutions, mobile homes, residential care facilities. Residential densities of 1.1 to 7.3 units per acre are permitted in the R-1 zoning district. The Project includes a rezone to add a Planned Development (PD) overlay to allow modified development standards, including reduced lot widths and reduced setbacks to accommodate the proposed half-plex lots.

REQUESTED ENTITLEMENTS AND OTHER APPROVALS

The City of Winters is the Lead Agency for the Project, pursuant to the State Guidelines for Implementation of CEQA, Section 15050.

This document will be used by the City to take the following actions:

- Adoption of the Mitigated Negative Declaration (MND);
- Adoption of the Mitigation Monitoring and Reporting Program (MMRP);
- City review and approval of the proposed Tentative Map, and Grading, Drainage, and Improvement Plans.
- Rezoning of the site to a new Planned Development (PD) zone;
- Design review for the new buildings and site improvements.

The following agencies may be required to issue permits or approve certain aspects of the Project:

- Regional Water Quality Control Board (RWQCB) – Construction activities would be required to be covered under the National Pollution Discharge Elimination System (NPDES);
- RWQCB – The Storm Water Pollution Prevention Plan (SWPPP) would be required to be approved prior to construction activities pursuant to the Clean Water Act;
- Yolo-Solano Air Quality Management District (YSAQMD) – Approval of construction-related air quality permits;
- Yolo Habitat Conservancy – Review of Project application to determine consistency with the Yolo Habitat Conservation Plan & Natural Community Conservation Plan.
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Figure 4. Site Plan
Figure 5. Infrastructure Plan
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Figure 6. Existing General Plan and Zoning
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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

None of the environmental factors listed below would have potentially significant impacts as a result of development of this Project, as described on the following pages.

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DETERMINATION

On the basis of this initial evaluation:

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

X I find that although the 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 Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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

I find that although the 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 Project, nothing further is required.

Signature  
Date
EVALUATION INSTRUCTIONS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to Projects like the one involved (e.g., the Project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project 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, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.

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

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

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

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significant.
EVALUATION OF ENVIRONMENTAL IMPACTS

In each area of potential impact listed in this section, there are one or more questions which assess the degree of potential environmental effect. A response is provided to each question using one of the four impact evaluation criteria described below. A discussion of the response is also included.

- Potentially Significant Impact. This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.
- Less than Significant With Mitigation Incorporated. This response applies when 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.
- Less than Significant Impact. A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.
- No Impact. These issues were either identified as having no impact on the environment, or they are not relevant to the Project.
ENVIRONMENTAL CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form contained in the CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the 21 environmental topic areas.

I. AESTHETICS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

Responses a), c): The City of Winters General Plan does not specifically designate any scenic viewsheds within the city. For analysis purposes, a scenic vista can be discussed in terms of a foreground, middleground, and background viewshed. The middleground and background viewshed is often referred to as the broad viewshed. Examples of scenic vistas can include mountain ranges, valleys, ridgelines, or water bodies from a focal point of the forefront of the broad viewshed, such as visually important trees, rocks, or historic buildings. An impact would generally occur if a Project would change the view to the middle ground or background elements of the broad viewshed, or remove the visually important trees, rocks, or historic buildings in the foreground.

The Project will not significantly disrupt middleground or background views from public viewpoints. The Project would result in changes to the foreground views from the public viewpoint by adding residential buildings to a site that was used for agricultural purposes.

The greatest visual change would apply to the area located south of the Project site with a direct view of the area. Views of the Project site are generally visible from immediately adjacent roadways. Upon build-out, the Project would be of similar visual character to nearby and adjacent developments (such as the residential community located to the south of the Project site). For persons travelling along nearby roadways, the Project would appear to be a...
continuation of adjacent residential land uses and would not present unexpected or otherwise unpleasant aesthetic values within the general Project vicinity.

Upon development of the Project, landscaping would be provided throughout the Project site. The proposed landscaping includes a variety of plants and support materials at varying heights that would provide some shielding from existing residences in the vicinity.

Various temporary visual impacts could occur as a result of construction activities as the Project develops, including grading, equipment and material storage, and staging. Though temporary, some of these impacts could last for several weeks or months during any single construction phase. Because impacts would be temporary and viewer sensitivity in the majority of cases would be slight to moderate, significant impacts are not anticipated.

The change in character of the Project site, once developed, is anticipated by the General Plan and would be visually compatible with surrounding uses, including the existing residential uses located to the south and west, and the planned residential uses that would be located to the east. Moreover, setbacks and landscaping around the perimeter of the site will buffer the foreground viewshed from residents in the immediate vicinity. Therefore, implementation of the Project would have a less than significant impact relative to this topic.

Response b): Assembly Bill No. 998 was approved on July 12, 2019, designated SR 128 as a route in the state scenic highway system (starting from Railroad Avenue in Winters). Although SR 128 is located approximately 1,400 feet from the Project site (at its closest point), the scenic portion of SR 128 is located further away, at approximately 2,400 feet southwest of the Project site (at its closest point). The City of Winters General Plan Policy VIII.A.7 states that the City shall establish design guidelines for new development along Highway 128 reflecting its designation as a Scenic Highway, and that the City shall work with Caltrans and Yolo County in development consistent guidelines. Moreover, as described by this policy, the Project is required to be consistent with any relevant guidelines developed by Yolo County and Caltrans. However, the Project site is not located within view of this scenic highway, nor any other state scenic highway. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Implementation of the Project would have no impact relative to this topic.

Response d): The Project site is currently vacant and was formerly used as an orchard (the trees have been removed). The site contains no existing lighting. There is a potential for the Project to create new sources of light and glare. Examples of lighting would include construction lighting, street lighting, exterior building lighting, interior building lighting, and automobile lighting. Examples of glare would include reflective building materials and automobiles.

There is a potential for the implementation of the Project to introduce new sources of light and glare into the Project area. With regard to light and glare impacts, the primary source of lighting that could affect sensitive receptors during nighttime would be street lighting. Daytime glare is most likely to result from two sources: reflective building materials and vehicle windshields. Lighting and glare from additional motorists at night and from the residences themselves would be minimal.

Contributors to light and glare impacts would include construction lighting and nighttime street lighting that would create ongoing light impacts to the area. Nighttime construction activities are not anticipated to be required as part of on-site roadway construction. Operational light sources from street lighting may be required to provide for safe travel. Skyglow generated from the
Project would be minimal, and is anticipated to be consistent with the subdivisions operating throughout the City and adjacent to Project. The City of Winters Municipal Code does not contain any lighting or glare standards relevant to the Project site, so there is the potential for the Project to include substantial sources of intrusive lighting and/or glare-introducing materials. This is a potentially significant impact.

Implementation of Mitigation Measure AES-1 1 would ensure that the Project lighting is shielded and direct to reduce night sky impacts and to ensure that lighting would not have an adverse effect and would ensure that the Project uses building materials that would not result in significant levels of glare. With implementation of the following mitigation measure, the Project would have a less than significant impact as it relates to lighting and glare.

Mitigation Measure

Mitigation Measure AES-1: The Project applicant shall implement the following lighting and glare requirements. These measures shall apply to all outdoor lighting and to building materials and shall be incorporated as part of the building and improvement plans.

- Lighting shall be directed downward and light fixtures shall be shielded to reduce upward and spillover lighting;
- Lighting and exterior building light fixtures and materials shall be designed to reduce the effects of glare off of glass and metal surfaces.
## II. AGRICULTURE AND FORESTRY RESOURCES

<table>
<thead>
<tr>
<th>Would the Project.</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d) Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

**Response a), b):** The Project site is designated as Unique Farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency (California Department of Conservation, 2019). Therefore, the Project would convert Unique Farmland to non-agricultural use. However, the City of Winters General Plan EIR has previously identified the conversion of important farmland to be significant impact, and mitigation measures have been provided.

The City of Winters General Plan designates a substantial area for urban development which is or has been in active agricultural use, which includes the Project site. The City of Winters General Plan EIR identifies that the conversion of agricultural land to urban uses is a significant and unavoidable impact of urban expansion into the city. The City of Winters Final General Plan incorporates policies to promote the continued productivity of agricultural land, and to prevent its premature conversion to urban uses (Goal VI.B), such as directing the City to support agricultural uses until development or annexation is imminent (VI.B.1 and 2), to limit future expansion of the Urban Limit Line to lower quality agricultural soils, and to support strong County-based agricultural land conservation policies (VI.B.4). Other forms of support for agricultural activities include support of legislation at the local and state levels for tax and other incentives (VI.B.3), a mixture of farmers’ markets, on-site sales and special events (VI.B.4), a commitment to adopt a right-to-farm ordinance (VI.B.6), and support for County efforts to establish a land conservation trust and implement programs for development rights purchases, transfers or easements (VI.B.5). The City of Winters Final General Plan EIR identifies that the impact on agricultural productivity is significant and represents an unavoidable, adverse cumulative impact. Mitigation measures 13.1A through 4631B have been identified in the General Plan Final EIR to address loss of agricultural land. The measures have been incorporated into the Final General Plan, which provides a high degree of support for agricultural land conservation,

PAGE 25
and additional mitigation measures would not be expected to be feasible or effective in avoiding the loss of agricultural land, other than a prohibition against future development, which the Final General Plan identifies as not being consistent with the Final General Plan's objectives.

The Project would be consistent with the General Plan goals and policies relating to agricultural resources. Based on the finding a significant and unavoidable impact relating to the conversion of agricultural land and implementation of the mitigation measures as outlined in the Final General Plan EIR, the Project would not generate any new significant impacts to the conversion of important agricultural lands to non-agricultural uses. The Project site was planned for residential uses in the General Plan and the Project site is not located on a site with a Williamson Act contract. Therefore, the Project would have a *less than significant* impact relative to these topics.

**Response c)**: The Project site is not forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526). The Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. Implementation of the Project would have *no impact* relative to this issue.

**Response d)**: The Project site is not forest land. The Project would not result in the loss of forest land or conversion of forest land to non-forest use. Implementation of the Project would have *no impact* relative to this issue.

**Response e)**: The Project site does not contain forest land, and there is no forest land in the vicinity of the Project site. The Project site is designated LDR and will result in a conversion of the land to non-farmland. This is consistent with the General Plan. The Project does not involve any other changes in the existing environment not disclosed under the previous responses 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. Implementation of the Project would have a *less than significant* impact relative to this issue.
### III. AIR QUALITY

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Existing Setting**

The Project site is located within the boundaries of the Yolo Sacramento Air Quality Control District (YSAQMD). This agency is responsible for monitoring air pollution levels and ensuring compliance with federal and state air quality regulations within the Sacramento Valley Air Basin (SVAB) and has jurisdiction over most air quality matters within its borders. The Sacramento Valley is often described as a bowl-shaped valley, with the SVAB being bounded by the North Coast Ranges on the west, the Northern Sierra Nevada Mountains on the east, and the intervening terrain being flat. The Sacramento Valley has a Mediterranean climate, characterized by hot, dry summers and mild, rainy winters. Average annual rainfall is approximately 20 inches, with snowfall being very rare. According to the Western Regional Climate Center, the prevailing wind direction throughout the year in the Project area is from the south.

**Responses to Checklist Questions**

**Responses a), b)**: Yolo County is in attainment for all State and federal ambient air quality standards (AAQS), with the exception of ozone, PM$_{10}$, and PM$_{2.5}$. At the federal level, the area is designated as in nonattainment for the 1-hour and 8-hour ozone standards, nonattainment for the 24-hour PM$_{2.5}$ standard, and attainment or unclassified for all other criteria pollutants. At the State level, the area is designated as a nonattainment area for the 1-hour and 8-hour ozone standards, nonattainment for the PM$_{10}$ standard, and in attainment or unclassified for all other State Standards (YSAQMD, 2019).

Due to the nonattainment designations, the YSAQMD, along with the other air districts in the SVAB region, is required to develop plans to attain the federal and State standards for ozone and particulate matter. The air quality plans include emissions inventories to measure the sources of air pollutants, to evaluate how well different control measures have worked, and show how air pollution would be reduced. In addition, the plans include the estimated future levels of pollution to ensure that the area would meet air quality goals.

**Air Quality Attainment Plans**

The 2019 Triennial Assessment and Plan Update is discussed below. Adopted YSAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to...
ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans.

2019 Triennial Assessment and Plan Update

In addition to the federal attainment plans discussed above for meeting NAAQS, the California Clean Air Act (CCAA) requires air districts to endeavor to achieve and maintain the California ambient air quality standards (CAAQS) and develop plans for attainment. Yolo County meets the CAAQS for sulfur dioxide, nitrogen dioxide, and carbon monoxide, but is designated nonattainment for the State ozone and particulate matter standards. The CCAA requires districts that do not meet the State ozone standard to adopt an Air Quality Attainment Plan and to submit progress reports to the CARB every three years.

The YSAQMD is not required to prepare an attainment plan for PM$_{10}$ or PM$_{2.5}$; however, the YSAQMD continues to work to reduce particulate emissions through rules affecting stationary sources, the construction industry, and the YSAQMD’s agricultural burning program. The YSAQMD also works with the CARB to identify measures that can, where possible, reduce both ozone and particulate emissions. The YSAQMD has been proactive in attempts to implement the most readily available, feasible, and cost-effective measures that can be employed to reduce emissions of PM.

Operational Emissions
Table 2 of the YSAQMD CEQA Handbook describes screening criteria for operational air quality emissions. The Project would develop 54 dwelling units. As described in the YSAQMD CEQA Handbook, since the Project would have fewer than 390 dwelling units, Project operational emissions would be below YSAQMD screening criteria. Therefore, Project operational air emissions would be less than significant, and are not analyzed further within this document.

Construction Emissions
Because the Project is located within the nonattainment area for State ozone and PM standards, the Project would be subject to any requirements set forth in the 2019 Triennial Assessment and Plan Update or YSAQMD efforts related to PM emissions, as enforced by YSAQMD through rules and regulations.

It is anticipated that approximately 99 percent of the PM$_{10}$ emissions during the construction emissions years (i.e. in year 2020) would be related to PM$_{10}$ dust, with the remainder related to PM$_{10}$ exhaust. The YSAQMD recommends the use of construction dust mitigation measures to reduce PM$_{10}$ emissions during construction. The Yolo-Solano Air Quality Management District’s Handbook for Assessing and Mitigating Air Quality Impacts (2007) provides a list of dust mitigation measures along with their effectiveness at reducing PM$_{10}$ emissions, below.

Implementation of the dust mitigation listed in Table AIR-1 would ensure that Project-related construction PM$_{10}$ emissions are less than significant. With implementation of the following mitigation measure, which are consistent with the Mitigation list in Table AQ-1, the Project would have a less than significant impact as it relates to construction emissions.

Mitigation Measure

**Mitigation Measure AIR-1:** The Project applicant shall implement the following dust control measures during all construction activities. These measures shall be incorporated as part of the building and grading plans.

- Water all active construction sites at least three times daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the Project onto streets as determined by Public Works.
- Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour).
- Outdoor storage of fine particulate matter on construction sites shall be prohibited.
- Contractors shall cover any stockpiles of soil, sand and similar materials. There shall be no storage of uncovered construction debris for more than one week.
- Re-vegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the Project. Cover all trucks hauling dirt, sand, or loose materials.
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.
- Sweep streets if visible soil material is carried out from the construction site.
- Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.
- Reduce speed on unpaved roads to less than 5 miles per hour.
Compliance with Existing Law

The Project is required to comply with all applicable YSAQMD rules and regulations, such as Rule 2.1 (Control of Emissions), Rule 2.5 (Nuisance), Rule 2.11 (Particulate Matter Concentration), Rule 2.14 (Architectural Coatings), Rule 2.37 (Natural Gas-Fired Water Heaters and Small Boilers), Rule 2.40 (Wood Burning Appliances), Rule 3.4 (New Source Review), and Rule 3.7 (Emission Statements), and any other YSAQMD rule or regulation related to operations determined to be applicable to the Project by YSAQMD staff. Compliance with the aforementioned YSAQMD rules and regulations would help to minimize emissions generated during Project operations.

In addition, the Project is required to be consistent with all General Plan goals and policies that relate to air quality emissions. The following list includes those goals and policies that directly relate to the topic of air quality and that are also relevant to the Project. The Project would not conflict with any of these goals or policies.

Goal II.D. To consider air quality and noise impacts along with traffic flow efficiency when making decisions about improvements to existing roadways or construction of new roadways.

Policy III.D.1. To the extent feasible, the City shall provide for separation of residential and other noise-sensitive land uses from major roadways to reduce noise and air pollution impacts.

Goal VI.E. To promote and, to the extent possible, improve air quality in Winters and the region.

Policy VI.E.1. The City shall cooperate with the Yolo-Solano Air Pollution Control District in an effort to ensure the earliest practicable attainment and subsequent maintenance of federal and state ambient air quality standards.

Policy VI.E.2. The City shall utilize the CEQA process to identify and avoid or mitigate potentially significant air quality impacts of new development. The CEQA process shall also be utilized to ensure early consultation with the Yolo-Solano Air Pollution Control District concerning air quality issues associated with specific development proposals.

Policy VI.E.3. The City shall notify and coordinate with the Yolo-Solano Air Pollution Control District when industrial developments are proposed. Such coordination will assist applicants in complying with applicable air quality regulations and will assist the City in promptly identifying and resolving potential air quality problems.

Policy VI.E.5. The City shall, to the extent practicable, separate sensitive land uses from significant sources of air pollutants or odor emissions.

Policy VI.E.6. The City shall require for both public and private Projects that construction-related dust be minimized. Larger Projects that create a potential for generating a significant amount of construction-related dust shall be required to include dust control measures as part of their construction mitigation plans.

Policy VI.E.10. The City shall contribute through tree planting and preservation to the enhancement of air quality.

Policy VI.E.11. In granting development entitlement, the City shall require all new industrial and commercial developments within the city Projected to generate more than
500 trips per day (based on typical generation rates) to develop an air quality mitigation plan. This plan shall include an analysis of how the Project would utilize site planning, mixed land uses, transportation systems management measures (e.g., carpooling, van pooling, shuttle bus service, transit incentives, etc.) to reduce by 25 percent the number of trips that would typically be Projected for such development. Where this goal cannot be met by these methods, the plan shall provide for off-site mitigation through funding of air quality improvements such as new park-and-ride lots, sidewalks, bike paths, and support of transit, as deemed acceptable to the City.

Conclusion

With incorporation of Mitigation Measure AIR-1, the Project would not conflict with and/or obstruct implementation of the YSAQMD's air quality planning efforts, violate any applicable standard, or contribute substantially to an existing or Projected air quality violation. Therefore, with mitigation incorporated, the Project would have a less than significant impact relative to this topic.

Response c): Sensitive receptors are those parts of the population that can be severely impacted by air pollution. Sensitive receptors include children, the elderly, and the infirm. Although there are existing residences located to the north and southwest of the Project site, there are no schools or elderly facilities located adjacent to the Project site. The nearest school (Winters High School) is located approximately 2,600 feet to the southwest of the Project site, at its closest point.

Health risks from toxic air contaminants (TACs) are typically associated with long-term exposure to high concentrations. Accordingly, methodologies for conducting health risk assessments are associated with long-term exposure periods (e.g., 24 hours per day over a 70-year lifetime). Any potential sensitive individuals at the Project site would not be expected to be on-site for any such long-term periods of time. There are no high-traffic roadways located nearby (the highest traffic roadway is SR 128, located approximately 1,400 feet to the south of the Project site). According to the Yolo-Solano Air Quality Management District's Handbook for Assessing and Mitigating Air Quality Impacts (2007), the recommended minimum separation for sensitive receptors from freeways and high-traffic roads should be at least 500 feet. Therefore, additional analysis of TACs from nearby freeways and high-traffic roads is unnecessary. The nearest potential existing sensitive receptors to the Project site would be the residences to the south of the Project site.

Implementation of the Project would not expose these sensitive receptors to substantial pollutant concentrations. Air emissions would be generated during the construction and operational phases of the Project. The construction phase of the Project would be temporary and short-term, and the implementation of all State, federal, and YSAQMD requirements would greatly reduce pollution concentrations generated during construction activities. Additionally, operational emissions would be minimal and would have a negligible effect on nearby sensitive receptors.

Operation of the Project would result in emissions from vehicle trips and from building energy use. However, as described under Response a) - b) above, the Project would not generate significant concentrations of air emissions. Therefore, impacts to sensitive receptors would be negligible and this is a less than significant impact.

Response d): The Project would not generate objectionable odors. People in the immediate vicinity of construction activities may be subject to temporary odors typically associated with

2 See Table 1-1 (pg. 12) of the Handbook for Assessing and Mitigating Air Quality Impacts.
construction activities (diesel exhaust, hot asphalt, etc.). However, any odors generated by construction activities would be minor and would be short and temporary in duration.

Operation of the Project would not generate notable odors. The Project is a residential development, which is compatible with the surrounding land uses. Residential land uses are not typically associated with the creation of substantial objectionable odors. Occasional mild odors may be generated during landscaping maintenance (equipment exhaust), but the Project would not otherwise generate odors.

Examples of facilities that are known producers of operational odors include: Wastewater Treatment Facilities, Chemical Manufacturing, Sanitary Landfill, Fiberglass Manufacturing, Transfer Station, Painting/Coating Operations (e.g. auto body shops), Composting Facility, Food Processing Facility, Petroleum Refinery, Feed Lot/Dairy, Asphalt Batch Plant, and Rendering Plant. If a Project would locate receptors and known odor sources in proximity to each other further analysis may be warranted; however, if a Project would not locate receptors and known odor sources in proximity to each other, then further analysis is not warranted.

The Project does not include any of the aforementioned uses. The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. As such, implementation of the Project would have a less than significant impact relative to this topic.
IV. BIOLOGICAL RESOURCES

Would the Project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact
--- | --- | --- | --- | ---
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 U.S. Fish and Wildlife Service? | X |  |  |  
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? |  | X |  |  
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? |  | X |  |  
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? |  |  | X |  
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? |  |  | X |  
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? |  |  |  | X

Existing Setting
Vegetation within the Project site consists primarily of planted rows of domestic almond (Prunus dulcis) with reed canarygrass (Phalaris arundinacea) and some curly dock (Rumex crispus) underneath the canopy. Ruderal non-native grassland species dominated by slender wild oat (Avena barbata) are present between rows of almond trees. Volunteer almond, wild plum (Prunus americana), and black walnut (Juglans nigra) are scattered throughout the Project site and along the perimeter of the Project site. The northwestern corner of the site contains a patch of reed canarygrass and a Paradox walnut (Juglans x paradox). The U.S. Army Corps of Engineers has determined there are no Waters of the U.S. on the site. Additionally, there is no Critical Habitat for federally-listed species within the Project site (Madrone Ecological Consulting, 2019).

Swainson’s Hawk
Swainson’s hawk (Buteo swainsoni) is a raptor species that is not federally listed, but is listed as threatened under California Endangered Species Act (CESA). Breeding pairs typically nest in tall trees associated with riparian corridors, and forage in grassland, irrigated pasture, and cropland.
with a high density of rodents. The Central Valley populations breed and nest in the late spring through early summer before migrating to Central and South America for the winter.

**White-Tailed Kite**

White-tailed kite (*Elanus leucurus*) is not federally or state listed, but is a California Department of Fish and Wildlife (CDFW) fully protected species. This species is a yearlong resident in the Central Valley and is primarily found in or near foraging areas such as open grasslands, meadows, farmlands, savannahs, and emergent wetlands. White-tailed kites typically nest from March through June in trees within riparian, oak woodland, and savannah habitats of the Central Valley and Coast Range.

**Western Red Bat**

Western red bat (*Lasiurus blossevillii*) is not federally or state listed, but is considered a CDFW species of special concern, and is classified by the WBWG as a High priority species. Western red bat is typically solitary, roosting primarily in the foliage of trees or shrub. Day roosts are commonly in edge habitats adjacent to streams or open fields, in orchards, and sometimes in urban areas. There may be an association with intact riparian habitat (particularly willows, cottonwoods, and sycamores).

**Hoary Bat**

The hoary bat (*Lasiurus cinereus*) is not federally or state listed, but is classified by the Western Bat Working Group (WBWG) as a Medium priority species. It is considered to be one of the most widespread of all American bats with a range extending from Canada to central Chile and Argentina as well as Hawaii. Hoary bats are solitary and roost primarily in foliage of both coniferous and deciduous trees, near the ends of branches at the edge of clearings. This species may also occasionally roost in caves, beneath rock ledges, in woodpecker holes, in grey squirrel nests, under wood planks, or clinging to the side of buildings.

**Responses to Checklist Questions**

**Response a):** A Biological Resources Assessment (BRA) was developed for the Project in July 2019 by Madrone Consulting, LLC (Madrone) (See Appendix A for further detail). The BRA includes field surveys of the Project site and a literature review of the Project site and surrounding areas. Madrone senior biologist Bonnie Peterson conducted a field survey of the Project site on April 13, 2018 to conduct an aquatic resources delineation, survey for rare plants and elderberry shrubs, and assess the suitability of habitats on-site to support special-status species. Additionally, a list of special-status species with potential to occur within the Project site was developed by conducting a query of the following databases:

- California Natural Diversity Database (CNDDB) query of the “Winters, CA” USGS quadrangle and the surrounding eight quadrangles;
- USFWS Information for Planning and Conservation (IPaC) query for the Project site;
- California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (CNPS 2018) query of the “Winters, California” USGS quadrangle, and the eight surrounding quadrangles; and
- Western Bat Working Group (WBWG) Species Matrix.

In addition, any special-status species that are known to occur in the region, but that were not identified in any of the above database searches were also analyzed by Madrone for their potential to occur within the Project site.
For the purposes of this Biological Resources Assessment, special-status species is defined as those species that are:

- listed as threatened or endangered, or proposed or candidates for listing by the USFWS or National Marine Fisheries Service;
- listed as threatened or endangered and candidates for listing by CDFW;
- identified as Fully Protected species or species of special concern by CDFW;
- identified as Medium or High priority species by the WBWG [WBWG 2017]; and
- plant species considered to be rare, threatened, or endangered in California by the CNPS and CDFW [California Rare Plant Rank (CRPR) 1, 2, and 3]:
  - CRPR 1A: Plants presumed extinct.
  - CRPR 1B: Plants rare, threatened, or endangered in California and elsewhere.
  - CRPR 2A: Plants extirpated in California, but common elsewhere.
  - CRPR 2B: Plants rare, threatened, or endangered in California, but more common elsewhere.
  - CRPR 3: Plants about which the CNPS needs more information – a review list.

Table BIO-1 provides a list of special-status species that were evaluated, including their listing status, and their potential to occur in the Project site. The following set of criteria was used to determine each species’ potential for occurrence on the site:

- Present: Species occurs on the site based on CNDDDB records, and/or was observed on the site during field surveys.
- High: The site is within the known range of the species and suitable habitat exists.
- Moderate: The site is within the known range of the species and very limited suitable habitat exists.
- Low: The site is within the known range of the species and there is marginally suitable habitat.
- Absent/No Habitat Present: The site does not contain suitable habitat for the species or for plant species, the species was not observed during protocol-level floristic surveys conducted on-site.

Following Table BIO-1 is a discussion of all special-status plant and animal species identified by the literature and field reviews as having potential to occur within the Project site.

### Table BIO-1: Special-Status Plant Species Which May Occur in Project Site

<table>
<thead>
<tr>
<th>Special-Status Species</th>
<th>Federal Status</th>
<th>State Status</th>
<th>Potential for Occurrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tricolored blackbird (Agelaius tricolor)</td>
<td>-</td>
<td>CT/CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>California tiger salamander (Ambystoma californiense)</td>
<td>FT</td>
<td>CT</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Pallid bat (Antrozous pallidus)</td>
<td>-</td>
<td>CSC, WBWG H</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Ferris’ milk-vetch (Astragalus tener var. ferrisiae)</td>
<td>-</td>
<td>CRPR 1B.1</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Alkali milk-vetch (Astragalus tener var. tener)</td>
<td>-</td>
<td>CRPR 1B.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Burrowing owl (Athene cunicularia)</td>
<td>-</td>
<td>CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Heartscale (Atriplex cordulata var. cordulata)</td>
<td>-</td>
<td>CRPR 1B.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Crotch bumble bee (Bombus crotchii)</td>
<td>-</td>
<td>CT</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Western bumble bee (Bombus occidentalis)</td>
<td>-</td>
<td>CT</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Vernal pool fairy shrimp (Branchinecta lynchi)</td>
<td>FT</td>
<td>-</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Swainson’s hawk (Buteo swainsoni)</td>
<td>-</td>
<td>CT</td>
<td>Moderate</td>
</tr>
</tbody>
</table>
### Special Status Species Having the Potential to Occur Within the Project Site

#### Swainson’s Hawk

Suitable foraging habitat for Swainson’s hawk is absent from the Project site; however, the almond trees within the Project site provide acceptable but not preferred nesting habitat. The nearest documented Swainson’s hawk nest presumed extant is CNDDB Occurrence #1938, which is located approximately 0.5 miles south of the Project site along the north bank of Putah Creek (Madrone Ecological Consulting, 2019). The Project would implement Mitigation Measure BIO-1.

#### White-Tailed Kite

Suitable foraging habitat for white-tailed kite is absent from the Study Area; however, the trees within the Project site provide acceptable but not preferred nesting habitat. There are no CNDDB occurrences of white-tailed kite within 5 miles of the Project site (Madrone Ecological Consulting, 2019). Therefore, no mitigation for white-tailed kite is required.

#### Western Red Bat

Trees within the almond orchard represent suitable roosting habitat for western red bat. One CNDDB occurrence of western red bat has been documented in the CNDDB within 5 miles of the Project site along Putah Creek (Madrone Ecological Consulting, 2019). Therefore, no mitigation for western red bat is required.

---

**Special Status Species**

<table>
<thead>
<tr>
<th>Special Status Species</th>
<th>Federal Status</th>
<th>State Status</th>
<th>Potential for Occurrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mountain plover (Charadrius montanus)</td>
<td>-</td>
<td>CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Northern harrier (Circus cyaneus)</td>
<td>-</td>
<td>CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Western yellow-billed cuckoo (Coccyzus americanus occidentalis)</td>
<td>FT</td>
<td>CE</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Townsend’s big-eared bat (Corynorhinus townsendii)</td>
<td>-</td>
<td>WBWG H</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Recurved larkspur (Delphinium recurvatum)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>Absent</td>
</tr>
<tr>
<td>Valley elderberry longhorn beetle (DEsmocerus californicus dimorphus)</td>
<td>FT</td>
<td>-</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Dwarf Downingia (Downingia pusilla)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>Absent</td>
</tr>
<tr>
<td>White-tailed kite (Elanus leucurus)</td>
<td>-</td>
<td>FP</td>
<td>Low</td>
</tr>
<tr>
<td>Western pond turtle (Emys marmorata)</td>
<td>-</td>
<td>CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>American peregrine falcon (Falco peregrinus anatum)</td>
<td>FD</td>
<td>FP</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Adobe-lily (Fritillaria pluriflora)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Brewer’s western flax (Hesperaloea breweri)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Delta smelt (Hypomesus transpacificus)</td>
<td>FT</td>
<td>-</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Yellow-breasted chat (Icteria virens)</td>
<td>-</td>
<td>CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Western red bat (Lasiurus borealis)</td>
<td>-</td>
<td>WBWG M</td>
<td>Low</td>
</tr>
<tr>
<td>Hoary bat (Lasiurus cinereus)</td>
<td>-</td>
<td>WBWG M</td>
<td>Low</td>
</tr>
<tr>
<td>Colusa laya (Layia sepentinealis)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Vernal pool tadpole shrimp (Lepidurus packardi)</td>
<td>FE</td>
<td>CRPR IB.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Jepson’s leptosiphon (Leptosiphon jepsoni)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Baker’s navaretta (Navaretta leucocentra sp. barkeri)</td>
<td>-</td>
<td>CRPR IB.1</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Black-crowned night heron (Nycticorax nycticorax)</td>
<td>-</td>
<td>CRPR IB.1</td>
<td>Absent</td>
</tr>
<tr>
<td>Bearded popcornflower (Plagiobothrys hystericus)</td>
<td>-</td>
<td>CRPR IB.1</td>
<td>Absent</td>
</tr>
<tr>
<td>California alkali grass (Puccinellia simplex)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Foothill yellow-legged frog (Rana boylii)</td>
<td>-</td>
<td>CT/CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Bank swallow (Riparia riparia)</td>
<td>-</td>
<td>CT</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Keck’s checkerbloom (Sidalcea keckii)</td>
<td>FE</td>
<td>CRPR IB.1</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Giant garter snake (Thamnophis gigas)</td>
<td>FT</td>
<td>CT</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Saline clover (Trifolium hydropium)</td>
<td>-</td>
<td>CRPR IB.2</td>
<td>No Habitat Present</td>
</tr>
</tbody>
</table>

**Notes:**

FD - FEDERALLY DELISTED, FT - FEDERALLY THREATENED, FE - FEDERALLY ENDANGERED, FP - FEDERALLY PROTECTED, CE - CDFW ENDANGERED OR CANDIDATE ENDANGERED, CT - CDFW THREATENED OR CANDIDATE THREATENED, CSC - CDFW SPECIES OF CONCERN, WL - CDFW WATCH LIST, CRPR - CALIFORNIA RARE PLANT RANK, WBWG H - WESTERN BAT WORKING GROUP HIGH THREAT RANK, WBWG M - WESTERN BAT WORKING GROUP MEDIUM THREAT RANK.
**Hoary Bat**
Hoary bat has not been documented in the CNDDB within 5 miles of the Project site (Madrone Ecological Consulting, 2019). Therefore, no mitigation for hoary bat is required.

**Burrowing Owl**
The Project site does not represent suitable habitat for burrowing owls, but adjacent buffer areas could support them. Therefore, the Project would implement Mitigation Measure BIO-2.

**Special-Status Plant Species**
Special-status plant surveys conducted throughout the Project site in 2017 by Madrone Ecological Consulting were negative and the potential habitat present was found to be marginal enough that establishment of new populations is very unlikely. No further mitigation is recommended (Madrone Ecological Consulting, 2019).

**Conclusion:** The almond trees located within the Project site provide potential habitat for Swainson’s Hawk. Therefore, the Project is required to implement Mitigation Measure BIO-1. Additionally, Mitigation Measure BIO-2 would be implemented to reduce the potential for impacts to potential burrowing owl habitat. Furthermore, out of an abundance of caution, Mitigation Measure BIO-3 and Mitigation BIO-4 would be implemented, which reduce potential impacts to other birds. Lastly, Mitigation Measure BIO-5 would reduce any potential impacts to bat species. With implementation of these mitigation measures (as provided by the BRA), no special-status species are expected to be affected by the Project. Therefore, with implementation of the following mitigation measures, the Project would have a less than significant impact relative to this topic.

**Mitigation Measure(s)**

**Mitigation Measure BIO-1:** A targeted Swainson’s hawk nest survey shall be conducted throughout all publicly accessible areas within ¼ mile of the proposed construction area no later than 14 days prior to construction activities. If active Swainson’s hawk nests are found within ¼ mile of a construction area, construction shall cease within ¼ mile of the nest until a qualified biologist (Project Biologist) determines that the young have fledged, or it is determined that the nesting attempt has failed. If the Applicant desires to work within ¼ mile of the nest, the Applicant shall consult with CDFW, and the City of Winters to determine if the nest buffer can be reduced. The Project Applicant, the Project Biologist, the City of Winters and CDFW shall collectively determine the nest avoidance buffer, and what (if any) nest monitoring is necessary. If an active Swainson’s hawk nest is found within the Project site prior to construction and is in a tree that must be removed during nesting season, then the Project Applicant shall obtain a take permit from CDFW.

**Mitigation Measure BIO-2:** A targeted burrowing owl nest survey shall be conducted within all publicly accessible grassland areas within 250 feet of the proposed construction within 14 days prior to construction activities utilizing 60 foot transects as outlined in the Staff Report on Burrowing Owl Mitigation (2012). If an active burrowing owl nest burrow (i.e., occupied by more than one adult owl, and/or juvenile owls are observed) is found within 250 feet of a construction area, construction shall cease within 250 feet of the nest burrow until a qualified biologist (Project Biologist) determines that the young have fledged or it is determined that the nesting attempt has failed. If the Applicant desires to work within 250 feet of the nest burrow, the Applicant shall consult with the City of Winters to determine if the nest buffer can be reduced. During the non-breeding season (late September 1st through the end of January), the Applicant may choose to conduct a survey for burrows or debris that represent suitable nesting habitat for burrowing owls within
publicly accessible buffer areas, exclude any burrowing owls observed, and collapse any burrows or remove the debris in accordance with the methodology outlined in the Staff Report.

**Mitigation Measure BIO-3:** A pre-construction nesting bird survey shall be conducted by the Project Biologist within the Project site and a 250-foot radius of proposed construction areas, where public access is available, no more than fourteen (14) days prior to the initiation of construction. If there is a break in construction activity of more than fourteen (14) days then subsequent surveys shall be conducted.

If active raptor nests, not including Swainson’s hawk are found, no construction activities shall take place within 250 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the Project Biologist and approved by the City of Winters after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). The Project Biologist can visit the nest as needed to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.

**Mitigation Measure BIO-4:** Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by the Project Biologist in consultation with the City of Winters:

- Vocalize;
- make defensive flights at intruders;
- get up from a brooding position; or
- fly off the nest.

Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

**Mitigation Measure BIO-5:** To avoid potential impacts to foliage-roosting bat species, all tree removal shall be conducted from January through April on days with temperatures in excess of 50 degrees F.

**Responses b):** There is no riparian habitat or other sensitive natural community within the Project site (Madrone Ecological Consulting, 2019). Additionally, riparian habitat or other sensitive natural communities are not located near the Project site and would not be impacted by development of the Project. Therefore, implementation of the Project would have a less than significant impact on riparian habitats or natural communities.

**Response c):** The Project site does not contain any aquatic resources. There are no protected wetlands or other jurisdictional areas and there is no need for permitting associated with the federal or state Clean Water Acts (Madrone Ecological Consulting, 2019). Since there are no wetlands or jurisdictional waters that would be impacted by development of the Project, there is a less than significant impact relative to this topic.
Response d): The CNDDDB record search conducted by Madrone Ecological Consulting did not reveal any documented wildlife corridors or wildlife nursery sites on or adjacent to the Project site (Madrone Ecological Consulting, 2019). Implementation of the mitigation measures provided under Impact a) would ensure that the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site. Therefore, this potential impact is reduced to a less than significant level.

Responses e): The Project does not conflict with any local policies or ordinances protecting biological resources. The City has a policy regarding tree removal (Municipal Code Chapter 12.08). However, this policy only applies to trees within the Control Zone and public places (the Control Zone applies to specified distances between homes and sidewalks). Therefore, the Project would have a less than significant impact relative to this topic.

Responses f): An analysis of the Project's consistency with the adopted Habitat Conservation Plan/Natural Community Conservation, and the City of Winters General Plan, is provided herein.

Yolo Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP)
The Yolo HCP/NCCP provides take authorization for twelve listed and non-listed species (i.e., covered species). The Yolo Habitat Conservancy selected the twelve covered species from a larger pool of 175 special status species in the region. Two special-status animal species identified as having the potential to occur within the Project site are listed as covered species in the Yolo HCP/NCCP. These are Swainson's Hawk and White-tailed Kite. The Yolo HCP/NCCP includes conservation measures to provide for the conservation of these species, whether or not they are currently listed. The Project would comply with all requirements as laid out in the Yolo HCP/NCCP with implementation of the mitigation measures contained under Impact a).

Winters General Plan
The Natural Resources Element of the General Plan establishes goals and policies related to biological resources. Those goals and policies that may be relevant to the Project are provided below, alongside a brief Project consistency analysis for each policy:

Goal VI.C: To protect sensitive native vegetation and wildlife communities and habitat.

Policy VI.C.1: Prior to approving public or private development Projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands, or other significant wildlife habitat, the City shall require the Project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations where feasible.

• Consistent: This Initial Study includes an in-depth analysis of impacts for sensitive plants and wildlife, as well as habitat. Where impacts are identified, mitigation measures are presented to minimize, avoid, or compensate to the extent practicable.

Policy VI.C.2: In regulating private development and constructing public improvements, the City shall ensure that there is no net loss of riparian or wetland habitat acreage and value and shall promote Projects that avoid sensitive areas. Where habitat loss is unavoidable, the City shall require replacement on at least a 1:1 basis. Replacement entails creating habitat that is
similar in extent and ecological value to that displaced by the Project. The replacement habitat should consist of locally-occurring, native species and be located as close as possible to the Project site. Implementation of this policy should be based on baseline data concerning existing native species. Study expenses shall be borne by development.

- **Consistent:** There is no riparian or wetland habitat acreage located on or adjacent to the Project site. There would not be any impacts on riparian or wetland habitat due to implementation of the Project.

Policy VI.C.3: Unless there are overriding considerations as defined in the California Environmental Quality Act, the City shall not approve any Project that would cause significant unmitigatable impacts on rare, threatened, or endangered wildlife or plant species.

- **Consistent:** There are no significant unmitigatable impacts on rare, threatened, or endangered wildlife or plant species.

Policy VI.C.4: The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional Habitat Management Plan. Such plan shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson's hawk and the valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa.

- **Consistent:** The Project would not conflict with the City of Winters Habitat Mitigation Program. Moreover, no elderberry shrubs of any size were observed in the Project site (Madrone Ecological Consulting, 2019). The mitigation measures contained under Response a) would ensure that endangered or threatened plant and animal species habitat would not be substantially affected by the Project.

Policy VI.C.5: The City shall require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that Project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the Projects will be subject to a City fee ordinance to be adopted consistent with the regional Habitat Management Plan.

- **Consistent:** The mitigation measures contained under Response a) would ensure that endangered or threatened plant and animal species habitat would generate a no-net-loss of habitat value.

Policy VI.C.7: The City shall promote the use of drought-tolerant and native plants, especially valley oaks, for landscaping roadsides, parks, schools, and private properties.

- **Consistent:** The Project would include landscaping appropriate for the Project type, size, and location.
Policy VI.C.9: Large, older and historically-significant trees should not be removed unless they are diseased or represent an unavoidable obstacle to development. Development should be designed and constructed to avoid adverse impacts on such trees.

- **Consistent**: There are no known historically-significant trees located on the Project site. No historically-significant trees would be removed due to implementation of the Project.

Policy VI.C.10: The City shall encourage and support development Projects and programs that enhance public appreciation and awareness of the natural environment.

- **Consistent**: The Project would blend into the surrounding natural and build-up environment.

**Conclusion**

With implementation of the mitigation measures identified under Impact a), the Project would have a **less than significant** impact relative to this topic.
V. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Existing Setting

A Cultural and Paleontological Resources Inventory (Study) for the Project was prepared by Natural Investigations Company on May 1, 2019. The Study included an investigation based on the cultural literature, Sacred Lands File and paleontological records searches, and an intensive-level pedestrian survey of the Project site. This study was completed in compliance with the California Environmental Quality Act. The Study did not identify any cultural or paleontological resources of concern in the literature search or the field walk. The Study identified that the potential for the discovery of cultural or paleontological resources within the Project site is low.

The Study examined cultural and paleontological resources within the Project site (consisting of APN #038-050-019). The earliest available aerial photograph of the Project site from 1968 show an orchard within the Project site parcel. In 1968, the land around the parcel was mainly planted in orchards. The single-family residential development south of the parcel began in the early 1990s. None of the historic maps or aerials show any buildings or roads within the Project site.

Responses to Checklist Questions

Response a-c): The Cultural and Paleontological Resources Inventory prepared for the Project did not identify any recorded prehistoric or historic-era archaeological resources or historic properties, or any resources that are known to have value to local cultural groups. In addition, there are no known prehistoric period cultural resources, unique paleontological or archeological resources known to occur on, or within the immediate vicinity of the Project site. The Study does not recommend construction monitoring of ground-disturbing activity, since the Project site has previously been highly disturbed by historic and recent agricultural activities, and by excavation of the Willow Canal (c. 1903-1905). The Study identifies that the walnut orchard on the Project site, which is currently unirrigated, was planted at least 70 years ago. Additionally, the Study identifies that historic records indicate that the Project site has been subject to severe floods in the past, which may have disturbed or erased any intact archaeological sites. Further, the Study identifies that the Project site is underlain by older Pleistocene alluvial deposits (781,000-11,700 years) for which the potential of discovery of buried archaeological deposits is extremely unlikely. The probability that intact prehistoric, ethnohistoric, or historic-era archaeological sites remain within the extensively disturbed Project area is thus very low.

There are no known human remains located on the Project site, nor is there evidence to suggest that human remains may be present on the Project site. However, as with most Projects in California that involve ground-disturbing activities, there is the potential for discovery of a previously unknown cultural and historical resource or human remains.
The City contacted the Yocha Dehe Wintun Nation, providing an opportunity for the Yocha Dehe Wintun Nation to comment and/or request consultation regarding the Project. The Yocha Dehe Wintun Nation indicated that the site is within its aboriginal territories. The Yocha Dehe Wintun initially indicated in a letter dated March 19, 2019 that it had concerns regarding potential impacts to cultural resources. Subsequently, via a May 6, 2019 letter, the Yocha Dehe Wintun Nation indicated it is not aware of any known cultural resources near the Project site and a monitor is not needed, but cultural sensitivity training was recommended.

Therefore, the implementation of Mitigation Measure CLT-1 and Mitigation Measure CLT-2 would require appropriate steps to preserve and/or document any previously undiscovered resources that may be encountered during construction activities, including human remains. Implementation of this measure would reduce this impact to a less than significant level.

Mitigation Measures

Mitigation Measure CLT-1: Prior to any ground-disturbing activities, cultural sensitivity training, including training regarding the types of resources or artifacts that may be present on the Project site and proper steps to take if any resources or artifacts are discovered during any ground-disturbing or construction activities. The cultural sensitivity training shall be conducted for all construction contractors that will be involved in ground-disturbing activities. The cultural sensitivity training shall be coordinated with the Yocha Dehe Wintun Nation.

Mitigation Measure CLT-2: If any prehistoric or historic artifacts, or other indications of archaeological resources are found during grading and construction activities, work shall be halted in that area within 50 feet (15 meters) of the find. A qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be consulted to evaluate the finds and recommend appropriate mitigation measures. The Yocha Dehe Wintun Nation shall be notified of the find and provided an opportunity to recommend appropriate conservation or preservation steps.

If cultural resources or Native American resources are identified, every effort shall be made to avoid significant cultural resources, with preservation an important goal. If significant sites cannot feasibly be avoided, appropriate mitigation measures, such as data recovery excavations or photographic documentation of buildings, shall be undertaken consistent with applicable state and federal regulations, as well as in consultation with the City of Winters and the property owner. Furthermore:

- If human remains are discovered, all work shall be halted immediately within 50 meters (165 feet) of the discovery, the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

- If any fossils are encountered, there shall be no further disturbance of the area surrounding this find until the materials have been evaluated by a qualified paleontologist, and appropriate treatment measures have been identified.
VI. ENERGY

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

Response a-b): Appendix F of the State CEQA Guidelines requires consideration of the potentially significant energy implications of a Project. CEQA requires mitigation measures to reduce "wasteful, inefficient and unnecessary" energy usage (Public Resources Code Section 21100, subdivision [b][3]). According to Appendix F of the CEQA Guidelines, the means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the Project would be considered "wasteful, inefficient, and unnecessary" if it were to violate state and federal energy standards and/or result in significant adverse impacts related to Project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The Project includes the construction of 54 residential units. The amount of energy used at the Project site would directly correlate to the size of the proposed units, the energy consumption of associated unit appliances, and outdoor lighting. Other major sources of Project energy consumption include fuel used by vehicle trips generated during Project construction and operation, and fuel used by off-road construction vehicles during construction.

As described in further detail under Section XVII. Transportation of this IS/MND, the Project is anticipated to generate approximately 529 new daily vehicles trips. Based on default factors provided by the Institute of Transportation Engineers, the average distance per trip was conservatively calculated to be approximately 9.0 miles. Therefore, the Project is estimated to generate at total of approximately 4,757 average daily vehicle miles travelled (Average Daily VMT). Using Year 2020 gasoline and diesel MPG (miles per gallon) factors for individual vehicle classes as provided by EMFAC2014, De Novo derived weighted MPG factors for operational on-road vehicles of approximately 27.0 MPG for gasoline and 10.8 MPG for diesel vehicles. With this information, De Novo calculated as a conservative estimate that the unmitigated Project would generate vehicle trips that would use a total of approximately 164 gallons of gasoline and 30 gallons of diesel fuel per day, on average, or 59,997 gallons of gasoline and 10,871 annual gallons of diesel fuel per year.

The Project would also generate on-road vehicle trips during Project construction (from construction workers and vendors). Estimates of vehicle fuel consumed were derived based on the assumed construction schedule, vehicle trip lengths and number of workers per construction phase as provided by CalEEMod, and Year 2020 gasoline MPG factors provided by EMFAC2014. For the purposes of simplicity, it was assumed that all vehicles used gasoline as a fuel source (as opposed to diesel fuel or alternative sources). Table ENERGY-2, below, describes gasoline and...
diesel fuel used by on-road mobile sources during each phase of the construction schedule. As shown, the vast majority of on-road mobile vehicle fuel used during the construction of the Project would occur during the building construction phase.

**Table ENERGY-2: On-Road Mobile Fuel Generated by Project Construction Activities – By Phase**

<table>
<thead>
<tr>
<th>Construction Phase</th>
<th>Total Daily Worker Trips&lt;sup&gt;(a)&lt;/sup&gt;</th>
<th>Total Daily Vendor Trips&lt;sup&gt;(b)&lt;/sup&gt;</th>
<th>Gallons of Gasoline Fuel&lt;sup&gt;(b)&lt;/sup&gt;</th>
<th>Gallons of Diesel Fuel&lt;sup&gt;(b)&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Preparation</td>
<td>10</td>
<td>18</td>
<td>100</td>
<td>-</td>
</tr>
<tr>
<td>Grading</td>
<td>20</td>
<td>20</td>
<td>-</td>
<td>223</td>
</tr>
<tr>
<td>Building Construction</td>
<td>300</td>
<td>15</td>
<td>1,720</td>
<td>2,126</td>
</tr>
<tr>
<td>Paving</td>
<td>15</td>
<td>12</td>
<td>86</td>
<td>-</td>
</tr>
<tr>
<td>Architectural Coating</td>
<td>60</td>
<td>8</td>
<td>183</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>N/A</strong></td>
<td><strong>N/A</strong></td>
<td><strong>2,312</strong></td>
<td><strong>2,126</strong></td>
</tr>
</tbody>
</table>

_Note: (a) PROVIDED BY CALEEMOD. (b) See Appendix B for further detail.
Source: CALEEMOD (v.2016.3.2); EMFAC2014._

**Other**

Off-road construction vehicles would use diesel fuel during the construction phase of the Project. A non-exhaustive list of off-road constructive vehicles expected to be used during the construction phase of the Project includes: forklifts, generator sets, tractors, excavators, and dozers. Based on an analysis of projects of a similar size, the Project is anticipated to use a total of approximately 183 gallons of diesel fuel for off-road construction vehicles (during the site preparation and grading phases of the Project).

Proposed Project landscape maintenance activities would generally require the use of fossil fuel (i.e., gasoline) energy. For example, lawn mowers require the use of fuel for power. As an approximation, it is estimated that landscape care maintenance would require approximately 54 individuals 0.5 hours per week, or 1,404 hours per year. Assuming an average of approximately 0.5 gallons of gasoline used per person-hour, the Project would require the use of approximately 702 gallons of gasoline per year to power landscape maintenance equipment. The energy used to power landscape maintenance equipment would not differ substantially from the energy required for landscape maintenance for similar Project.

The Project could also use other sources of energy not identified here. Examples of other energy sources include alternative and/or renewable energy (such as solar PV). The Project would introduce solar PV onto residential rooftops, as required by the 2020 California Solar Mandate, which requires all newly-built homes (starting in 2020) to be equipped with a solar power system. Solar PV would reduce the need for fossil fuel-based energy (for Project buildings) for electricity. However, for the sake of a conservative analysis, and based on the lack of information regarding the magnitude of installation of solar PV within the Project, an estimate of Project energy savings due to solar PV installation is not calculated herein.

**Conclusion**

The Project would use energy resources for the operation of Project buildings (electricity and natural gas), for on-road vehicle trips (e.g., gasoline and diesel fuel) generated by the Project, and from off-road construction activities associated with the Project (e.g., diesel fuel). Each of these activities would require the use of energy resources. The Project would be responsible for
conserving energy, to the extent feasible, and relies heavily on reducing per capita energy consumption to achieve this goal, including through Statewide and local measures.

The Project would be in compliance with all applicable federal, state, and local regulations regulating energy usage. For example, PG&E is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the Statewide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. PG&E is expected to achieve at least a 33% mix of renewable energy resources by 2020, and 50% by 2030. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards ("part 6"), would be applicable to the Project. Other statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard) are improving vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

As a result, the Project would not result in any significant adverse impacts related to Project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the Project including construction, operations, maintenance, and/or removal. PG&E, the electricity and natural gas provider to the site, maintains sufficient capacity to serve the Project. The Project would comply with all existing energy standards, including those established by the City, and would not result in significant adverse impacts on energy resources. Therefore, the Project would not be expected cause an inefficient, wasteful, or unnecessary use of energy resources nor cause a significant impact on any of the threshold as described by Appendix F of the CEQA Guidelines. This is a less than significant impact.
## VII. GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>iv) Landslides?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Responses to Checklist Questions**

**Responses a.i), a.ii), a.iv):** Figure 7 shows the earthquake faults in the vicinity of the Project site. As shown in the figure, the site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone, and known surface expression of active faults does not exist within the site. However, the site is located within a seismically active region. The U.S. Geological Survey identifies potential seismic sources as close as approximately 10 miles of the Project site. The closest known fault zone classified as active by the U.S. Geological Survey is the Vaca fault zone, located southwest of the Project site, as shown in Figure 7. Other fault zones are located west of the Project site, including the Huntington Creek-Berryessa fault zone, which is located approximately 14 miles west of the Project site. Other faults that could potentially affect the...
Project include the Atlas Peak-Foss Valley lineament, the Cordella fault zone, the Green Valley fault zone, the Hayward fault zone, the Rodgers Creek fault zone, and the West Napa fault zone.

Geologic Hazards

Potential seismic hazards resulting from a nearby moderate to major earthquake could generally be classified as primary and secondary. The primary seismic hazard is ground rupture, also called surface faulting. The common secondary seismic hazards include ground shaking and ground lurching.

Ground Rupture

Because the property does not have known active faults crossing the site, and the site is not located within an Earthquake Fault Special Study Zone, ground rupture is unlikely at the subject property.

Ground Shaking

According to the California Geological Survey’s Probabilistic Seismic Hazard Assessment Program, Winters is considered to be within an area that is predicted to have a 10 percent probability that a seismic event would produce horizontal ground shaking of approximately 30 to 40 percent within a 50-year period (California Department of Conservation, 2019). There will always be a potential for groundshaking caused by seismic activity anywhere in California, including the Project site.

In order to minimize potential damage to the buildings and site improvements, all construction in California is required to be designed in accordance with the latest seismic design standards of the California Building Code. The California Building Code, Title 24, Part 2, Chapter 16 addresses structural design and Chapter 18 addresses soils and foundations. Collectively, these state requirements, which have been adopted by the City, include design standards and requirements that are intended to minimize impacts to structures in seismically active areas of California. Section 1613 specifically provides structural design standards for earthquake loads. Section 1803.5.11 and 1803.5.12 provide requirements for geotechnical investigations for structures assigned varying Seismic Design Categories in accordance with Section 1613. Design in accordance with these standards and policies would reduce any potential impact to a less than significant level.

Landslides

The Project site is not susceptible to landslides because the area is essentially flat. This is a less than significant impact.

Conclusion

In order to minimize potential damage to the buildings and site improvements, all construction in California is required to be designed in accordance with the latest seismic design standards of the California Building Code. The California Building Code, Title 24, Part 2, Chapter 16 addresses structural design and Chapter 18 addresses soils and foundations. Collectively, these state requirements, which have been adopted by the City, include design standards and requirements that are intended to minimize impacts to structures in seismically active areas of California. Section 1613 specifically provides structural design standards for earthquake loads. Section 1803.5.11 and 1803.5.12 provide requirements for geotechnical investigations for structures
assigned varying Seismic Design Categories in accordance with Section 1613. Because all development in the Project site must be designed in conformance with these state standards and policies, any potential impact would be considered less than significant.

Responses a.iii), c), d): Liquefaction normally occurs when sites underlain by saturated, loose to medium dense, granular soils are subjected to relatively high ground shaking. During an earthquake, ground shaking may cause certain types of soil deposits to lose shear strength, resulting in ground settlement, oscillation, loss of bearing capacity, landsliding, and the buoyant rise of buried structures. The majority of liquefaction hazards are associated with sandy soils, silty soils of low plasticity, and some gravelly soils. Cohesive soils are generally not considered to be susceptible to liquefaction. In general, liquefaction hazards are most severe within the upper 50 feet of the surface, except where slope faces or deep foundations are present.

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements. Expansion is a typical characteristic of clay-type soils. Expansive soils shrink and swell in volume during changes in moisture content, such as a result of seasonal rain events, and can cause damage to foundations, concrete slabs, roadway improvements, and pavement sections.

Soil expansion is dependent on many factors. The more clayey, critically expansive surface soil and fill materials will be subjected to volume changes during seasonal fluctuations in moisture content. Figure 8 shows the soils within the Project site. The soils encountered at the Project site consist of Rincon silty clay loam and Brentwood silty clay loam.

Future development of the Project could expose people or structures to adverse effects associated with liquefaction and/or soil expansion. Construction of the Project would be required to comply with the City’s General Plan policies related to geologic and seismic hazards. These policies obligate the City to require that new development be constructed according to the requirements of the Uniform Building Code to ensure structures are able to withstand the effects of seismic activity, including liquefaction (Policy VII.A.1), and ensure that underground utilities are designed to withstand seismic forces in accordance with state requirements (Policy VII.A.2).

With implementation of the following mitigation measures, this potential impact would be less than significant.

Mitigation Measure(s)

**Mitigation Measure GEO-1:** Prior to issuance of any building permits, the developer shall be required to submit building plans to the City of Winters for review and approval. The building plans shall also comply with all applicable requirements of the most recent California Building Standards Code. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.

**Mitigation Measure GEO-2:** Prior to submittal of improvement plans, a geotechnical/soils report shall be submitted to the City of Winters for review and approval, as a condition on the tentative map. The geotechnical/soils report shall incorporate an analysis of the susceptibility of the Project site to liquefaction, and unstable and expansive soils, in order to appropriately inform the final design of Project roadways and building pad compaction.

Response b): The Project site is currently vacant and was formerly used as an orchard. According to the Project site plans prepared for the Project, development of the Project would result in the
creation of new impervious surface areas throughout the Project site. The development of the Project site would also cause ground disturbance of top soil. The ground disturbance would be limited to the areas proposed for grading and excavation, including the proposed internal streets, residential building pads, and drainage, sewer, and water infrastructure improvements. After grading and excavation, and prior to overlaying the disturbed ground surfaces with impervious surfaces and structures, the potential exists for wind and water erosion to occur, which could adversely affect downstream storm drainage facilities.

Without implementation of appropriate Best Management Practices (BMPs) related to prevention of soil erosion during construction, development of the Project would result in a potentially significant impact with respect to soil erosion. Implementation of the following mitigation measures would ensure the impact is less than significant.

Mitigation Measure(s)

Mitigation Measure GEO-3: The Project applicant shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB in accordance with the NPDES General Construction Permit requirements. The SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the Project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the City of Winters and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.

Response e): The Project has been designed to connect to the existing City sewer system and septic systems will not be used. Therefore, no impact would occur related to soils incapable of adequately supporting the use of septic tanks.

Response f): A Cultural and Paleontological Resources Inventory (Study) for the Project was prepared by Natural Investigations Company on May 1, 2019, as discussed in Section V, Cultural Resources. The Study did not identify any paleontological resources of concern in the literature search or the field walk. The Study identified that the potential for the discovery of paleontological resources within the Project site is low. Additionally, unique geologic features are not located on the site. The site is currently undeveloped and surrounded by existing or future development. As discussed in Section V, Cultural Resources, should artifacts or unusual amounts of stone, bone, or shell be uncovered during construction activities, an archeologist should be consulted for an evaluation. Implementation of Mitigation Measure CLT-2 would require investigations and avoidance methods in the event that a previously undiscovered cultural resource is encountered during construction activities. Additionally, Mitigation Measure CLT-2 requires that if any fossils are encountered, there can be no further disturbance of the area surrounding this find until the materials have been evaluated by a qualified paleontologist, and appropriate treatment measures have been identified. With implementation of Mitigation Measure CLT-2, impacts to paleontological resources or unique geologic features are not expected. This is a less than significant impact.
Figure 7. Earthquake Fault Map

Legend
- Quaternary Fault
- Aiquist-Prolo Zone
Fault Zone
- Atlas Peak-Foss Valley lineament
- Cordelia fault zone
- Green Valley fault zone
- Hayward fault zone
- Huntington Creek-Berryessa fault zone
- Rodgers Creek fault zone
- Vaca fault zone
- West Napa fault zone

Project Location
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Figure 8. Soils Map

Legend
- Project Boundary (±10.1 acres)
- City of Winters

NRCS Soil Description
- BrA - Brentwood silty clay loam (±2.7 acres)
- Rg - Rincon silty clay loam (±7.4 acres)
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VIll. GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Existing Setting

Various gases in the Earth’s atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth’s surface temperature. Solar radiation enters Earth’s atmosphere from space, and a portion of the radiation is absorbed by the Earth’s surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring GHGs include water vapor (H₂O), carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and ozone (O₃). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but they are, for the most part, solely a product of industrial activities. Although the direct GHGs, including CO₂, CH₄, and N₂O, occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three GHGs have increased globally by 40, 150, and 20 percent, respectively (IPCC, 2013).

GHGs, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), ozone (O₃), water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs).

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by the industrial sector (California Energy Commission, 2019).

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California produced 424 million gross metric tons of carbon dioxide equivalents (MMTCD₂e) in 2017 (California Energy Commission, 2019). Based on U.S. EPA estimates that worldwide emissions from human activities totaled nearly 46 billion gross metric tons of carbon dioxide equivalents (BMTCO₂e) in 2010, California’s incremental contribution to global GHGs is approximately 2% (U.S. EPA, 2014).

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the
greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California’s GHG emissions in 2017, accounting for 41% of total GHG emissions in the state. This category was followed by the industrial sector (24%), the electricity generation sector (including both in-state and out-of-state sources) (15%), and the agriculture sector (8%), the residential sector (7%), and the commercial sector (5%) (California Energy Commission, 2019).

Responses to Checklist Questions

Responses a), b): Under AB 32, the California Legislature recognized California’s particular vulnerability to the effects of global warming, making legislative findings that global warming will “have detrimental effects on some of California’s largest industries, including agriculture, wine, tourism, skiing, recreational and commercial fishing, and forestry.” (H&SC Section 38501, subd. (b)). Residents within the jurisdiction of the YSAQMD will be affected by many of these climate change effects, particularly given the importance to Yolo and Solano Counties of their agricultural economy, economic dependence on tourism, recreational fishing, and recreational boating. The Legislature also found that global warming will “increase the strain on electricity supplies necessary to meet the demand for summer air-conditioning in the hottest parts of the State.” (H&SC, section 38501, subd. (b)). Since Yolo and Solano Counties are among the parts of the State that experience hot weather, this area is at a greater likelihood of suffering from any electricity shortages that are manifestations of global warming. It may also experience economic and public health damages related to changes in vegetation and crop patterns, lower summer reservoirs, and increased potential for flooding and air pollution that hotter temperatures can produce.

AB 32 mandates that emissions of GHGs must be capped at 1990 levels (H&SC Section 38530). Considering that about 40% of GHGs come from motor vehicles, Projects that generate new vehicle trips can be in conflict with AB 32 goals. While the YSAQMD does not promulgate specific thresholds associated with GHGs, the YSAQMD recommends to at least include a qualitative discussion of GHGs in air quality analyses for sizable Projects. Furthermore, SB 32, approved by the Governor in 2016, mandates that the State will need to achieve a 40% reduction in statewide GHGs below 1990 levels by 2030.

The Project would generate GHGs during the construction and operational phases of the Project. The primary source of construction-related GHGs from the Project would result from emissions of CO₂ associated with the construction of the Project (i.e. off-road construction vehicle emissions), and worker and vendor vehicle trips. Additional haul vehicle trips may be required. The Project would require limited grading, and would also include site preparation, building construction, and architectural coating phases. The operational phase of the Project would generate GHGs primarily from the Project’s operational vehicle trips and building energy (electricity and natural gas) usage. Other sources of GHG emissions would be minimal.

The Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for the Sacramento region, including Yolo County, addresses the region’s land use, air quality, and transportation needs. The MTP/SCS supports the Sacramento Region Blueprint, which implements smart growth principles, including housing choice, compact development, mixed-use development, natural resource conservation, use of existing assets, quality design and transportation choice. It also provides increased transportation options while reducing congestion, shortening commute times, and improving air quality. The MTP/SCS provides policies and strategies to reduce greenhouse gas emissions. The Project site is within an
Established Community: Established Communities are anticipated to accommodate nearly two-thirds of the region's new growth. Development of the Project site with residential uses is consistent with growth anticipated in the MTP/SCS and will not interfere with implementation of the MTP/SCS.

Based on the size of the Project, that the Project site is planned for urbanization in the General Plan, and the Project is consistent with the MTP/SCS, the Project would not generate GHG emissions that would have a significant impact on the environment or conflict with any applicable plans, policies, or regulations. Moreover, the Project would not conflict with any plans, policies, or regulations adopted for the purpose of reducing the GHG emissions. The Project would a less than significant impact related to GHGs.
### IX. HAZARDS AND HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?</td>
<td></td>
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<td>X</td>
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<tr>
<td>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
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<td></td>
<td>X</td>
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</tr>
<tr>
<td>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Responses to Checklist Questions**

**Responses a), b):** The Project would create new residential uses on a site that is surrounded by existing residential, agricultural, and open space land uses. The proposed residential land uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common hazardous materials such as household cleaners, paint, engine oil, and similar household substances. The operational phase of the Project does not pose a significant hazard to the public or the environment.

The Project site is currently vacant and was formerly used as an orchard. Like many agricultural operations, agricultural practices in the area have used agricultural chemicals as a common practice. No contaminated soils have been identified in the Project site or in the immediate vicinity above applicable levels. A Phase 1/Phase II Environmental Site Assessment was prepared to check for hazardous materials contamination on or adjacent to the Project site. The Environmental Site Assessment found no evidence of hazardous materials contamination on or adjacent to the Project site. There was no obvious evidence of bulk storage of hazardous materials or industrial facilities during the survey of the immediate property surroundings. No confirmed
state Superfund sites were located within one mile of the property. No agency-listed contaminated municipal wells, or active or inactive landfills are located within one-half mile of the Project site.

The Project site history research completed for the Project site in the Environmental Site Assessment dated back to the early 1900s, and included reviews of Sanborn maps, aerial photographs and ASTM guideline archives. The Project site has no known history of having contained above-ground or underground motor fuel tanks, pesticide mixing or storage areas, farming equipment shops, or other structures, hydraulic hoists, sumps, oil/water separators or dry-cleaning plants.

The results of the soils sampling and testing program did not reveal any organochlorine pesticide, lead or arsenic concentration that would be problematic with respect to residential or commercial development of the property. This conclusion was reached in the Environmental Site Assessment because all detections were lower than "hazardous waste" and health-based criteria, lower than the respective U.S. EPA values that could warrant further testing, mitigation, or remediation.

The Project site contains an out-of-service water supply well. However, this well would be removed during Project construction activities, in accordance with Yolo County requirements.

Construction equipment and materials would likely require the use of petroleum based products (oil, gasoline, diesel fuel), and a variety of common chemicals including paints, cleaners, and solvents. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. Therefore, the Project would have a less than significant impact relative to this issue.

Response c): The Project site is not located within ¼ mile of an existing school. The nearest school (Winters High School) is located approximately 0.5 miles to the southwest of the Project site, at its closest point. Therefore, implementation of the Project would result in a less than significant impact relative to this topic.

Response d): According the California Department of Toxic Substances Control (DTSC) there are no Federal Superfund Sites, State Response Sites, or Voluntary Cleanup Sites on, or in the near vicinity of the Project site. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5. The nearest hazardous materials site is a school investigation site, located approximately 0.5 miles to the southwest of the Project site, is the:

- Winters High School - Building C Area (site #60002563): This site is located at 101 Grant Avenue and has a current cleanup status of "No action required as of 9/20/2018". Soil at the site was contaminated with the following potential contaminants of concern: arsenic, chlordane, lead, and polychlorinated biphenyls (PCBs).

Implementation of the Project would result in a less than significant impact relative to this environmental topic.

Response e): The Federal Aviation Administration (FAA) establishes distances of ground clearance for take-off and landing safety based on such items as the type of aircraft using the airport. The Project site is not located within the vicinity of a public airport. The closest airport
or airstrip is the Black Sky Park Airport, which is a private airport located approximately 6.5 miles southwest of the Project site. Implementation of the proposed Project would have a less than significant impact with regards to this environmental issue.

Response f): The Yolo County Office of Emergency Services (EOS) is a regional organization which is designated as the lead agency for countywide emergency management services under a Shared Services Agreement with the cities of Davis, West Sacramento, Winters and Woodland, the Yocha Dehe Wintun Nation and Yolo County Housing. The EOS is relied upon for all hazards disaster preparedness, response, recovery and mitigation efforts in Yolo County. The OES maintains an Emergency Operations Plan (EOP) that serves as the official Emergency Plan for City. It includes planned operational functions and overall responsibilities of County Departments during an emergency situation. Under the EOP, the emergency response role of cities (such as Winters) is generally focused on restoring their normal services or functional area of responsibility. During disasters, cities are more extensively involved in the emergency response by directly coordinating, communicating and assisting local governments (for instance, utilizing school districts for incidents involving shelters, school facilities or the children).

In Yolo County, all major roads are available for evacuation, depending on the location and type of emergency that arises. The Project does not include any actions that would impair or physically interfere with any of Yolo County's emergency plans or evacuation routes. Future uses on the Project site will have access to the County resources that establish protocols for safe use, handling and transport of hazardous materials. Construction activities are not expected to result in any unknown significant road closures, traffic detours, or congestion that could hinder the emergency vehicle access or evacuation in the event of an emergency. Implementation of the Project would have a less than significant impact with regards to this environmental issue.

Response g): The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface area to mass ratio and require more heat to reach the ignition point.

The City has areas with an abundance of flashy fuels (i.e., grassland) in the southern portion of the City (abutting the County border) that, when combined with warm and dry summers with temperatures often exceeding 100 degrees Fahrenheit, have the potential create a situation that results in higher risk of wildland fires. Most wildland fires are human caused, so areas with easy human access to land with the appropriate fire parameters generally result in an increased risk of fire.

The City contains areas with "moderate", "high", and "very high" and ranks on CAL FIRE's Local Responsibility Area (LRA) Fire Hazard Severity Zone maps. However, the Project site is not located within such areas. The Project site is located in an area with a "Local Responsibility Zone (LRA) - Unzoned" rank. The site is also not located on a steep slope, and the site is essentially flat. Moreover, the Project site is also located in a developed area, with existing or future urban development located to the east, south, and west, and agricultural land to the north, which are not typically susceptible to wildfire. Therefore, this is a less than significant impact and no mitigation is required.
X. HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Would the Project:</th>
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<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?</td>
<td>X</td>
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<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</td>
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<tr>
<td>(i) Result in substantial erosion or siltation on- or off-site;</td>
<td>X</td>
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<tr>
<td>(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</td>
<td>X</td>
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<tr>
<td>(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</td>
<td>X</td>
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<tr>
<td>(iv) Impede or redirect flood flows?</td>
<td>X</td>
<td></td>
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<td></td>
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<tr>
<td>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</td>
<td>X</td>
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</tr>
</tbody>
</table>

Responses to Checklist Questions

Response a): Implementation of Project would not violate any water quality or waste discharge requirements. Construction activities including grading could temporarily increase soil erosion rates during and shortly after Project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. The RWQCB requires a Project-specific SWPPP to be prepared for each Project that disturbs an area one acre or larger. The SWPPP is required to include Project specific best management measures that are designed to control drainage and erosion. Mitigation Measure GEO-3 would require the preparation of a SWPPP to ensure that the Project prepares and implements a SWPPP throughout the construction phase of the Project. The SWPPP (Mitigation Measure GEO-3) and the Project specific drainage plan would reduce the potential for the Project to violate water quality standards during construction. With implementation of Mitigation Measure GEO-3, the Project would result in a less than significant impact relative to this topic.
Response b): The Project would connect to the City of Winters water system via the 8-inch water line in Walnut Lane and the 8-inch water line in Almond Drive. An 8-inch water line connection is also proposed to the northeast to connect with the future Skreden 61 subdivision.

Groundwater is the main source of water supply within the City. Sources of groundwater recharge in the vicinity of Winters primarily include subsurface inflow from the west and north of the Winters, deep percolation from precipitation and seepage from Putah Creek and Dry Creek. According to the City of Winters 2006 Water Master Plan, current groundwater supply was determined to be sufficient to meet future demands with no risk of overdraft even during consecutive dry years.

The Project would not 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). Furthermore, the Project is not anticipated to significantly affect groundwater quality because sufficient stormwater infrastructure would be constructed as part of Project to detain and filter stormwater runoff and prevent long-term water quality degradation. See response d), below, for further detail. Therefore, Project construction and operation would not substantially deplete or interfere with groundwater supply or quality. This impact would be less than significant.

Responses c), e): Less than Significant. When land is in a natural or undeveloped condition, soils, mulch, vegetation, and plant roots absorb rainwater. This absorption process is called infiltration or percolation. Much of the rainwater that falls on natural or undeveloped land slowly infiltrates the soil and is stored either temporarily or permanently in underground layers of soil. When the soil becomes completely soaked or saturated with water or the rate of rainfall exceeds the infiltration capacity of the soil, the rainwater begins to flow on the surface of land to low lying areas, ditches, channels, streams, and rivers. Rainwater that flows off a site is defined as storm water runoff. When a site is in a natural condition or is undeveloped, a larger percentage of rainwater infiltrates into the soil and a smaller percentage flows off the site as storm water runoff.

The infiltration and runoff process is altered when a site is developed. Buildings, sidewalks, roads, and parking lots introduce asphalt, concrete, and roofing materials to the landscape. These materials are relatively impervious, which means that they absorb less rainwater. As impervious surfaces are added to the ground conditions, the natural infiltration process is reduced. As a result, the volume and rate of storm water runoff increases. The increased volumes and rates of storm water runoff can result in flooding if adequate storm drainage facilities are not provided.

There are no rivers, streams, or water courses located on or immediately adjacent to the Project site. As such, there is low potential for the Project to alter a water course, which could lead to on or offsite flooding. Drainage improvements associated with the Project site would be located on the site adjacent to the Project site to the east, and the Project would not alter or adversely impact offsite drainage facilities. Additionally, the Project would not generate new or altered stormwater discharge into streams.

Wood Rodgers has prepared a Storm Drainage Assessment for the 71 acres encompassing both the Project site and the the Skreden 61 (aka Farmstead) property located directly to the east of the Project site (Winters 71 Storm Drainage Assessment, July 2019) (see Appendix C for further detail). In addition, Wood Rogers developed a supplementary technical memorandum (Walnut 10 Interim Condition Drainage Analysis, October 2019) that provides additional detail on interim
storm drainage improvements that would be required if the Project is developed prior the Skreden 61 property (see Appendix D for further detail). The Storm Drainage Assessment is consistent with the previously prepared Northeast Winters Drainage Study and proposes a combination of permanent and interim improvements to allow the phased construction of drainage facilities.

The Project would increase impervious surfaces throughout the Project site. The Project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the Project site, as provided in the Storm Drainage Assessment prepared for the Project by Wood Rogers. Under existing conditions, the Project site experiences 100-Year flooding up to 2 inches, with limited locations projected for depths over 2 feet, as shown in Figure 3, Existing Condition 100-Year Flooding, of the Winters 71 Storm Drainage Assessment (see Appendix C).

The Winters 71 Storm Drainage Assessment anticipated that a flood barrier would be constructed along the northern boundary of the Project site and the Skreden 61 property. In general, drainage from the Project is designed to drain overland to the northwesterly portion of the Skreden 61 property, and also has a 24" storm drain that will connect into the Skreden 61 property storm drainage system to convey runoff to the basin and channel on the east side of the Skreden 61 property. A flood barrier is necessary across the eastern portion of the northern boundary of the Skreden 61 site to protect the site from 100-year flood events. In order to ensure that the flood barrier would not cause flooding to the north, a weir would be needed to accommodate, store, and convey overflows. A detention basin would be necessary to accommodate the 10-year storm event. In order to receive and convey off-site flows through the site, a weir will be constructed at the upstream end of the Putah Creek Diversion Channel as an “inlet” structure. These improvements are described in detail in the Winters 71 Storm Drainage Assessment and are depicted in Figures 4, 7, and 8 of the assessment (see Appendix C).

If the Skreden 61 property isn’t built in advance or concurrently with the Project, the Project would need to provide adequate drainage facilities to accommodate stormwaters. The Project proposes to grade the site to raise areas of the site by approximately 1 to 2.5 feet, as shown on Figure 5, Infrastructure Plan. In addition, a weir would be needed to accommodate, store, and convey overflows. A temporary v-ditch would be required to be installed across the Skreden 61 property and connect to an existing culvert at Grant Avenue so that the 24" storm drain on Walnut Lane can properly drain to the east and south. These improvements would ensure that the Project site is protected from 100-year flood events, as shown in Figure 8, Mitigation Facilities and Residual 100-Year Floodplain, of Appendix D. As further discussed in the Walnut 10 Interim Analysis, the Project would cause off-site increases north of Grant Avenue from 0.005 to 0.061 foot, depending on the location, as shown in Figure 9, 100-Year Flooding Impacts, of Appendix D. These increases would not have a substantial adverse effect.

Further detail regarding the drainage improvements required for the Project is provided in Appendix C, which includes both the Winters 71 Storm Drainage Assessment Technical Memorandum, as well as the supplementary Walnut Lane 10 Subdivision - Interim Condition Drainage Analysis technical memorandum. The supplementary technical memorandum provides additional required interim storm drainage requirements in the case that the Project is developed prior to the adjacent Skreden 61 property. These supplementary improvements would include the installation of box culverts at Grant Avenue, improvements at the PG&E channel, and the addition of a third lower-elevation 60-inch culvert at the end of the PG&E channel, southeast of the outfall.
The Project storm drainage plan will require the construction of new storm water drainage facilities on the Project site and on the site adjacent to the Project site (to the east), and the interim drainage improvements described above if the Project were to be developed prior to the Skreden 61 property. However, the construction of these facilities would not substantially alter the existing drainage pattern of the area, or alter the course of a stream or river, in a manner that would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner that would result in flooding, or create or contribute runoff water which would exceed the capacity or existing or planned drainage systems or provide substantial additional sources of polluted runoff. The Project would also not conflict with any water control quality plan or sustainable groundwater management plan. With implementation of the following mitigation measures, the Project would provide adequate drainage facilities to address potential flooding hazards and to ensure that any increases in stormwater are properly conveyed to the City’s storm drainage system. With implementation of Mitigation Measures HYDRO-1 through HYDRO-3, the Project would have a less than significant impact relative to this environmental topic.

Mitigation Measure(s)

**Mitigation Measure HYDRO-1:** Prior to issuance of building permits, the Project applicant shall implement the following flood measures to ensure that all off-site runoff entering the Project site under the worst-case condition is contained and/or conveyed to downstream facilities in order to safely convey potential flooding without creating adverse impacts. The City of Winters Public Works Department will be responsible for monitoring implementation of these flood protection measures.

**Grading and Elevation:** Grading and improvements shall elevate the Project site and remove the Project site from the design 100-year storm event floodplain.

**Mitigation Measure HYDRO-2:** Prior to the issuance of building permits, subject to monitoring by the City of Winters Public Works Department, if the Skreden 61 property and proposed Skreden 61 drainage improvements (i.e. the property located immediately to the east of the Project site) are not built in advance or concurrently with the Project, the Project applicant shall construct the drainage improvements as described and modeled in the Walnut 10 Subdivision Interim Condition Drainage Analysis Technical Memorandum (prepared by Wood Rogers), including installation of the temporary v-ditch across the Skreden 61 property and connecting to an existing culvert at Grant Avenue.

**Mitigation Measure HYDRO-3:** The Project Applicant shall submit a Conditional Letter of Map Revision (CLOMR) (with the supporting technical data) to FEMA and shall obtain approval from FEMA prior to the approval of grading plans.

**Response d):** As shown in Figure 9, the majority of the Project site is located within the 100-year FEMA flood zone. The 100-year FEMA flood zone by definition indicates an area protected by levees from the 1% annual chance flood.

The risks of flooding hazards on the Project site and immediate surroundings are primarily related to large, infrequent storm events. These risks of flooding are greatest during the rainy season between November and March. Flooding events can result in damage to structures, injury or loss of human and animal life, exposure to waterborne diseases, and damage to infrastructure. In addition, standing floodwater can destroy agricultural crops, undermine infrastructure and structural foundations, and contaminate groundwater.
As discussed in the Storm Drainage Assessment developed for the Project, during the 100-year (design) flood event, the main flood threat to the Project from off-site areas originates in the north. A significant portion of the existing City to the west of the Project drains directly to Putah Creek through existing storm drains. Flooding from the Moody Slough and Chickahominy Slough watersheds cannot efficiently drain eastward across Interstate 505 (I-505). These floodwaters accumulate where Moody Slough crosses under I-505 and pond immediately north of the Project site during high-water events. Worst-case flooding at the proposed site would occur when uncerified embankments to the north fail.

The Project must contain and/or convey all off-site runoff entering the Project site under the worst-case condition, and must provide sufficient on-site and downstream facilities in order to safely convey proposed conditions flooding without creating adverse impacts. Wood Rodgers, Inc. (Wood Rodgers) in the Project’s Storm Drainage Assessment has determined that this can be accomplished with elevation of the Project site and construction of infrastructure to convey the stormwater, as provided under Mitigation Measure HYDRO-1. Additionally, Mitigation Measure HYDRO-2 would require additional modifications to the storm drainage system, if necessary.

Separately, as shown in Figure 10, the Project site is located within a dam inundation area for the Monticello Dam. Dam failure is generally a result of structural instability caused by improper design or construction, instability resulting from seismic shaking, or overtopping and erosion of the dam. Larger dams that are higher than 25 feet or with storage capacities over 50 acre-feet of water are regulated by the California Dam Safety Act, which is implemented by the California Department of Water Resources, Division of Safety of Dams (DSD). The DSD is responsible for inspecting and monitoring these dams. The Act also requires that dam owners submit to the California Office of Emergency Services inundation maps for dams that would cause significant loss of life or personal injury as a result of dam failure. The County Office of Emergency Services is responsible for developing and implementing a Dam Failure Plan that designates evacuation plans, the direction of floodwaters, and provides emergency information.

Regular inspection by DSD and maintenance by the dam owners ensure that the dams are kept in safe operating condition. As such, failure of these dams is considered to have an extremely low probability of occurring and is not considered to be a reasonably foreseeable event. The Project would not expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam.

Additionally, the Project site is not anticipated to be inundated by a tsunami because it is located at an elevation of approximately 23 to 27 feet above sea level and is approximately 60 miles away from the Pacific Ocean which is the closest ocean waterbody.

Lastly, the Project site is not anticipated to be inundated by a seiche because it is not located in close proximity to a water body capable of creating a seiche.

With implementation of Mitigation Measures HYDRO-1 through HYDRO-3, implementation of the Project would have a less than significant impact relative to the risk of release of pollutants due to Project inundation by flood hazards, seiches, and tsunamis, or the potential to alter the course of a stream or river in a manner that would impede or redirect flood flows.
Figure 9. Flood Map
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XI. LAND USE AND PLANNING

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<tr>
<th>Would the Project:</th>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td></td>
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<td>X</td>
<td></td>
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<tr>
<td>b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td></td>
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<td>X</td>
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</tbody>
</table>

Responses to Checklist Questions

**Response a):** The Project site is located within the Winters city limits and is adjacent primarily to residential and agricultural uses. A separate residential development (not part of the Project) is proposed on the 61-acre parcel located to the east of the Project site (located on APN #038-050-018). The Project is consistent with the surrounding uses and would not physically divide an established community. Implementation of the Project would have a less than significant impact relative to this topic.

**Response b):** The key planning documents that are directly related to, or that establish a framework within which the Project must be consistent, include the City of Winters General Plan and the City of Winters Zoning Ordinance.

The Project site is designated LDR by the Winters General Plan Land Use Map. According to the City of Winters General Plan, the LDR designation provides for single-family detached homes, secondary residential units, public and quasi-public uses, and similar and compatible uses. With 54 units on 10.0 acres, the proposed density would be approximately 5.4 dwelling units per gross acre, which is outside of the allowed LDR density range of 1.1 to 7.3 units per gross acre.

The Project site is zoned Single Family Residential (R-1) by the City of Winters Zoning Map. As provided in the Winters Municipal Code, the R-1 zone accommodates a variety of uses, including permitted uses for a variety of residential uses including single-family, two-family or duplex, farmworker housing unit, and accessory dwelling units, for utility services, as well as conditional uses for bed and breakfast inns, convalescence and care service facilities, day care facilities, public parks, religious institutions, mobile homes, residential care facilities. The Project site would be rezoned to add a Planned Development (PD) overlay to accommodate reduced lot widths and reduced setbacks.

Chapter 17.48 of the Winters Municipal Code Chapter states that Planned Development overlays zones are intended to achieve the General Plan goal to "to promote the development of a cohesive and aesthetically pleasing urban structure for Winters." Therefore, the P-D overlay zone has been included within the scope of the Winters zoning ordinance to allow for the maximum flexibility consistent with the minimum development standards within each underlying zone category.

The Project is consistent with the General Plan. The above analysis indicates that, with the rezone, the Project is consistent with the City of Winters Municipal Code. Therefore, the Project as proposed would not conflict with any applicable land use plan, policy, or regulation of the City that has been adopted for the purpose of avoiding or mitigating an environmental effect. Implementation of the Project would have a less than significant impact relative to this issue.
XII. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
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</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Existing Setting

The most important mineral resources in the region are sand and gravel, which are mined on Cache Creek and other channels in Yolo County. The California Geological Survey identifies areas that contain or that could contain significant mineral resources so as to provide context for local agency land use decisions and to protect availability of known mineral resources. No mineral extraction operations are known to exist in or adjacent to the Project site. The Project site is not identified by the California Department of Conservation as containing mineral resources (California Department of Conservation, 2015).

Responses to Checklist Questions

Responses a), b): There are no known mineral resources located on the Project site or in the immediate vicinity of the Project site. Additionally, there is no land designated or zoned for mineral resources within the City limits. Given that no known mineral resources are located in the vicinity of the Project, implementation of the Project would not result in the loss of availability of a known mineral resource or of a locally-important mineral resource recovery site. Therefore, there would be no impact regarding the loss of availability of a known mineral resource that would be of value to the region.
XIII. NOISE

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Generation of excessive groundborne vibration or groundborne noise levels?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Existing Setting

Fundamentals of Acoustics

Acoustics is the science of sound. Sound may be thought of as mechanical energy of a vibrating object transmitted by pressure waves through a medium to human (or animal) ears. If the pressure variations occur frequently enough (at least 20 times per second), then they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second or Hertz (Hz).

Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a very large range of numbers. The decibel (dB) scale is used to facilitate graphical visualization of large ranges of numbers. The decibel scale uses the hearing threshold (20 micropascals), as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a graphically practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels correspond closely to human perception of relative loudness.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by A-weighted sound levels. There is a strong correlation between A-weighted sound levels (expressed as dBA) and the way the human ear perceives sound. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this section are in terms of A-weighted levels and are expressed in units of dBA, unless otherwise noted.
The decibel scale is logarithmic, not linear. In other words, two sound power levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic decibel is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70 dBA sound is half as loud as an 80 dBA sound, and twice as loud as a 60 dBA sound.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (Leq), which corresponds to a steady-state A weighted sound level containing the same total energy as a time varying signal over a given time period (usually one hour). The Leq is the foundation of the composite noise descriptor, the day/night average level (L_{da}), and shows very good correlation with community response to noise.

L_{da} is based upon the average noise level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{da} represents a 24-hour average, it tends to disguise short-term variations in the noise environment. CNEL is similar to L_{da} but includes a +5 dBA penalty for evening noise. Typically, CNEL and L_{da} values are within 0.5 dBA of each other and are often considered to be synonymous. Table NOISE-1 lists several examples of the noise levels associated with common situations.

**Table NOISE-1: Typical Noise Levels**

<table>
<thead>
<tr>
<th>Common Outdoor Activities</th>
<th>Noise Level (dBA)</th>
<th>Common Indoor Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jet Fly-over at 300 m (1,000 ft)</td>
<td>--110--</td>
<td>Rock Band</td>
</tr>
<tr>
<td>Gas Lawn Mower at 1 m (3 ft)</td>
<td>--100--</td>
<td></td>
</tr>
<tr>
<td>Diesel Truck at 15 m (50 ft), at 80 km/hr (50 mph)</td>
<td>--90--</td>
<td></td>
</tr>
<tr>
<td>Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft)</td>
<td>--80--</td>
<td></td>
</tr>
<tr>
<td>Commercial Area Heavy Traffic at 90 m (300 ft)</td>
<td>--70--</td>
<td></td>
</tr>
<tr>
<td>Quiet Urban Daytime</td>
<td>--60--</td>
<td></td>
</tr>
<tr>
<td>Quiet Urban Nighttime</td>
<td>--50--</td>
<td></td>
</tr>
<tr>
<td>Quiet Suburban Nighttime</td>
<td>--40--</td>
<td></td>
</tr>
<tr>
<td>Quiet Rural Nighttime</td>
<td>--30--</td>
<td></td>
</tr>
<tr>
<td>Lowest Threshold of Human Hearing</td>
<td>--20--</td>
<td></td>
</tr>
<tr>
<td>Lowest Threshold of Human Hearing</td>
<td>--10--</td>
<td></td>
</tr>
<tr>
<td>Lowest Threshold of Human Hearing</td>
<td>--0--</td>
<td></td>
</tr>
</tbody>
</table>

SOURCE: CALTRANS, TECHNICAL NOISE SUPPLEMENT, TRAFFIC NOISE ANALYSIS PROTOCOL, NOVEMBER 2009.

**Effects of Noise on People**

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction;
- Interference with activities such as speech, sleep, and learning; and
- Physiological effects such as hearing loss or sudden startling.
Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise.

Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the so-called ambient noise level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it.

With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived;
- Outside of the laboratory, a 3 dBA change is considered a just-perceivable difference;
- A change in level of at least 5 dBA is required before any noticeable change in human response would be expected; and
- A 10 dBA change is subjectively heard as approximately a doubling in loudness, and can cause an adverse response.

Stationary point sources of noise – including stationary mobile sources such as idling vehicles – attenuate (lessen) at a rate of approximately 6 dBA per doubling of distance from the source, depending on environmental conditions (i.e. atmospheric conditions and either vegetative or manufactured noise barriers, etc.). Widely distributed noises, such as a large industrial facility spread over many acres, or a street with moving vehicles, would typically attenuate at a lower rate.

**Regulatory Setting – Winters General Plan**

The City of Winters General Plan contains goals and policies for assessing noise impacts within the City. Listed below are the noise goals and policies that are applicable to the Project:

**Goal III.D.** To consider air quality and noise impacts along with traffic flow efficiency when making decisions about improvements to existing roadways or construction of new roadways.

- **Policy III.D.1.** To the extent feasible, the City shall provide for separation of residential and other noise-sensitive land uses from major roadways to reduce noise and air pollution impacts.

**Goal VII.E.** To protect city residents from the harmful and undesirable effects of excessive noise.

- **Policy VII.E.1.** The City shall evaluate the compatibility of various land uses with nearby noise sources based on the standards in Table II-3.

- **Policy VII.E.2.** The City shall require new residential development to comply with applicable provisions of the California State Noise Insulation Standards (California Code of Regulations, Title 24, Part 2, Appendix, Chapter 35) and the Uniform Building Code (Appendix Chapter 35), and updates thereof. These provisions include, but are not limited to, the following standards:
a) Ldn values due to exterior noise sources shall not exceed 45 dBA inside habitable rooms of new multi-family dwellings (apartments, condominiums, hotels, motels, etc.).

b) Assemblies dividing units within multi-family dwellings shall have laboratory certified STC ratings of 50 or more (NIC 45 or more if field tested). In addition, floor/ceiling assemblies shall have laboratory certified IIC ratings of 50 or more (45 if field tested).

**Policy VII.E.3.** Ldn values above 45 dBA due to exterior noise sources shall be prohibited inside habitable rooms of all new dwellings.

**Policy VII.E.4.** Non-transportation noise sources which are potentially intrusive shall be evaluated in terms of the noise level limits in Tables II-4 and II-5. In applying these limits, the corrections in Table II-6 shall be added to account for the nature of the noise.

**Policy VII.E.5.** The City shall require preparation of a noise study for all residential Projects proposed in areas where Ldn values exceed 60 dBA according to the contour locations set out in Table IX-4 and shown in Figure IX-8 in Chapter IX of the General Plan Background Report.

**Policy VII.E.6.** Any Project that would cause existing traffic-related noise levels in existing residential areas to increase more than 3dB shall be required to evaluate the feasibility of noise mitigation measures.

**Policy VII.E.7.** The City may also require preparation of a noise study when Ldn standards are met or inapplicable, but 1) a potentially intrusive noise source is proposed near a noise sensitive area, or 2) a noise sensitive land use is proposed near a potentially intrusive noise source.

**Policy VII.E.8.** Required noise studies shall be the responsibility of the Project applicant, and shall be consistent with the state guidelines for noise study reports. Such studies shall be performed by a qualified consultant and shall include the following:

a) A summary of noise data collected, and/or descriptions of the methodologies used to determine existing and expected noise levels and noise descriptors such as Leq or Ldn.

b) Figures or maps showing the locations of noise sources and noise sensitive areas.

c) A description of the impacts of existing and future (20 years hence) noise levels on the Project and/or impacts due to the Project on the surrounding area. The standards in this section of the General Plan Policy Document shall form the basis for impact assessment.

d) Specifications of any noise mitigation measures recommended to ensure compliance with the standards in this General Plan Policy Document.

e) Description of the expected effects of the mitigation measures.

**Policy VII.E.9.** The City shall encourage county, state, and federal agencies to actively enforce regulations dealing with noise.
Policy VII.E.10. Vehicles and other equipment operated by or on behalf of the City shall comply with all applicable noise performance standards. Noise emission shall be a consideration in the purchase of any new equipment or vehicles.

Policy VII.E.11. The City shall encourage development designers to minimize noise levels through such measures as the following:

a) Locating outdoor activity spaces such as yards, patios, and decks in areas where noise levels are low.

b) Locating and orienting buildings to place noise sensitive indoor spaces such as living rooms and bedrooms in areas with low noise levels.

c) Locating relatively non-noise sensitive structures such as commercial buildings to shield noise sensitive areas such as residences and care facilities from noise sources.

d) Using berms, walls, and setbacks to shield noise sensitive areas from noise sources. Walls shall only be used as a last resort.

e) Provide appropriate muffling devices or enclosures for new noise sources located near noise sensitive areas.

Policy VII.E.12. Deviations from City noise standards may be approved only in extreme and/or unusual circumstances. Deviations from the California State Noise Insulation Standards shall not be permitted.
### Table NOISE-2: Exterior Noise Level Limits

<table>
<thead>
<tr>
<th>Use Zone</th>
<th>7 a.m. - 10 p.m.</th>
<th>10 p.m. - 7 a.m.</th>
<th>Exterior Limit in dBA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural (OS)</td>
<td>50</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Residential (R-1, R-2, R-3, R-4)</td>
<td>50</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Parks &amp; Recreation (P-R)</td>
<td>50</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Commercial (C-1, C-2, NC, CH, CS)</td>
<td>65</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Manufacturing Industrial (M-1, M-2, PI)</td>
<td>75</td>
<td>70</td>
<td></td>
</tr>
</tbody>
</table>

These limits on intrusive noise are to be applied at any point within the boundaries of a property zoned as indicated.

Each limit is the noise level which is not to be exceeded continuously during any five-minute period. If the noise level varies above and below the limit, the limit shall not be exceeded during more than one time interval in any five-minute period. Noise levels higher than the applicable limit plus 15 dBA are prohibited at all times.

**Source:** WINTERS GENERAL PLAN, TABLE II-4

### Table NOISE-3: Interior Noise Level Limits

<table>
<thead>
<tr>
<th>Use Zone</th>
<th>7 a.m. - 10 p.m.</th>
<th>10 p.m. - 7 a.m.</th>
<th>Interior Limit in dBA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential (R-1, R-2, R-3, R-4)</td>
<td>45</td>
<td>35</td>
<td></td>
</tr>
</tbody>
</table>

These levels of intrusive noise are not to be exceeded at any point within a dwelling.

Each limit is the noise level which is not to be exceeded continuously during any five-minute period. If the noise level varies above and below the limit, the limit shall not be exceeded during more than one time interval in any five-minute period. Noise levels higher than the applicable limit plus 15 dBA are prohibited at all times.

**Source:** WINTERS GENERAL PLAN, TABLE II-5

**Regulatory Setting - WINTERS Noise Control**

Chapter 8.20 of the City of Winters Municipal Code provide maximum permissible sound levels for each land use. Chapter 8.20 identifies that noise level in dBA not to be exceeded continuously during any five-minute period or, if the noise level varies above and below the limit, for more than one time interval during any five-minute period. Table NOISE-4 provides the current noise level limits as established by the Winters Municipal Code.
Table NOISE-4: Noise Level Limits

<table>
<thead>
<tr>
<th>Type of Zone</th>
<th>Daytime 7 a.m. to 10 p.m.</th>
<th>Nighttime 10 p.m. to 7 a.m.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Residential (R-R)/open space (O-S)</td>
<td>50</td>
<td>40</td>
</tr>
<tr>
<td>Residential (R-1, R-2, R-3, R-4)</td>
<td>55</td>
<td>50</td>
</tr>
<tr>
<td>*Parks and recreation (P-R)</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Commercial (C-1, C-2, D-A, D-B, O-F, C-H)</td>
<td>63</td>
<td>45</td>
</tr>
<tr>
<td>Manufacturing/Industrial (M-1, M-2, B-P)</td>
<td>73</td>
<td>70</td>
</tr>
</tbody>
</table>

Source: City of Winters Municipal Code, Table 7-1.

*PARK AND RECREATION NOISE LIMITS ARE BASED ON SIX A.M. TO TEN P.M., CONSISTENT WITH CHAPTER 12.12 OF THE WINTERS MUNICIPAL CODE.

8.20.070 Prohibited Actions

A. Noise Disturbances Prohibited. No person shall unnecessarily make, continue, or cause to be made or continued upon any public property, public right-of-way or private property, any noise disturbance.

B. Specific Prohibitions.

1. Music. Operating, playing or permitting the operation or playing of any radio, tape decks, compact disks, mp3 player, television, phonograph, musical instrument, or similar device which produces or reproduces sound in such a manner as to exceed the level as set forth for public space in Table 7-1 (Section 8.20.060) measured at a distance of at least fifty (50) feet (fifteen (15) meters) from such device operating on a public right-of-way or public space;

2. Loudspeakers (Sound-Amplifying Equipment). Using or operating for any purpose any loudspeaker system, or similar device between the hours of ten p.m. and seven a.m. such that the sound therefrom violates the provisions of Table 7-1 (Section 8.20.060) except for any noncommercial public speaking, public assembly or other activity for which a permit has been issued. Every user of sound-amplifying equipment shall obtain written approval from the city manager or his/her designee at least fifteen (15) days prior to the date the equipment will be used;

3. Animals. No person shall keep or maintain, or permit the keeping of, upon any premises owned, occupied or controlled by such person, any animal or fowl otherwise permitted to be kept which violates Chapter 6.04;

4. Construction/Demolition. Operating any power tools or equipment used in construction, drilling, repair, alteration, demolition work, or property maintenance between weekday and Saturday hours of seven p.m. and seven a.m. or at any time on Sundays or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial property line. Domestic power tools or equipment may be operated to ten p.m. provided the maximum noise level across the residential property line shall not exceed seventy (70) dBA;

5. Vibration. Operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at or beyond the real...
property boundary of the source if on private property or at one hundred fifty (150) feet (forty-six (46) meters) form the source if on a public space or public right-of-way:

6. Residential Air-Conditioning or Air-Handling Equipment. Operating or permitting the operation of any air-conditioning or air-handling equipment in such a manner as to exceed by five dBA the noise level limits in Table 7-1;

7. Places of Public Entertainment. Operating or playing of any loudspeaker, musical instrument, or other source of sound in any place of public entertainment that exceeds ninety-five (95) dBA as read on the slow response of a sound level meter. (Ord. 2016-08 § 3 (part): Ord. 89-04 (part): prior code § 6-7.11. Formerly 8.20.100)

8.20.080 Motor vehicle noise limits.

A. Motor Vehicle. No person shall operate or cause to be operated any motorized vehicle in such a manner that the sound levels emitted therefrom violate the provisions of Section 8.20.040. This section shall apply to all motorized vehicles, including, but not limited to, personal vehicles, commercial vehicles, motorcycles, go-carts.

B. Vehicle Repair and Testing. Repairing, rebuilding, modifying, or testing any motor vehicle, motorboat, in such a manner as to create a noise disturbance across a residential real property boundary, or at any time to violate the provisions of Section 8.20.040. (Ord. 2016-08 § 3 (part): Ord. 89-04 (part): prior code § 6-7.12. Formerly 8.20.110)

8.20.090 Exemptions

A. Outdoor Activities. The provisions of this chapter shall not apply to occasional outdoor gatherings, public dances, shows, sporting and entertainment events, school bands, parades and carnivals, provided such events are conducted pursuant to a permit or license issued by the city, if required, relative to the staging of such events.

B. Existing Industrial/Commercial Operations.

1. Noise sources associated with existing food processing, agricultural packing, dairy or other industrial or commercial operations; provided, that noise levels generated by such operations do not exceed current levels; and provided further, that such operations do not exceed the noise level limits set out in Table 7-1 (Section 8.20.060).

2. Noise sources associated with agricultural operations provided such operations take place between the hours of six a.m. and eight p.m.

C. Air Conditioners and Similar Equipment. Air conditioners, pool pumps and similar equipment provided they are in good working order.

D. Public Health and Safety Operations. Work performed by city, city franchises, persons/companies under contract to the city for repairs or maintenance of roads, wells, sewers, trees, landscaping, street sweeping, garbage removal, and other similar activities.

E. Emergencies. Equipment used in emergencies, such as emergency, standby or backup generators; includes periodic testing. (Ord. 2016-08 § 3 (part): Ord. 89-04 (part): prior code § 6-7.13. Formerly 8.20.120)
Responses to Checklist Questions

Response a): Construction noise would be temporary, lasting a period of a few weeks to a few months. Construction noise would differ among various stages of construction and is dependent upon the specific activities and equipment used. It is anticipated that the largest amount of construction-related noise would be generated during the initial grading and earthwork; however, the amount of grading and earthwork during Project construction would be minimal, so there would be less construction noise during installation of the solar PV panels than would be typical for other Project types (e.g. for Projects with residential or non-residential buildings).

The primary sources of noise currently present in the Project area are from noise from nearby roadways, including SR 128, from nearby from nearby agricultural operations, and from the neighboring residential communities located to the south and west. However, the Project is located in a relatively undeveloped area of Winters, and noise from these sources at the Project site is relatively minor. In addition, noise from the Project site would be generated from typical residential sources. The addition of vehicular traffic would not substantially alter the existing noise environment. Moreover, noise generated by the Project is required to comply with all current noise standards as established by the City, including those identified by the Winters General Plan and the current Municipal Code. Therefore, since noise associated with the Project and within the Project site is not expected to exceed City standards, impacts related to the generation of noise in excess of City standards from Project operations is less than significant.

Response b): Vibration is like noise in that it involves a source, a transmission path, and a receiver. While vibration is related to noise, it differs in that in that noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to the vibration will depend on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system which is vibrating.

Vibration can be measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration measures in terms of peak particle velocities in inches per second. Standards pertaining to perception as well as damage to structures have been developed for vibration levels defined in terms of peak particle velocities.

Human and structural response to different vibration levels is influenced by several factors, including ground type, distance between source and receptor, duration, and the number of perceived vibration events. Table NOISE-4 indicates that the threshold for damage to structures ranges from 0.2 to 0.6 peak particle velocity in inches per second (in/sec p.p.v). One-half this minimum threshold or 0.1 in/sec p.p.v. is considered a safe criterion that would protect against architectural or structural damage. The general threshold at which human annoyance could occur is noted as 0.1 in/sec p.p.v.

The primary vibration-generating activities associated with the Project would occur during construction when activities such as grading, utilities placement, and roadway construction occur. Sensitive receptors which could be impacted by construction related vibrations, especially vibratory compactors/rollers, are located approximately 25 to 50 feet or further from the Project site. At this distance, construction vibrations are not predicted to exceed acceptable levels. Additionally, construction activities would be temporary in nature and would likely occur during normal daytime working hours.

Construction vibration impacts include human annoyance and building structural damage. Human annoyance occurs when construction vibration rises significantly above the threshold of
perception. Building damage can take the form of cosmetic or structural. Table NOISE-5 shows the typical vibration levels produced by construction equipment.

<table>
<thead>
<tr>
<th>Peak Particle Velocity</th>
<th>Human Reaction</th>
<th>Effect on Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.15-0.30 0.006-0.019</td>
<td>Threshold of perception; possibility of intrusion</td>
<td>Vibrations unlikely to cause damage of any type</td>
</tr>
<tr>
<td>2.0 0.08</td>
<td>Vibrations readily perceptible</td>
<td>Recommended upper level of the vibration to which ruins and ancient monuments should be subjected</td>
</tr>
<tr>
<td>2.5 0.10</td>
<td>Level at which continuous vibrations begin to annoy people</td>
<td>Virtually no risk of &quot;architectural&quot; damage to normal buildings</td>
</tr>
<tr>
<td>5.0 0.20</td>
<td>Vibrations annoying to people in buildings (this agrees with the levels established for people standing on bridges and subjected to relative short periods of vibrations)</td>
<td>Threshold at which there is a risk of &quot;architectural&quot; damage to normal dwellings with plastered walls and ceilings. Special types of finish such as lining of walls, flexible ceiling treatment, etc., would minimize &quot;architectural&quot; damage</td>
</tr>
<tr>
<td>10-15 0.4-0.6</td>
<td>Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges</td>
<td>Vibrations at a greater level than normally expected from traffic, but would cause &quot;architectural&quot; damage and possibly minor structural damage</td>
</tr>
</tbody>
</table>


Table NOISE-6: Vibration Levels for Varying Construction Equipment

<table>
<thead>
<tr>
<th>Type of Equipment</th>
<th>Peak Particle Velocity @ 25 feet (inches/second)</th>
<th>Peak Particle Velocity @ 100 feet (inches/second)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large Bulldozer</td>
<td>0.089</td>
<td>0.011</td>
</tr>
<tr>
<td>Loaded Trucks</td>
<td>0.076</td>
<td>0.010</td>
</tr>
<tr>
<td>Small Bulldozer</td>
<td>0.003</td>
<td>0.000</td>
</tr>
<tr>
<td>Auger/drill Rigs</td>
<td>0.089</td>
<td>0.011</td>
</tr>
<tr>
<td>Jackhammer</td>
<td>0.035</td>
<td>0.004</td>
</tr>
<tr>
<td>Vibratory Hammer</td>
<td>0.070</td>
<td>0.009</td>
</tr>
<tr>
<td>Vibratory Compactor/roller</td>
<td>0.210</td>
<td>0.026</td>
</tr>
</tbody>
</table>


The Table NOISE-6 data indicate that construction vibration levels anticipated for the Project are less than the 0.2 in/sec p.p.v. threshold of damage to buildings and less than the 0.1 in/sec threshold of annoyance criteria at distances over 25 feet. Therefore, construction vibrations are not predicted to cause damage to existing buildings or cause annoyance to sensitive receptors. Implementation of the Project would have a less than significant impact relative to this environmental topic.

Response c): The Project site is not located within the vicinity of 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. The closest airport or airstrip is the Blake Sky Park Airport, which is a private airport located approximately 6.5 miles southwest of the Project site. The Project would, therefore, not expose people residing or working in the Project area to excessive noise levels associated with such
airport facilities. The Project site is not located within the vicinity of a private airstrip. The Project would, therefore, not expose people residing or working in the Project area to excessive noise levels associated with such private airport facilities. Implementation of the Project would have 
\textit{no impact} relative to this topic.
### XIV. POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Responses to Checklist Questions**

**Response a): Less than Significant.** The Project would directly induce population growth in the area through the proposed construction of 54 single family residential units, associated amenities, and infrastructure improvements on the approximately 10.0-acre Project site. According to the 2018 U.S. Census population estimates, the population in Winters is 7,059 people, and the average number of households was 2,280. The estimated number of persons per household in Winters in 2017 was 3.10. Therefore, the Project is expected to generate approximately 167 residents at the Project site. The approximately 167 people may come from Winters or surrounding communities.

The sizing of proposed infrastructure would be specific to the number of units proposed within the Project site. As discussed below, the utility systems (e.g., water and sewer) serving the Project could accommodate the additional demands created by the Project and the Project includes infrastructure improvements needed to connect the Project to these existing utility systems. In addition, public service providers, such as police and fire, could accommodate the additional demands for service created by the Project. Implementation of the Project would not induce substantial unplanned population growth in an area, either directly or indirectly. Implementation of the Project would have a less than significant impact relative to this topic.

**Response b):** There are no housing units currently located on the Project site. Construction and operation of the Project would not remove any existing housing units within the City or any other jurisdiction, and would not displace any residents. There is no impact relative to this topic.
XV. PUBLIC SERVICES

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire protection?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police protection?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schools?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Parks?</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>Other public facilities?</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

Response a):

Fire Protection

The Winters Fire Department is responsible for the primary provision of fire service for the City and its residents. The Department covers approximately 86 square miles in Yolo County which make up the City of Winters and the Winters Fire District. The Winters Fire Department is located at Station No. 26, located at 700 Main Street in Winters. This facility is located approximately 1.05 miles southwest of the Project site. As of 2019, the Winters Fire Department has 43 staff, including 34 volunteer firefighters (Winters Fire Department, 2019).

In 2013, the Winters Fire Department responded to 664 9-1-1 emergencies. This represents a modest 4% increase and is the highest number of calls for service in the past five years. This still small increase represents a return to normal local fire season. Of these 664 incidents, 436 incidents occurred in the City, 163 incidents occurred in the Winters Fire District (outside of the City) and the remaining 65 were mutual aid provided. Medical emergencies, including motor vehicle accidents, comprised 60% of the total incidents. The remaining incidents were of all other types such as fire, rescue, hazardous material releases, etc. The balance between medical and fire related incidents continue to contrast with the national average of 70 – 80% medical related incidents.

The Project would add 54 residential units, which is anticipated to add 167 people to the Project site. The approximately 164 people may come from Winters or surrounding communities. The 167 people in the City would place additional demands for fire service on the Winters Fire Department.

The City receives funds for the provision of public services through development fees, property taxes, and connection and usage fees. As land is developed within the City and annexed into the City, these fees apply. The City reviews these fee structures on an annual basis to ensure that they provide adequate financing to cover the provision of city services. The City’s Community Development, Public Works, and Finance Departments are responsible for continual oversight to ensure that the fee structures are adequate. The City reviews the referenced fees and user
charges on an annual basis to determine the correct level of adjustment required to reverse any deficits and assure funding for needed infrastructure going forward. The City intends to include discussion of these fees and charges as part of the annual budget hearings.

The City of Winters General Plan includes goals and policies that would allow for the Department to continue providing adequate facilities and staffing levels. Below is a list of relevant policies:

Policy I.F.6. The City shall pursue the development of a public safety facility, including a fire station and police station, perhaps in conjunction with a City corporation yard in the northern part of Winters.

Goal IV.G. To ensure that an adequate level of fire protection service is maintained as new development occurs.

Policy IV.G.1. The City shall encourage the Fire Protection District to maintain an overall fire insurance (ISO) rating of five or better for the city of Winters, but in no event should the ISO rating be allowed to fall below 6. The goal for average response time for Priority 1 (emergency) calls should be five minutes.

Policy VII.C.1. The City shall require that new development provides all necessary water service, fire hydrants, and access roads consistent with Fire Protection District standards.

Policy VII.C.2. The City shall endeavor to achieve and maintain adequate water fire-flows throughout the city and shall regularly monitor fire-flows to ensure adequacy. New development shall comply with the following minimum fire-flow rates:

<table>
<thead>
<tr>
<th>Development Category</th>
<th>Per Minute</th>
<th>Gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential</td>
<td></td>
<td>1,500</td>
</tr>
<tr>
<td>Multi-family Residential</td>
<td></td>
<td>1,500</td>
</tr>
<tr>
<td>Central Business District</td>
<td></td>
<td>2,000</td>
</tr>
<tr>
<td>Industrial/Other Business District</td>
<td></td>
<td>3,000</td>
</tr>
</tbody>
</table>

In areas where there are existing water system deficiencies, the City shall require new development to install all on-site water system improvements necessary to achieve the above fire-flow rates but may waive full compliance with these standards until existing water system deficiencies are corrected.

Policy VII.C.3. The Fire Protection District shall maintain an ongoing fire and life safety inspection program for all public, commercial, and industrial buildings.

Policy VII.C.4. All new development shall be constructed according to fire safety and structural stability standards contained in the latest adopted Uniform Fire and Building Codes and related regulations.

Policy VII.C.5. To minimize the dependence of new developments on City firefighting personnel and equipment, the City may require installation of built-in fire suppression equipment in all new development.

Policy VII.C.6. The City shall require property owners to remove fire hazards, including vegetation, hazardous structures and materials, and debris, as directed by the Fire Protection District and Public Works Department.
Policy VII.C.7. The City shall ensure that new development provides for adequate fire equipment access and, where appropriate, includes the use of fire-resistant landscaping and building materials.

Goal VII.D: To ensure that City emergency response procedures are adequate in the event of natural or man-made disasters.

Policy VII.D.3. Critical emergency response facilities such as fire, police, emergency service facilities, and utilities shall be sited to minimize their exposure to flooding, seismic effects, fire, or explosion.

Impact fees from new development are collected based upon Projected impacts from each development. The adequacy of impact fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by the Project applicant, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the Project, would fund capital and labor costs associated with fire protection services. Therefore, the impact of the Project on the need for additional fire services facilities is less than significant.

Police Protection

The Project site is currently under the jurisdiction of the Winters Police Department. The Winters Police Department operates out of its headquarters located at 702 Main Street in Winters. The Project site is located approximately 1.04 miles southwest of the headquarters.

The Winters Police Department is a member of the Yolo Emergency Communications Agency (YECA), a joint powers agency that performs dispatching services. The Police Department combines proactive law enforcement techniques with a strong commitment to customer service. The Department is staffed with 11 sworn positions, consisting of a Chief, 3 Sergeants, 2 Corporals, 1 Detective/SRO and 4 Patrol Officers. The Department has a Reserve Officer program which provides additional assistance and coverage for full time sworn officers. The Winters Police Department works in collaboration with outside agencies in accordance to a countywide mutual aid agreement (Winters Police Department, 2019).

The Winters Police Department is organized into two divisions: Patrol and Investigations:

- Patrol Division: Officers are assigned to a patrol shift under general supervision with the expressed goal of providing public assistance; answer calls related to traffic incidents and other emergencies; enforce laws and ordinances; maintain order; prevent crime; prepare reports on activities performed; testify and present evidence in court; provide backup assistance for other officers and personnel; collect, preserve, and maintain evidence, found property and property for safekeeping; serve warrants and subpoenas and performs other related activities as needed or required. Officers are required to complete follow-up investigations on their cases and investigate each incident thoroughly.

- Investigations Division: The investigations division conducts follow-up criminal investigations on crimes reported to the Police Department. Often, investigations are started by patrol officers who, after responding to a call for service, prepare a police report which requires follow-up investigation. Once assigned to conduct the follow-up, a Detective will review a case and conduct an investigation before an arrest is made or a case is closed. A Detective will often use additional specialized training and/or outside
agency resources when conducting an investigation. Investigation staff will also provide
backup assistance for other officers and personnel: collect, preserve, and maintain
evidence; serve warrants and subpoenas and performs other related activities as needed
or required.

The Project would add 54 residential units, which is anticipated to add 167 people to the Project
site. The approximately 167 people may come from Winters or surrounding communities. The
167 people in the City would place additional demands for police service on the Winters Police
Department.

The City receives funds for the provision of public services through development fees, property
taxes, and connection and usage fees. As land is developed within the City and annexed into the
City, these fees apply. The City reviews these fee structures on an annual basis to ensure that they
provide adequate financing to cover the provision of city services. The City’s Community
Development, Public Works, and Finance Departments are responsible for continual oversight to
to ensure that the fee structures are adequate. The City reviews the referenced fees and user
charges on an annual basis to determine the correct level of adjustment required to reverse any
deficits and assure funding for needed infrastructure going forward. The City intends to include
discussion of these fees and charges as part of the annual budget hearings.

The City’s General Plan includes policies and implementation measures that would allow for the
Winters Police Department to continue providing adequate staffing levels. Below is a list of
relevant policies:

Policy I.F.6. The City shall pursue the development of a public safety facility, including a
fire station and police station, perhaps in conjunction with a City corporation yard in the
northern part of Winters.

Goal IV.F: To ensure that an adequate level of police service is maintained as new development
occurs.

Policy IV.F.1. The City shall, through adequate staffing and patrol arrangements,
endeavor to maintain the minimum feasible response times for police calls. The goal for
average response time for Priority 1 (emergency) calls shall be three minutes.

Policy IV.F.2. The Police Department shall continually monitor response times and
report annually on the results of the monitoring.

Goal VII.D: To ensure that City emergency response procedures are adequate in the event of
natural or man-made disasters.

Policy VII.D.3. Critical emergency response facilities such as fire, police, emergency
service facilities, and utilities shall be sited to minimize their exposure to flooding, seismic
effects, fire, or explosion.

Goal VII.F: To prevent crime and promote the protection of people and property.

Policy VII.F.1. The Police Department shall provide neighborhood security and crime
prevention information and training to neighborhood groups, schools, senior citizens,
and homeowners’ associations.
Policy VII.F.2. The City shall encourage the use of physical site planning as an effective means of preventing crime. Developers shall design open spaces, parking lots, parks, play areas, and other public spaces so they can be under continuous surveillance by residents. To this end, the Police Department shall participate in the Project review process to ensure that crime prevention considerations are incorporated in the design of residential, commercial, industrial, and public facility Projects.

Impact fees from new development are collected based upon Projected impacts from each development. The adequacy of impact fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by the Project applicant, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the Project, would fund capital and labor costs associated with school services.

Based on the current adequacy of existing response times and the ability of the Winters Police Department to serve the City, it is anticipated that the existing police department facilities are sufficient to serve the proposed Project. Consequently, any impacts would be less than significant.

Schools

The Project site is located within the service boundaries of the Winters Joint Unified School District (Winters JUSD). The Winters JUSD serves approximately 1550 students within the city of Winters and from the surrounding unincorporated areas of Yolo and Solano counties. The District schools include: Winters Elementary School (grades TK-5), Winters Middle School (grades 6-8), Winters High School (grades 9-12), Wolfskill Continuation High School/Career Readiness Academy (grades 9 -12), and the Winters State Preschool Center and Head Start Program. The District employs approximately 200 employees and is the 2nd largest employer in Winters.

The Project includes residential units that would directly increase the student population in the area. The Project would include the development of 54 dwelling units, which would directly cause population growth and increase enrollment in the local school districts. According to Education Data Partnership, the Winters JUSD had a total of 1,531 enrolled students on census day for the 2017-2018 school year. Therefore, based on a total of 3,322 total households within the Winters JUSD (National Center For Education Statistics, 2019), the student generation rate for the Winters JUSD is approximately 0.46 students per household. Based on this rate, the Project would be expected to generate approximately 25 new students.

The Winters JUSD collects impact fees from new developments under the provisions of SB 50. Payment of the applicable impact fees by the Project applicant, and ongoing revenues that would come from taxes, would fund capital and labor costs associated with school services. The adequacy of fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by the Project applicant, and ongoing revenues that would come from property taxes and other revenues generated by the Project, would fund improvements associated with school services.

The provisions of State law are considered full and complete mitigation for the purposes of analysis under CEQA for school construction needed to serve new development. In fact, State law expressly precludes the City from reaching a conclusion under CEQA that payment of the Leroy F. Greene School Facilities Act school impact fees would not completely mitigate new development impacts on school facilities. Consequently, the City is without the legal authority under CEQA to impose any fee, condition, or other exaction on the Project for the funding of new
school construction other than the fees allowed by the Leroy F. Greene School Facilities Act. Although Winters JUSD may collect higher fees than those imposed by the Leroy F. Greene School Facilities Act, no such fees are required to mitigate the impact under CEQA. Because the Project would pay fees as required by the Leroy F. Greene School Facilities Act, this impact would be less than significant.

Parks
The Project directly increases the number of persons in the area as a result of employment potential, and residential uses. The Project includes 54 residential units, which is Projected to increase the population by an estimated 167 people (based on 3.10 persons per household). For the purposes of extractive and collecting fees to mitigate for increase park demands (Quimby Act), the California Government Code Section 66477 states: The amount of land dedicated or fees paid shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. There shall be a rebuttable presumption that the average number of persons per household by units in a structure is the same as that disclosed by the most recent available federal census or a census taken pursuant to Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4.

The City's General Plan identifies a park standard based on a goal of seven acres of developed parkland per 1,000 residents within the city limits (Policy V.A.1). Policy V.A.2. of the General Plan identifies that the City shall require all new residential development to dedicate improved parkland or pay equivalent in-lieu fees based on a standard of five acres of improved parkland per 1,000 population.

The Project is subject to the City park dedication in-lieu fees. The payment of the City park dedication in-lieu fees would serve as an adequate offset for the park demand. As such, with the implementation of Mitigation Measure PUBLIC-1, the Project will result in a less than significant impact.

Mitigation Measure(s)
Mitigation Measure PUBLIC-1: The applicant shall pay applicable park in-lieu fees or dedicate parkland in accordance with the City of Winters Municipal Code, consistent with Policy V.A.2. of the Winters General Plan. Proof of payment of the in-lieu fees shall be submitted to the City Engineer.

Other Public Facilities
The Project would not result in a need for other public facilities that are not addressed above, or in Section XIX, Utilities and Service Systems. Implementation of the Project would have no impact relative to this issue.
XVI. RECREATION

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

Responses a): The Project would result in the construction of 54 multi-family residential homes, which is anticipated to generate approximately 167 people. The City’s General Plan identifies a park standard based on a goal of seven acres of developed parkland per 1,000 residents within the city limits (Policy V.A.1). Policy V.A.2. of the General Plan identifies that the City shall require all new residential development to dedicate improved parkland or pay equivalent in-lieu fees based on a standard of five acres of improved parkland per 1,000 population. Therefore, the estimated new demand for parks generated by the Project is approximately 0.84 acres of new parks. The Project does not include the construction of new parks; therefore, the developer would be required to pay in-lieu fees. The in-lieu fees would ultimately fund the construction of new park land to offset the increased demand for these facilities. With implementation of Mitigation Measure PUBLIC-1, this potential impact would be reduced to a less than significant level.

Responses b): The Project does not include the construction of recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Implementation of the Project would have no impact relative to this topic.
XVII. TRANSPORTATION

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d) Result in inadequate emergency access?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

Response a), b): A Circulation Master Plan and Roadway Impact Fee Program Update was prepared for the City of Winters by Fehr & Peers. This document established the City’s recommended vehicle circulation threshold, identifying that the City would endeavor to maintain a Level of Service D or better. The LOS threshold does not establish a standard or requirement for individual projects, but rather provides a mechanism for the City to plan for its roadway system and establish a funding link between the need for roadway improvements and development projects. The CMP analyzes existing traffic within the Winters, including existing traffic on Grant Avenue (SR 128). The City has a goal of maintaining smooth and safe traffic flows on Grant Avenue (SR 128) as development occurs in the City. The Project site is included in the City’s General Plan Land Use Map and therefore was included in the “buildout scenario” analyzed within the Circulation Master Plan and Roadway Impact Fee Program Update.

The Project site is located on the outskirts of the City, with a relatively low volume of traffic occurring on nearby roadways. According to the Circulation Master Plan and Roadway Impact Fee Program Update (CMP) prepared by Fehr & Peers, average daily traffic volume is approximately 1,780 trips per day along Walnut Lane, and 11,810 trips per day along the section of Russell Boulevard that crosses E. Grant Avenue. The Project site is included in the City’s General Plan Land Use Map and therefore was included in the “buildout scenario” analyzed in the CMP, which addresses performance standards for the City’s roadway facilities and Grant Avenue (State Route 128). Under buildout conditions, the General Plan would add approximately 4,333 dwelling unit equivalents (DUEs), as shown in Table 9 of the CMP, and associated trips to the existing conditions (Fall 2016). This increase in trips would result in unacceptable operations at one roadway segment and nine intersections as described in the CMP. The CMP identified two traffic signals, one roundabout, and one roadway widening program that are necessary to address the City’s circulation needs based on growth anticipated under the General Plan.

Based on trip generation rates provides in Table 6 of the CMP, the Project would generate approximately 529 daily trips (based on a daily trip rate of 9.79 trips per day for single-family residential land uses). Project trips would increase the amount of traffic during Project operation that currently occurs at and within the vicinity of the Project site. Table 9 of the CMP identified an increase of 4,333 residential dwelling unit equivalents is expected at General Plan buildout. The Project would account for 1.2% of this projected growth, is within the growth projected in the CMP, and would contribute, through payment of Roadway Impact Fees, to the infrastructure.
identified for the City at General Plan buildout by the CMP. Furthermore, the Project Applicant would be required to pay all applicable roadway impact fees, which are determined on a per-unit or per-square-footage basis, as required (as delineated in the CMP), as applicable. Lastly, based on the size of the Project, construction traffic would be temporary and minor.

The City of Winters Bikeway System Master Plan (BSMP), updated in January 2013, identifies needs and objectives for the City’s bicycle circulation system and established specific projects and implementation measures to address the City’s needs. The Proposed Bikeway Network (Figure 7 of the BSMP) does not identify any bicycle facilities, including planned bicycle lanes or bicycle paths, on or in the vicinity of the Project site. The Project would not impede implementation of the BSMP.

The Project is consistent with applicable circulation plans and standards, as described above. Therefore, this impact would be considered less than significant.

Responses c), d): The Project would include construction of four access points (two connecting to Walnut Lane, one connecting to Almond Drive, and another connecting to the Skreden 61 parcel directly east of the Project site that is planned for development). The construction of the Project roadways would provide multiple points of ingress and egress.

No site circulation or access issues have been identified that would cause a traffic safety problem/hazard or any unusual traffic congestion or delay within the Project. The volumes on the internal residential roadways (with residences fronting on them) would be relatively low such that no significant conflicts would be expected with through traffic and vehicles backing out of the driveways and/or garages within the Project.

Emergency vehicles arriving to and from the Project would enter the Project site primarily from Walnut Lane and/or Almond Drive. All Project site access points would be designed to City standards that accommodate turning requirements for fire trucks. The multiple entry/exit points provide flexibility for emergency vehicles to access or evacuate from multiple directions during an emergency. The Project roadways would be designed consistent with the City’s standard road plans and with California Fire Code provisions, including minimum specifications for emergency access. Internal local residential streets would have a 50-foot right-of-way, with a 17-foot vehicle travel lane, three-foot curb and gutter, five-foot sidewalk in each direction. Walnut Lane would have a 17-foot vehicle travel lane, three-foot curb and gutter, five-foot sidewalk in the northbound direction and a 16-foot travel lane southbound. The 16- and 17-foot vehicle travel lanes are adequately sized to accommodate emergency vehicles and are also of adequate width and design to accommodate emergency evacuations.

Based on the design of the site and the number of emergency access points, there would be no site circulation or access issues identified that would cause a traffic safety problem/hazard or any unusual traffic congestion or delay. The volumes on the internal residential streets would be relatively low such that no significant conflicts would be expected to occur. The site would not result in inadequate emergency access. Therefore, impacts associated with design features and emergency access would be considered less than significant.
XVIII. TRIBAL CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

Responses a), b): A Cultural and Paleontological Resources Inventory (Study) for the Project was prepared by Natural Investigations Company on May 1, 2019. The Study included an investigation based on the cultural literature, Sacred Lands File and paleontological records searches, and an intensive-level pedestrian survey of the Project site. This study was completed in compliance with the California Environmental Quality Act. The Study did not identify any cultural or paleontological resources of concern in the literature search or the field walk. The Study identified that the potential for the discovery of cultural or paleontological resources within the Project site is low.

Pursuant to the requirements of Assembly Bill 52 (AB 52), which was passed in September 2014 and took effect on July 1, 2015, the City is responsible for notifying and responding to any requests received in writing from geographically affiliated tribes for consultation regarding the potential of a Project to impact Tribal Cultural Resources (TCRs). Outreach to the geographically affiliated tribes was conducted in early 2019 in accordance with AB 52, and based on this outreach, no tribes have requested further consultation pursuant to AB 52.

As discussed in Section V, Cultural Resources, the City contacted the Yocha Dehe Wintun Nation, providing an opportunity for the Yocha Dehe Wintun Nation to comment and/or request consultation regarding the Project. The Yocha Dehe Wintun Nation indicated that the site is within its aboriginal territories. The Yocha Dehe Wintun Nation initially indicated in a letter dated March 19, 2019 that it had concerns regarding potential impacts to cultural resources. Subsequently, via a May 6, 2019 letter, the Yocha Dehe Wintun Nation indicated it is not aware of any known cultural resources near the Project site and a monitor is not needed, but cultural sensitivity training was recommended.

Although no TCRs have been documented in the Project site, the Project is located in a region where significant cultural resources have been recorded and there remains a potential that undocumented archaeological resources that may meet the TCR definition could be unearthed or
otherwise discovered during ground-disturbing and construction activities. Due to the possible presence of undocumented TCRs within the Project site, construction-related impacts on tribal cultural resources would be potentially significant. With implementation of the following mitigation measure, construction workers would be trained to be sensitive to cultural resources and procedures would be established to address the discovery of any cultural resources, including tribal cultural resources. With implementation of Mitigation Measures CLT-1 and CLT-2, the Project would have a less than significant impact related to tribal cultural resources.

**Mitigation Measures**
Implement Mitigation Measures CLT-1 and CLT-2.
XIX. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Require or result in the relocation or construction of new or expanded water, wastewater or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Responses to Checklist Questions

Responses a)-c):

**Water**

The proposed water system will be tied into the 8-inch water line in Walnut Lane and the 8-inch water line in Almond Drive. An 8-inch water line connection is also proposed to the northeast to connect with the future Skreden 61 subdivision.

It is anticipated that water supply for the Project would be local groundwater. Water distribution will be by an underground distribution system to be installed as per the City standards and specifications. The applicant for the Project will provide their proportionate share of required funding to the City for the acquisition and delivery of treated potable water supplies to the Project site through connection fees.

The City has adequate water supplies to support existing and future demand in the City, as provided within the City of Winters 2006 Water Master Plan. The City serves approximately 7,000 customers and maintains approximately 20 miles of water pipeline. The Project site is located within the area studied by the water master plan. The water master plan identifies that single family residential parcels are estimated to have a non-irrigation per capita water usage of 100 gallons per capita per day for all residential land uses. Additionally, the water master plan assumes an estimated irrigation demand of 165 gallons per day per dwelling unit. The Project includes 54 dwelling units, and an estimated population of 167 residents. Therefore, it is
estimated that the Project would generate approximately 25,610 gallons per day (16,700 gallons per day for non-irrigated uses, and 8,910 gallons per day for irrigated uses).

The 2006 Water Master Plan identifies that the City has sufficient supply for the City under buildout conditions. The 2006 Water Master Plan indicates that current groundwater supply can also meet future demands with no risk of overdraft even during consecutive dry years. Furthermore, additional wells can be developed as demand required. Therefore, the Project would not result in insufficient water supplies available to serve the Project from existing entitlements and resources. Therefore, a less than significant impact would occur related to water supply and water infrastructure.

Wastewater
The City owns and operates the Wastewater Treatment Facility (WWTF), which provides treatment and disposal of wastewater from approximately 7,000 residents in the City. The WWTF treats wastewater through a two-stage aerated pond system that includes a polishing pond and chlorination facilities for disinfection. Final effluent can be stored in four storage ponds, disposed of on 170 acres of spray fields, or provided as recycled water to local farmers for crop irrigation.

The Wastewater Treatment Facility Master Plan Update was prepared in 2017 to re-evaluate the wastewater treatment facilities necessary to serve the estimated City population of 12,243 by 2036 and comply with probable regulatory requirements and to identify the apparent best alternative for phased implementation of the facilities.

The Wastewater Treatment Facility Master Plan Update identifies two wastewater generation rates; 85 gallons per capita per day (gpcd), which represents an approximate midpoint between the pre- and post-mandatory water conservation conditions, and 102 gpcd, which represents the pre-mandatory water conservation condition. These wastewater generation rates assume a proportional increase in commercial and industrial discharges relative to the current conditions. Using these rates, it is estimated that the Project would generate approximately 14,195 to 17,034 additional gallons per day of wastewater requiring treatment. The wastewater would be treated at the WWTF. Occupancy of the Project would be prohibited without sewer allocation.

The City's available capacity would ensure that there would not be a determination by the wastewater treatment and/or collection provider that there is inadequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments. Additionally, any planned expansion to the WWTF with a subsequent allocation of capacity to the Project would ensure that there would not be a determination by the wastewater treatment and/or collection provider that there is inadequate capacity to serve the proposed Project's Projected demand in addition to the provider's existing commitments.

Because the Project applicant would pay all applicable wastewater and sewer fees to develop the site, and adequate long-term wastewater treatment capacity is available to serve full build-out of the Project, a less than significant impact would occur related to requiring or resulting in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Responses d), e): The City of Winters Waste Management provides solid waste hauling service for the City and would serve the Project. Solid waste from Winters is primarily landfilled at the Yolo County - Central Landfill, located in Woodland, CA.
The permitted maximum capacity at the Yolo County - Central Landfill is 49,035,200 cubic yards for solid waste, with a daily allowed throughput of 1,800 tons per day. According to CalRecycle (as of July 31, 2018), the landfill has a remaining capacity of 35,171,142 cubic yards (CalRecycle, 2019).

The residential uses are estimated to generate roughly 10 pounds per day per household. It is estimated that the proposed 54 residential units would generate 540 pounds per day (or approximately 0.27 tons per day) of solid waste.

The Project would not interfere with regulations related to solid waste, or generate waste in excess of the capacity of local infrastructure. Implementation of the Project would have a less than significant impact relative to this topic.
**XX. WILDFIRE**

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Existing Setting**

There are no State Responsibility Areas (SRAs) within the vicinity of the Project site. The City contains areas with "moderate", "high", and "very high" and ranks on CAL FIRE's Local Responsibility Area (LRA) Fire Hazard Severity Zone maps. However, the Project site is not located within such areas. The Project site is located in an area with a "Local Responsibility Zone (LRA) - Unzoned" rank. The Project site is not in the vicinity of any Very High or High Fire Hazard Severity Zones (either SRA or LRA) as mapped by CAL FIRE (Fire Hazard Severity Zones in SRA, November 2007; Yolo County Draft Fire Hazard Severity Zones in LRA, October 2007.) Although this CEQA topic only applies to areas within a SRA or Very High FHSZ, out of an abundance of caution, these checklist questions are analyzed below.

**Responses to Checklist Questions**

**Response a):** The Project site will connect to an existing network of City streets. The proposed circulation improvements would allow for greater emergency access relative to existing conditions. The Project would not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts from Project implementation would be considered *less than significant* relative to this topic.

**Response b):** The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. The Project site is located in an area that is predominately agricultural and developed, which is not considered at a significant risk of wildfire. Therefore, impacts from Project implementation would be considered *less than significant* relative to this topic.
Response c): The Project includes development of infrastructure (water, sewer, and storm drainage). The proposed infrastructure improvements would allow for decreased fire risk relative to existing conditions. The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts from Project implementation would be considered less than significant relative to this topic.

Response d): The Project site will be connecting to an existing network of City streets. The proposed circulation improvements would allow for greater emergency access relative to existing conditions. The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

As shown in Figure 9, the majority of the Project site is located within the 100-year FEMA flood zone. The 100-year FEMA flood zone by definition indicates an area protected by levees from the 1% annual chance flood.

The Project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the Project site, as provided in the Storm Drainage Assessment prepared for the Project by Wood Rogers. The Project storm drainage plan will require the construction of new storm water drainage facilities on the Project site and on the site adjacent to the Project site (to the west). The Project would be required to implement Mitigation Measures HYDRO-1, -2, and -3, which would ensure that people or structures are not exposed to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The Project site is relatively flat; therefore, the potential for a landslide in the Project site is essentially non-existent.

Therefore, impacts from Project implementation would be considered less than significant relative to this topic.
XXI. MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

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

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?

Responses to Checklist Questions

Response a): This Initial Study includes an analysis of the Project impacts associated with aesthetics, agricultural and forest resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems. The analysis covers a broad spectrum of topics relative to the potential for the Project to have environmental impacts. This includes the potential for the Project to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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. It was found that the Project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of mitigation measures. For the reasons presented throughout this Initial Study, the Project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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. With the implementation of mitigation measures presented in this Initial Study, the Project would have a less than significant impact relative to this topic.

Response b): This Initial Study includes an analysis of the Project impacts associated with aesthetics, agricultural and forest resources, air quality, biological resources, cultural and tribal resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise,
population and housing, public services, recreation, transportation/traffic, and utilities and service systems. The analysis covers a broad spectrum of topics relative to the potential for the Project to have environmental impacts. It was found that the Project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of mitigation measures. These mitigation measures would also function to reduce the Project's contribution to cumulative impacts.

The Project would increase the population and use of public services and systems; however, it was found that there is adequate capacity to accommodate the Project.

There are no significant cumulative or cumulatively considerable effects that are identified associated with the Project after the implementation of all mitigation measures presented in this Initial Study. With the implementation of all mitigation measures presented in this Initial Study, the Project would have a less than significant impact relative to this topic.

**Responses c):** The construction phase could affect surrounding neighbors through increased air emissions, noise, and traffic; however, the construction effects are temporary and are not substantial. The operational phase could also affect surrounding neighbors through increased air emissions, noise, and traffic; however, mitigation measures have been incorporated into the Project, where warranted, that would reduce the impacts to a less than significant level. The Project would not cause substantial adverse effects on human beings. Implementation of the Project would have a less than significant impact relative to this topic.
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Appendix A

Biological Resources Assessment
Biological Resources Assessment

Winters 10

Yolo County, California
July 2019
Prepared for:
James R. Corbett
Corbett Family Trust
44167 Greenview Drive
El Macero, CA 95618

Recommended Citation:
1.0 INTRODUCTION

This report presents the results of a Biological Resources Assessment (BRA) conducted for the Winters 10 property (Study Area). The approximately 10-acre Study Area is located in Winters, at the northern terminus of Walnut Lane, north of Highway 128. The Study Area is located in Section 22, Township 8 North, Range 1 West of the “Winters, California” 7.5-Minute Series USGS Topographic Quadrangle (USGS 2015) (Figure 1).

1.1 Project Description

The Applicant is proposing to subdivide the approximately 10-acre Study Area into single-family residential lots and related infrastructure.

2.0 REGULATORY SETTING

This section describes federal, state and local laws and policies that are relevant to this assessment of biological resources.

2.1 Federal Regulations

2.1.1 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 protects species that are federally listed as endangered or threatened with extinction. FESA prohibits the unauthorized “take” of listed wildlife species. Take includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such activities. Harm includes significant modifications or degradations of habitats that may cause death or injury to protected species by impairing their behavioral patterns. Harassment includes disruption of normal behavior patterns that may result in injury to or mortality of protected species. Civil or criminal penalties can be levied against persons convicted of unauthorized “take.” In addition, FESA prohibits malicious damage or destruction of listed plant species on federal lands or in association with federal actions, and the removal, cutting, digging up, damage, or destruction of listed plant species in violation of state law. FESA does not afford any protections to federally listed plant species that are not also included on a state endangered species list on private lands with no associated federal action.

2.1.2 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase or barter, any native migratory bird, their eggs, parts, and nests, except as authorized under a valid permit (50 CFR 21.11.). Likewise, Section 3513 of the California Fish & Game Code prohibits the “take or possession” of any migratory non-game bird identified under the MBTA. Therefore, activities that may result in the injury or mortality of native migratory birds, including eggs and nestlings, would be prohibited under the MBTA.
2.2 State Regulations

2.2.1 California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires evaluations of project effects on biological resources. Determining the significance of those effects is guided by Appendix G of the CEQA guidelines. These evaluations must consider direct effects on a biological resource within the project site itself, indirect effects on adjacent resources, and cumulative effects within a larger area or region. Effects can be locally important but not significant according to CEQA if they would not substantially affect the regional population of the biological resource. Significant adverse impacts on biological resources would include the following:

- Substantial adverse effects on any species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS) (these effects could be either direct or via habitat modification);
- Substantial adverse impacts to species designated by the California Department of Fish and Game (2009) as Species of Special Concern;
- Substantial adverse effects on riparian habitat or other sensitive habitat identified in local or regional plans, policies, or regulations or by CDFW and USFWS;
- Substantial adverse effects on federally protected wetlands defined under Section 404 of the Clean Water Act (these effects include direct removal, filling, or hydrologic interruption of marshes, vernal pools, coastal wetlands, or other wetland types);
- Substantial interference with movements of native resident or migratory fish or wildlife species population, or with use of native wildlife nursery sites;
- Conflicts with local policies or ordinances protecting biological resources (e.g. tree preservation policies); and
- Conflict with provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

2.2.2 State Endangered Species Act

With limited exceptions, the California Endangered Species Act (CESA) of 1984 protects state-designated endangered and threatened species in a way similar to FESA. For projects on private property (i.e. that for which a state agency is not a lead agency), CESA enables CDFW to authorize take of a listed species that is incidental to carrying out an otherwise lawful project that has been approved under CEQA (Fish & Game Code Section 2081).

2.2.3 Native Plant Protection Act

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are
protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

2.2.4 California Water Code, Porter-Cologne Act

The Porter Cologne Act, from Division 7 of the California Water Code, requires any person discharging waste or proposing to discharge waste that could affect the quality of waters of the state to file a report of waste discharge (RWD) with the RWQCB. The RWQCB can waive the filing of a report, but once a report is filed, the RWQCB must either waive or adopt water discharge requirements (WDRs). “Waters of the state” are defined as any surface water or groundwater, including saline waters, within the boundaries of the state.

2.2.5 California Fish and Game Code, Section 3503.5 - Raptor Nests

Section 3503.5 of the Fish and Game Code makes it unlawful to take, possess, or destroy hawks or owls, unless permitted to do so, or to destroy the nest or eggs of any hawk or owl.

2.3 Local Regulations

The City of Winters has a policy regarding tree removal, but it only applies to trees within the Control Zone and public places. The Control Zone applies to specified distances between homes and sidewalks.

3.0 METHODOLOGY

3.1 Literature Review

A list of special-status species with potential to occur within the Study Area was developed by conducting a query of the following databases:

- California Natural Diversity Database (CNDDB) query of the “Winters, CA” USGS quadrangle and the surrounding eight quadrangles (CNDDB 2019) (Attachment A);
- USFWS Information for Planning and Conservation (IPaC) (USFWS 2019) query for the Study Area (Attachment B);
- California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (CNPS 2018) query of the “Winters, California” USGS quadrangle, and the eight surrounding quadrangles (Attachment C); and
- Western Bat Working Group (WBWG) Species Matrix (WBWG 2019).

In addition, any special-status species that are known to occur in the region, but that were not identified in any of the above database searches were also analyzed for their potential to occur within the Study Area.
For the purposes of this Biological Resources Assessment, special-status species is defined as those species that are:

- listed as threatened or endangered, or proposed or candidates for listing by the USFWS or National Marine Fisheries Service;
- listed as threatened or endangered and candidates for listing by CDFW;
- identified as Fully Protected species or species of special concern by CDFW;
- identified as Medium or High priority species by the WBWG (WBWG 2017); and
- plant species considered to be rare, threatened, or endangered in California by the CNPS and CDFW (California Rare Plant Rank (CRPR) 1, 2, and 3):
  - CRPR 1A: Plants presumed extinct.
  - CRPR 1B: Plants rare, threatened, or endangered in California and elsewhere.
  - CRPR 2A: Plants extirpated in California, but common elsewhere.
  - CRPR 2B: Plants rare, threatened, or endangered in California, but more common elsewhere.
  - CRPR 3: Plants about which the CNPS needs more information – a review list.

3.2 Field Surveys

Madrone Consulting, LLC (Madrone) senior biologist Bonnie Peterson conducted a field survey of the Study Area on 13 April 2018 to conduct an aquatic resources delineation, survey for rare plants and elderberry shrubs, and assess the suitability of habitats on-site to support special-status species. Meandering pedestrian surveys were performed on foot throughout the Study Area. Vegetation communities were classified in accordance with The Manual of California Vegetation, Second Edition (Sawyer, Keeler-Wolf and Evens 2009), and plant taxonomy was based on the nomenclature in the Jepson eFlora (Jepson Flora Project 2019). A list of all wildlife species observed during field surveys is included as Attachment D.

The results of the following surveys were also incorporated into this report:

- An aquatic resources delineation conducted by Madrone for the Study Area (Madrone 2018a),
- Special-status plant surveys conducted by Madrone throughout the Study Area (Madrone 2018b),
- A Valley elderberry longhorn beetle habitat survey conducted by Madrone throughout the Study Area (Madrone 2018c).

4.0 EXISTING CONDITIONS

The Study Area is an almond orchard. The site is bordered by single-family residential development to the south and a fallow, undeveloped agricultural field to the east. The abutting parcel to the west contains a single rural residential home and an almond orchard is located on the property to the north of the Study Area. The Study Area is situated on relatively flat terrain at an elevation of approximately 130 feet and has been leveled to facilitate flood irrigation. Based on a review of historic aerial photos (Google Earth 2019), the orchard has been in place since before 1968 and has been minimally maintained in recent years.
Vegetation within the Study Area consists primarily of planted rows of domestic almond (*Prunus dulcis*) with reed canarygrass (*Phalaris arundinacea*) and some curly dock (*Rumex crispus*) underneath the canopy. Ruderal non-native grassland species dominated by slender wild oat (*Avena barbata*) are present between rows of almond trees. Volunteer almond, wild plum (*Prunus americana*), and black walnut (*Juglans nigra*) are scattered throughout the Study Area and along the perimeter of the site. The northwestern corner of the site contains a patch of reed canarygrass and a Paradox walnut (*Juglans x paradox*). The U.S. Army Corps of Engineers has determined there are no Waters of the U.S. on the site (Attachment E). There is no Critical Habitat for federally-listed species within the Study Area.

4.1 Soils

According to the Natural Resources Conservation Service (NRCS) Soil Survey Database (NRCS 2018), two soil mapping units occur within the Study Area (Figure 2): (BrA) Brentwood silty clay loam, 0 to 2 percent slopes; and (Rg) Rincon silty clay loam, 0 to 1 percent slopes. Neither of these soil map units have been identified as containing special soils, such as serpentine or saline-alkali inclusions (NRCS 2018).

5.0 RESULTS

Table 1 provides a list of special-status species that were evaluated, including their listing status, and their potential to occur in the Study Area. The following set of criteria was used to determine each species’ potential for occurrence on the site:

- **Present**: Species occurs on the site based on CNDDB records, and/or was observed on the site during field surveys.
- **High**: The site is within the known range of the species and suitable habitat exists.
- **Moderate**: The site is within the known range of the species and very limited suitable habitat exists.
- **Low**: The site is within the known range of the species and there is marginally suitable habitat.
- **Absent/No Habitat Present**: The site does not contain suitable habitat for the species or for plant species, the species was not observed during protocol-level floristic surveys conducted on-site.

Figure 3 is an exhibit displaying CNDDB occurrences of plants, wildlife, and critical habitats within five miles of the Study Area. Following the table, is a discussion of all special-status plant and animal species identified by the literature and field reviews as having potential to occur within the Study Area.

### Table 1. Special-Status Species Potential for Occurrence within the Winters 10

<table>
<thead>
<tr>
<th>Special-Status Species</th>
<th>Federal Status</th>
<th>State Status</th>
<th>Potential for Occurrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tricolored blackbird (<em>Agelaius tricolor</em>)</td>
<td>-</td>
<td>CT/CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>California tiger salamander (<em>Ambystoma californiense</em>)</td>
<td>FT</td>
<td>CT</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Pallid bat (<em>Antrozous pallidus</em>)</td>
<td>-</td>
<td>CSC, WBWG H</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Ferris' milk-vetch (<em>Astragalus tener var. ferrisiae</em>)</td>
<td>-</td>
<td>CRPR 1B.1</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Alkali milk-vetch (<em>Astragalus tener var. tener</em>)</td>
<td>-</td>
<td>CRPR 1B.2</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Burrowing owl (<em>Athene cunicularia</em>)</td>
<td>-</td>
<td>CSC</td>
<td>No Habitat Present</td>
</tr>
<tr>
<td>Species</td>
<td>Threat Status</td>
<td>Habitat Status</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>---------------</td>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td>Heartscale (Atriplex cordulata var. cordulata)</td>
<td>-</td>
<td>CRPR 1B.2 No Habitat Present</td>
<td></td>
</tr>
<tr>
<td>Crotch bumble bee (Bombus crotchii)</td>
<td>-</td>
<td>CT No Habitat Present</td>
<td></td>
</tr>
<tr>
<td>Western bumble bee (Bombus occidentalis)</td>
<td>-</td>
<td>CT No Habitat Present</td>
<td></td>
</tr>
<tr>
<td>Vernal pool fairy shrimp (Branchinecta lynchi)</td>
<td>FT</td>
<td>- No Habitat Present</td>
<td></td>
</tr>
<tr>
<td>Swainson's hawk (Buteo swainsoni)</td>
<td>-</td>
<td>CT Moderate</td>
<td></td>
</tr>
<tr>
<td>Mountain plover (Charadrius montanus)</td>
<td>-</td>
<td>CSC No Habitat Present</td>
<td></td>
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FD - Ferally Delisted, FT - Federally Threatened, FE - Federally Endangered, FP - Federally Protected, CE - CDFW endangered or Candidate Endangered, CT - CDFW Threatened or Candidate Threatened, CSC - CDFW Species of Concern, WL - CDFW Watch List, CRPR - California Rare Plant Rank, WBWG H - Western Bat Working Group High Threat Rank, WBWG M - Western Bat Working Group Medium Threat Rank
5.1 Birds

5.1.1 Swainson’s Hawk

Swainson’s hawk (Buteo swainsoni) is a raptor species that is not federally listed, but is listed as threatened under CESA. Breeding pairs typically nest in tall trees associated with riparian corridors, and forage in grassland, irrigated pasture, and cropland with a high density of rodents. The Central Valley populations breed and nest in the late spring through early summer before migrating to Central and South America for the winter (Shuford and Gardali 2008).

Suitable foraging habitat for Swainson’s hawk is absent from the Study Area; however, the almond trees within the Study Area provide acceptable but not preferred nesting habitat. The nearest documented Swainson’s hawk nest presumed extant is CNDDB Occurrence #1938, which is located approximately 0.5 miles south of the Study Area along the north bank of Putah Creek (CNDDB 2018).

5.1.2 White-Tailed Kite

White-tailed kite (Elanus leucurus) is not federally or state listed, but is a CDFW fully protected species. This species is a yearlong resident in the Central Valley and is primarily found in or near foraging areas such as open grasslands, meadows, farmlands, savannahs, and emergent wetlands. White-tailed kites typically nest from March through June in trees within riparian, oak woodland, and savannah habitats of the Central Valley and Coast Range (Shuford and Gardali 2008).

Suitable foraging habitat for white-tailed kite is absent from the Study Area; however, the trees within the Study Area provide acceptable but not preferred nesting habitat. There are no CNDDB occurrences of white-tailed kite within 5 miles of the Study Area.

5.2 Bats

An assessment of bat habitat within the Study Area, including all potential roosting habitat features, was performed in the field to determine the likelihood of the presence of the following species.

5.2.1 Western Red Bat

Western red bat (Lasiurus blossevillii) is not federally or state listed, but is considered a CDFW species of special concern, and is classified by the WBWG as a High priority species. Western red bat is typically solitary, roosting primarily in the foliage of trees or shrubs (WBWG 2017). Day roosts are commonly in edge habitats adjacent to streams or open fields, in orchards, and sometimes in urban areas. There may be an association with intact riparian habitat (particularly willows, cottonwoods, and sycamores) (WBWG 2017).
Trees within the almond orchard represent suitable roosting habitat for western red bat. One CNDDB occurrence of western red bat has been documented in the CNDDB within 5 miles of the Study Area along Putah Creek (CNDDB 2018).

5.2.2  **Hoary Bat**

The hoary bat (*Lasiurus cinereus*) is not federally or state listed, but is classified by the WBWG as a Medium priority species. It is considered to be one of the most widespread of all American bats with a range extending from Canada to central Chile and Argentina as well as Hawaii (WBWG 2017). Hoary bats are solitary and roost primarily in foliage of both coniferous and deciduous trees, near the ends of branches at the edge of clearings (WBWG 2017). This species may also occasionally roost in caves, beneath rock ledges, in woodpecker holes, in grey squirrel nests, under wood planks, or clinging to the side of buildings (WBWG 2017).

Hoary bat has not been documented in the CNDDB within 5 miles of the Study Area (CNDDB 2018).

6.0  **IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES**

This section details potential project impacts to the sensitive biological resources discussed above.

6.1  **Sensitive Natural Communities**

There are no sensitive natural communities within the Study Area. Therefore, no impacts to sensitive natural communities are anticipated for the Project.

6.2  **Aquatic Resources**

There are no aquatic resources within the Study Area. Therefore, no impacts to aquatic resources are anticipated for the Project.

6.3  **Special-Status Plant Species**

A protocol-level special-status plant survey was conducted throughout the Project and none were found (Madrone 2018a). Therefore, no impacts to special-status plant species are anticipated for the Project.

6.4  **Nesting Raptors and Songbirds**

Swainson's hawk, white-tailed kite, other raptors, and songbirds have the potential to nest within the Study Area, as do other more common bird species protected by the MBTA. If they were nesting on-site, removal of the nests could result in direct mortality or nest abandonment. Furthermore, birds nesting in avoided areas adjacent to construction could be disturbed by construction, which could result in nest abandonment.
6.5 Roosting Bats

Trees throughout the Study Area are habitat for various special-status bats species. If special-status bat were roosting in trees to be removed by Project construction, they could be injured or killed during the removal.

6.6 Trees Within the Control Zone

Public property or areas in the Control Zone are absent from the Study Area. Therefore, no impacts to protected trees are anticipated for the Project.

7.0 MITIGATION FOR IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES

The following are mitigation measures that are often required by CEQA lead agencies for impacts to sensitive biological resources that could occur as a result of with construction of the Project.

7.1 Special-Status Plant Species

Special-status plant surveys conducted throughout the Study Area in 2018 were negative and the potential habitat present is marginal enough that establishment of new populations is very unlikely. No further mitigation is recommended.

7.2 Nesting Raptors and Other Birds

The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically February 1 through September 1):

7.2.1 Swainson's Hawk

A targeted Swainson's hawk nest survey shall be conducted throughout all publicly accessible areas within ¼ mile of the proposed construction area no later than 14 days prior to construction activities. If active Swainson's hawk nests are found within ¼ mile of a construction area, construction shall cease within ¼ mile of the nest until a qualified biologist (Project Biologist) determines that the young have fledged, or it is determined that the nesting attempt has failed. If the Applicant desires to work within ¼ mile of the nest, the Applicant shall consult with CDFW, and the City of Winters to determine if the nest buffer can be reduced. The Project Applicant, the Project Biologist, the City of Winters and CDFW shall collectively determine the nest avoidance buffer, and what (if any) nest monitoring is necessary. If an active Swainson's hawk nest is found within the Project site prior to construction and is in a tree that must be removed during nesting season, then the Project Applicant shall obtain a take permit from CDFW.
7.2.2 Burrowing Owls

The Study Area does not represent suitable habitat for burrowing owls, but adjacent buffer areas could support them. A targeted burrowing owl nest survey shall be conducted within all publicly accessible grassland areas within 250 feet of the proposed construction within 14 days prior to construction activities utilizing 60 foot transects as outlined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012) (Staff Report). If an active burrowing owl nest burrow (i.e., occupied by more than one adult owl, and/or juvenile owls are observed) is found within 250 feet of a construction area, construction shall cease within 250 feet of the nest burrow until a qualified biologist (Project Biologist) determines that the young have fledged or it is determined that the nesting attempt has failed. If the Applicant desires to work within 250 feet of the nest burrow, the Applicant shall consult with the City of Winters to determine if the nest buffer can be reduced. During the non-breeding season (late September 1st through the end of January), the Applicant may choose to conduct a survey for burrows or debris that represent suitable nesting habitat for burrowing owls within publicly accessible buffer areas, exclude any burrowing owls observed, and collapse any burrows or remove the debris in accordance with the methodology outlined in the Staff Report.

7.2.3 Other Birds

A pre-construction nesting bird survey shall be conducted by the Project Biologist within the Study Area and a 250-foot radius of proposed construction areas, where public access is available, no more than fourteen (14) days prior to the initiation of construction. If there is a break in construction activity of more than fourteen (14) days then subsequent surveys shall be conducted.

If active raptor nests, not including Swainson's hawk are found, no construction activities shall take place within 250 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbence buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the Project Biologist and approved by the City of Winters after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). The Project Biologist can visit the nest as needed to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.

7.2.4 Changes to Buffers and Completion of Nesting

Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by the Project Biologist in consultation with the City of Winters.
Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

7.3 Roosting Bats

To avoid potential impacts to foliage-roosting bat species it is recommended that all tree removal be conducted from January through April on days with temperatures in excess of 50 degrees F.

8.0 REFERENCES


Shuford, W. D., and Gardali, T., editors. 2008. *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California.* Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento


Figures

Figure 1. Vicinity Map
Figure 2. Natural Resources Conservation Service Soils
Figure 3. California Natural Diversity Database Occurrences
Figure 1
Vicinity Map

"Winters, California" 7.5-Minute Topographic Quadrangle
Section 22, Township 8 North, Range 1 West, MDB&M
Longitude -121.961685, Latitude 38.531988
Figure 2
Natural Resources Conservation Service Soils

Winters 10 Property
City of Winters, Yolo County, California

Soil Survey Source: USDA, Soil Conservation Service.
Soil Survey Geographic (SSURGO) database for Yolo County, California.
Aerial Source: USDA, National Agriculture Imagery Program, 13 April 2018.
Attachments

Attachment A. California Natural Diversity Database Occurrences of Plant and Wildlife Species
Attachment B. IPaC Trust Resource Report for the Study Area
Attachment C. CNPS Inventory of Rare and Endangered Plants Query for the "Winters, California"
   USGS Quadrangle and Eight Surrounding Quadrangles
Attachment D. Wildlife Observed
Attachment E. Winters 10 Approved Jurisdictional Determination
Attachment A

California Natural Diversity Database Occurrences of Plant and Wildlife Species
### Selected Elements by Scientific Name
#### California Department of Fish and Wildlife
#### California Natural Diversity Database

**Query Criteria:**

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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Lepidurus packardi</em></td>
<td>ICBRA10010</td>
<td>Endangered</td>
<td>None</td>
<td>G4</td>
<td>S3S4</td>
<td></td>
</tr>
<tr>
<td>vernal pool tadpole shrimp</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Leptosiphon jeppsonii</em></td>
<td>PDPLM09140</td>
<td>None</td>
<td>None</td>
<td>G2G3</td>
<td>S2S3</td>
<td>1B.2</td>
</tr>
<tr>
<td>Jepson's leptosiphon</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Lindieriella occidentalis</em></td>
<td>ICBRA06010</td>
<td>None</td>
<td>None</td>
<td>G2G3</td>
<td>S2S3</td>
<td></td>
</tr>
<tr>
<td>California lindieriella</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Myotis yumanensis</em></td>
<td>AMACC01020</td>
<td>None</td>
<td>None</td>
<td>G5</td>
<td>S4</td>
<td></td>
</tr>
<tr>
<td>Yuma myotis</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Myrmosula pacifica</em></td>
<td>IIBHYM15010</td>
<td>None</td>
<td>None</td>
<td>GH</td>
<td>SH</td>
<td></td>
</tr>
<tr>
<td>Antioch multilid wasp</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><em>Navarretia leucocephala ssp. bakeri</em></td>
<td>PDPLM0C0E1</td>
<td>None</td>
<td>None</td>
<td>G4T2</td>
<td>S2</td>
<td>1B.1</td>
</tr>
<tr>
<td>Baker's navarretia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Nycticorax nycticorax</em></td>
<td>ABNGA11010</td>
<td>None</td>
<td>None</td>
<td>G5</td>
<td>S4</td>
<td></td>
</tr>
<tr>
<td>black-crowned night heron</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Plagiobothrys hystriculus</em></td>
<td>PDBOR0V0H0</td>
<td>None</td>
<td>None</td>
<td>G2</td>
<td>S2</td>
<td>1B.1</td>
</tr>
<tr>
<td>bearded popcornflower</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Puccinellia simplex</em></td>
<td>PMPOA53110</td>
<td>None</td>
<td>None</td>
<td>G3</td>
<td>S2</td>
<td>1B.2</td>
</tr>
<tr>
<td>California alkali grass</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Species</td>
<td>Element Code</td>
<td>Federal Status</td>
<td>State Status</td>
<td>Global Rank</td>
<td>State Rank</td>
<td>Rare Plant Rank/CDFW SSC or FP</td>
</tr>
<tr>
<td>--------------------------</td>
<td>---------------</td>
<td>----------------</td>
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<td>-------------</td>
<td>------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td><em>Rana boylii</em></td>
<td>AAABH01050</td>
<td>None</td>
<td>Candidate</td>
<td>G3</td>
<td>S3</td>
<td>SSC</td>
</tr>
<tr>
<td>foothill yellow-legged frog</td>
<td></td>
<td></td>
<td>Threatened</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Riparia riparia</em></td>
<td>ABPAU08010</td>
<td>None</td>
<td>Threatened</td>
<td>G5</td>
<td>S2</td>
<td></td>
</tr>
<tr>
<td>bank swallow</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Sidalcea keckii</em></td>
<td>PDMAL110D0</td>
<td>Endangered</td>
<td>None</td>
<td>G2</td>
<td>S2</td>
<td>1B.1</td>
</tr>
<tr>
<td>Keck's checkerbloom</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Taxidea taxus</em></td>
<td>AMAJF04010</td>
<td>None</td>
<td>None</td>
<td>G5</td>
<td>S3</td>
<td>SSC</td>
</tr>
<tr>
<td>American badger</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Thamnophis gigas</em></td>
<td>ARADB36150</td>
<td>Threatened</td>
<td>Threatened</td>
<td>G2</td>
<td>S2</td>
<td></td>
</tr>
<tr>
<td>giant gartersnake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Valley Oak Woodland</em></td>
<td>CTT71130CA</td>
<td>None</td>
<td>None</td>
<td>G3</td>
<td>S2.1</td>
<td></td>
</tr>
<tr>
<td>Valley Oak Woodland</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Record Count: 46
Attachment B

IPaC Trust Resource Report for the Study Area
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as trust resources) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location
Yolo County, California

Local office
Sacramento Fish And Wildlife Office
(916) 414-6500
(916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

https://ecos.fws.gov/ipac/location/VAXCCXEU5NH2PMVE2ZC5CG76WM/resources
Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:
1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).

Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Birds

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yellow-billed Cuckoo</td>
<td>Threatened</td>
</tr>
<tr>
<td>Coccyzus americanus</td>
<td></td>
</tr>
<tr>
<td>There is proposed critical habitat for this species. Your location is outside the critical habitat.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/arc/species/23911">https://ecos.fws.gov/arc/species/23911</a></td>
<td></td>
</tr>
</tbody>
</table>

Reptiles

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Giant Garter Snake</td>
<td>Threatened</td>
</tr>
<tr>
<td>Thamnophis gigas</td>
<td></td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/44483">https://ecos.fws.gov/ecp/species/44483</a></td>
<td></td>
</tr>
</tbody>
</table>

Amphibians

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>California Red-legged Frog</td>
<td>Threatened</td>
</tr>
<tr>
<td>Rana draytonii</td>
<td></td>
</tr>
<tr>
<td>There is final critical habitat for this species. Your location is outside the critical habitat.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/2891">https://ecos.fws.gov/ecp/species/2891</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>California Tiger Salamander</td>
<td>Threatened</td>
</tr>
<tr>
<td>Ambystoma californiense</td>
<td></td>
</tr>
<tr>
<td>There is final critical habitat for this species. Your location is outside the critical habitat.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/2076">https://ecos.fws.gov/ecp/species/2076</a></td>
<td></td>
</tr>
</tbody>
</table>

Fishes

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
</table>

NOT FOR CONSULTATION
Delta Smelt  Hypomesus transpacificus
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecos/species/521

Insects
NAME
Valley Elderberry Longhorn Beetle  Desmocerus californicus dimorphus
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecos/species/7850

Crustaceans
NAME
Vernal Pool Fairy Shrimp  Branchinecta lynchi
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecos/species/498

Vernal Pool Tadpole Shrimp  Lepidurus packardi
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecos/species/7246

Critical habitats
Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds
Certain birds are protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE
Bald Eagle  Haliaeetus leucocephalus
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
[hyperlink]

Black Swift Cyaneolirios niger
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
[hyperlink]

Clark's Grebe Aechmophorus clarkii
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Common Yellowthroat Geothlypis trichas sinuosa
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA.
[hyperlink]

Golden Eagle Aquila chrysaetos
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
[hyperlink]

Lawrence's Goldfinch Carduelis lawrencei
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
[hyperlink]

Lewis's Woodpecker Melanerpes lewis
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
[hyperlink]

Long-billed Curlew Numenius americanus
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
[hyperlink]

Nuttall's Woodpecker Picoides nuttallii
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA.
[hyperlink]

Oak Titmouse Baeolophus inornatus
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
[hyperlink]

Rufous Hummingbird selasphorus rufus
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
[hyperlink]

Song Sparrow Melospiza melodia
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA.

Spotted Towhee Pipilo maculatus clementae
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA.
[hyperlink]

Tricolored Blackbird Agelaius tricolor
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
[hyperlink]

Bird breeds across its entire range. "Breeds elsewhere" indicates that the bird does not likely breed in your project area.

Bald Eagle: Breeds Jan 1 to Aug 31

Black Swift: Breeds Jun 15 to Sep 10

Clark's Grebe: Breeds Jan 1 to Dec 31

Common Yellowthroat: Breeds May 20 to Jul 31

Golden Eagle: Breeds Jan 1 to Aug 31

Lawrence's Goldfinch: Breeds Mar 20 to Sep 20

Lewis's Woodpecker: Breeds Apr 20 to Sep 30

Nuttall's Woodpecker: Breeds elsewhere

Oak Titmouse: Breeds Apr 1 to Jul 20

Rufous Hummingbird: Breeds Mar 15 to Jul 15

Song Sparrow: Breeds Feb 20 to Sep 5

Spotted Towhee: Breeds Apr 15 to Jul 20

Tricolored Blackbird: Breeds Mar 15 to Aug 10
Willet Tringa semipalmata
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wrentit Chamaea fasciata
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Yellow-billed Magpie Pica nuttali
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

This IS a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

Breeds Mar 15 to Aug 10

Breeds Apr 1 to Jul 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

Probability of Presence (a)

Each green bar represents the bird’s relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar’s probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (b)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (c)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar’s survey effort range, simply hover your mouse cursor over the bar.

No Data (–)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.
Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the

https://ecos.fws.gov/ipac/location/VA/CCXEUSNH2PME2ZC5CG76WM/resources
What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location. The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science databases and is queried and filtered to return a list of those birds reported as occurring in the 10 km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence data associated with your migratory bird list is based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science databases. Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. *BCC Rangewide* birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific islands, Puerto Rico, and the Virgin Islands);
2. *BCC - BCR* birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. *Non-BCC - Vulnerable* birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects:

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location?" Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project, not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

https://ecos.fws.gov/ipac/location/VAVCCXEU5NH2PMVE22C5CG76WM/resources
Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analyst, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems. Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberous worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

https://ecos.fws.gov/ipac/location/VA/CCXEU5NH2PMVE2ZC5CG76WM/resources
Attachment C

CNPS Inventory of Rare and Endangered Plants Query for the "Winters, California" USGS Quadrangle and Eight Surrounding Quadrangles
The database used to provide updates to the Online Inventory is under construction. View updates and changes made since May 2019 here.

### Plant List

14 matches found. Click on scientific name for details

#### Search Criteria

California Rare Plant Rank is one of [1A, 1B, 2A, 2B, 3], Found in Quads 3812251, 3812168, 3812167, 3812251, 3812158, 3812157, 3812241, 3812148 and 3812147.

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Family</th>
<th>Lifeform</th>
<th>Blooming Period</th>
<th>CA Rare Plant Rank</th>
<th>State Rank</th>
<th>Global Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Astragalus tener var. tener</td>
<td>alkali milk-vetch</td>
<td>Fabaceae</td>
<td>annual herb</td>
<td>Mar-Jun</td>
<td>1B.2</td>
<td>S1</td>
<td>G2T1</td>
</tr>
<tr>
<td>Calochortus pulchellus</td>
<td>Mt. Diablo fairy-lantern</td>
<td>Liliaceae</td>
<td>perennial bulbiferous herb</td>
<td>Apr-Jun</td>
<td>1B.2</td>
<td>S2</td>
<td>G2</td>
</tr>
<tr>
<td>Delphinium recurvatum</td>
<td>recurved larkspur</td>
<td>Ranunculaceae</td>
<td>perennial herb</td>
<td>Mar-Jun</td>
<td>1B.2</td>
<td>S27</td>
<td>G27</td>
</tr>
<tr>
<td>Downingia pusilla</td>
<td>dwarf downingia</td>
<td>Campanulaceae</td>
<td>annual herb</td>
<td>Mar-May</td>
<td>2B.2</td>
<td>S2</td>
<td>GU</td>
</tr>
<tr>
<td>Fritillaria pluriflora</td>
<td>adobe-lily</td>
<td>Liliaceae</td>
<td>perennial bulbiferous herb</td>
<td>Feb-Apr</td>
<td>1B.2</td>
<td>S253</td>
<td>G2G3</td>
</tr>
<tr>
<td>Hesperolinon brevior</td>
<td>Brewer's western flax</td>
<td>Linaceae</td>
<td>annual herb</td>
<td>May-Jul</td>
<td>1B.2</td>
<td>S2</td>
<td>G2</td>
</tr>
<tr>
<td>Lava septentrionalis</td>
<td>Colusa layia</td>
<td>Asteraceae</td>
<td>annual herb</td>
<td>Apr-May</td>
<td>1B.2</td>
<td>S2</td>
<td>G2</td>
</tr>
<tr>
<td>Leptosiphon sonoriensis</td>
<td>Jepson's leptosiphon</td>
<td>Polemoniaceae</td>
<td>annual herb</td>
<td>Mar-May</td>
<td>1B.2</td>
<td>S253</td>
<td>G2G3</td>
</tr>
<tr>
<td>Lessingia hoyleana</td>
<td>woolly-headed lessingia</td>
<td>Asteraceae</td>
<td>annual herb</td>
<td>Jun-Oct</td>
<td>3</td>
<td>S253</td>
<td>G37</td>
</tr>
<tr>
<td>Malacothamnus helianthus</td>
<td>Brewer's bush-mallow</td>
<td>Malvaceae</td>
<td>perennial deciduous shrub</td>
<td>May-Jul</td>
<td>3.3</td>
<td>S3</td>
<td>G3Q</td>
</tr>
<tr>
<td>Navarretia leucopogon hirsuta</td>
<td>Baker's navarretia</td>
<td>Polemoniaceae</td>
<td>annual herb</td>
<td>Apr-Jul</td>
<td>1B.1</td>
<td>S2</td>
<td>G4T2</td>
</tr>
<tr>
<td>Plagiogyra hyptaloea</td>
<td>bearded popcornflower</td>
<td>Boraginaceae</td>
<td>annual herb</td>
<td>Apr-May</td>
<td>1B.1</td>
<td>S2</td>
<td>G2</td>
</tr>
<tr>
<td>Puccinellia simplex</td>
<td>California alkali grass</td>
<td>Poaceae</td>
<td>annual herb</td>
<td>Mar-May</td>
<td>1B.2</td>
<td>S2</td>
<td>G3</td>
</tr>
<tr>
<td>Sedella repens</td>
<td>Kuck's checkerbloom</td>
<td>Malvaceae</td>
<td>annual herb</td>
<td>Apr-May</td>
<td>1B.1</td>
<td>S2</td>
<td>G2</td>
</tr>
</tbody>
</table>

**Suggested Citation**

Attachment D

Wildlife Observed
# Wildlife Species Observed within Winters 10 Study Area
## 13 April 2019

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Pica nuttali</em></td>
<td>Yellow billed Magpie</td>
</tr>
<tr>
<td><em>Streptopelia capicola</em></td>
<td>Ring neck Dove</td>
</tr>
<tr>
<td><em>Sayornis nigricans</em></td>
<td>Black phoebe</td>
</tr>
<tr>
<td><em>Buteo lineatus</em></td>
<td>Red shouldered hawk</td>
</tr>
<tr>
<td><em>Aphelocoma californica</em></td>
<td>California Scrub-jay</td>
</tr>
<tr>
<td><em>Tachycineta bicolor</em></td>
<td>Tree Swallow</td>
</tr>
<tr>
<td><em>Tyrannus verticalis</em></td>
<td>Western Kingbird</td>
</tr>
</tbody>
</table>
Attachment E

Winters 10 Approved Jurisdictional Determination
June 12, 2019

Regulatory Division (SPK-2018-00581)

Corbett Family Trust
Attn: Mr. James R. Corbett, Trustee
44167 Greenview Drive
El Macero, California 95618

Dear Mr. Corbett:

We are responding to your March 15, 2019, request for an approved jurisdictional determination for the Winters 61 Property site. The approximately 10.0-acre project site is located near Putah Creek, at the northern terminus of Walnut Lane, north of Highway 128, Latitude 38.528937°, Longitude -121.962116°, Winters, Yolo County, California.

Based on available information, we concur with your aquatic resources delineation which demonstrates that the entire 10.0-acre site is entirely composed of dry land with no aquatic resources, as depicted on the enclosed April 4, 2019, Winters 10 Property drawing, prepared by Madrone Ecological (Enclosure 1).

Based on the information you have provided, we have determined that the work as proposed in Enclosure 1, will not result in the discharge of dredged or fill material into waters currently regulated under Section 404 of the Clean Water Act. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented onsite to achieve this end.

We are enclosing a copy of the Approved Jurisdictional Determination Form for your site (Enclosure 2).

This approved jurisdictional determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331.

A Notification of Appeal Process (NAP) and Request for Appeal (RFA) Form is enclosed (Enclosure 3). If you request to appeal this determination, you must submit a completed RFA form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPD-PDO, 1455 Market Street, 2052B, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.
In order for an RFA to be accepted by the Corps, we must determine that the form is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that the form was received by the Division Office within 60 days of the date of the NAP. It is not necessary to submit an RFA form to the Division Office unless you object to the determination in this letter.

We recommend that you provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This approved jurisdictional determination has been conducted to identify the limits of aquatic resources subject to U.S. Army Corps of Engineers jurisdiction under Section 404 of the Clean Water Act for the particular site identified in this request.

We appreciate feedback, especially about interaction with our staff and our processes.

Please refer to identification number SPK-2018-00581 in any correspondence concerning this project. If you have any questions, please contact Ramon Aberasturi at the U.S. Army Corps of Engineers, Regulatory Division, 1325 J Street, Room 1350, Sacramento, California 95814-2922, by email at Ramon.Aberasturi@usace.army.mil, or telephone at (916) 557-6865. For program information or to complete our Customer Survey, visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

For: William Guthrie
Chief, California Delta Section

Enclosures

cc: (w/encls)
Ms. Sarah Vonderohe, Madrone Ecological, svonderohe@MadroneEco.com
Ms. Stephanie Tadlock, CRWQCB Tadlock, Stephanie.Tadlock@Waterboards.cal.gov
Applicant: Corbett Family Trust
Attn: Mr. James R. Corbett, Trustee
File No.: SPK-2018-00581
Date: June 12, 2019

Attached is:

- INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission) A
- PROFFERED PERMIT (Standard Permit or Letter of permission) B
- PERMIT DENIAL C
- APPROVED JURISDICTIONAL DETERMINATION D
- PRELIMINARY JURISDICTIONAL DETERMINATION E

See Section below

SECTION II: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/cwps/pages/reg_materials.aspx](http://www.usace.army.mil/cwps/pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.
SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
Ramon Aberasturi
Regulatory Project Manager
California Delta Section
U.S. Army Corps of Engineers
Phone: 916-557-6865, FAX 916-557-7803
Email: Ramon.Aberasturi@usace.army.mil

If you only have questions regarding the appeal process you may also contact:
Thomas J. Cavanaugh
Administrative Appeal Review Officer
U.S. Army Corps of Engineers
South Pacific Division
1455 Market Street, 2052B
San Francisco, California 94103-1399
Phone: 415-503-6574, FAX 415-503-6646
Email: Thomas.J.Cavanaugh@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date: Telephone number:
Appendix B

Energy Calculations
On-road Mobile (Operational) Energy Usage

Note: For the sake of simplicity, it was assumed that passenger vehicles, light duty trucks, motorcycles, and mobile homes use gasoline, and all medium-duty trucks, heavy-duty trucks, and buses use diesel fuel.

Unmitigated:
Step 1: Average Daily VMT:
4,757

Step 2: Given:
Fleet Mix (provided by CalEEMod v2016.3.2)

<table>
<thead>
<tr>
<th>LDA</th>
<th>LDT1</th>
<th>LDT2</th>
<th>MDV</th>
<th>LHD1</th>
<th>LHD2</th>
<th>MHD</th>
<th>HHD</th>
<th>OBUS</th>
<th>UBUS</th>
<th>MCY</th>
<th>MBA</th>
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</thead>
<tbody>
<tr>
<td>55.6%</td>
<td>4.4%</td>
<td>21.0%</td>
<td>11.6%</td>
<td>1.7%</td>
<td>0.6%</td>
<td>2.5%</td>
<td>1.6%</td>
<td>0.2%</td>
<td>0.2%</td>
<td>0.5%</td>
<td>0.1%</td>
</tr>
</tbody>
</table>

And:
Gasoline MPG Factors for each Vehicle Class (from EMFAC2017) - Year 2020

<table>
<thead>
<tr>
<th>LDA</th>
<th>LDT1</th>
<th>LDT2</th>
<th>MDV</th>
<th>MCY</th>
<th>MH</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.12</td>
<td>25.59</td>
<td>23.46</td>
<td>19.26</td>
<td>18.73</td>
<td>4.67</td>
</tr>
</tbody>
</table>

Diesel MPG Factors for each Vehicle Class (from EMFAC2017) - Year 2020

<table>
<thead>
<tr>
<th>LHD1</th>
<th>LHD2</th>
<th>MHD</th>
<th>HHD</th>
<th>Sbus</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.39</td>
<td>15.61</td>
<td>8.86</td>
<td>5.29</td>
<td>7.89</td>
</tr>
</tbody>
</table>

Therefore:
Weighted Average MPG Factors
Gasoline: 27.0
Diesel: 10.8

Step 3: Therefore:
164 daily gallons of gasoline
30 daily gallons of diesel

or
59,997 annual gallons of gasoline
10,871 annual gallons of diesel
On-road Mobile (Construction) Energy Usage - Site Preparation

Step 1: Estimated Total Daily Worker Trips

Estimated Worker Trip Length (miles)

\[ y \]

Therefore:
Average Worker Daily VMT:

\[ 265 \]

Step 2: Given:
Assumed Fleet Mix for Workers

<table>
<thead>
<tr>
<th>LDA</th>
<th>LDT1</th>
<th>LDT2</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.3333333</td>
<td>0.3333333</td>
<td>0.3333333</td>
</tr>
</tbody>
</table>

And:
Gasoline MPG Factors for each Vehicle Class (from EMFAC2017) - Year 2020

<table>
<thead>
<tr>
<th>LDA</th>
<th>LDT1</th>
<th>LDT2</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.123066</td>
<td>25.592017</td>
<td>23.465551</td>
</tr>
</tbody>
</table>

Therefore:
Weighted Average Worker MPG Factor

\[ 26.4 \]

Step 3: Therefore:

10.0 Worker daily gallons of gasoline

Step 4: # of Days (see CalEEMod)

Therefore:

Result: 100 Total gallons of gasoline
On-road Mobile (Construction) Energy Usage - Grading

Step 1: Estimated Total Daily Worker Trips
- Estimated Worker Trip Length (miles)
  - 14.7 miles

Therefore:
- Average Worker Daily VMT:
  - 294

Step 2: Given:
Assumed Fleet Mix for Workers
- LDA: 0.3333333
- LDT1: 0.3333333
- LDT2: 0.3333333

And:
Gasoline MPG Factors for each Vehicle Class (from EMFAC2014) - Year 2020
- LDA: 30.123066
- LDT1: 25.92017
- LDT2: 23.465551

Therefore:
- Weighted Average Worker MPG Factor
  - 26.4

Step 3: Therefore:
- 11.1 Worker daily gallons of gasoline

Step 4: # of Days (see CalEEMod)

Therefore:
- Total gallons of gasoline
  - 223
On-road Mobile (Construction) Energy Usage - Paving

Step 1: Estimated Total Daily Worker Trips

Estimated Worker Trip Length (miles)
14.7

Therefore:
Average Worker Daily VMT:
176

Step 2: Given:
Assumed Fleet Mix for Workers
LDA  LDT1  LDT2
0.3333333 0.3333333 0.3333333

And:
Gasoline MPG Factors for each Vehicle Class (from EMFAC2014) - Year 2020
LDA  LDT1  LDT2
42.47834 36.227955 36.672969

Therefore:
Weighted Average Worker MPG Factor
38.5

Step 3: Therefore:
Worker daily gallons of gasoline
4.6

Step 4: # of Days (see CalEEMod)
15

Therefore:
Result: Total gallons of gasoline
69
On-road Mobile (Construction) Energy Usage - Building Construction

Step 1: Estimated Total Daily Worker Trips 15  Estimated Total Daily Vendor Trips 11
Estimated Worker Trip Length (miles) 14.7  Estimated Vendor Trip Length (miles) 6.9

Therefore:
Average Worker Daily VMT: 220.50  Average Vendor Daily VMT: 76

Step 2: Given:
Assumed Fleet Mix for Workers
LDA  LDT1  LDT2
0.33333333  0.3333333  0.3333333
Assumed Fleet Mix for Vendors
MHD  HHD
0.5  0.5

And:
MPG Factors for each Vehicle Class (from EMFAC2014) - Year 2020

Gasoline:
LDA  LDT1  LDT2
42.4783397  36.227955  36.672969

Therefore:
Weighted Average Worker (Gasoline) MPG Factor 38.5

Worker daily gallons of gasoline 6

Step 3: Therefore:

Vendor daily gallons of diesel 7

Step 4: # of Days (see CalEEMod) 300

Therefore:

Total gallons of gasoline 1,720
Total gallons of diesel 2,125
Step 1: Estimated Total Daily Worker Trips

Estimated Worker Trip Length (miles)
14.7

Therefore:
Average Worker Daily VMT:

118

Step 2: Given:
Assumed Fleet Mix for Workers
LDA LDT1 LDT2
0.3333333 0.3333333 0.3333333

And:
Gasoline MPG Factors for each Vehicle Class (from EMFAC2014) - Year 2020
LDA LDT1 LDT2
42.47834 36.227955 36.672969

Therefore:
Weighted Average Worker MPG Factor
38.5

Step 3: Therefore:
3.1 Worker daily gallons of gasoline

Step 4: 60 # of Days (see CalEEMod)

Therefore:
Result: 183 Total gallons of gasoline
Winters 71
Storm Drainage Assessment
Technical Memorandum

July 2019

Prepared by

WOOD RODGERS
3301 C Street, Building 100B
Sacramento, CA 95816
Phone: (916) 341-7760
Fax: (916) 341-7767
www.woodrodgers.com
Appendix C

Winters 71 Storm Drainage Assessment
TECHNICAL MEMORANDUM

TO: Mr. Mark Skreden, Skreden Commercial Real Estate  
Mr. Jim Corbett, Spectrum Capital Corporation

FROM: Mr. Michael Nowlan, PE, CFM, Wood Rodgers, Inc.  
Mr. Jonathan Kors, PE, Wood Rodgers, Inc.

DATE: July 16, 2019

SUBJECT: Winters 71 (Farmstead and Walnut Lane 10) Storm Drainage Assessment

INTRODUCTION

The Winters 71 Project (Project) is located in the City of Winters, California (City), near the intersection of East Grant Avenue (State Route 128) and Timber Crest Road as shown on the attached location map (Figure 1). The Project is comprised of two separate developments: the Farmstead Development (61 acres of the proposed development) and the Walnut Lane 10 Development (10 acres of the proposed development). The proposed Project must include appropriately-sized and configured storm drainage facilities that sufficiently handle on-site flooding and prevent the worsening of flooding conditions for surrounding (off-site) properties. This Technical Memorandum (TM) provides documentation for the analysis performed relative to the proposed storm drainage facilities. Stormwater quality issues are addressed in a separate memorandum, which is included with this TM as Attachment A.

CITY STORM DRAINAGE MASTER PLAN

The City of Winters commissioned Wood Rodgers for the development of a Draft Storm Drainage Master Plan (SDMP) for the northeast corner of the City (Draft Storm Drainage Master Plan - Northeast Area, City of Winters, California, August 2018). Under the ultimate plan outlined in the SDMP, the Project can drain its runoff to the proposed Putah Creek Diversion Channel without on-site flood detention being required. This on-site runoff from the Project occurs prior to the occurrence of peak flows from the north (flows that originate from overspill at Chickahominy Slough). However, storage is necessary for conveying flows emanating from the north as discussed within this TM. Figure 2 shows the hydrograph timing of the local and northerly overflows reaching the Putah Creek Diversion Channel. However, the SDMP identifies a channel facility that is aligned through the proposed development for conveying drainage flows emanating from Chickahominy Slough to Putah Creek. This SDMP facility is a regional project benefitting a significant number of other properties within the City’s General Plan. The implementation of this diversion channel will require significant time and resources to address all
agency/environmental permitting, design, and construction challenges for discharging directly to Putah Creek.

While the Putah Creek Diversion Channel offers a way of conveying on-site generated runoff safely to Putah Creek, the diversion channel alone does not protect the Project from being subjected to adverse flood impacts. As discussed further below, the SDMP also identifies levees, channels, weirs, and detention basins to the north that act together with the Putah Creek Diversion Channel as a drainage system, to protect all lands within the City’s General Plan. It is anticipated that the City will update its drainage impact fees, which will allow a mechanism for sharing the financial burden of constructing these updated ultimate facilities. However, constructing all of the ultimate SDMP facilities required to protect the Project at this time is too great for the Project alone to bear, therefore, Wood Rodgers has evaluated an interim drainage solution which allows the Project to move forward until all ultimate facilities can be fully implemented. The interim solution seeks to construct the minimum combination required of the ultimate facilities and interim facilities, to establish the most cost-effective Project moving forward.

EXISTING FLOOD CONDITIONS

As discussed in the SDMP Update, during the 100-year (design) flood event, the main flood threat to the Project from off-site areas originates in the north. A significant portion of the existing City to the west of the Project drains directly to Putah Creek through existing storm drains. Flooding from the Moody Slough and Chickahominy Slough watersheds cannot efficiently drain eastward across Interstate 505 (I-505). These floodwaters accumulate where Moody Slough crosses under I-505 and pond immediately north of the Project during high-water events. While the master plan only evaluated overflow spilling into the Project area from an un-failed condition under existing conditions, worse case flooding for the Project occurs when uncertified embankments to the north fail. As part of defining the mitigation, the Project must identify which off-site structures will remain uncertified/unimproved after the Project is constructed in order to define the worst-case existing condition from which the Project must be protected.

In an undeveloped condition, the Project area does provide a measure of on-site floodplain storage, which attenuates the combined flow passing through the site and discharges through two existing culverts (a 24-inch pipe and a 36-inch pipe) under Grant Avenue. Once flow has passed south of Grant Avenue, it is conveyed through the recently-constructed Pacific Gas and Electric Company (PG&E) Channel to Putah Creek through an existing California Department of Transportation (Caltrans) facility (described below). The channel in operation today generally aligns with the future ultimate Putah Creek Diversion Channel corridor; however, it differs from the ultimate design in two major ways. First, the PG&E Channel was not constructed to the full depth and width of the Putah Creek Diversion Channel; therefore, it cannot convey the ultimate (proposed) flows of the master plan without modification. Second, the channel does not connect directly south to Putah Creek as shown in the master plan. Instead, the channel turns eastward, running parallel
to the right bank of Putah Creek, and drains through a temporary culvert into an existing Caltrans drainage ditch, which ultimately discharges south into Putah Creek. Because of this configuration, the PG&E channel is shallower, narrower, and longer than the ultimate channel alignment. Taken together, this contributes to a smaller flow capacity.

The existing condition flooding is shown on Figure 3, which includes failure of off-site structures located to the north of the proposed Project boundary. The peak flow entering the Project area from the north is 132 cfs during the 100-year event.

**PROPOSED INTERIM FLOOD SOLUTION**

The Project must contain and/or convey all off-site runoff entering the Project area under the worst-case condition, and must provide sufficient on-site and downstream facilities in order to safely convey proposed conditions flooding without creating adverse impacts. Wood Rodgers, Inc. (Wood Rodgers) has determined that this can be accomplished with a new flood barrier and overflow weir, an on-site detention basin, and downstream channel/culvert improvements.

**Flood Barrier**

A flood barrier and weir is proposed across the northern boundary of the Project that would extend to high ground along County Road 90 to create a certifiable levee/floodwall structure. This would protect the Project area from flows coming from the north as well as failures of any uncertified structure to the north, without worsening flooding on other properties. The weir is necessary in order to continue accepting existing overflow from the north in a safe and controlled manner without increasing upstream water surfaces.

With the design overflow condition from the north established, this flow must be safely stored and/or conveyed downstream. The Project proposes using a combination of on-site storage with limited downstream conveyance improvements to mitigate the impacts of the design 100-year storm event.

**Detention Basin**

As discussed above, a detention basin is required to hold and convey flows emanating from the north in a similar way to flows that occur under existing conditions. Figure 4 depicts the configuration of the detention basin and associated interim facilities. Figure 5 provides the proposed lot/street configuration as well as preliminary storm drain alignments for the Farmstead portion of the Project. Figure 6 provides a similar proposed configuration for the Walnut Lane 10 portion of the Project. A schematic representation of the detention basin and benched areas adjacent to the channel are shown on Figure 7. The detention basin is configured to store the 10-year storm event in the eastern portion of the park site,
without inundating the central western area benched/raised portion of the park, which is inundated during the 100-year storm.

On-site detention within the proposed park area is contained by a raised access roadway between the park detention pond and the proposed channel, which also provides detention storage under the interim Project configuration. On-site storm drains will enter the composite detention storage at several locations. The largest storm drain serving the majority of the development site will enter the park detention basin at the northwest corner, and will discharge into a swale flowing eastward across the northern boundary of the detention basin. This park detention basin will discharge through a 48-inch pipe into channel improvements identified as the Putah Creek Diversion Channel Corridor. A second storm drain connection will drain the northeast portion of the development directly into the Putah Creek Diversion Channel, given that stormwater quality treatment is handled on each parcel. A water quality treatment approach for the Project is discussed in Attachment A. Specific discharge locations for each of the commercial sites have yet to be determined as site layouts will dictate where on-site treatment will occur and where discharge can be most effectively accomplished.

**Putah Creek Diversion Channel**

In order to receive and convey off-site flows through the site, a weir will be constructed at the upstream end of the Putah Creek Diversion Channel as an “inlet” structure. The proposed weir is 25 feet long with a weir crest elevation of 126.6 feet (NAVD 88) with sideslopes at 3 horizontal to 1 vertical (3H:1V) as shown in the cross section on Figure 8. The weir will be located at the north end of the proposed Putah Creek Diversion Channel segment north of Grant Avenue, which is consistent with the ultimate SDMP channel configuration.

The interim cross section geometry of the proposed drainage channel differs from the ultimate channel configuration in several ways. First, the proposed SDMP channel invert is high enough to impact development grading elevations due to the flatter terrain affecting pipe diameters and the minimum pipe cover requirements. After evaluating preliminary site grading, it is recommended that the ultimate drainage channel be lowered to one foot below the SDMP channel profile. The cost associated with lowering the channel invert, ultimate Grant Avenue culverts, and the outfall structure is minimal compared to the net benefit of reducing/eliminating soil import to the Project. To achieve the channel lowering by one foot, Wood Rodgers recommends projecting the bank slopes deeper within the 25-foot bottom width, reducing the bottom width to 19 feet.
This revised ultimate channel geometry proposed north of Grant Avenue acts as conveyance and detention storage for the Project. After discussions with the City, it was determined that, since the interim Project requires modification of the existing culverts under Grant Avenue, the ultimate Grant Avenue culverts should be constructed. Under the current draft of the SDMP, the Grant Avenue crossing is a double 8-foot by 7-foot box culvert. After evaluating the utilities crossings in the area, it is proposed to construct a double 12-foot by 5-foot box culvert, providing conveyance capacity equivalent to the ultimate culvert with a lower soffit elevation. Downstream of Grant Avenue, the ultimate channel width does not need to be constructed under interim conditions. However, the revised ultimate channel invert does need to be constructed in order to effectively drain all waters from the detention basin. Wood Rodgers proposes modifying the current PG&E channel by excavating the bottom to a lower elevation with a V-ditch configuration. The lowering of this channel segment (without widening) will require the construction of a new interim culvert connection between the lowered PG&E channel into the existing Caltrans Ditch, while maintaining the existing culverts at this same location. Wood Rodgers has determined that an additional culvert with a 60-inch diameter is necessary to convey the required 100-year flooding discharge into the Caltrans Ditch.

The only potential constraints to lowering the ultimate channel profile are three existing utilities (an existing gravity sewer main, an existing sewer force main, and a water main) crossing under the PG&E channel alignment along the projected East Baker Street alignment. From record drawing information provided by the City, the crown of the highest existing pipeline sits approximately 1.5 feet below the proposed lowered channel profile. Lowering of the channel invert could make it necessary to provide a protective cover over the pipelines within the channel.

HYDRAULIC RESULTS

The interim configuration and preliminary grading and drainage layouts produce peak flow and water surface elevations that are contained and will not adversely affect upstream, adjacent, or downstream properties. Locations where peak flow and water surface elevations are reported for both pre-project and post-project conditions are shown on Figure 9. Table 1 (below) provides a summary of 100-year peak flows and water surface elevations at these identified locations.
Table 1

<table>
<thead>
<tr>
<th>Location 1</th>
<th>Pre-project Condition</th>
<th>Interim Condition</th>
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</thead>
<tbody>
<tr>
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FUTURE SDMP INTEGRATION

The Farmstead and Walnut Lane 10 development projects must successfully drain as part of the ultimate SDMP drainage system, as well as during interim developed conditions. The transition from interim conditions to SDMP buildout conditions will not require any reconfiguration of the Winters 71 Project on-site. A new (ultimate) weir structure will need to be constructed to the north of the Project, in accordance with the SDMP, to replace the interim conditions weir defined in this report. The ultimate channel within the Project and Grant Avenue crossing will already be constructed. The interim flood barrier can remain in place. Off-site, downstream channel widening and the proposed SDMP Putah Creek outfall structure will need to be constructed. The ultimate conditions 100-year water surface elevations are contained within the channel and are compared to interim conditions in Table 2.

Table 2

<table>
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</tr>
<tr>
<td>Location 4</td>
<td>121.8</td>
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</table>

CONCLUSIONS AND RECOMMENDATIONS

The Project, as configured, safely addresses storm drainage impacts for the Farmstead and Walnut Lane 10 proposed developments, consistent with the City’s draft SDMP efforts. Before the
construction of these projects can occur, drainage conditions (existing and future) must be submitted and reviewed by all state and federal agencies dealing with development approval. A submittal to the Federal Emergency Management Agency (FEMA) can be made to establish the pre-project flooding conditions and residual floodplain in the vicinity of the Project. It is up to the City as the Floodplain Administrator for FEMA to address coordination and timing of such an effort. The detailed hydrologic and hydraulic assessments that have been performed will also be provided to Caltrans in order to secure an encroachment permit to proceed with physical changes affecting the drainage of state facilities. After initial reviews and approvals are made, design improvement plans and water quality permitting can be prepared to ensure that on-site measures are fully identified and validated by the City and by state agencies.
WALNUT LANE 10 - PROPOSED 53 LOTS DEVELOPMENT
See Figure 6

Proposed Interim Weir:
Length: 25 ft
Crest Elevation: 129.6 ft
Peak 100-Year Overflow: 132 cfs

Proposed Flood Berm:
Top Elevation: 131.9

On Site Detention Basin:
Low Flow Ditch Invert: 118.5 ft
Bottom Elevation: 119.5 ft

Ground Elevation: 122.3 ft
Interim 100-Year WSE: 122.9 ft

Proposed 48" Culvert:
Length: 56 ft
Upstream Invert: 118.5 ft
Downstream Invert: 118.4

Proposed Ultimate Culverts:
Double 12'x5'
Length: 188 ft
Upstream Invert: 118.2 ft
Downstream Invert: 116.0 ft

Ultimate Channel:
Bottom Width: 25 ft
Side Slope: 3H:1V
Invert: 118.2 ft
Interim 100-Year WSE: 122.8 ft

PG&E Channel Improvement:
Ultimate Invert: 118 ft
Bottom Width: 5 ft
Side Slope: 3H:1V
Interim 100-Year WSE: 122.8 ft

PG&E Channel Improvement:
Interim Invert: 117.5 ft
Interim Bottom Width: 5 ft
Side Slope: 3H:1V
Interim 100-Year WSE: 121.8 ft

PG&E Channel Improvement:
60" Outlet Culvert to Caltrans Ditch
Energy Dissipation Structure

PRELIMINARY

WOOD RODGERS

FIGURE 4
PARK DETENTION SCHEMATIC
WINTERS 71 DRAINAGE ANALYSIS
WINTERS, YOLO COUNTY, CALIFORNIA
JULY, 2019

OPEN VIEW VEGETATED FENCING / BIOSWALE

BBQ PICNIC 0.8 ± AC

U-10/12 SOCCER 2.0 ± AC

DOG RUN 2.0 ± AC

PROPOSED PARKING ESTIMATE (20 SPACES)

FUTURE COMMERCIAL

OVERLOOK 8' BIKE/PED TRAIL

WALKWAY ACCESS TO FIELDS

OPEN VIEW FENCING

SEWER LIFT STATION 10' BIKE/PED TRAIL

GREENBELT BIKE TRAIL 0.6 ± AC

BIOSWALE & DRAINAGE CHANNEL

FIGURE 7
Interim Condition Weir Cross Section

Top of Flood Berm

Weir Length: 25 ft
Bottom Elevation: 126.6 ft

Top of Flood Berm

Distance (ft)
ATTACHMENT A
TECHNICAL MEMORANDUM

To: Alan Mitchell, PE, Ponticello Enterprises

From: Michael Towne, PE

Date: July 12, 2019

Subject: Walnut 10/ Farmstead Water Quality Design Approach
APNs: 038-050-019, 038-050-018
Yolo County Subdivision #: 5173, 5174

This memorandum addresses the design approaches to be taken by the builder(s) of the subject subdivisions to comply with the State Storm Water Resources Control Board’s General Construction Permit Order 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ). The project is located outside of a jurisdiction covered by a Municipal Separate Storm Sewer System (MS4) Permit and is therefore subject to the State’s requirements.

The Post-Construction Water Balance Calculator (Figure 1) was used as a basis for determining water quality compliance for the General Construction Permit. Water quality treatment will need to be achieved by a variety of measures that address the flow from the 85th percentile, 24 hour storm event. Tree planting should be on the order of two trees per lot on average. This is a combined 262 lot subdivision which would equate to 524 trees (some of these will be in the park). Home construction should include the use of roof gutter downspouts that drain less than 600 square feet of roof to a sheet-flow, landscaped area.

These measures alone meet the minimum requirements of the Water Balance Calculator and therefore no additional water quality measures are necessary. An additional water quality feature will be a drain outfall that runs through a vegetated swale. The swale is unable to meet the design guidelines of the California Stormwater BMP Handbook due to the size of the area being drained and it therefore cannot be included in the measures used in the Water Balance Calculator. The normal depth in the swale is approximately 1.6’ which is above the 4” threshold. However, the 400+’ long swale will vastly exceed the required length for contact time. Figure 2 shows the calculations associated with this swale.

The remaining developable acreage of the Farmstead site consists of commercial parcels. Theses parcels will be subject to water quality treatment through on-site low impact development (LID) measures before discharging into the storm drainage conveyance system. Design of the commercial sites and their LID features are not intended to be addressed with this memo.
### Post-Construction Water Balance Calculator

**User may make changes from any cell that is orange or brown in color (similar to the cells to the immediate right). Cells in green are calculated for you.**

**Step 1:** If you know the 85th percentile storm event for your location enter it in the box below. For your location select the drop-down menu to right.

**Step 2:** If you would like a more recent value select the location closest to your site. If you do not recognize any of these locations, leave the drop-down menu at location. The average value for the County will be used.

**Group C Swell**
- Low infiltration. Sandy clay loam, high intensity storm events.

**Cultivated Agricultural: minor crop residue cover**
- A mix of lawn, grass, pasture and trees covering less than 50% of the open space.

**Step 1:** If you do not know the 24 hr event for your location enter it in the box below. If you do not recognize any of these locations, leave the dropdown menu at location. The average value for the County will be used.

**Project Information**

**Project Name:** Corbett 19

**Waste Discharge Identification (MOD):** Optional

**Date:** Optional

**Sub Drainage Area Name (from map):**

**Existing Runoff Curve Number:** 88

**Proposed Development Runoff Curve Number:** 90

**Design Storm:**
- Percent of total project: 100%

**Sub-watershed Area (acres):**

**Existing Non-Roof Impervious Coverage:** 0

**Proposed Non-Roof Impervious Coverage:** 11.5

**Proposed Roof Impervious Coverage:** 2.46

**Pre-Project Runoff Volume (cu ft):** 21,188

**Project-Related Runoff Volume Increase w/ credits (cu ft):** 9,969

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**Total Runoff Volume Reduction Credit:** 10,982 cu ft.

You have achieved your minimum requirements.
Walnut 10/Farmstead
Stormwater Quality Swale Calculations

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<th>Bottom Width (ft)</th>
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Notes
2. Roughness coefficient for water quality flow is 0.25 per the BMP Handbook
Appendix D

Walnut 10 Storm Drainage Assessment
INTRODUCTION

The proposed Walnut Lane 10 Project (Project) is a 10-acre residential development located in the City of Winters, California, northeast of the intersection of Walnut Lane and Almond Drive as shown on Figure 1 (attached). It is part of the Winters 71 Project which is comprised of two separate developments: the Farmstead 61 residential subdivision development and the Walnut Lane 10 residential subdivision development. In the event the Walnut Lane 10 residential subdivision develops ahead of the Farmstead 61 residential subdivision, it will require an interim storm drainage design that can sufficiently handle on-site flooding and prevent the worsening of flooding conditions off-site.

PROJECT DESCRIPTION

The Walnut Lane 10 Project is located within the land use zone “R-1 (Low Density Residential)” designated in the City of Winters Land Use General Plan. The 10-acre land area currently being used as an orchard will be developed to incorporate 54 units of single-family residential housing. Access to the Project will be provided through the existing roads, Walnut Lane and Almond Drive, and the future Farmstead 61 residential subdivision development. Under existing conditions, runoff from the project site (mainly orchard land) drains to the north of the project site. Under ultimate conditions, runoff generated from the impervious surfaces will drain to a stormwater collection system that connects with the Farmstead 61 future storm drain system and detention basin. If the future Farmstead 61 subdivision development is delayed, the interim condition runoff from the Walnut Lane 10 development will need to be collected by the on-site storm drain system and outfall to the east across existing properties without increasing peak flooding.

PURPOSE

The purpose of this draft technical memorandum is to: 1) provide descriptions about the background and previous studies performed for the overall drainage plan in the City of Winters (City); 2) reference documentation on existing and ultimate drainage conditions performed through previous studies; and 3) perform the interim condition drainage analysis to determine conceptual design requirements for the Walnut Lane 10 Project.
PREVIOUS STUDIES

City Storm Drainage Master Plan – The City of Winters commissioned Wood Rodgers, Inc. (Wood Rodgers) to develop a Storm Drainage Master Plan (SDMP) for the northeast portion of the City (Storm Drainage Master Plan - Northeast Area, City of Winters, California, August 2018). Under the ultimate plan outlined in the SDMP, the Project can drain its runoff to the proposed Putah Creek Diversion Channel without on-site flood detention being required. While the Putah Creek Diversion Channel offers a way of safely conveying on-site generated runoff to Putah Creek, the diversion channel alone does not protect the Winters 71 Project from being subjected to adverse flood impacts. The SDMP also identifies levees, channels, weirs, and detention basins to the north that act together with the Putah Creek Diversion Channel as a drainage system to protect all lands within the City’s General Plan. The SDMP report has been provided to the City and is not included as an attachment to this memorandum. It is anticipated that the City will update its drainage impact fees, which would allow a mechanism for sharing the financial burden of constructing these updated ultimate facilities.

Winters 71 (Farmstead and Walnut Lane 10) Storm Drainage Assessment – The Winters 71 Project is comprised of two separate developments: the Farmstead Development (61 acres of proposed development) and the Walnut Lane 10 Development (10 acres of proposed development). Constructing all of the ultimate SDMP facilities required to protect the Winters 71 Project at this time is too great for the Walnut Lane 10 and Farmstead 61 Projects alone; therefore, Wood Rodgers evaluated a phased drainage alternative that would allow the Winters 71 Project to move forward. This phased alternative constructs a combination of the required ultimate facilities and interim facilities in order to establish the most cost-effective Project moving forward. The Winters 71 Project evaluated and proposed interim storm drainage facilities that could handle on-site flooding and prevent the worsening of flooding for surrounding properties. The proposed storm drainage facilities for the Winters 71 Project include a flood barrier, a weir, culvert improvements, a detention basin and a portion of the Putah Creek Diversion Channel, as well as deepening of the existing PG&E Channel. The transition from interim condition to ultimate condition will not require any reconfiguration of the Winters 71 Project on-site. The drainage analysis for the Winters 71 Project was provided to the City in an earlier technical memorandum and is not attached to this draft technical memorandum.

EXISTING CONDITIONS

In the SDMP report, it was determined that the main flood threat to the Winters 71 Project during the 100-year design flood event originated from off-site areas in the north. These floodwaters accumulate where Moody Slough crosses under Interstate 505 (I-505) and pond immediately north of the Project during high-water events. While the City’s master plan only evaluated overflow spilling into the Project area from an un-failed condition under existing conditions, worst-case flooding for the Project occurs when uncertified embankments to the north fail. Various failure scenarios of uncertified off-site structures were evaluated in the Winters 71 TM to create the worst-
case existing condition, which serves as a basis for evaluating any interim condition drainage for the Walnut Lane 10 Project. Figure 2 shows the 100-year flooding resulting from this worst-case existing condition analysis. The worst-case existing condition is the same for the Winters 71 Project and the Walnut Lane 10 Project.

ULTIMATE CONDITIONS (FULL BUILDOUT OF NORTHEAST WINTERS)

Under the ultimate condition, overflow from the Moody Slough watershed will be diverted to Putah Creek via a new diversion channel in order to mitigate the full buildout condition in the Moody Slough watershed. The peak flow diverted through the ultimate condition detention basin, which is located north of the Winters 71 Project, is 599 cfs during the 100-year design storm. The diversion channel downstream of the detention basin overflow location has a proposed bottom width of 25 feet, with an upstream invert elevation of 119.1 feet (North American Vertical Datum of 1988 (NAVD 88)) and an invert of 118.5 feet (NAVD 88) at Grant Avenue. The existing culverts under Grant Avenue immediately north of the Pacific Gas and Electric Company (PG&E) Gas Operations Technical Training Center (GOTTC) are not large enough nor deep enough to convey the needed capacity of the proposed diversion channel draining to Putah Creek. The two existing culverts are, therefore, proposed to be upgraded to convey the peak flow under ultimate conditions. The proposed channel must be constructed at a location south of Grant Avenue with the same cross section before discharging directly to Putah Creek through a new increased-capacity outfall structure. The new outfall structure will require energy dissipation to prevent erosion of the bank when peak flow is discharging into the Putah Creek corridor. The existing channel connection to the Caltrans Ditch can be abandoned at that time.

INTERIM WALNUT LANE 10 CONDITIONS

The Winters 71 technical memorandum identified the required drainage design necessary to allow development of Winters 71 to occur in advance of the full buildout or ultimate solution, when all future drainage facilities are in place. These facilities are identified in the City’s SDMP. The following are our recommendations and findings if the Walnut Lane 10 Project is going to be developed ahead of the Farmstead 61 Project:

Hydrology – Under this new interim condition, the Walnut Lane 10 Project will be developed as a 54-unit single-family residential subdivision, and the Farmstead 61 Project will remain as agriculture land. The interim Walnut Lane 10 condition and the existing condition watersheds are both shown on Figure 3, reflecting an acreage incorporating the Walnut Lane 10 property being shifted to the watershed labeled “2910”. A HEC-HMS model was developed to evaluate the 100-year interim condition runoff. Figure 4 shows the results of the 100-year runoff hydrographs from the interim Walnut Lane 10 condition and existing condition for the watershed incorporating the future Winters 71 Project site. As indicated in Figure 4, the peak flow increases from 78 cfs (existing condition) to 90 cfs (interim condition) as a result of incorporating runoff from the Walnut Lane 10 development.
**Facilities** – Figure 5 shows the proposed development of the Walnut Lane 10 Project with on-site drainage facilities and the temporary swale required to gravity discharge to Grant Avenue. The on-site storm drainage pipes will collect surface runoff from the development and will discharge it to the swale passing through the existing Farmstead 61 property. Ultimately, when the future Farmstead 61 Project develops, the Walnut Lane 10 runoff will be conveyed through the Farmstead storm drainage system and outfall to a detention basin located on the Farmstead site, as proposed in the Winters 71 Project technical memorandum.

**Residual Flooding** – For the unmitigated Walnut Lane 10 condition, an Infoworks ICM model was developed to evaluate the 100-year flooding impact compared with the worst-case existing condition shown on Figure 2. Figure 6 shows the result of the unmitigated with-project condition residual flooding, and Figure 7 shows the difference in flooding depth between the worst-case existing condition and the unmitigated Walnut Lane 10 condition north of Grant Avenue. The results show that development of the Walnut 10 subdivision causes increases in the 100-year flooding depth from 0.005 to 0.050 of a foot, except at one location near the freeway where the maximum depth increase is 0.061 foot.

To eliminate any increase in flood levels on adjacent properties, the minimum required portion of the improvements that were proposed in the Winters 71 drainage analysis (which included the ultimate Grant Avenue Culverts, PG&E channel improvement and the additional culvert discharging to the Caltrans Ditch) were evaluated. Figure 8 shows the residual flooding that resulted from these improvements. Figure 9 shows the difference in flooding depth between the worst-case existing condition and the mitigated interim Walnut Lane 10 condition with the facilities improvements mentioned above. The results show that the Walnut Lane 10 Project should incorporate the drainage facility improvements shown in Figure 8 and listed in the conclusion below in order to eliminate any potential impact.

**Water Quality** – The interim drainage condition will convey runoff from the Walnut Lane 10 development via a lengthy vegetated swale; however, the off-site swale is not required to meet water quality requirements. Details of water quality design and calculations for on-site areas are provided in a separate memo to the City of Winters dated 2019 (see attached Appendix A).

**CONCLUSION**

This analysis evaluated the interim condition 100-year flooding impact caused by development of the Walnut 10 subdivision and the mitigation required to eliminate these off-site impacts. The results show that the Project’s impact can be eliminated through drainage facilities improvements including: 1) the ultimate Grant Avenue box culverts; 2) the PG&E channel improvement; and 3) the 60-inch culvert discharging to the Caltrans Ditch. The proposed facilities improvements safely address storm drainage impacts and are consistent with the City’s SDMP efforts.
"WORST-CASE" EXISTING CONDITION FLOODING - 100-YEAR WALNUT LANE 10 DRAINAGE ANALYSIS WINTERS, YOLO COUNTY, CALIFORNIA OCTOBER, 2019

OCTOBER, 2019

City General Plan Boundary
Walnut Lane 10
Farmstead
100-Year Flooding Depth (ft)
0 - 3'
3' - 6'
6' - 1'
1' - 2'
>2'
Feature Class Type
Interstate

PRELIMINARY

WOOD RODGERS

FIGURE 2
100-year Interim Condition Flow Hydrograph

Flow (cfs)

0 10 20 30 40 50 60 70 80 90 100

Time (minute)

0 200 400 600 800 1000 1200 1400 1600

- Existing Condition
- Interim Condition
Proposed Swale:
Bottom Width: 2.5 ft
Side Slope: 3H:1V
Upstream Invert: 123.7 ft
Downstream Invert: 123.3 ft
Post-construction street flooding not modeled/shown within proposed project area.

UNMITIGATED 100-YEAR FLOODPLAIN
WALNUT LANE 10 DRAINAGE ANALYSIS
WINTERS, YOLO COUNTY, CALIFORNIA
OCTOBER, 2019

100-Year Flooding Depth (ft)
- 0 - 3"
- 3" - 6"
- 6" - 1'
- 1" - 2'
- > 2'

PRELIMINARY

WOOD RODGERS

FIGURE 6
100-YEAR FLOODING IMPACTS
WALNUT LANE 10 DRAINAGE ANALYSIS
WINTERS, YOLO COUNTY, CALIFORNIA
OCTOBER, 2019

Flooding Depth Difference (ft)
-0.002 - 0.005
-0.005 - 0.01
-0.01 - 0.05
-0.05 - 0.09

Note: The flooding depth difference shown on this map is between the Worst-Case Existing condition and the Unmitigated Walnut Lane 10 condition.

FIGURE 7
Areas out of floodplain

Flooding Depth Difference (ft)

-1 < 0.75
-0.75 < 0.5
-0.5 < 0.1
-0.1 < 0

Note: The flooding depth difference shown on this map is between the Worst-Case Existing condition and the mitigated Walnut Lane 10 Interim condition.
October 23, 2019

TO: Mr. Jim Corbett, Spectrum Capital Corporation
FROM: Michael Towne, P.E., Wood Rodgers, Inc.
SUBJECT: Walnut 10 Water Quality Design Approach
DATE: October 23, 2019

This memorandum addresses the design approaches to be taken by the builder of the subject subdivision to comply with the State Storm Water Resources Control Board’s General Construction Permit Order 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ). The project is located outside of a jurisdiction covered by a Municipal Separate Storm Sewer System (MS4) Permit and is therefore subject to the State’s requirements.

The Post-Construction Water Balance Calculator (below) was used as a basis for determining water quality compliance for the General Construction Permit. Water quality treatment will need to be achieved by a variety of measures that address the flow from the 85th percentile, 24 hour storm event. Tree planting should be done on the order of two trees per lot. This is a 54 lot subdivision which would equate to 108 trees. Home construction should include the use of roof gutter downspouts that drain less than 600 square feet of roof to a sheet-flow, landscaped area.

The remaining runoff volume reduction credits can be achieved by the use of soil amendments. According to the Water Balance Calculator, this can be accomplished by amending approximately 2.2 acres of soil amendments to a depth of 6 inches or alternatively 1.1 acres to a depth of 1 foot. The amendments can be done with the front and rear lot landscaping throughout the subdivision and should be done after home construction to limit any sort of compaction. A bulk density equal to or less than 1.4 g/cm$^3$ should be achieved in the amended areas.
**Post-Construction Water Balance Calculator**

- **User may make changes in any cell that is orange or brown in color (similar to the cells in the immediate right). Cells in green are calculated for you.**

**Project Information**

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Walnut 10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Discharge Identification (WDID)</td>
<td>Optional</td>
</tr>
<tr>
<td>Date</td>
<td>Optional</td>
</tr>
</tbody>
</table>

**Runoff Calculations**

| Existing Runoff Curve Number | 72 |
| Proposed Development Runoff Curve Number | 39 |
| Design Storm | Percent of total project 100% |

| Based on the County you indicated above, we have included the 85 percentile average 24 hr event - P85 for your area. | 0.64 in |
| The Amount of rainfall needed to runoff to occur (Existing runoff curve number P from existing RCN (in²)) | 0.79 in |
| P used for calculations (in) (the greater of the above two criteria) | 0.79 in |

**Complete Either**

| Sub-watershed Area (acres) | 10.00 |

**Calculated Area**

| Sub-watershed Area (acres) | 10.00 |

**Credit**

| Pre-Project Runoff Volume (cu ft) | 1 cu ft |
| Project-Related Runoff Volume Increase w/o credits (cu ft) | 3.903 cu ft |
| Project-Related Volume Increase with Credits (cu ft) | 0 cu ft |

| Subtotal | 2229 cu ft |

You have achieved your minimum requirements

**Other**

| Impermeable Volume Reduction Credits | Volume (cubic feet) |
| 0 cu ft |

| Permeable Volume Reduction Credits | Volume (cubic feet) |
| 3,913 cu ft |

| Subtotal Runoff Volume Reduction Credits | 3,913 cu ft |

| Total Runoff Volume Reduction Credits | 0.063 cu ft |
General Comments:

a. Project planning and documentation is non-transparent in violation of state law (cannot find project plan and ancillary documentation on city website).

b. Current inhabitants bordering the project and likely to suffer negative consequences have not been informed of "comment period" or given a chance to comment on and suggest changes to plan. The "comment period" should be extended by at least 30 days to allow neighbors on Walnut Lane and adjoining streets that connect homes to Walnut Lane to be informed and to comment. Projected increase in Walnut Lane and Almond Lane traffic will affect all the streets that feed onto Walnut Lane.

c. A group of neighbors impacted by this project, the Walnut Coalition, would like the opportunity to sit down with both the city project managers and developer to discuss issues and possibly modify development plan to satisfy all. We are not against development, but would like the project to reflect the interests of existing citizens of north Winters.

I. Aesthetics:

a. "Response d" is incorrect; "formerly used as an orchard (the trees have been removed)" is incorrect. The land is covered in old nut trees; this suggests that the reviewer never visited the site. Also, the statement that sky glow will be minimal is ridiculous: "Skyglow generated from the Project would be minimal". Of course, the view of the night sky will be impacted: as a former astronomer, I can tell you that all development reduces skiyview.

II. Agriculture and Forestry Resources:

a. "Convert Prime Farmland": "less than significant impact". Farming is critical to small-town California economy (and beyond California). Converted farmland will never go back to farming. How can this development in a farming community be "less than significant"?

b. Williamson Act: "the Project site is not located on a site with a Williamson Act contract". Has the owner of the property received reduced property tax as an agricultural parcel? If so, then isn't the site subject to Williamson Act?

III. Air Quality (during construction):

a. Construction Emissions: What has been done to assess the potential toxicity of dirt and dust due to past insecticide, fungicide, and herbicide usage?

b. My wife has severe asthma. Would the project manager stop the construction temporarily if my wife starts having asthmatic attacks, in order to remediate the problem?

c. Current orchard trees provide some degree of air conditioning. The impact of removing the trees on air temperature has not been addressed in the report.

IV. Biological Resources:

a. The neighborhoods south of the construction site will be invaded by ground rats, mice, chipmunks, etc. (this has been very common adjacent to construction sites). What will be
done to alleviate this impact on neighboring streets? Will the developer pay for pest control
during construction?

b. Special Status Species: the conclusion that certain special status plant and animal species do
not occur in the project area is possibly in error. Winters is the subject of a state “Natural
Community Conservation Plan” which outlines specific species that are at habitat risk in
Winters. See: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=164159&inline. This
plan from January 2019 addresses specific animal species that are listed in the Walnut 10
plan and are listed as “no habitat present” in the Walnut 10 plan, possibly in error. For
example, the Giant Garter Snake is listed as an endangered species in Winters in the NCCP
from the state but “no habitat present” in the Walnut 10 plan. Please explain?

IX. Hazards and Hazardous Materials:

a. “The results of the soils sampling and testing program did not reveal any organochlorine
pesticide, lead or arsenic concentration that would be problematic...”. Can we see the report
with quantities found and government allowable thresholds? Would like to see more than
just organochlorine pesticides...would like to see organophosphates, carbamates, etc., for
example. These are more common pesticides than organochlorines, which are anachronistic
and not used any longer.

X. Hydrology and Water Quality:

a. No mention is made of the Chromium 6 contamination of Winters potable water. Once the
state of California gets its act together and reissues a threshold standard for the carcinogen
Chromium 6, Winters will be out of compliance creating the risk that Winters will not have
potable water. The concentration of Cr-6 is probably increasing due to lowering of the
aquifer due to overuse of the well water by surrounding nut orchards. Adding new homes
will further lower the well-accessible aquifer and increase Cr-6 concentrations.

   Development should cease until this extremely dangerous condition is alleviated.

b. It is good to plan on keeping the new development “flood free” by appropriate drainage
remediation; however, the new drainage plan must ensure that the existing streets
surrounding the project will not be negatively impacted by potential flooding events.

XIII. Noise:

a. The existing orchard (yes, it does exist) provides noise abatement from highway 505.
Eliminating the orchard trees will probably increase noise from highway 505. What is being
done to eliminate that possibility? Sound wall along 505? The existing report talks about
noise from the project construction, but that isn’t the problem: it will be changes to noise
impact after the project is finished; i.e., highway noise.

XVII. Transportation:

a. The report claims no impact on traffic congestion on neither Walnut Lane nor Almond Drive;
however, the report predicts additional 550+ trips down Walnut Lane per day! At rush hour,
it is already congested at the Walnut/128 roundabout. I predict a line of cars on Walnut
waiting to get through the roundabout at rush hour, both morning and afternoon. Sending
cars down Almond doesn’t alleviate that concern, since they will also eventually end up at
the roundabout on Walnut. Wouldn’t it be better to rout Walnut 10 (and Farmstead) traffic
directly to highway 505 by driving East on a new road? It is important to remember that
Walnut Lane is a relatively narrow residential road with young children being dropped off by school buses, playing, etc. Walnut Lane is tantamount to a one lane drivable road now. Employees of Mariani Nut Co. park on both sides of Walnut during working hours. Perhaps one side of Walnut Lane, where Mariani employees park, should be painted red as a “no parking” zone.
February 21, 2020

Mr. Dave Dowswell
City Planner, City of Winters
318 First Street, Winters CA 95694

Dear Mr. Dowswell

I have taken time to scan the Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project and find several issues that affect my welfare. In fact, I notice some inconsistencies in the report that may be misleading.

Firstly, the plan states that there will be four access points into the project when in fact there is one access into the 10 acre development as a standalone project, and that access is Walnut Lane at Grant Avenue. I maintain that an additional 500+ trips on Walnut Lane is unacceptable, especially when considering the bottleneck on the stretch of road adjacent to Marriani Nut Company. Often times we stop and defer to oncoming traffic, especially when the oncoming traffic is a truck of any sort. I question the unimpeded travel of a full sized fire truck during peak traffic hours.

Secondly, it is a well-established fact that Orchard Lane and Almond Drive have experienced major flooding instances in the past. Comments from your consultants Wood Rogers state that the standalone 10 acre project would not be able to fund the entire infrastructure needed to remediate the risk of flooding and that some interim measures will be implemented.

In one portion of the report it states that the project will be brought level to the adjoining lots on Orchard Lane and another section of the report states that the new development will be up to two feet higher. Also the plan seems to indicate that storm water within the project will flow counter to the natural flow today.

I am sure there are counter points to all of my concerns, however, due to the complexity of engineering, especially regarding storm water protection both long term and the interim measures, I request that the upcoming public hearing to consider adoption of the Mitigated Negative Declaration scheduled for March 24th be postponed for at least 30 days to allow further study by all affected parties.

Respectfully Yours

Owen Gerald Taylor

110 Orchard Lane
Winters, CA 95694

Cc: John W. Donlevy, City Council Members, Planning Commission Members, and Kris Baitoo of the Walnut Commission
February 28, 2020

Dave Dowswell
City of Winters
318 First Street
Winters, CA 95694

Walnut Lane 10 Project - Mitigated Negative Declaration / Initial Study

Dear Mr. Dowswell:

Thank you for including California Department of Transportation (Caltrans) in the application review for the project referenced above. Caltrans’ new mission, vision, and goals signal a modernization of our approach to California’s transportation system. We review this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the state’s mobility goals that support a vibrant economy and build communities.

The Walnut Lane 10 Project (project) would construct approximately 52 new single-family homes, 2 half-plex units, associated amenities, and infrastructure improvements on a 10-acre site in the City of Winters. The project is located in the northern part of the city of Winters on Walnut Lane which is also the primary access to the Project. The intersection of Walnut Lane and State Route 128 (SR-128) is approximately 1,700 feet south of the proposed project site.

Traffic Forecasting and Modeling

Based on the project description and relative proximity to SR-128, we provide the following comments:

The project will contribute to the congestion on SR-128. Fair share and or mitigation fees consistent with the City of Winters Circulation Master Plane and Roadway Impact Fee Program should be calculated for future improvements due to the continuing development in the area.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability."
Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have questions regarding these comments or require additional information, please contact Todd Rogers, Yolo County Intergovernmental Review Coordinator, by phone (530) 741-4507 or via email to todd.rogers@co.yolo.ca.us.

Sincerely,

David Smith, Acting Branch Chief
Office of Transportation Planning
Regional Planning Branch – South

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
Attn. City of Winters Planning Commission

318 1st Street
Winters, Ca 95694

Request for extension of time

Dear Planning department,

We would like to acknowledge we have been informed of the Mitigated Negative Declaration / Initial Study for the Walnut Lane 10 Project. At this time we would like to request a 30 day extension of time. In order to thoroughly review, understand and comment on the documents. We would like provide alternatives of the plans to be considered and provide additional information and or documentation in support of our concerns. Some of these concerns being;

- Traffic and circulation of Walnut lane
- Traffic speed and congestion of parking on Walnut lane
- Emergency access, City of Winters Circulation policy C1-3.18 “Ensure adequate access for emergency vehicles”
- Flooding/ flood plain and Drainage of Walnut Lane 10 and surrounding areas
- Sewer capacity
- Details of aesthetic/visual of homes and population density.

Thank you for your consideration, we look forward to your response.

Sincerely,

Tim & Laura Ireland
2 March 2020

Dave Dowswell
City of Winters
318 First Street
Winters, CA 95694

CERTIFIED MAIL
7019 0700 0002 0111 6838

Winters, CA 95694

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, WALNUT LANE 10 PROJECT, SCH#2020019086, YOLO COUNTY

Pursuant to the State Clearinghouse's 31 January 2020 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the Walnut Lane 10 Project, located in Yolo County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

   Basin Plan
   The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State’s water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.36.

   The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental
Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations
All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 88-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit
Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development, in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
Phase I and II Municipal Separate Storm Sewer System (MS4) Permits

The Phase I and II MS4 permits require the Permittees to reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

1 Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.
Clean Water Act Section 401 Permit – Water Quality Certification
If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State
If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit
If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

Limited Threat General NPDES Permit:
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

NPDES Permit:
If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Pete Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor’s Office of Planning and Research, Sacramento (via email)
Mr. Dave Dowswell  
City Planner  
City of Winters  
318 First Street  
Winters, CA 95694

RE: Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project

Dear Mr. Dowswell:

Thank you for providing me an opportunity to review and comment on the MND/IS for the Walnut Lane 10 Project. I am a lifelong resident of Winters growing up a mile north of town on CR 89 (Hostetler property), and a 30-year resident on Walnut Lane. I have firsthand experience of living in a flood prone area and feel qualified to provide you, City Manager Donlevy, Mayor Biasi, Mayor Pro-Tempore Cowan, Council Members Loren, Anderson and Neu, and Developer Corbett with my thoughts and concerns as this project moves forward.

Below are my comments related to topics of interest in the MND/IS:

VII. GEOLOGY AND SOILS — According to the Wood Rodgers “Worst-Case” Existing Condition Flooding – 100 Year (MND/IS p. 187), the blue/purple swath beginning in the northeast corner of the Walnut Lane 10 Project, originally ran through the Almond Orchard subdivision and ended in what is now Walnut Park. This area was filled/raised prior to construction, the same remedy that is being proposed to address the low-lying area in Walnut Lane 10. During the 2014 Napa earthquake, several homes built along this fill area experienced major shifts and cracking resulting structural damage. I bring this to your attention in hopes that proper site preparation will prevent these same results from occurring in Walnut Lane 10 when the next earthquake hits.

X. HYDROLOGY AND WATER QUALITY — I would like to request that the City of Winters complete an updated study on groundwater supply. The MND/IS states that ‘According the City of Winters 2006 Water Master Plan, current groundwater supply was determined to be sufficient to meet future demands with no risk of overdraft even during consecutive dry years’. As we are all aware, the landscape of Winters has changed dramatically since 2006 and I don’t believe we should be relying on a 14-year-old report to determine water availability. Not only have we experienced an exceptional drought from 2012 – 2017, several agricultural wells have been drilled during this period. I am aware of two - one being located on the adjoining land to Walnut Lane 10 (Hostetler property/Bellevue North), and one about one mile west on Moody Slough Road. Irrigating over 110,000 almond trees takes a lot of water (1,900 gallons to yield 1 lb.). The original owners/builders of 28056 Walnut Lane drilled a residential well and experienced water problems during the irrigation periods of the Hostetler properties. A new assessment of water availability and quality needs to occur before bringing 54 new homes on-line with Walnut Lane 10, and an additional ~250 new homes in the future Farmstead development.
Flood control for Walnut Lane 10 and Farmstead is complex. I would like reassurance from the City of Winters and the Developer that every effort will be made to properly apply flood control methods and take the necessary measures to keep Walnut Lane 10, Farmstead, and Almond Orchard safe from flooding. I lived through the flood of 1997 and do not want my new neighbors to have the same negative experience. To this end, I recommend the City of Winters and the Developer work along with the Farmstead group to take the proactive measure of constructing the runoff catch basin in advance of building any new structures.

XVII. TRANSPORTATION—Safety, access, egress and circulation are of major concern to me. An increase of 529 trips down Walnut Lane for a daily total of 1,780 is unacceptable. This, along with 11,800 vehicles traveling on SR128 through the roundabout (which drivers still haven’t figured out how to navigate!) is very worrisome. This problem will be compounded with additional traffic from Winters Healthcare patients and the Blue Mountain Terrace with 63 senior living units. It is highly likely the seniors will be using the cross walks at the roundabout to make their way to the market, so adding more vehicles to the mix is a recipe for disaster.

MND/IS p. 66 shows Walnut Lane being extended to the north boundary of Walnut Lane 10, then T-ing west to CR 89 and east to dead end at the edge of the project. Access/egress from the northwest via CR 89 may alleviate some congestion, however I would suggest taking it a step further and call for completion of the ‘loop’ road. I request that the City of Winters work with the Developer, the Farmstead group, and Mr. Hostetler (Bellevue North), to complete a ‘loop’ road from either Timber Crest Road or East Main Street, that will continue north to the Hostetler property, then west to CR 89. You may even want to consider developing the ‘loop’ further west to Moody Slough Road. This solution will 1) reduce traffic and speed problems on Walnut Lane; 2) reduce volume of vehicles in the roundabout; 3) provide greater pedestrian safety in the roundabout; 4) provide easy access/egress to residents commuting from Walnut Lane 10, Farmstead and Almond Orchard in every direction; 5) provide safe access to Shirley Rominger and the Middle School; 6) provide easy access to Heartland and Stone’s Throw communities; and 6) provide safe and easy access for contractors, construction crews and suppliers of the Walnut Lane 10 and Farmstead Projects. I believe that every effort should be made to give the residents of Winters safe and easy access to their homes and completion of a ‘loop’ road prior to any construction will be a huge win for all involved.

I look forward to working with you and making Walnut Lane 10 a seamless addition to our community.

Sincerely,

Sally Ivory
530-979-7786

cc: via Email Dave Dowswell, City Planner, dave.dowswell@cityofwinters.org
Jim Corbett, Developer, jimcorb1@yahoo.com
John Donlevy, Jr., City Manager, john.donlev@cityofwinters.org
Bill Biasi, Mayor, bill.biasi@cityofwinters.org
Wade Cowan, Mayor Pro-Tempore, wade.cowan@cityofwinters.org
Jesse Loren, Counsel Member, jesse.loren@cityofwinters.org
Harold Anderson, Council Member, harold.anderson@cityofwinters.org
Pierre Neu, Council Member, pierre.neu@cityofwinters.org
Dear Planning Commission:

The purpose of this letter is to express our concern with the Walnut Lane 10 Project which is currently under consideration by the City of Winters. We understand the progress must be made and Winters developed. However, we would greatly appreciate if the following issues were taken into consideration as the project moves forward.

Ingress and Egress. As we understand it, the Walnut Lane 10 Project has one ingress and egress route from Walnut Lane. Aside from creating heavier traffic flow on Walnut Lane, one ingress/egress route creates a public safety concern for both the new residents of the development and current residents of Walnut Lane. We would like to see the City consider adding a secondary route into and out of the development.

Funding for Curb/Gutter/Sidewalk. With this development, we believe that the city will eventually seek to extend its network of curb, gutters and sidewalks to accommodate the new residents. As we have managed quite well without those items for the past 20 years since moving to Walnut Lane, we do not feel like our taxes should be increased to pay for these items which we don’t need.

Water line extension. Finally, we would like to request that the city water line be extended from our residence to the new development. Currently, 844 Walnut Lane is the last residence along the City’s water main and we have sediment issues causing our water to have a foul odor. We have paid for scientific testing to confirm this issue and would respectfully request the waterline be extended past 844 Walnut into the new development.

Sincerely,

Bill and Marie Traylor

Bill and Marie Traylor

(530) 304-2811
March 24, 2020

Mr. Dave Dowswell
City Planner
City of Winters
318 First Street
Winters, CA 95694

RE: Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project

Dear Mr. Dowswell:

I am responding to the NegDec for Walnut 10 on behalf of myself and my husband as the homeowners living directly to the West of the proposed Walnut Lane 10 development. I have read through the MND and find many areas that are incorrect, inconsistent, and require additional consideration and mitigation by the Developer of the project and/or the City of Winters. While we support the development in concept, we have reservations about the mitigations as proposed and the correctness of the report.

We would like to see these issues addressed, the report corrected and updated, if not escalated to a complete EIR in conjunction with the Skreden 61/Farmstead project.

Proper Notice Under CEQA

We appreciate the efforts from the City of Winters to extend the dates for the CEQA period and allow us to have additional time to review the documents and craft our responses. That said, I am disappointed in how notice was rolled out. Even in the CEQA extension memo, the dates were not precise and it has been hard for the public to track the changes.

As you are aware of the planning commission meeting and letters the City has already received, the Project neighbors remain concerned with the communication and notification process regarding this development.

- Only the homes with a contiguous border were notified of the release of the NegDec. I challenge the 100’ measurement as it pertains to several neighbors on Walnut Lane who should have received a letter based on proximity and the 100’ line.
- The document listed on the City of Winters website has different dates for comment than the documents ultimately listed on the CEQA website (Attachment A, B & C)
• The NegDec packet is not searchable on the City of Winters Website under “negdec,” “MND,” “walnut 10,” “walnut lane 10,” or “Corbett.”

• While the packet was available at City Hall, the posted letters about the written comment period stated that the documents would be available online at the City of Winters Website as well; however, the average person cannot search for them. To the date of this letter, one can not enter the project name in the search bar and get any results.

• Unfortunately, with the COVID closures, the documents became unavailable at a certain point as City Hall had closed.

• I only received a link to the documents based on a Facebook post I happened to see on the City page, and when I asked for the link, someone responded.

• Only providing the link to the CEQA documents on Facebook disenfranchises anyone without internet access or a Facebook account.

• The City of Winters has project pages up for every development currently being built or under review; however, Walnut 10 was not given the same status under the City project pages.

• If the City states in a legal notice that the documents are available online, then they must be accessible by the average person.

Providing comments to the Lead Agency in writing ensures those comments are on the record and are part of the administrative review for the project. As you know, they must be distributed for final review to the Planning Commission, Council, and ultimately other parties involved with the review. Confusion with the due dates denies people in the community their opportunity to respond. This confusion further denies people their due process under the CEQA mandates.

Members of the public cannot challenge the adequacy of a document without having “exhausted their administrative remedies,” that is if they had not commented when comments were requested, and this ever goes to court, they lose rights because they did not use all of the administrative relief available to them. As has happened here, if the dates and deadlines are not correct, and the source material cannot be located, the public is denied the opportunity to respond.

There has simply been a great deal of confusion about the project, and legal notice may not have been executed correctly.

I am simply disappointed that the City chose to follow the letter of the law vs. the spirit of the law when it came to the initial written notice for the project. I fully understand that the law says only homes within 100' of the project require notice. The spirit of the law and the spirit of the transparency the City states it wants with our residents means that the City of Winters should have noticed the entire neighborhood community that this project was on the books. We are a small group with one main road running through. Walnut 10 alone will drastically change the look, feel, and population of our community, especially as we have one road in and out if this is not built in conjunction with Farmstead.
Project Location and Setting | Surrounding Land Uses

There is a factual error with the following:

"The land directly to the north of the Project site is currently cultivated for agricultural uses. The parcels to the west and south of the Project site are characterized by residential uses, and the parcel to the east of the Project site is characterized by agriculture (currently being dry farmed). The parcel to the north of the Project site is the Hostetler property, which contains an orchard and has a dirt perimeter road. The parcels further south of the Project site, beyond the immediate land uses, include additional residential and commercial land uses. Walnut park is located approximately 400 feet to the southwest of the Project site. A separate residential development (not part of the Project)."  

There is no mention of our five-acre parcel to the west that while residential is zoned for agriculture and currently is ranched with horses and sheep. Our five-acre parcel makes up the entire western boundary of the project and is not mentioned in the location and setting.  

It is not factual to state the lands to the West are strictly residential. This project will be built next to an agricultural site with livestock.  

The NegDec's Description for the Walnut 10 Project is Inaccurate

The California Environmental Quality Act (CEQA) contains a "substantive mandate" that public agencies must deny Projects with significant environmental defects if "there are feasible alternatives that can substantially avoid those effects." For the public to determine whether the Project will create significant effects and whether alternatives should be considered, CEQA requires that EIR's be "organized and written in a manner that will be meaningful and useful to decision makers and to the public." Therefore, the Project description in the EIR must be clear, accurate, and consistent throughout the EIR. Only when the Project description is absolutely accurate throughout the entire document can the general public understand, review, and comment on the EIR, and only then can the public agency consider the advantage of terminating the Project, or weigh other alternatives.  

While I realize that the document under consideration is a Mitigated Negative Declaration and has not risen to the level of Environmental Impact report, clearly as the basis of the opening environmental reporting, the same level of accuracy must apply.

On page 4 of the NegDec, the description states, "Additionally the existing almond orchard that is located on the Project site and the agricultural well that is located in the southwest corner of the Project site would be removed during Project construction activities."

1 Initial Study Negative Declaration, Walnut Lane 10, p. 4
2 See Remy, Thomas, Guide to CEQA, 11th Ed., at p.1, citing the California Supreme Court in Mountain Lion Foundation vs. Fish & Game Commission (1977) 16 Cal. 4th 105 at 134.
3 Pub Res. Code § 21003(b).
4 Remy, Thomas, supra, at p. 415
5 County of Inyo v. City of Los Angeles, 71 Cal.App 3d 185, 193 (1977)
However, throughout the document, there are multiple examples where the description states that the “trees have been removed,” and that argument is used to lower the severity of the environmental impacts of this project.

**Infrastructure and Access**

Flood mitigations are perhaps one of the most crucial topics throughout this NegDec and for the City of Winters as a whole. While the infrastructure and access section of the description states on page 5 that, “Stormwater would drain to the east of the Project site via a v-ditch to the Grant Avenue culvert.” It does not mention that the v-ditch is entirely dependent on the development of the Skreden 61 project. If Walnut 10 is built alone, there will be no v-ditch, but interim measures that are less than what would exist if the projects were built simultaneously may be installed. The description of the stormwater information is not sufficient for the average reader to understand there are two measures of mitigation, and a significant flooding environmental impact exists.

**General Plan and Zoning Designations**

The City of Winters chose to submit Figure 6, which is not an accurate description of the current zoning for the area. This map is bandied about to show the desired future state of the City of Winters, if and only if the City is successful annexing in a contested sphere of influence.

A more accurate map exists which does not highlight the sphere of influence but is still not accurate (Attachment D). For example, my home, APN# 038-050-024-000, resides in the county and is currently zoned for agricultural uses. In both the Figure 6 map and Attachment D, my home shows that it is zoned R-1, 7000 square foot lots, and in its current state, that is untrue.

Further, all of the land to the north of the Walnut 10 development is also in Yolo County, is zoned for agriculture, and is currently farmed. That is not depicted on any of the zoning documents and exhibits provided by the City of Winters as applicable to the zoning report and description.

If CEQA documents are developed not only for State and Federal entities with a stake in the land but for the Public to understand the development as a whole, they must be clear and accurate. This is not the case with this report. The inclusion of inaccurate future state zoning skews the narrative. It does not present the reality of the Project and its environmental impacts on the whole of the area in the present or future state.

The NegDec must be rewritten and include not only future state zoning, but accurate diagrams and mapping to show the current state. It is only when one considers the loss of rich farmland and agriculture and active, as well as inactive, orchards with thousands of trees that are set to be removed, that the reader can consider the magnitude of any environmental impacts. That is not the case in this report.
I. AESTHETICS

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

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

The report is incorrect in stating that this project cannot be seen from Scenic Highway 128. In its current state, and if it is built without the Farmstead Project, the Walnut 10 orchard that is visible from 128 will be removed and replaced with houses. The 505 – 128 corridor is the start of the scenic highway. While the City of Winters General Plan does not explicitly designate a viewshed in the City, please keep in mind the general plan document goes back to 1992, and 128 was not a scenic highway at that time. Every time an orchard is removed from the view of Highway 128, there is a significant impact because the reason we have that designation is our agricultural roots. To give the entirety of 128 from the 505 to Railroad over to mass development and cookie-cutter homes is to diminish the intent of the scenic designation and risks honoring the community’s rich history.

The report scores section 1.a. as Less Than Significant Impact, but scores 1.b. as No Impact. That is impossible as I can see Scenic Highway 128 from my front yard through the rows of trees. When the development is graded, and the trees are removed, there will be a visual hole from highway 128 to Walnut Lane. So, if this Project will have a “Less Than Significant Impact” on 1.a., at the very least for 1.b. it should also be Less Than Significant or Potentially Significant Impact, as there is no mitigation measure that can be applied to correct the removal of agricultural land from the view of a Scenic Highway.

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

Regarding the visual changes to my home and the residential area south of the Project site, it is always difficult to understand what the final aesthetic impacts will be when an EIR or NegDec is submitted with no design plans. Ultimately this developer will most likely not ever deliver a design plan but will sell the approved subdivision map to another.

The Planning Commission and the City Manager have stated that the City must update our housing element, which may very well change the design elements and aesthetic options possible for this development. While the proposal is an R-1 with a PUD overlay, there is a great deal of room for change between this Neg Dec and, ultimately, the acceptance of design plans.

The character of the neighborhood is one and two-story contemporary ranch and craftsman homes on larger lots. Less dense than projected for this Project. It is already going to be different than the current Orchard development and the custom homes on Walnut Lane. Our stance is that we would like to see this development plan match the existing dwellings, lot for lot, especially along the fence line that would be contiguous with Orchard Lane.

The report generally states on page 23:

“Upon development of the Project, landscaping would be provided throughout the Project site. The proposed landscaping includes a variety of plants and support materials at varying heights that would provide some shielding from existing residences in the vicinity.”
No report or appendix with proposed landscaping was submitted with the NegDec for review. No area of the City Design Guidelines was cited. It is impossible to comment on the aesthetic effects if the information considered to mitigate is not included. Further, if landscaping is needed to allow this project to blend, then 1.a. should be elevated to “Less Than Significant With Mitigation Incorporation.”

This area of the report needs to be rewritten and reissued with the appropriate documentation and mitigations outlined.

The report on page 23 goes on to say:

“The change in character of the Project site, once developed, is anticipated by the General Plan and would be visually compatible with surrounding uses, including the existing residential uses located to the south and west, and the planned residential uses that would be located to the east. Moreover, setbacks and landscaping around the perimeter of the site will buffer the foreground views from residents in the immediate vicinity. Therefore, implementation of the Project would have a less than significant impact relative to this topic.”

The NegDec again fails to describe the actual land use to the west. Our home is the entire western boundary of the project, and while it does have our house, it has horses and sheep and will remain agricultural use.

The destruction of the agricultural land and orchard across the street will have a Potentially Significant Impact from my home, which I am aware is a private vista. Still, it will also change the views looking east from Railroad Avenue and north from Walnut Park. The report states that “the landscaping around the perimeter of the site will buffer the foreground views from residents in the immediate vicinity.” No examples of landscaping or design were submitted with the NegDec to understand what that would look like or how significant the impact would be.

Further, if landscaping needs to be added, this needs mitigation and is not Less Than Significant Impact as stated.

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

The first line of the answer to section 1.d. in the NegDec is incorrect, “The Project site is currently vacant and was formerly used as an orchard (the trees have been removed).”

None of the trees have been removed. This statement is an inaccuracy repeated multiple times throughout the document. More importantly, the existing orchard protects the current homes from both light and glare from the street and traffic lights and businesses at the Highway 128 / 505 intersection. Once the trees come down, it will be an unhindered and straight line of sight to the Chevron and business at Matsumoto Lane from Walnut Lane. This will last for the duration of the construction until the entire Project is built out. In fact, if the Walnut 10 developer decides to raze the orchard at any time, that act alone will cause new light and glare issues for the homes on Walnut and Orchard Lane with no possible mitigation to defray the impact.

It is impossible to know if the mitigations outlined will be effective without actual design plans for the development. For example, if the City of Winters allows three-story residences in a to be drafted in the new housing element, or the grading of the pads for flood mitigation raises the second story of the homes.
that back up to Orchard Lane higher than the existing residences, some of which are one-story homes, then
the mitigations proposed will not do anything to alleviate light and glare. The mitigations provided only
outline exterior fixtures in the new community, streetlights, and decorative elements. The mitigations say
nothing about the height of homes in the new project relative to the existing homes and how the interior
lights and windows will affect Orchard Lane homes. There is simply insufficient analysis for the public to
form a final and accurate opinion of the environmental impact of this category.

The Neg Dec does not reference building standards, City Codes, or other standards to create a check on the
development to ensure the correct fixtures, types of shielding, or materials are used. Is there a
construction standard? A revised NegDec should include requirements like mandating external fixtures with
the International Dark-Sky Association Seal of Approval on all exterior lighting. What was provided is not
specific or actionable as a mitigation.

There is no discussion in the NegDec of the allowed building or construction hours, or if during the
construction phase, lighting will be necessary. There is no description of security lighting or other
temporary fixtures during the construction phase.

Because additional mitigations were not considered, developed, or stipulated, this section must be
classified as Potentially Significant Impact until such time as the document is reviewed and redrafted with
acceptable mitigations to reduce the severity of the impact to Less Than Significant with Mitigation
Incorporation.

II. AGRICULTURE AND FORESTRY RESOURCES

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?

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

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?

The response for a, b, and e of the Agriculture and Forestry resource section relies heavily on the
City of Winters General Plan, a document that has not been updated since 1992. My personal
opinion outside of the CEQA response is that the City should update the general plan in its entirety
before moving forward with significant development, including infill developments and those that
take agriculture land. The City has just established a Climate Change committee, and it is time to
let them do their job and help address the City policy to make these NegDecs and EIRs more in line
with current science and planning standards.

In the absence of that, there a discussion of the 1992 General Plan elements as the answer to the
mitigations provided to make these components less than significant on page 25:

"The City of Winters General Plan designates a substantial area for urban development which is or
has been in active agricultural use, which includes the Project site. The City of Winters General Plan
EIR identifies that the conversion of agricultural land to urban uses is a significant and unavoidable impact of urban expansion into the city. The City of Winters Final General Plan incorporates policies to promote the continued productivity of agricultural land, and to prevent its premature conversion to urban uses (Goal VI.8), such as directing the City to support agricultural uses until development or annexation is imminent (VI.B.1 and 2), to limit future expansion of the Urban Limit Line to lower quality agricultural soils, and to support strong County-based agricultural land conservation policies (VI.B.4). Other forms of support for agricultural activities include support of legislation at the local and state levels for tax and other incentives (VI.B.3), a mixture of farmers’ markets, on-site sales and special events (VI.B.4), a commitment to adopt a right-to-farm ordinance (VI.B.6), and support for County efforts to establish a land conservation trust and implement programs for development rights purchases, transfers or easements (VI.B.5). The City of Winters Final General Plan EIR identifies that the impact on agricultural productivity is significant and represents an unavoidable, adverse cumulative impact. Mitigation measures 13.1A through 46.31B have been identified in the General Plan Final EIR to address loss of agricultural land. The measures have been incorporated into the and additional mitigation measures would not be expected to be feasible or effective in avoiding the loss of agricultural land, other than a prohibition against future development, which the Final General Plan identifies as not being consistent with the Final General Plan’s objectives.”

While the NegDec lists the General Plan sections for consideration, what the report does not outline, and would show the City’s efforts towards actual mitigation measures, are a specific and measurable example of programs that have been the beneficiary of the City’s support of agriculture. For example:

- Where is the City limiting the future expansion of the Urban Limit Line to lower quality agricultural soils, and to support strong County-based agricultural land conservation policies (VI.B.4)?
- What legislation has the City supported or passed supporting agricultural activities at the local and state levels for tax and other incentives (VI.B.3)?
- Has the City passed a right to farm ordinance? (VI.B.4)

General plans are a guideline, what matters is if a City implements the mitigation measures proposed. Without a list of actionable and measurable results in the City of Winters attached to this NegDec showing support of agriculture in other areas to make up for the loss of this land, it is impossible for the public to ascertain if the existing General Plan mitigation measures are sufficient to reduce the impacts of the loss of agricultural land. Mitigation only matters if it is implemented.

I believe that the report is incorrect in stating the loss of these 10 acres of Unique Farmland has a Less Than Significant Impact because the City did not provide evidence of a history of actually implementing the General Plan mitigations. Further, this is a document from 1992. Are the suggested mitigations feasible and appropriate today? It’s impossible to know as the General Plan is not slated for a complete review.

Winters resides in Yolo County, which has a strong history of right to farm policies. While the language in the report pays homage to that, there are no achievements listed where the 1992
mitigations have been successfully implemented or an acre for acre offset of this particular property.

The NegDec makes mention of this plot of land being included in the 1992 Winters General Plan; however, no additional documents, tables, or appendices were submitted for review with this report to understand the history of the parcel.

III. AIR QUALITY

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

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

c) Expose sensitive receptors to substantial pollutant concentrations?

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

The report was filled out stating that this section was Less Than Significant Impact. However, there is a laundry list of partial mitigations that would need to be implemented. I believe the report has a significant error as A – D should be marked Less Than Significant Impact With Mitigation Incorporation.

While the list of mitigations is a good start, the suggested remedies are lacking in several important areas to bring environmental impacts down to Less Than Significant Impacts. Please consider the following language for additional mitigation on idling vehicles and construction equipment at the site. The mitigations listed deal with particulate matter from grading and fill operations and the choices of construction material and storage only. The mitigations do not specifically call out mitigation guidelines for heavy equipment and idling, which will be the main source of exhaust and particulate matter in addition to blowing dust from construction.

- The addition of language stating that the vehicles used during the construction phase for all activities (not just diesel-fueled commercial vehicles over 10,000 lbs) at this site must comply with the CA EPA Heavy Duty Diesel Vehicle Idling Regulation Limits at all times.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.

- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html.

- Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies.
• Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.

There are additional mitigations pertaining to heavy and stationary equipment as well as other project guidelines that are found in the Yolo-Solano Air Quality Management Districts Handbook for Assessing and Mitigating Air Quality Impacts (2007) on page 27, however, the author of the report only chose to include four options.

Additionally, the following bullet points are from the same booklet on pages 16 and 17, but were not included as mitigation measures and should be.

• Visible emissions from stationary diesel-powered equipment are not allowed to exceed 40 percent opacity for more than three minutes in any one-hour, as regulated under District Rule 2.3, Ringelmann Chart
• Dust emissions must be prevented from creating a nuisance to surrounding properties as regulated under District Rule 2.5, Nuisance
• Portable equipment greater than 50 horsepower, other than vehicles, must be registered with either the ARB Portable Equipment Registration Program (PERP) (http://www.arb.ca.gov/perp/perp.htm) or with the District
• Architectural coatings and solvents used at the project shall be compliant with District Rule 2.14, Architectural Coatings
• Cutback and emulsified asphalt application shall be conducted in accordance with District Rule 2.28, Cutback and Emulsified Asphalt Paving Materials
• All stationary equipment, other than internal combustion engines less than 50 horsepower, emitting air pollutants controlled under District rules and regulations require an Authority to Construct (ATC) and Permit to Operate (PTO) from the District.
• District Rule 2.40 Wood Burning Appliances prohibits installation of any new traditional “open hearth” type fireplaces.

Without including specific language for idling vehicles, the mitigations provided are not adequate and should be updated. The report needs to be corrected for this section and reevaluated.

As it pertains to the storage of construction materials and air quality, there is no mention of the “North Winds” that affect our community. They blow for days at 20-40 MPH sustained. The construction crew will need to have a plan in place for securing not only the tarps and covers but planning ahead for the North Wind days and limiting activity on site. The wind velocity and direction are significant enough that construction debris can make its way into the yards of the Orchard Lane homes in addition to the particulate matter.
Sensitive Receptors

Although sensitive receptors are defined for the purposes of a CEQA exercise as schools, hospitals, etc., there are several of us who are asthma sufferers living on the Project boundary. This Project will cause air quality and environmental disturbances during the demolition of the orchard, grading, and ultimate construction.

As a mitigation measure, I would suggest a website or notification to the neighborhood that informs us of the days where a decrease in air quality is likely so that we can take precautions and ensure that the Project is doing their best to mitigate. I would like the City to have a hotline for the Project Manager/Developer for construction complaints and clear complaint procedures posted online and available at City Hall.

Living next to an active orchard, we periodically deal with offensive odors and pesticide dissemination but have worked out a notification process so that we get a heads up to move livestock and take additional precautions for asthma and the inside air quality we can control.

The Effect of Tree Removal on Air Quality & Climate Change

Policy VI.E.10. The City shall contribute through tree planting and preservation to the enhancement of air quality.

No mention in the entire NegDec report discusses the loss of trees to develop this Project. It merely states in several locations that “trees will be removed.” The fact is that approximately 1,000 trees will be removed from the site. There are about 18 rows of trees with at least 50 trees planted in each row.

Every day the community enjoys the benefits of this orchard as they provide temperature reduction, removal of air pollutants, the potential for the removal of ozone, they cool and shade our homes, and help the groundwater filter and recharge.

No specific, measurable mitigation has been proposed to replace the trees and provide any fee structure for the Developer or the City of Winters to contribute to a landscaping plan. That said, with only 54 homes, even if two large trees were planted per house, that is only 108 trees, or 10% of the loss.

I am by no means an expert and do not have a formula, but certainly with the effects of climate change, increased energy use for residents cooling homes in the Sacramento Valley when there is no shade, and overall pollution reduction, the loss of 1,000 trees on 10 acres is a Potentially Significant Impact, and no mitigations were offered as an offset.

When the general plan was written in 1992, climate change effects and our knowledge was less when it came to “green issues.” In 2020, we need more than “The City shall contribute…” Mitigation for the loss of 1,000 trees needs a measurable and actionable plan with the

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6 Nowak, David J., The Effects of Urban Trees On Air Quality,
implementation concentrated the area of greatest loss, which is the Orchard neighborhood and the entry to Walnut 10 from Walnut Lane.

This topic is best inserted in the Air Quality section, given the science-based facts that trees do remove pollution from the air.\(^7\)

IV. BIOLOGICAL RESOURCES

I have no substantive comments on the biological resources section.

V. CULTURAL RESOURCES

I have no substantive comments on the cultural resources section.

VI. ENERGY

Please refer to the Air Quality section of my letter for an overview of the issue of tree removal. In short, approximately 1,000 trees will be removed from the 10 acres that make up the Walnut 10 site location. The effects will literally be paid for by the direct neighbors who will experience warmer houses and higher energy bills without the shade canopy that the orchard currently provides.

In comparison to a mature neighborhood with established large trees and landscaping, the new neighbors will also experience higher energy costs to cool their homes in summer.

As potential mitigation, the City of Winters must establish guidelines for landscaping new developments specifically where the development replaces orchards and requires the purchase of larger trees and established plants. Too often to save costs, a Developer will plant one-gallon plants and five-gallon trees that take far too long to have a positive net effect on energy and air quality factors.

Often developers do not offer landscaped back yards and leave that up to the new homeowner, who faced high costs for their new construction, do not install a yard. This lack of landscaping increases cooling costs for that home and all the homes around them.

VII. GEOLOGY AND SOILS

I have no substantive comments on the geology and soils section.

VIII. GREENHOUSE GAS EMISSIONS

I will refer you back to my suggested additional mitigations in the Air Quality section as they pertain to heavy and large equipment emissions during the construction scope of the project.


\(^8\) Pinceti, Stephanie, Implementing Municipal Tree Planting: Los Angeles Million-Tree Initiative,
I will again suggest that as this report has no mitigation measure that takes the loss of 1,000 trees into account creates a Potentially Significant Impact under section VIII.a. This directly relates to the effect of a denuded 10 acres in the community with very little foliage or trees once built and for decades after completion until the landscaping matures.

I am requesting that the Planning Commission and the Climate Change Board for Winters consider policy and standards for CEQA projects. Given that you are acting as the Lead Agency, please ensure that the destruction of orchards in the community are addressed with specific and actionable mitigations to be completed by the developer and/or the City. Perhaps the implementation of Developer fees to provide additional landscaping budgets to help new owners landscape and plant acceptable species in a timely manner would be a consideration.

IX. HAZARDS AND HAZARDOUS MATERIALS

Response f) states that this project would not cause evacuation issues. While that may be true if this project is developed in conjunction with Farmstead, it may not be correct, nor has it been studied for the build out of just the Walnut 10 parcel. Walnut Lane is the only point of ingress and egress for the entire neighborhood. This adds additional residences, and if any portion of Walnut Lane gets blocked in an emergency, all of us are stuck.

Response g) discusses fire. However, there is no discussion of undergrounding powerlines or other mitigation that should be considered given the number of PSPS and the new reality of wildland fire. To the east of the project sits the Farmstead project, which is all open grassland and prior hay fields. The greatest chance of fire is from the grass fields to the east between 128 and this project if they are not built together. With one way out on Walnut Lane, if Walnut 10 is built alone, these scenarios were not addressed in this NegDec.

X. HYDROLOGY AND WATER QUALITY

Response b) states:

_The Project would not 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). Furthermore, the Project is not anticipated to significantly affect groundwater quality because sufficient stormwater infrastructure would be constructed as part of Project to detain and filter stormwater runoff and prevent long-term water quality degradation. See response d), below, for further detail. Therefore, Project construction and operation would not substantially deplete or interfere with groundwater supply or quality. This impact would be less than significant._

While this may be true for the City of Winters, the report does not document the well on my property that is directly next to the extension of Walnut Lane needed to service this project. Paving over the earth, removing the trees, and all construction will have a negative effect on our domestic well that services our house at 28056 Walnut Lane. The stormwater infrastructure will catch and remove the water we currently rely on to feed and recharge our well.
As was mentioned in a letter from a neighbor, Sally Ivory, our house has had issues with groundwater in the past from the Hostettler orchards to the north. The prior owners had to re-drill the well as the orchard was depleting the water table. It is unknown what the construction will do to our well and groundwater as it was not mentioned in the report or studied. The only wells mentioned are those for the City of Winters, and our parcel is not part of the City water system.

Responses c) and e) are concerning as they rely on the Walnut 10 parcel to be built with the Farmstead project for all mitigations to be imposed. If all mitigations are installed, that is the best-case scenario and the most protective for the neighborhood.

This project is in a FEMA AO 2’ flood zone, which is one of the worst, and the category is never named in the report. We know this because we pay annual flood insurance for our property, and I consult the flood map often. We feel strongly that the proposed mitigations should not be borne by Walnut 10 alone and that this project should not be built without the full mitigations offered by both the Walnut 10 and Farmstead properties. It is in the best interest of the community for both projects to be approved and built simultaneously.

To raise the pads and build this project without the full mitigations from both projects is irresponsible. This area has flooded historically, and the orchard has a history of recent flooding. This was documented by other neighbor’s responses to this project.

As I am not an engineer, and the appendix reports are somewhat difficult to understand. I had hoped the City would have coordinated a meeting between the neighborhoods and the developer prior to the CEQA response date to review the technical elements of the flood and hydrology mitigations; however, that did not happen.

For section c) (ii), (iii), and (iv), the report ranks this as Less Than Significant with Mitigation Incorporation; however, that is for the complete plan and buildout from Farmstead and Walnut 10. The interim measures for just Walnut 10 are a stopgap and may actually have a Potentially Significant Impact.

This is especially true as on page 64, the report states under mitigation measures HYDRO-1: Grading and Elevation: Grading and improvements shall elevate the Project site and remove the site from the design 100-year storm event floodplain. The current FEMA status of AO 2’ means that the entire site, or at least a majority, needs to be elevated at least 2’ to get it out of the existing flood plain. That would mean that Walnut 10 would end up higher than the existing homes and given the rise, potentially causing flooding into the Orchard development. The Project needs to be mitigated to ameliorate the flooding, and it cannot be allowed to affect the existing adjacent homes that have a history of flooding from the orchard.

Pertaining response d), it mentions that the greatest risk of flooding is from November to March. There should be a specific update to the proposed mitigations ensuring that any construction for flood mitigation is completed well before the rainy season and make the deliverables on the mitigations time-bound with penalties etc. if they are not finished in time.
XI. LAND USE AND PLANNING

My comment on the land use and planning portion is a plea to the City of Winters to allow for the updates to the general plan with the input from the Climate Change Board and other community input so that all new infill and other developments meet the new and developing needs of the community.

We agree we need housing. We recognize we have the opportunity to develop and be inclusive in our community. However, to bring forward the best the City can offer, it is time to get a General Plan update and not rely on 30-year old planning to get this done. These updates should happen before all the infill projects are brought forward.

XII. MINERAL RESOURCES

I have no comment on the mineral resources section.

XIII. NOISE

Currently, we, the Walnut Lane residents, and many in the Orchard developments are shielded from many of the sounds of Highway 128 by the 1,000+ trees that remain on the Walnut 10 site. I will tell you that I can hear the sounds of the crosswalk alerts at Matsumoto Lane from Walnut Lane as the site exists today. Again, that is with the buffer of the trees and vegetation that are in situ.

The report quotes Policy VII.E.7 Any project that would cause existing traffic-related noise levels in existing residential areas to increase more than 3dB shall be required to evaluate the feasibility of noise mitigation measures.

No mention of the effect of the tree removal on the surrounding residents was discussed. No noise mitigations have been offered for this section. Once the trees are out, there will be an increase in noise and sound from 128 and the 505 Freeway. The report concentrates on the construction phase, but does not address the long term effects of increased noise on the existing community nor does it provide any mitigations for sound shielding from 128/505 once the trees are gone, or creative sound buffer solutions after Walnut 10 is built.

Concerning response a), on page 80 of the report, there is a mention of “solar PV panels” and installation. There is no other information provided. What are they for? The new houses, or construction? This issue needs to be clarified in a reissued report, or in follow up comments.

The report offers no construction times or allowed noise-generating windows. It does outline residential noise ordinances. However, this construction, while short, will cause significant impacts to those homes abutting the project and will substantially reduce the quiet enjoyment of our homes during this time. The world of work has changed since the General Plan was written 30 years ago, and more of our population is working from home. I am one of those people, and my home office is less than 100’ from the Project site. There are healthcare workers, doctors, and nurses, who work shift work and live next to the project.
I suggest that the onerous noise-generating hours of work be limited to 9:00 am – 4:00 pm Monday through Friday and 9:00 am – 2:00 pm on Saturday with no work allowed at the site on Sunday. That does not mean that outside of those times work cannot happen, but heavy vibration, ground-shaking work should be limited. This is not the same as a homeowner doing sporadic work on a project. No limits were suggested or provided in the report.

Please also see my comments on air quality and idling diesel trucks and equipment. During the grading process, the idling vehicles and equipment not only create emissions, but their use creates substantial ongoing noise.

We would like to see additional mitigations for noise in this section that allows the developer to complete the project in a timely and cost-efficient manner, but also does much more to protect the existing community, provide for us to continue the quiet enjoyment of our homes, and also supports those who work from home, and those who provide our medical, health, and public safety work.

XIV. POPULATION AND HOUSING

I have no comments on the population and housing sections.

XV. PUBLIC SERVICES

I have no comments on the public services sections.

XVI. RECREATION

I have no comments on the recreation sections.

XVII. TRANSPORTATION

In response a) & b) on page 91, the report states:

"Based on trip generation rates provided in Table 6 of the CMP, the Project would generate approximately 529 daily trips (based on a daily trip rate of 9.79 trips per day for single-family residential land uses). Project trips would increase the amount of traffic during Project operation that currently occurs at and within the vicinity of the Project site."

Currently, at the roundabout traveling south on Walnut, we have a traffic bottleneck. This is made worse by the employee parking from the Mariani offices and plant at the corner. 30% of the time when we head out of the neighborhood, we are single-tracking and stopping about a half-block up from the roundabout to let oncoming traffic pass. This is not an issue when Mariani is closed.

There is no stop sign or speed bump on Walnut Lane to slow traffic by the park. People travel over 40 MPH up and down the street at any time.

Walnut Lane is the only way in or out of the neighborhood if Walnut 10 is built alone. Adding 54 homes and 529+ trips per day is going to put an undue burden on the traffic patterns as they exist. This is again the spirit of the law vs. the application of the law as it pertains to the data in the updated General Plan traffic flow and roads document.
As the current population uses the roads, the addition of this development creates a Potential Significant Impact with the Project buildout. Mitigations will be required to reduce the impact on the existing community, including:

- Red striping one side of Walnut Lane next to the Mariani office to open up traffic flow
- Perhaps only allowing residential and not commercial parking on Walnut Lane
- Analyzing speeding and determining if speed bumps will help the traffic flow
- Analyzing traffic to determine if stop signs are necessary
- Installing a crosswalk for the park with lights and signaling to protect park users

In its current state, we worry that Public Safety equipment cannot get up the street to the park or to our homes during the most congested times of the day. With or without the Project, this intersection is a problem.

XVIII. TRIBAL CULTURAL RESOURCES

I have no comments on the tribal cultural resources sections.

XIX. UTILITIES AND SERVICE SYSTEMS

The City of Winters has published concerns with our water system and the cost of Chromium-6 mitigations. There is no mention in this report of those stressors on the system and how or if this project will impact future mitigations for existing hardships on the utility systems. In fact, there is no mention of Chromium-6 at all in the report, and our City Manager regularly refers to this pressing and costly threat to the community.

Our direct neighbors, Bill and Marie Traylor, have to have their water lines flushed bi- or tri-weekly due to the water quality at the end of the line at Walnut Lane. If Walnut 10 is built without Farmstead, the new residences in Walnut 10 become the end of the line and may also be subjected to the end of the line water issues the Traylor's have faced for years. I only know about it because when the system is flushed from the fire hydrant in front of my property, we get the water in our orchard.

It is disingenuous not to outline the existing issues. This will require mitigation of existing water quality issues currently faced by the community in this area. Perhaps the City should consider a development fee to help offset the cost of the Chromium-6 and water upgrades necessary to ensure the new community has quality water and the water for the existing Orchard and Walnut neighbors get fixed.

XX. WILDFIRE

Response a) does not delineate between Walnut 10 being built alone, or with Farmstead. If it is built with Farmstead, it may actually improve the emergency access for the existing community and its new residents. However, if Walnut 10 is built alone, it increases the burden on a neighborhood that only has one exit out at Walnut Lane and Grant Ave. So, Walnut 10 alone is possibly elevated to a Potentially Significant Impact and is only Less Than when it is built in conjunction with Farmstead.
Response b) does not mention the North Wind elements of the site or the new reality of our PSPS and wildfire suppression efforts in the community. If any welding, open flame, or sparks are ignited during heavy wind days next to the open grass pasture to the east of the site, between the site and 128, there is a substantial possibility for a grassfire on the Skreeden/Farmstead acreage. Mitigations should be put in place that does not allow for construction on North Wind days and PSPS events. Please consider stricter enforcement of grass fire mitigation during the construction of this project.

Regarding responses to c) & d), again, these comments are only valid if Walnut 10 is built with Farmstead. Built alone, Walnut 10 adds to the burden of a neighborhood with one evacuation route out that is blocked by existing users at its peak usage.

As I have already mentioned under the Hydrology section, partial mitigation may have a negative impact on the existing community with the grading and pad raising of the new development as sections will be higher than the existing neighborhood. With only one way out in a flood, the neighborhood could be at risk.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

It is our hope that the City of Winters, both the Planning Commission and the City Council, will consider all of the neighbor comments and be open to a larger discussion on increased mitigations, or simply defer this project to be built in conjunction with Farmstead so that all of the appropriate mitigations can be applied and installed to make this last section truly be Less Than Significant with Mitigation Incorporation.

As it stands, there are sections of this report that we feel strongly are a Potentially Significant Impact to the Community. The City must ensure additional mitigations are considered and required.

In closing, my husband and I are in favor of Walnut 10, but a Walnut 10 development that takes the existing concerns of the neighbors into consideration and is not prepared with a blanket approval. This site has issues with flooding and traffic in its current state. Those of us who live here see it every day, and many of my neighbors have clearly been harmed in the past by water flowing directly through the Walnut 10 property an into their homes. There is no mention of the flooding harm already experienced by the Orchard neighbors in this report.

I implore the City to work with us and listen to the concerns so that we are able to welcome our new neighbors and not be worried about our properties, or theirs, in the future. Let's use Walnut 10 as a marquis development project that brings everyone together and changes "business as usual" for the community.

Thank you so much for your time in reviewing our comments.

Sincerely,

Kristina Drobocky Baitoo

Andre Baitoo

Cc Via Email: Dave Dowswell, City Planner,
Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project

January 24, 2020

Notice is hereby given that the City of Winters as lead agency, has prepared a draft Mitigated Negative Declaration/Initial Study (MND/IS) for the Walnut Lane 10 Project. The MND/IS analyzes the potential environmental effects associated with the proposed project in accordance with the California Environmental Quality Act (CEQA). In accordance with Section 15072 of the CEQA Guidelines, the City of Winters has prepared this Notice of Intent (NOI) to provide responsible agencies and other interested parties with notice of the availability of the MND/IS and solicit comments and concerns regarding the environmental issues associated with the proposed project.

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

Contact Person: Dave Dowswell, City Planner, (530) 794-6714

Project Title: Walnut Lane 10 Project

Project Location: The approximately 10-acre project site is located within the City of Winters, along the northern edge of the city, east of Railroad Avenue and north of State Route 128. The project site is Yolo County Assessor’s Parcel Number (APN) 038-050-019. See the Project Description section of the Initial Study for additional details.

Project Description: The Walnut Lane 10 Project (Project) would develop 54 single family residential units and associated infrastructure improvements on the Project site. See the Project Description section of the Initial Study for additional details.

The project is not listed on the Hazardous Waste and Substances Sites List as set forth in Government Code Section 65962.5.

Public Review Period: A 30-day public review period for the Mitigated Negative Declaration/Initial Study will commence on January 24, 2020 and will end on February 24, 2020 for interested individuals and public agencies to submit written comments on the document. Any written comments on the MND/IS should be sent to the attention of Dave Dowswell, City Planner, at the address listed above, and must be received at the City of Winters by 5:00 PM on February 24, 2020. The project file and copies of the MND/IS are available for review at the City of Winters City Hall at the address listed above.
Public Hearing: A public hearing will be held to consider adoption of the Mitigated Negative Declaration and action on the project on March 24, 2020 before the Planning Commission. The meeting will be held at 6:30 pm in the City Council Chambers located at City Hall at the address provided above. A subsequent meeting is scheduled to be held by the City Council on April 20, 2020 at the same time and location.

The city does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the prior to the public hearing.

Availability of Documents: The Mitigated Negative Declaration, Environmental Checklist/Initial Study and supporting documentation are available for public review at Winters City Hall, Community Development Department, 318 First Street, Winters, CA 95694. These documents can be viewed in person or online at www.cityofwinters.org.
Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project

January 30, 2020

Notice is hereby given that the City of Winters as lead agency, has prepared a draft Mitigated Negative Declaration/Initial Study (MND/IS) for the Walnut Lane 10 Project. The MND/IS analyzes the potential environmental effects associated with the proposed project in accordance with the California Environmental Quality Act (CEQA). In accordance with Section 15072 of the CEQA Guidelines, the City of Winters has prepared this Notice of Intent (NOI) to provide responsible agencies and other interested parties with notice of the availability of the MND/IS and solicit comments and concerns regarding the environmental issues associated with the proposed project.

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Public Review Period: A 30-day public review period for the Mitigated Negative Declaration/Initial Study will commence on January 30, 2020 and will end on March 2, 2020 for interested individuals and public agencies to submit written comments on the document. Any written comments on the MND/IS should be sent to the attention of Dave Dowswell, City Planner, at the address listed above, and must be received at the City of Winters by 5:00 PM on February 29, 2020. The project file and copies of the MND/IS are available for review at the City of Winters City Hall at the address listed above.
Public Hearing:

A public hearing will be held to consider adoption of the Mitigated Negative Declaration and action on the project on March 24, 2020 before the Planning Commission. The meeting will be held at 6:30 pm in the City Council Chambers located at City Hall at the address provided above. A subsequent meeting is scheduled to be held by the City Council on April 20, 2020 at the same time and location.

The city does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the prior to the public hearing.

Availability of Documents:

The Mitigated Negative Declaration, Environmental Checklist/Initial Study and supporting documentation are available for public review at Winters City Hall, Community Development Department, 318 First Street, Winters, CA 95694. These documents can be viewed in person or online at www.wintersca.org.
Notice is hereby given that the City of Winters as lead agency is extending the public comment period for the draft Mitigated Negative Declaration/ Initial Study (MND/IS) for the Walnut Lane 10 Project. The MND/IS analyzes the potential environmental effects associated with the proposed project in accordance with the California Environmental Quality Act (CEQA). In accordance with Section 15072 of the CEQA Guidelines, the City of Winters has prepared this Extension of Public Comment Period for the Notice of Intent to provide responsible agencies and other interested parties with notice of the availability of the MND/IS and solicit comments and concerns regarding the environmental issues associated with the proposed project.

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

Contact Person: Dave Dowswell, City Planner, (530) 794-6714

Project Title: Walnut Lane 10 Project

Project Location: The approximately 10-acre project site is located within the City of Winters, along the northern edge of the city, east of Railroad Avenue and north of State Route 128. The project site is Yolo County Assessor’s Parcel Number (APN) 038-050-019. See the Project Description section of the Initial Study for additional details.

Project Description: The Walnut Lane 10 Project (Project) would develop 54 single family residential units and associated infrastructure improvements on the Project site. See the Project Description section of the Initial Study for additional details.

The project is not listed on the Hazardous Waste and Substances Sites List as set forth in Government Code Section 65962.5.

Public Review Period: The public review period for the Mitigated Negative Declaration/ Initial Study commenced on January 24, 2020 and will end on March 16, 2020 for interested individuals and public agencies to submit written comments on the document. Any written comments on the MND/IS should be sent to the attention of Dave Dowswell, City Planner, at the address listed above, and must be received at the City of Winters by 5:00
Public Hearing:

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Availability of Documents:

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INFRASTRUCTURE PLAN

WALNUT LANE 10

CITY OF WINTERS, CALIFORNIA

FEBRUARY 7, 2019

10.0 ± AC. (G)

LOCATION (c) WELL (C) 28050 WALNUT LANE
March 1, 2020

Mr. Dave Dowswell
City Planner
City of Winters
318 First Street
Winters, CA 95694

RE: Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project

Dear Mr. Dowswell:

When my husband and I purchased our property, we were told that the orchard beyond our backyard would be a “mirror image of Almond Drive and Orchard Lane.” In other words, the density of the development would be the same as what was then called Phase 1. Looking at the image of the proposed development, it is apparent that the developer was not informed of this, or if he was, chose to discount it for more density and hence more profit at the expense of the neighborhood. To my mind, more density means more traffic, more noise, and houses placed too close together. This spoils the esthetics and environment of the neighborhood.

Also, I am troubled that the Walnut Lane 10 Project Initial Study prepared by De Novo Planning Group finds no substantial evidence that the project may have a significant effect on the environment. As a homeowner on the south border of the development, I believe Walnut 10 has the potential to cause substantial impact.

I am most concerned with Chapter X, “Hydrology and Water Quality.” On page 51, section c iii, the report finds that in terms of “substantially increasing the rate or amount of surface runoff in a manner which would result in flooding on or off site,” the project would have “less than significant [impact] with mitigation intervention.” I have attached pictures of the flooding that occurred in 1995 when over one inch of water was inside our house. Our property is two feet above the current orchard level yet the water poured into our yard and house. Due to that flood, we had to:

- replace all the carpet in the house
- replant in the orchard
- repair gutters to speed the drying process
- repair the drive
- repair furniture
- say the Lord’s prayer

I don’t believe at the time that the City was told to tell us and to accept water in certain ditches and gutters during significant events. During the preparation of the 100-year floodplain, which occurs according to Figure 3.1, a span of 21 years, the City missed or misunderstood our house at more than one elevation. It is a substantial change of the final project section of a mitigation plan.
After the 1993 flood, the City of Walnut recognized the inadequacy of the hydrology measures put in place during the construction of the Water Board's subdivision. As a way to block water, a dam was built along the back fences of the residences on the north side of Orchard Lane to the height of the backyards. Also, during rain events, the City deployed a pump that moves the water out of the orchard. Through a large hole located on a neighbor's property and directs it to the southwest where the storm drain is located. Last year, we watched steadily as the orchard began to fill, and water was pooling in our backyard. It was particularly worrisome, because the City pumps were also in another neighborhood where flooding occurs. The other neighborhood is a newer development than ours, and imagine there was also a negative declaration in terms of hydrology and water quality for that project as well.

With two subdivisions prone to flooding, am concerned that the mitigating factors required prior to the Walnut 10 project moving forward are not enough. The future houses will be brought up to the same height as the ones on Orchard Lane. This takes away the safety net of the lower depth of the orchard and the fact that water will be soaked up by the trees and vegetation in the orchard. Slabs will be poured, roads and sidewalks will be installed, patios will be part of landscaping. All of this asphalt and concrete will profoundly alter the current infiltration and runoff processes, which at times of significant rainfall are clearly insufficient. I fear that stormwater runoff from my new neighbors' backyards into my backyard will become the norm, causing flooding in my backyard and possibly my house. I believe the drainage issues should be fully addressed prior to beginning any structures. In other words, construct the required, permanent drainage measures prior to any homes being built.

In terms of "substantially increasing the rate or amount of surface runoff in a manner which would result in flooding on or offsite," I fear "potentially significant impact," and would suggest a more thorough report. I believe that other developments have installed French drains in the lots of the houses to help prevent rain from pooling in and/or flooding yards. This could be something to consider in Walnut 10.

In another water-related matter, I am concerned about an issue that is opposite of the flooding issue, and that is the amount of water that a potential 300 homes will consume. The Water Master Plan was generated in 2006 and I am wondering if it was updated anytime during our 7 years of drought that began in 2011. Fortunately, last year was a wet one, but one year cannot completely erase the years of drought. And, as I write this, our area had no precipitation during the month of February, setting a record for the driest February since record-keeping began.

Although the 2006 report stated "irrigant groundwater use was determined to be sufficient to meet future demands with no risk of overdraft even during consecutive years," I wonder how accurate this information is now especially with the drought as the city was "in theIk of Water Education Foundation." In general, it states several years of average rainfall are required to recharge aquifers. If there is a drought event and recharge is not available, a deficit of average recharge needs to be stored in a 1000-year average recharge event. In 2022, we can see above-average precipitation how much water will be used with the addition of 300 homes. There is a potential impact of the increasing use of water during extremely dry conditions. One way we can mitigate this is through conservation efforts. The Water Master Plan is consistent with these developments in new houses, one row of the water's present. I was

Liz Coman
East side of the house looking into the backyard. Sandbags helped, but were not put in place in time to stop water from getting into the house. (105 Orchard Lane)
Taken from the cul de sac looking northeast. 105 Orchard Lane on left side.

North/South direction of Almond Drive Left turn onto Orchard Lane in upper left
Looking east from cul de sac on Orchard Lane

105 Orchard Lane on left side. Empty lot on right side. The street is now completely developed, so houses block this area. Driveways and patios do not allow for water to soak in.
City of Winters  
Attn: Dave Dowswell  
318 First Street  
Winters, CA 95694

Dear Mr. Dowswell,

I wanted to voice my concerns about possible ramifications of the new housing projects planned for my neighborhood.

My first concern is the traffic impact. Walnut Street has a limited traffic flow with the roundabout, and increasing traffic of 500 cars per day will put a considerable strain on the street. Also consider the days when soccer is being played at Walnut Park, and traffic will be an issue.

The second concern is linked to the first. Walnut Park has only on-street parking, and when soccer is played, that parking lines the street on both sides. This restricts traffic flow on Walnut, and is a safety concern with children running in the street. Added traffic only makes this less safe.

I am hoping that street infrastructure can be completed first, with an additional exit from the neighborhood. Perhaps a link to Railroad north of Grant, or a second entrance/exit to 505. If this is completed first, then the impact on Walnut is lessened, and the neighborhood has options on the busy days. Some parking for Walnut Park would also help with this.

Flooding is an issue that I wanted to bring up. I remember when flooding occurred in our neighborhood because the dry creek runoff had been blocked. New housing in the neighborhood could make the problem reoccur. I would like to receive more information about how the new developments will impact the dry creek, and what plans the City has to insure that we are not flooded again as we were before. It would be really nice if the City will contact FEMA, and get our neighborhood off the high probability map that we were put on when the previous problem occurred. This would certainly help the cost of flood insurance which went up when the mistake happened last time.

Thank you for allowing me to express my concerns. I believe that these items can be addressed easily, with the neighborhood, City, and the contractor working together to prioritize the traffic and flooding concerns. This would make the process easier for those of us already living here.

Les Tilden  
109 Orchard Lane  
Winters, CA 95694
March 16, 2020

Mr. Dave Dowswell  
City Planner  
City of Winters  
318 First Street  
Winters, CA 95694

RE: Notice of Intent to Adopt a Mitigated Negative Declaration/Initial Study for the Walnut Lane 10 Project

Dear Mr. Dowswell:

As residents of Almond Orchard Estates subdivision adjacent to the proposed Walnut 10 development, we had no knowledge of the proposed housing project prior to being informed by a neighbor on February 18, 2020. The only residents who were notified directly by the City of Winters were those whose properties border the Walnut 10 project, although this development affects all of the residents of our small subdivision.

Thank you extending the public comment period in the spirit of government transparency.

In reading the MND there are some potential impacts of this development that we think warrant further consideration.

- I. Aesthetics: It is difficult to comment on the aesthetics of the project when the description is general and without specifics. There are no details of the house designs and locations other than the lot map. For example, would a two-story house be built next to a single story house? We are concerned that the final aesthetics would resemble new tract developments in other communities where two story houses look into the yards and homes of single story houses. Landscaping cannot mitigate this planned lack of privacy.

- X. Hydrology and Water Quality: Current residents told us of past flooding in the neighborhood, and last year we observed standing water in the almond orchard where Walnut 10 is planned and directly to the west between Walnut Lane and Railroad Avenue which resulted in a pond that didn’t drain for months.
We are concerned if the mitigations proposed for section X(c)(i-iv) will be adequate to control the volume of water in a heavy precipitation year to prevent flood damage to the existing neighborhood which would be at a lower elevation than Walnut 10.

- XVII. Transportation: The MND states that the increased traffic load would be less than significant. How can a traffic increase of 30% be less than significant on a residential street? Until Farmstead is developed all traffic will require entry and exit via Walnut Lane which has current delays at the south end at peak traffic times due to the narrowing of the road and the parking on both sides.

During the construction phase we assume large equipment will be coming in and out of the site which will make it difficult for current residents, school busses and emergency vehicles to get to the neighborhood due to the narrowing at the traffic circle end of Walnut Lane.

Presently, we observe drivers speeding on Walnut Lane especially where the road is wider along the park. The safety of the citizens using the park is compromised. Many youth sports teams use the park. What is the plan to reduce the potentially significant impact of additional drivers who disregard the speed limit?

Possible solutions: eliminate on street parking on the south end of Walnut Lane and institute effective speed controls.

We look forward to having our concerns addressed.

Sincerely,

[Signature]

Ashley W Nelson

Cc Via Email:
Dave Dowswell, City Planner, dave.dowswell@cityofwinters.org
Jim Corbett, Developer, jimcorbi@yahoo.com
John Donlevy, Jr., City Manager, john.donlevy@cityofwinters.org
Bill Biasi, Mayor, bill.biasi@cityofwinters.org
Wade Cowan, Mayor Pro-Tempore, wade.cowan@cityofwinters.org
Jesse Loren, Council Member, jesse.loren@cityofwinters.org
Harold Anderson, Council Member, harold.anderson@cityofwinters.org
Pierre Neu, Council Member, pierre.neu@cityofwinters.org
March 20, 2019

Dave Dowswell
City of Winters
318 First Street
Winters, California 95694

Dear Mr. Dowswell:

This is in response to your request for comments regarding the City of Winters Request for Comment Plan Case No. Tentative Map (TM) 2019-01, (APN 038-050-019), 44167 Greenview Drive, El Macero, California, Proposed Project CORBETT 10.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of Yolo (Community Number 060423), Maps revised May 16, 2012 and City of Winters (Community Number 060425), June 18, 2010. Please note that the City of Winters, Yolo County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any development must not increase base flood elevation levels. The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials. A hydrologic and hydraulic analysis must be performed prior to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.
• Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA’s Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/business/nfip/forms.shtml.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community’s floodplain manager for more information on local floodplain management building requirements. The Winters floodplain manager can be reached by calling Eric Lucero, Director of Public Works, at (530) 795-4727. The Yolo County floodplain manager can be reached by calling Scott Doolittle, Plan Check Examiner, at (530) 666-8609.

If you have any questions or concerns, please do not hesitate to call Xing Liu of the Mitigation staff at (510) 627-7267.

Sincerely,

Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:
Eric Lucero, Director, Public Works, City of Winters
Scott Doolittle, Plan Examiner, Yolo County
Ray Lee, WREA, State of California, Department of Water Resources, North Central Region Office
Xing Liu, NFIP Planner, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX
Response to Walnut Lane 10 IS/MND Comments
May 11, 2020

The commentor has several concerns regarding the Project, relating to two main issues: affordable housing/zoning and flooding.

Affordable Housing/Zoning
Firstly, the commentor states that discussion of the Affordable Housing Plan is premature since the housing plan and in-lieu fees will be contingent upon the final units built. The commentor states that the subdivision she lives in was Phase 1 of the development, with the proposed 10-acre project being Phase 2. The commentor claims that, with the R-7,000 zoning, 54 lots cannot be built without the violating the City’s own zoning ordinance. The commentor states that property owners on Almond Drive and Orchard Lane bought their homes with the expectancy that comparable, large lots would be mimicked in this next 10 acre phase of the project (i.e. within the proposed Project), and that, if fewer new homes were built following this expectation (e.g. 45 homes instead of 54), the number of required affordable units would be less than the calculated 8.1, which would change the in-lieu of fees required from the builder.

As described within the Initial Study/Mitigated Negative Declaration (IS/MND) (see Project Description), the density of the Project would be approximately 5.4 units per gross acre and 6.9 units per net acre. This is within the zoning requirements for the Single Family Residential (7,000) (R-1) zone of 1.1 to 7.3 units per acre that are permitted in the R-1 zoning district. In addition, it is noted that the Project includes a rezone to add a Planned Development (PD) overlay to allow modified development standards, including reduced lot widths and reduced setbacks to accommodate the proposed half-plex lots.

This comment does not address the adequacy of the CEQA document. Therefore, no further response on this topic is required.

Flooding
The commentor states that the neighborhood has a history of flooding issues and the Project is only likely to exacerbate this problem as 10 acres of almond trees are removed. The commentor states that much of the infrastructure to mitigate this problem will not be complete until the Farmstead 61 project is complete. Finally, the commentor requests that the discussion and the planning commission will be postponed until more aspects of the Project are discussed and finalized.

The comment period for the Project was extended to March 24, 2020 to allow for additional comments, and the public hearing originally scheduled for the March 24th date was postponed.

As described in IS/MND Section X, Hydrology and Water Quality, flooding issues on and around the Project site have been analyzed for two separate scenarios: 1) Walnut 10 developing concurrently or after the Skrden 61 Project and 2) Walnut 10 developing in advance of the Skrden 61 development. Wood Rogers developed the Winters 71 Storm Drainage Assessment on July 16, 2019, which analyzed and identified storm drainage improvements that would be needed at the Project site and off-site, under the scenario that
Response to Walnut Lane 10 IS/MND Comments
May 11, 2020

the adjacent Skreden 61 development (also referred to as Farmstead) is constructed prior to and/or alongside the Project.

Subsequently, Wood Rogers provided the follow-up Walnut 10 Interim Condition Drainage Analysis memorandum (Walnut 10 Drainage Analysis) on October 29, 2019 (see Appendix D of the IS/MND) that separately analyzed the Project in the instance that the Project is developed ahead of the Skreden 61 development. The improvements identified in the Walnut 10 Interim Condition Drainage Analysis memorandum address flooding issues associated with the Project and do not rely on improvements associated with the Skreden 61 development.

The exact nature of the storm drainage infrastructure improvements would depend on whether the Project is developed ahead of the Skreden 61 development, as delineated in the two technical memoranda developed by Wood Rogers. If the Project is developed prior to the Skreden 61 project, the storm drainage infrastructure would be developed, to sufficiently handle on-site flooding and prevent the substantial worsening of flooding conditions off-site, consistent with the second technical memorandum provided by Wood Rogers.

Under existing conditions, the Project site experiences 100-Year flooding up to 2 feet, with limited locations projected for depths over 2 feet, as shown in Figure 3, Existing Condition 100-Year Flooding, of the Winters 71 Storm Drainage Assessment (see IS/MND, Appendix C). As described in IS/MND Section X. Hydrology and Water Quality under responses c).

As discussed in the Walnut 10 Drainage Analysis, the Project would cause off-site increases north of Grant Avenue from 0.005 to 0.061 foot, depending on the location, as shown in Figure 9, 100-Year Flooding Impacts, of Appendix D. Mitigation measure HYDRO-2 requires implementation of the improvements identified in the Walnut 10 Drainage Analysis in the event the Project is constructed prior to the Skreden 61 project. Implementation of Mitigation Measure HYDRO-2 would require a weir to accommodate, store, and convey overflows, a temporary v-ditch would be installed across the Skreden 61 property and connect to an existing culvert at Grant Avenue, and the Project would provide additional improvements to existing storm drainage facilities, including box culverts at Grant Avenue, improvements at the PG&E channel, and the addition of a third lower-elevation 60-inch culvert at the end of the PG&E channel, southeast of the outfall. These improvements are adequate to ensure that the Project would not result in on-site or increases in off-site flooding during a 100-year flooding event, as shown in Figure 9, 100-Year Flooding Impacts, of Appendix D of the IS/MND.

A flood barrier is not required to address impacts that would occur if Walnut 10 is developed in advance of Skreden 61. If the two projects are developed concurrently or if Walnut 10 follows Skreden 61, a flood barrier would be constructed along the northern boundary of the Skreden 61 site as discussed in the Winters 71 Storm Drainage Assessment. Under these conditions, drainage from the Project is designed to drain overland to the northwesterly portion of the Skreden 61 property, and also has a 24" storm drain that will connect into the Skreden 61 property storm drainage system to convey runoff to the basin and channel on the east side of the Skreden 61 property. A flood barrier is necessary across the eastern,
portion of the northern boundary of the Skreden 61 site to protect the site from 100-year flood events. In order to ensure that the flood barrier would not cause flooding to the north, a weir would be provided to accommodate, store, and convey overflows and off-site lands would not be significantly impacted. These improvements are described in detail in the Winters 71 Storm Drainage Assessment (IS/MND Appendix C) and, as shown in Figures 8 and 9 of IS/MND Appendix C, the Project would not result in significant impacts associated with the potential to increase off-site flooding. As shown in IS/MND Appendix C Figure 7, the improvements, including the flood barrier wall, would not result in changes to flooding conditions north of the Project site and downstream impacts would not be an increase.

The drainage improvements and mitigation measures described in IS/MND Section X. Hydrology and Water Quality under responses c) and e) would ensure that the Project site is protected from 100-year flood events and would not result in any significant increases in off-site flooding.

The commentor has several concerns regarding the Project, relating to two main issues: transportation/pedestrian safety and hydrology.

Transportation/Pedestrian Safety
The commentor states that the IS/MND does not propose any mitigation measures for transportation impacts. The commentor has a concern that pedestrian safety could be insufficient during the construction of the Project and any interim period before the alternate entry and egress points are completed. Therefore, the commentor states that there is a strong need for interim and/or permanent mitigation measures to protect pedestrians crossing Walnut Lane (i.e. to/from Almond Drive and Walnut Park) during the construction phase and any interim period before the alternate entry and egress points are completed and further indicates that it seems that the intersection would benefit from a crosswalk or other pedestrian-traffic safety device.

As identified in IS/MND Section XVII. Transportation, the Project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), substantially increase hazards due to a geometric design feature or incompatible uses and/or result in inadequate emergency access. As identified in IS/MND Section XVII. Transportation, the Project site is included in the City's General Plan Land Use Map and therefore was included in the “buildout scenario” analyzed in the City of Winters Circulation Master Plan and Roadway Impact Fee Program Update (developed by Fehr & Peers), also known as the Circulation Master Plan, which addresses performance standards for the City's roadway facilities and Grant Avenue (State Route 128).

The City's Circulation Master Plan identifies that, as of 2017, Walnut Lane maintained a LOS of C or better, and had a peak traffic volume of 156 trips during PM peak hour traffic. The Project would contribute, through payment of Roadway Impact Fees, to the infrastructure identified for the City at General Plan buildout by the Circulation Master Plan. Furthermore, the Project applicant would be required to pay all applicable roadway impact fees, which are
INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines, Section 15074(d), requires public agencies, as part of the adoption of a mitigated negative declaration, to adopt a reporting and monitoring program to ensure that changes made to the project as conditions of project approval to mitigate or avoid significant environmental effects are implemented. The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Walnut Lane 10 Project (Project) in the City of Winters (City). The MMRP is intended to be used by City staff, Project applicant, Project contractors, and mitigation monitoring personnel during implementation of the Project.

The MMRP will provide for monitoring of construction activities as necessary in-the-field identification and resolution of environmental concerns and reporting to City staff. The MMRP will consist of the components described below.

COMPLIANCE CHECKLIST

Table 1 contains a compliance-monitoring checklist that identifies all adopted mitigation measures, identification of agencies responsible for enforcement and monitoring, and timing of implementation.

FIELD MONITORING OF MITIGATION MEASURE IMPLEMENTATION

During construction of the Project, the City's designated construction inspector will be responsible for monitoring the implementation of mitigation measures. The inspector will report to the City of Winters Public Works Department and will be thoroughly familiar with all plans and requirements of the project. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. Aided by Table 1, the inspector will typically be responsible for the following activities:

1. On-site, day to day monitoring of construction activities;
2. Reviewing construction plans to ensure conformance with adopted mitigation measures;
3. Ensuring contractor knowledge of and compliance with all appropriate conditions of project approval;
4. Evaluating the adequacy of construction impact mitigation measures, and proposing improvements to the contractors and City staff;
5. Requiring correction of activities that violate project mitigation measures, or that represent unsafe or dangerous conditions. The inspector shall have the ability and authority to secure compliance with the conditions or standards through the City of Winters Community Development Department and Public Works Department, if necessary;
6. Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project mitigation measures, or unsafe or dangerous conditions. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such
observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Winters Public Works Department;

7. Maintaining prompt and regular communication with City staff;

8. Obtaining assistance as necessary from technical experts, such as archaeologists and wildlife biologists, to develop site-specific procedures for implementing the mitigation measures adopted by the City for the project. For example, it may be necessary at times for a wildlife biologist to work in the field with the inspector and construction contractor to explicitly identify and mark areas to be avoided during construction; and

9. Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

GRADING PERMITS
Grading permits include any permits or approvals for site grading or other earthmoving activities.

PLAN CHECK
Many mitigation measures will be monitored via plan check during Project implementation. City staff will be responsible for monitoring plan check mitigation measures.
### Table 1: Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Timing/Implementation</th>
<th>Enforcement/Monitoring</th>
<th>Verification of Compliance</th>
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<tr>
<td><strong>Mitigation Measure AES-1:</strong> The Project applicant shall implement the following lighting and glare requirements. These measures shall apply to all outdoor lighting and to building materials and shall be incorporated as part of the building and improvement plans.</td>
<td>Lighting documentation shall be submitted with improvement plans and shall be adhered to throughout Project construction and development</td>
<td>City of Winters Community Development Department</td>
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<tr>
<td>• Lighting shall be directed downward, and light fixtures shall be fully shielded to prevent upward lighting and to reduce off-site spillover lighting. Compliance with this requirement may be fulfilled either 1) through use of exterior lighting and streetlight fixtures that have received International Dark Sky seal of approval or 2) submittal of a lighting plan that demonstrates all exterior lighting complies with this measure.</td>
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<tr>
<td>• Any lighting associated with construction activities shall be fully shielded to prevent upward lighting and to reduce off-site spillover lighting.</td>
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<td>• Lighting, exterior building light fixtures, and materials shall be designed to reduce the effects of glare off glass and metal surfaces.</td>
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<td><strong>Mitigation Measure AIR-1:</strong> The Project applicant shall prepare a Construction Emission/Dust Control Plan prior to approval of grading and improvement plans. The Construction Emission/Dust Control Plan implement the following construction exhaust and dust control measures during all construction activities. These measures shall be incorporated as part of the building and grading plans.</td>
<td>Approval of the Construction Emission and Dust Control Plan and the inventory of equipment prior to issuance of permits for any earthmoving or grading activities; implementation Plan of throughout all grading and construction activities</td>
<td>City of Winters Community Development Department / Yolo-Solano Air Quality Management District</td>
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<td>Dust Control</td>
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<td>• Water all active construction sites at least three times daily. Frequency should be based on the type of operation, soil, and wind exposure.</td>
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<td>• Cover all trucks hauling dirt, sand, or loose materials.</td>
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Mitigation Monitoring and Reporting Program

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<td>Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the Project onto streets as determined by Public Works.</td>
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<td>Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour).</td>
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<td>Outdoor storage of fine particulate matter on construction sites shall be prohibited.</td>
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<td>Contractors shall securely cover any stockpiles of soil, sand and similar materials. There shall be no storage of uncovered construction debris for more than one week; during periods of high winds, all construction debris stored on-site shall be securely covered.</td>
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<td>Re-vegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the Project. Cover all trucks hauling dirt, sand, or loose materials.</td>
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<td>Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.</td>
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<td>Sweep streets if visible soil material is carried out from the construction site.</td>
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<td>Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.</td>
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<td>Reduce speed on unpaved roads to less than 5 miles per hour.</td>
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Construction Exhaust Emissions
- Construction vehicle shall comply with all applicable regulations that limit idling times, including California Code of Regulations.
### Mitigation Measure

**Section 2485 (Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling).**

- The Project shall demonstrate compliance with all applicable State and YSAQMD requirements related to construction activities, including but not limited to, YSAQMD Rules 2.1 (Control of Emissions), 2.3 (Visible Emissions from Stationary Diesel-Powered Equipment), 2.5 (Prohibits Detrimental and Nuisance Emissions), 2.11 (Particulate Matter Concentration), R 2.12 (Combustion Contaminants), 2.14 (Limit Volatile Organic Compounds in Architectural Coatings), and 2.37 (Natural Gas-Fired Water Heaters and Small Boilers) and the CARB-administered In-Use Off-Road Diesel-Fueled Fleets Regulation.

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

### Job Site Posting

- The Project site shall be posted with a sign that lists applicable air quality rules, regulations, and requirements that all contractors and construction workers shall follow, as provided in this mitigation measure. The sign shall provide contact information for the Project's Construction Manager, the City Planner, and YSAQMD enforcement staff and shall include the following link to regional air quality information:
<table>
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<tr>
<td><strong>Mitigation Measure BIO-1:</strong> A targeted Swainson's hawk nest survey shall be conducted throughout all publicly accessible areas within ¼ mile of the proposed construction area no later than 14 days prior to construction activities. If active Swainson's hawk nests are found within ¼ mile of a construction area, construction shall cease within ¼ mile of the nest until a qualified biologist (Project Biologist) determines that the young have fledged, or it is determined that the nesting attempt has failed. If the Applicant desires to work within ¼ mile of the nest, the Applicant shall consult with CDFW, and the City of Winters to determine if the nest buffer can be reduced. The Project Applicant, the Project Biologist, the City of Winters and CDFW shall collectively determine the nest avoidance buffer, and what (if any) nest monitoring is necessary. If an active Swainson's hawk nest is found within the Project site prior to construction and is in a tree that must be removed during nesting season, then the Project Applicant shall obtain a take permit from CDFW.</td>
<td>Surveys completed and provided to City no later than 14 days before any construction activities in the nesting period (February 1 through October 31); if active nests are identified, measures identified in Bio-1 shall be implemented throughout the nesting period</td>
<td>City of Winters Community Development Department</td>
</tr>
<tr>
<td><strong>Mitigation Measure BIO-2:</strong> A targeted burrowing owl nest survey shall be conducted within all publicly accessible grassland areas within 250 feet of the proposed construction within 14 days prior to construction activities utilizing 60 foot transects as outlined in the Staff Report on Burrowing Owl Mitigation (2012). If an active burrowing owl nest burrow (i.e., occupied by more than one adult owl, and/or juvenile owls are observed) is found within 250 feet of a construction area, construction shall cease within 250 feet of the nest burrow until a qualified biologist (Project Biologist) determines that the young have fledged or it is determined that the nesting attempt has failed. If the Applicant desires to work within 250 feet of the nest burrow, the Applicant shall consult with the City of Winters to determine if the nest</td>
<td>Surveys completed and provided to City within 14 days prior to construction activities; if active nests are identified, measures identified in Bio-2 shall be implemented throughout the nesting period</td>
<td>City of Winters Community Development Department</td>
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Mitigation Monitoring and Reporting Program

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<th>Verification of Compliance</th>
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<td>buffer can be reduced. During the non-breeding season (late September 1st through the end of January), the Applicant may choose to conduct a survey for burrows or debris that represent suitable nesting habitat for burrowing owls within publicly accessible buffer areas, exclude any burrowing owls observed, and collapse any burrows or remove the debris in accordance with the methodology outlined in the Staff Report.</td>
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<td><strong>Mitigation Measure BIO-3:</strong> A pre-construction nesting bird survey shall be conducted by the Project Biologist within the Project site and a 250-foot radius of proposed construction areas, where public access is available, no more than fourteen (14) days prior to the initiation of construction. If there is a break in construction activity of more than fourteen (14) days, then subsequent surveys shall be conducted. If active raptor nests, not including Swainson’s hawk are found, no construction activities shall take place within 250 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the Project Biologist and approved by the City of Winters after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment (are there visual or acoustic barriers between the proposed activity and the nest). The Project Biologist can visit the nest as needed to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.</td>
<td>Surveys completed and provided to City no more than 14 days before any construction activities in the nesting period (February 1 through October 31); if active nests are identified, measures identified in Bio-3 shall be implemented throughout the nesting period</td>
<td>City of Winters Community Development Department</td>
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### Mitigation Measure BIO-4

Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by the Project Biologist in consultation with the City of Winters:

- Vocalize;
- make defensive flights at intruders;
- get up from a brooding position; or
- fly off the nest.

**Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.**

**Mitigation Measure BIO-5**

To avoid potential impacts to foliage-roosting bat species, all tree removal shall be conducted from January through April on days with temperatures in excess of 50 degrees F.

**Mitigation Measure CLT-1**

Prior to any ground-disturbing activities, cultural sensitivity training, including training regarding the types of resources or artifacts that may be present on the Project site and proper steps to take if any resources or artifacts are discovered during any ground-disturbing or construction activities. The cultural sensitivity training shall be conducted for all construction contractors that will be involved in ground-disturbing activities. The cultural sensitivity training shall be coordinated with the Yocha Dehe Wintun Nation.
Mitigation Measure CLT-2: If any prehistoric or historic artifacts, or other indications of archaeological resources are found during grading and construction activities, work shall be halted in that area within 50 feet (15 meters) of the find. A qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be consulted to evaluate the finds and recommend appropriate mitigation measures. The Yocha Dehe Wintun Nation shall be notified of the find and provided an opportunity to recommend appropriate conservation or preservation steps.

If cultural resources or Native American resources are identified, every effort shall be made to avoid significant cultural resources, with preservation an important goal. If significant sites cannot feasibly be avoided, appropriate mitigation measures, such as data recovery excavations or photographic documentation of buildings, shall be undertaken consistent with applicable state and federal regulations, as well as in consultation with the City of Winters and the property owner. Furthermore:

- If human remains are discovered, all work shall be halted immediately within 50 meters (165 feet) of the discovery, the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.
- If any fossils are encountered, there shall be no further disturbance of the area surrounding this find until the materials have been evaluated by a qualified paleontologist, and appropriate treatment measures have been identified.

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<tr>
<th>MITIGATION MEASURE</th>
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<th>VERIFICATION OF COMPLIANCE</th>
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<tr>
<td>Include as a note on all grading and improvement plans prior to approval, implement during all grading and construction activities</td>
<td>City of Winters Community Development Department</td>
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### Mitigation Monitoring and Reporting Program

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<tr>
<td><strong>Mitigation Measure GEO-1</strong></td>
<td>Prior to issuance of building permits</td>
<td>City of Winters Public Works Department</td>
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<tr>
<td>Prior to issuance of any building permits, the developer shall be required to submit building plans to the City of Winters for review and approval. The building plans shall also comply with all applicable requirements of the most recent California Building Standards Code. All on-site soil engineering activities shall be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist.</td>
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<td><strong>Mitigation Measure GEO-2</strong></td>
<td>Prior to submittal of improvement plans</td>
<td>City of Winters Public Works Department</td>
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<td>Prior to submittal of improvement plans, a geotechnical/soils report shall be submitted to the City of Winters for review and approval, as a condition on the tentative map. The geotechnical/soils report shall incorporate an analysis of the susceptibility of the Project site, including any fill materials, to liquefaction, and unstable and expansive soils, in order to appropriately inform the final design of Project roadways and building pad compaction. The geotechnical/soils report shall include recommendations to ensure fill materials are adequately engineered and to ensure best practices are followed to address any liquefaction, expansive, stability, or other issues identified in the analysis of site conditions.</td>
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<td><strong>Mitigation Measure GEO-3</strong></td>
<td>Prior to approval of grading and improvement plans; implemented during all phases of grading, construction, and site development activities</td>
<td>City of Winters Public Works Department</td>
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<td>The Project applicant shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB in accordance with the NPDES General Construction Permit requirements. The SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the Project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the</td>
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Mitigation Monitoring and Reporting Program

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<td>City of Winters and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</td>
<td>Prior to issuance of building permits</td>
<td>City of Winters Public Works Department</td>
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**Mitigation Measure HYDRO-1:** Prior to issuance of building permits, the Project applicant shall implement the following flood measures to ensure that all off-site runoff entering the Project site under the worst-case condition is contained and/or conveyed to downstream facilities in order to safely convey potential flooding without creating adverse impacts. The City of Winters Public Works Department will be responsible for monitoring implementation of these flood protection measures.

Grading and Elevation: Grading and improvements shall be implemented, including improvements shown on the Project’s Infrastructure Plan and the improvements identified by the Winters 71 Storm Drainage Assessment, to elevate the Project site and remove the Project site from the design 100-year storm event floodplain prior to issuance of building permits. All grading and improvements shall be designed by a licensed engineer and be accepted by the Public Works Director.

| | Prior to issuance of building permits | City of Winters Public Works Department |

**Mitigation Measure HYDRO-2:** Prior to the issuance of building permits, subject to monitoring by the City of Winters Public Works Department, if the Skreden 61 property and proposed Skreden 61 drainage improvements (i.e. the property located immediately to the east of the Project site) are not built in advance or concurrently with the Project as anticipated by Mitigation Measure HYDRO-1, the Project applicant shall construct the drainage improvements as described and modeled in the Walnut 10 Subdivision Interim Condition Drainage Analysis Technical Memorandum (prepared by Wood Rogers), including but not limited to installation of the temporary v-ditch across the Skreden 61 property and connecting to an existing culvert at Grant.

| | Prior to issuance of building permits | City of Winters Public Works Department |
Mitigation Monitoring and Reporting Program

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<td>HYDROS: The Project Applicant shall submit a Conditional Letter of Map Revision (CLOMR) (with the supporting technical data) to FEMA and shall obtain approval from FEMA prior to the approval of grading plans.</td>
<td>Prior to approval of grading plans</td>
<td>City of Winters Public Works Department</td>
</tr>
<tr>
<td>N-1: The following measures shall be included as standard notes on all improvement plans and shall be implemented during all phases of grading, site preparation, and construction of the proposed project:</td>
<td>Included as a note on improvement plans; implemented throughout all grading and construction activities</td>
<td>City of Winters Community Development Department</td>
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<tr>
<td>- Construction activity on the site shall be limited to weekday daytime hours (7:00 a.m. to 7:00 p.m.) and Saturdays between 8:00 a.m. and 5:00 p.m. No construction activity is allowed on Sundays and National Holidays.</td>
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<td>- All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specifications. Mobile or fixed &quot;package&quot; equipment (e.g., air compressors) shall be equipped with shrouds and noise-control features that are readily available for that type of equipment.</td>
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<td>- All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.</td>
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<td>- Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located centrally or in the northeastern portion of the site and be as far as practicable from noise-sensitive receptors (adjacent residential uses). Material</td>
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stockpiles and staging areas shall be indicated on project plans prior to issuance of grading and building permits.

- Construction site and access road speed limits shall be established and enforced during the construction period. Speed limits shall be noted on project plans prior to issuance of grading and building permits.
- The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.

**Mitigation Measure PUBLIC-1**: The applicant shall pay applicable park in-lieu fees or dedicate parkland in accordance with the City of Winters Municipal Code, consistent with Policy V.A.2. of the Winters General Plan. Proof of payment of the in-lieu fees shall be submitted to the City Engineer.

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February 24, 2020

Dear Mr. Dowswell and Planning Commissioners,

As a direct neighbor of the proposed Walnut 10 project, I would like to raise some concerns regarding the project. I feel that discussion of the Affordable Housing Plan is premature since the housing plan and in-lieu fees will be contingent upon the number of units built in this subdivision.

The subdivision I live in was Phase 1 of this development, with this proposed 10 acre project to the North of us being Phase 2. As such, this property is zoned R-7,000. With this zoning, 54 lots cannot be built without violating the City’s own zoning ordinance. Property owners on Almond Drive and Orchard Lane bought their homes with the expectancy that comparable, large lots would be mimicked in this next 10 acre phase of the project. Based on my calculations, if approximately 45 new homes were built instead of the proposed 54, this would change the number of required affordable units to 6.75 instead of the currently calculated 8.1. This would then change the in-lieu of fees required from the builder.

In addition to the zoning issues, there are a number of other concerns that the neighboring property owners on Almond Drive and Orchard Lane have. This neighborhood has a history of flooding issues and this project is only likely to exacerbate this problem as 10 acres of almond trees are removed. Much of the infrastructure to mitigate this problem will not be complete until the Farmstead 61 project is complete. There is a proposed Mitigated Negative Declaration for flooding issues and environmental aspects of this project - I will address several areas of concern in this report with a separate letter. I respectfully request that discussion and planning commission vote be postponed until more aspects of this project are discussed and finalized.

Best regards,

Whitney Vickrey
February 21, 2020

Dave Dowseil, City Planner
City of Winters
318 First Street
Winters, CA 95693

Re: MND/IS for Walnut Lane 10 Project - Public Comment

Mr. Dowseil,

My name is Dean Unger and I live at 100 Orchard Ln., which is at the end of the Orchard Ln. cul-de-sac. I am aware that the City has an approved General Plan for development, which includes plans for a Walnut 10 housing development to border Orchard Ln to the north. This letter is my response to the City's Notice of Intent to adopt the Mitigated Negative Declaration for the Walnut Lane 10 Project and provides my comments, as a potentially affected individual, to the Initial Study / Mitigated Negative Declaration for said project prepared by De Novo Planning Group dated January 2020.

As the head of household for a young family, I made the decision to move my family to Winters to give our 1 year old son and baby daughter a tranquil and safe place to grow up. We selected the house at the end of Orchard Ln. because it met all of our criteria, particularly for the safety of our children and the protection of our long-term investment. As such, my concerns regarding the planned development and adequacy of the proposed mitigation measures fall into two categories: Transportation, as it relates to pedestrian safety, and Hydrology.

1) Transportation/Pedestrian Safety

The MND/IS does not propose any mitigation measures for transportation impacts as it concludes that the additional trips generated by the development will be within the Circulation Master Plan's projected growth and, therefore, will be managed by the necessary traffic improvements included in the full-buildout. However, my concern is for pedestrian safety during the Walnut 10 construction phase and any interim period before the alternate entry and egress points are completed.
Knowing that there are five children under three years old on Orchard Ln. alone, and several more on Almond Dr., I feel there is a strong need for interim and/or permanent mitigation measures to protect pedestrians crossing Walnut Ln. (i.e. to/from Almond Dr. and Walnut Park).

Presently, that intersection seems like it would benefit from a crosswalk or other pedestrian-traffic safety device. I imagine that with the addition of construction traffic and the increased vehicle traffic from Walnut 10 there will be an even greater need to protect pedestrians at that location. I also understand that establishing crosswalks is a function of the Superintendent of Public Works; however, I am using this public comment period as an opportunity to express my concern as I feel it directly relates to the Walnut 10 project and resultant mitigation measures needed to protect public safety.

To put my concern simply: 500 more trips/day down Walnut Ln. equates to 500 more chances/day that one of our children could be struck and injured by a vehicle. If the project is going to increase the risk in this way, I would like to see it jointly establish controls.

2) Hydrology

The interim condition drainage analysis provided in the Drainage Assessment by Wood Rodgers concludes that the ultimate Grant Ave box culverts, PG&E channel improvement, and 60-inch discharge culvert to the Caltrans ditch must be built in order to convey runoff and prevent flood impacts from the Walnut 10 development. In addition, a “lengthy vegetated swale” needs to be in place for the interim condition. It is evident from the existing topography of the former orchard where Walnut 10 is to be located, and the section drawings provided on De Novo’s Figure 5 Infrastructure Plan, that substantial backfill (on the order of 5 feet) will be needed to elevate the Walnut 10 building pads to that of the adjacent properties on Walnut Lane.

Considering the history of flooding in the Almond-Orchard neighborhood, particularly on Orchard Ln, this is very concerning.

Although I do not see any glaring flaws in the overall drainage design plans and am generally in favor of stormwater infrastructure improvements, I think the plan and resulting MND/IS lacks the detailed information required to earn an off-site flood potential rating of “Less Than Significant with Mitigation Incorporation”. I believe there is a very real possibility of something going wrong with the interim drainage swale that will be in place from the beginning of Walnut 10 construction through the completion of the Winters 71 stormwater management system. Hardly any information has been about this highly critical, if not most critical, aspect of the mitigation plan. Considering that this swale will need to be in place for several rainy seasons, there is a very real possibility that a backup (e.g. clogging at culverts or unintended damming during construction, etc) could lead to serious flooding that will damage my property. Note that my property is at the dark blue area on Figure 8 on page 197/200.
Knowing that there are five children under three years old on Orchard Ln. alone, and several more on Almond Dr., I feel there is a strong need for interim and/or permanent mitigation measures to protect pedestrians crossing Walnut Ln. (i.e. to/from Almond Dr. and Walnut Park).

Presently, that intersection seems like it would benefit from a crosswalk or other pedestrian-traffic safety device. I imagine that with the addition of construction traffic and the increased vehicle traffic from Walnut 10 there will be an even greater need to protect pedestrians at that location. I also understand that establishing crosswalks is a function of the Superintendent of Public Works; however, I am using this public comment period as an opportunity to express my concern as I feel it directly relates to the Walnut 10 project and resultant mitigation measures needed to protect public safety.

To put my concern simply: 500 more trips/day down Walnut Ln. equates to 500 more chances/day that one of our children could be struck and injured by a vehicle. If the project is going to increase the risk in this way, I would like to see it jointly establish controls.

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Hardly any information has been about this highly critical, if not most critical, aspect of the mitigation plan. Considering that this swale will need to be in place for several rainy seasons, there is a very real possibility that a backup (e.g. clogging at culverts or unintended damming during construction, etc) could lead to serious flooding that will damage my property. Note that my property is at the dark blue area on Figure 8 on page 197/200.
As I have not verified the flow line elevation in the drain inlet immediately in front of my property, I can only pray that the necessary City records, engineering diligence, and project oversight are in place to prevent a catastrophe. To summarize this matter, I will simply state that I would like to see more detailed mitigation measures described in the MND/IS to address possible failures of the “lengthy vegetated swale”.

I hope these comments reach you before the close of the public review period on February 24 2020. Feel free to contact me by phone or email with any questions.

Sincerely,

[Signature]
Dean Unger, P.E.

(510) 974-5223
deanunger@gmail.com
February 10, 2020

City of Winters
Attn: Dave Dowswell, City Planner
318 First Street
Winters, CA 95694

RE: Corbett 10 TPM Project

Dear Mr. Dowswell:

Thank you for the notification of intent to adopt a MND, dated January 24, 2020, regarding cultural information on or near the proposed Corbett 10 TPM Project, Winters, Yolo County. We appreciate your effort to contact us and wish to respond.

The Cultural Resources Department has reviewed the project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we have a cultural interest and authority in the proposed project area.

Based on the information provided, Yocha Dehe Wintun Nation is not aware of any known cultural resources near this project site and a cultural monitor is not needed. However, if any new information is available or cultural items are found, please contact the Cultural Resources Department. In addition, we recommend cultural sensitivity training for any pre-project personnel. Please contact the individual listed below to schedule the cultural sensitivity training, prior to the start of the project.

Laverne Bill, Cultural Resources Manager
Yocha Dehe Wintun Nation
Phone: (530) 723-3891
Email: lbill@yochadehe-wsn.gov

Please refer to identification number YD-03112019-03 in any correspondence concerning this project.

Thank you for providing us the opportunity to comment.

Sincerely,

Matthew Swavel

Tribal Historic Preservation Officer

Yocha Dehe Wintun Nation
PO Box 18 Brooks, California 95606 p) 530.796.3400 f) 530.796.2143 www.yochadehe.org
determined on a per-unit or per-square-footage basis, as required (as delineated in the Circulation Master Plan), as applicable. Under buildout conditions, the City’s Circulation Master Plan projects that Walnut Lane will continue to operate at LOS C. A review of the 2016, 2017, 2018, and 2019 Statewide Integrated Traffic Records System (SWITRS) data did not identify any known safety issues associated with pedestrian safety in the vicinity of Walnut Lane. Specifically, the SWITRS data did not identify any pedestrian- or bicycle-related collisions or incidents along Walnut Lane. Further, this is not an area that has been identified by City staff as having any known pedestrian or bicycle safety issues, so there is no evidence of existing pedestrian or bicycle safety issues along Walnut Lane, including in the vicinity of Walnut Park. The increase in vehicle traffic that would occur during both construction activities and Project operations would be within the vehicle travel levels anticipated by the Circulation Master Plan and are anticipated to remain within the LOS C that is projected for Walnut Lane. Therefore, the increase in Project-related trips is not anticipated to contribute to any hazards associated with vehicle/pedestrian or vehicle/bicycle along Walnut Lane and no changes to the IS/MND are warranted.

Flooding
The commentor states that the interim condition drainage analysis provided in the Drainage Assessment by Wood Rodgers concludes that the ultimate Grant Avenue box culverts, PG&E channel improvement, and 60-inch discharge culvert to the Caltrans ditch must be built in order to convey runoff and prevent flood impacts from the proposed Project. In addition, the commentor states that a “lengthy vegetated swale” needs to be in place for the interim condition. The commentor also has concerns relating to the backfill that would be needed to elevate the Project building pads to that of the adjacent properties on Walnut Lane.

The commentor also states that the Project and the resulting IS/MND lacks the detailed information required to earn an off-site flood potential rating of Less than Significant with Mitigation. The commentor states that he believes that there is a real possibility of something going wrong with the interim drainage swale that will be in place from the beginning of Walnut 10 construction through the completing of the Project’s stormwater management system. The commentor states that he is concerned that serious flooding could occur that would damage the property. Overall, the commentor would like to see more detailed mitigation measures described in the IS/MND to address possible failures of the “lengthy vegetated swale”.

Flooding issues on and around the Project site are addressed in detail in Section X, Hydrology and Water Quality, of the IS/MND. As described in the IS/MND, Wood Rogers developed the Winters 71 Storm Drainage Assessment on July 16, 2019, which analyzed and identified storm drainage improvements that would be needed at the Project site and off-site, under the scenario that an adjacent development (the Skreden 61 development) is constructed prior to and/or alongside the Project. Wood Rogers provided the subsequent Walnut 10 Interim Condition Drainage Analysis (Walnut 10 Drainage Analysis) memorandum on October 29, 2019 (see Appendix D of the IS/MND), which separately analyzed the drainage impacts of the Project in the instance that the Project is developed ahead of the Skreden 61 development. Under such a scenario, and as described in IS/MND Section X, Hydrology and Water Quality under Responses c) and e), the Project would require an interim storm...
drainage design, including the proposed vegetated swale, the ultimate Grant Avenue box culverts, the PG&E channel improvement, and the 60-inch culvert discharging to the Caltrans Ditch. The Walnut 10 Interim Drainage Analysis identifies the proposed swale characteristics, including a bottom width of 2.5 feet and side slopes at a 3:1 (three horizontal per one vertical).

The proposed facilities improvements safely address storm drainage impacts and are consistent with the City's Storm Drainage Master Plan efforts. Both technical memoranda are consistent with the previously prepared Northeast Winters Drainage Study and propose a combination of permanent and interim improvements to allow the phased construction of drainage facilities. The Project would fund all of the infrastructure needed to remediate the risk of flooding consistent with the City's Storm Drainage Master Plan efforts, and with the previously prepared Northeast Winters Drainage Study, to ensure that that site would be protected from 100-year flood events. The exact nature of the storm drainage infrastructure improvements would depend on the Project's timing of development relative to development of the Skreden 61 development, as delineated in the two technical memoranda developed by Wood Rogers and described in the IS/MND.

While the commentor has not provided any evidence or substantiation of their belief that the vegetated swale may fail, Mitigation Measures HYDRO-1 and HYDRO-2 are revised as shown in the Errata to specify that all drainage improvements are required to be designed by a licensed engineer and are accepted by the City's Department of Public Works Director prior to implementation to ensure that the drainage improvements are designed appropriately and meet industry specifications.

The commentor states that the Cultural Resources Department has reviewed the Project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. The commentor also states that, based on the information provided, the Yocha Dehe Wintun Nation is not aware of any known cultural resources near the Project site and a cultural monitor is not needed. The commentor concludes by stating that, if any new information is available or cultural items are found, to contact the Cultural Resources Department. The IS/MND includes Mitigation Measure CLT-2, which ensures that the Yocha Dehe Wintun Nation will be notified in the event of the discovery of any cultural resources. This comment is noted and no response is required.

Letter 4. Resident, February 23, 2020 – Don James, PhD.
The commentor has several concerns regarding the Project, relating to the following topics: 'general comments', aesthetics, agriculture and forestry resources, air quality during construction, biological resources, hazards and hazardous materials, hydrology and water quality, noise, and transportation.

General Comments
The commentor states that project planning and document is non-transparent in violation of state law, since the commentor states that they cannot find the project plan and documentation on the city website. The commentor also states that current inhabitants
Response to Walnut Lane 10 IS/MND Comments
May 11, 2020

bordering the Project have not been informed of “comment period” or given a chance to
comment on and suggest changes to plan. Additionally, the commentor states that the
“comment period” should be extended by at least 30 days to allow neighbors on Walnut Lane
and adjoining streets that connect to homes to Walnut Lane to be informed and to comment.
Additionally, the commentor states that a group of neighbors, called the Walnut Coalition,
would like the opportunity to discuss issues and possibly modify the development plan.

Project materials, including Project Application materials, technical studies, and the IS/MND,
were available for review at City of Winters City Hall, 318 First Street until the City Hall
closure on March 18, 2020 in response to the Yolo County Health Office Order related to
COVID-19. The Project materials were available for review on the City’s website at:
http://www.cityofwinters.org/wp-content/uploads/2020/01/2020Walnut10Project-
NOL_NOC_IS-MND-Merged.pdf. Project plans and technical documentation can be found in
the appendices to the IS/MND. In response to community requests for additional time to
comment, the comment period for the Project was extended to March 24, 2020 and the
Planning Commission hearing for the project was continued to April 28, 2020 and again to
May 26, 2020. No further response is required.

Aesthetics
The commentor states that “Response d” is incorrect; “formerly used as an orchard (the trees
have been removed)” is incorrect. The commentor states that the land is covered in old nut
trees, and that this suggests that the reviewer never visited the site. Also, the commentor
states that “the statement that skyglow will be minimal is ridiculous”, since the view of the
night sky will be impacted. The commentor identifies himself as a former astronomer.

In regard to the orchard, it is noted that the Project Description on p. 4 of the IS/MND
describes the site as developed with an abandoned almond orchard and that the discussion
in Section IV, Biological Resources, reflects the presence of the almond orchard. References
to the site are revised on pages 23, 49, and 58 of the IS/MND as shown in the Errata to
identify that the site is undeveloped and was formerly used as an orchard. The analysis
presented in the IS/MND considers the presence of the abandoned orchard on the Project
site and no further changes beyond those included in the Errata are necessary to address the
orchard.

With regard to sky glow, the Project includes development of 54 single family residential
units, associated amenities, and infrastructure improvements on the approximately 10.0-
acre Project site. Outdoor lighting associated with the proposed residences and
streetlighting would increase the amount of skyglow and nighttime lighting in the area. As
shown in the Errata, the IS/MND is revised to remove the statement that skyglow would be
minimal and to state that skyglow generated from the Project is anticipated to be consistent
with subdivisions operating in the City. Mitigation Measure AES-1, which would implement
outdoor lighting and glare requirements, including the requirement that outdoor lighting be
directed downward and that light fixtures be shielded to reduce upward and spillover
lighting. With implementation of Mitigation Measure AES-1, as revised in the Errata,
outdoor lighting associated with the Project would be designed to prevent upward lighting
and to shield lighting to reduce spillover lighting, which will ensure that lighting is properly
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shielded and directed downward in order to eliminate upward lighting and light spillage onto adjacent properties as well as to avoid excessive illumination and to reduce the Project’s contribution to skyglow and nighttime lighting impacts. With implementation of Mitigation Measure AES-1, the Project is not anticipated to be a substantial source of nighttime lighting and skyglow and potential impacts are reduced to less than significant.

Agriculture and Forestry Resources
The commentor states that farming is critical to a small-town California economy (and beyond California), and that converted farmland will never go back to farming. The commentor asks how the development would have a less than significant impact on this issue. The commentor also wonders whether the property has ever received reduced property tax as part of an agricultural parcel, and if so, whether that would mean that the Project site is subject to the Williamson Act.

The conversion of farmland is considered a less than significant impact because, although the Project would convert Unique Farmland to non-agricultural use, the City of Winters General Plan EIR has previously identified the conversion of important farmland to be significant impact, and mitigation measures have been provided. As identified in IS/MND Section II, Agriculture and Forestry Resources, the City of Winters General Plan designates a substantial area for urban development which is or has been in active agricultural use, which includes the Project site. The City of Winters General Plan EIR identifies that the conversion of agricultural land to urban uses is a significant and unavoidable impact of urban expansion into the city. The Project site is designated for urbanization by the General Plan and the development of the site with urban uses is consistent with the General Plan and General Plan EIR. The City of Winters Final General Plan EIR identifies that the impact on agricultural productivity is significant and represents an unavoidable, adverse cumulative impact. Mitigation measures 13.1A through 13.1C have been identified in the General Plan Final EIR to address loss of agricultural land. The measures have been incorporated into the Final General Plan, which provides a high degree of support for agricultural land conservation, and additional mitigation measures would not be expected to be feasible or effective in avoiding the loss of agricultural land, other than a prohibition against future development, which the Final General Plan identifies as not being consistent with the Final General Plan’s objectives.

The Project would be consistent with the General Plan goals and policies relating to agricultural resources. Based on the finding a significant and unavoidable impact relating to the conversion of agricultural land and implementation of the mitigation measures as outlined in the Final General Plan EIR, the Project would not generate any new significant impacts to the conversion of important agricultural lands to non-agricultural uses. The Project site was planned for residential uses in the General Plan and the Project site is not located on a site with a Williamson Act contract. Therefore, the Project would have a less than significant impact relative to these topics. No further response to this topic is required.

Air Quality (construction)
The commentor asks “what has been done to assess the potential toxicity of dirt and dust due to past insecticide, fungicide, and herbicide usage?” Additionally, the commentor asks whether the construction would stop temporarily if his wife (who has severe asthma) starts
having asthmatic attacks? Lastly, the commentor states that current orchard trees provide some degree of air conditioning, and that the impact of removing the trees on air temperature has not been addressed in the report.

The past agricultural use of the site and potential impacts due to past insecticide, fungicide, and herbicide usage are addressed in IS/MND Section IX, Hazards and Hazardous Materials. As discussed in Section IX under Responses a), b), a Phase 1/Phase II Environmental Site Assessment for the Project site was prepared to assess the potential for hazardous materials contamination on or adjacent to the Project site. The Environmental Site Assessment found no evidence of hazardous materials contamination on or adjacent to the Project site. The Environmental Site Assessment included a soils sampling and testing program which did not reveal any potentially hazardous conditions associated with the past agricultural use of the site and the results did not identify any organochlorine pesticide, lead, or arsenic concentrations that would be problematic with respect to residential or commercial development of the property. This conclusion was reached in the Environmental Site Assessment because all detections were lower than established health-based criteria and the respective U.S. EPA values that could warrant further testing, mitigation, or remediation.

As further detailed under IS/MND Section IX, Hazards and Hazardous Materials, construction equipment and materials would likely require the use of petroleum based products (oil, gasoline, diesel fuel), and a variety of common chemicals including paints, cleaners, and solvents. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that the Project does not expose the environment, including surrounding neighbors, to significant levels of hazardous materials.

In regard to air quality associated with Project construction, as discussed under Responses a), b) in Section III, Air Quality, the Yolo-Solano Air Quality Management District (YSAQMD) has established measures to address potential air quality impacts related to construction activities. The Project would be required to comply with the YSAQMD measures as detailed by Mitigation Measure AIR-1. The commenter is also referred to the responses to Letter 11 related to air quality.

Although it may be the case that the existing nut trees on the Project site may currently provide some degree of air conditioning nearby, this topic is not subject to CEQA analysis. No further response to this comment is required.

**Biological Resources**

The commentor states that “the neighborhoods south of the construction site will be invaded by ground rats, mice, chipmunks, etc. noting this has been very common adjacent to the construction sites. The commentor asks “what will be done to alleviate this impact on neighboring streets?” and “will the developer pay for pest control during construction?"  

Additionally, the commentor states that the conclusion that certain special-status plant and animal species do not occur in the Project area is possibly in error. The commentor states that Winters is the subject of a state Natural Community Conservation Plan, which outlines
specific species with habitat at risk in Winters. The commentor states that there is a potential discrepancy between what is identified in this plan compared with what is identified within the IS/MND relating to special status species.

Pest control due to the potential for local species to impact of nearby neighborhoods and/or streets by pests due to construction on this site is not a topic subject to CEQA analysis. However, all construction activities would be in compliance with all state, county, and local requirements, as detailed throughout the IS/MND.

With regard to special status plant and animal species, as described in IS/MND Section IV, Biological Resources, a Biological Resources Assessment (BRA) was developed for the Project in July 2019 by Madrone Consulting, LLC (Madrone) (See Appendix A of the IS/MND for further detail). The BRA includes field surveys of the Project site and a literature review of the Project site and surrounding areas. Madrone senior biologist Bonnie Peterson conducted a field survey of the Project site on April 13, 2018 to conduct an aquatic resources delineation, survey for rare plants and elderberry shrubs, and assess the suitability of habitats on-site to support special-status species. Additionally, a list of special-status species with potential to occur within the Project site was developed by conducting a query of the following databases:

- California Natural Diversity Database (CNDDB) query of the “Winters, CA” USGS quadrangle and the surrounding eight quadrangles;
- USFWS Information for Planning and Conservation (IPaC) query for the Project site;
- California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (CNPS 2018) query of the “Winters, California” USGS quadrangle, and the eight surrounding quadrangles; and
- Western Bat Working Group (WBWG) Species Matrix.

In addition, any special-status species that are known to occur in the region, but that were not identified in any of the above database searches were also analyzed by Madrone for their potential to occur within the Project site. Table BIO-1 within the IS/MND provides a list of special-status species that were evaluated, including their listing status, and their potential to occur in the Project site. Importantly, while Winters is subject to the Yolo Habitat Conservation Plan/Natural Community Conservation Plan, which identifies special status species that are at habitat at risk in Winters as a whole, Madrone specifically analyzed the potential for special status species to occur within the Project site itself (i.e. the area that would be impacted by development of the Project) based on a site survey and review of relevant data specific to the Project site. This site-specific survey addressed the potential habitat on the Project site to support special-status species known to occur in the area. In some cases, there are species known to occur in the area, but the specific habitat necessary to support the species is not present on the Project site. For example, although the Yolo Habitat Conservation Plan/Natural Community Conservation Plan identifies the giant garter snake as being one of 12 covered species, there is no habitat present within the Project site for the giant garter snake, as identified in the IS/MND. This explains the apparent discrepancy identified by the commentor.
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With the implementation of mitigation measures included in IS/MND Section IV. Biological Resources, the Project would not 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 U.S. Fish and Wildlife Service, or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (including the Yolo Habitat Conservation Plan/Natural Community Conservation Plan). No further response to this comment is required.

Hazards and Hazardous Materials
The commentor requests that he see the hazardous materials report. The commentor also states that he would like to see more information relating to organophosphates, carbarnates, etc.

Based on this comment, the Phase 1/Phase II Environmental Site Assessment prepared by Wallace-Kuhl & Associates is attached to this Response to Comments as Appendix A. No further response is required.

Hydrology and Water Quality
The commentor states that no mention is made of the Chromium 6 contamination of Winters potable water. The commentor states that "once the state of California gets its act together and reissues a threshold standard for the carcinogen Chromium 6, Winters will be out of compliance creating the risk that Winters will not have potable water. The concentration of Cr-6 is probably increasing due to lowering of the aquifer [sic] due to overuse of the well water by surrounding nut orchards. Adding new homes will further lower the well-accessible aquifer and increase Cr-6 concentrations. Development should cease until this extremely dangerous condition is alleviated". Further, the commentor states that "...the new drainage plan must ensure that the existing streets surrounding the Project will not be negatively impacted by potential flooding events.

As identified in IS/MND Section X. Hydrology and Water Quality, groundwater is the main source of water supply within the City of Winters. Sources of groundwater recharge in the vicinity of Winters primarily include subsurface inflow from the west and north of the Winters, deep percolation from precipitation and seepage from Putah Creek and Dry Creek. According to the City of Winters 2006 Water Master Plan, current groundwater supply was determined to be sufficient to meet future demands with no risk of overdraft even during consecutive dry years. Groundwater quality has been determined to be adequate by the City of Winters, in compliance with state potable water requirements.

Public health goals (PHGs) are established by the State Office of Environmental Health Hazard Assessment (OEHHA). A PHG is the concentration of drinking water contaminants that pose no significant health risk if consumed for a lifetime, based on current risk assessment principles, practices, and methods. A maximum contaminant level (MCL) is a health-protective drinking water standard that takes into account not only a chemical's health risks but also factors such as detectability, treatability, and treatment costs. Health &
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Safety Code §116365(a) requires a contaminant's MCL to be established at a level as close to its PHG as is technologically and economically feasible, placing primary emphasis on the protection of public health.

On May 31, 2017, the Superior Court of Sacramento County issued a judgment invalidating the State's hexavalent chromium MCL for drinking water. The court ordered the State Water Resources Control Board (State Water Board or Board) to take the necessary actions to delete the hexavalent chromium MCL from the California Code of Regulations and also ordered the Board to adopt a new MCL for hexavalent chromium, or Chromium-6. The State Water Board announced that the Board will not be enforcing any compliance plans that public water systems entered into for hexavalent chromium, as the MCL will no longer be in effect. However, the State's adopted MCL for total chromium of 50 parts per billion. The federal MCL for total chromium is 100 parts per billion. There is not currently a State or federal MCL for hexavalent chromium, or Chromium-6. It is noted that in anticipation of a new State MCL for hexavalent chromium, City staff has coordinated with the Board to identify concerns associated with the MCL, but this effort is unrelated to the Project and is in anticipation of a potential MCL that has not been adopted.

The City's 2018 Water Quality Report identifies that the City's current levels of chromium (which includes hexavalent chromium, or Chromium-6) were below the MCL of 50 ppb and averaged 18.5 ppb, ranging from 13 to 24 ppb. (Maximum Contaminant Levels and Regulatory Dates for Drinking Water, Updated October 2018 accessed at https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/documents/ccr/mcls_epa_vs_dwp.pdf). The Project is not anticipated to result in any significant changes to the levels of Chromium 6 in the City's drinking water. Further, the City of Winters Public Works Department is responsible for monitoring pollutants within its water supply and addressing any exceedances of established MCLs in compliance with state potable water requirements. No further response is required.

Related to the potential for the Project to result in flooding impacts to off-site roads, the commentor is referred to Section X, Hydrology and Water Quality, of the IS/MND. As discussed under Responses c), e), flooding issues on and around the Project site have been analyzed for two separate scenarios. Wood Rogers developed a Technical Memorandum on July 16, 2019, which analyzed and identified storm drainage improvements that would be needed at the Project site and off-site, under the scenario that an adjacent development (the Skrenden 61 development) is constructed prior to and/or alongside the Project. Wood Rogers provided the subsequent Walnut 10 Interim Condition Drainage Analysis memorandum on October 29, 2019 (see Appendix D of the IS/MND), which separately analyzed the drainage impacts of the Project in the instance that the Project is developed ahead of the Skrenden 61 development. Under both scenarios, the proposed drainage improvements required by Mitigation Measures HYDRO-1 through HYDRO-3 would reduce flooding impacts on the Project site and the potential for the Project to result in off-site flooding impacts to less than significant as demonstrated in Section X of the IS/MND and in the technical studies provided in Appendices C and D of the IS/MND. No further response is required.

Noise
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The commentor states that the existing orchard currently provided noise abatement from Highway 505, and that elimination the orchard trees would probably increase noise from Highway 505. The commentor asks "what is being done to eliminate that possibility?" The commentor's concern reflects the potential for increased noise from Highway 505 during Project operational activities.

The Project site is located approximately 0.6 miles from Highway 505, at its closest point. This distance is such that any potential noise abatement from Highway 505 from the orchard on nearby residential neighborhoods is currently minimal to none. As discussed in the Federal Highway Administration's report "The Audible Landscape: A Manual for Highway Noise and Land Use", plantings of trees and shrubs must be high, dense, and thick enough to be visually opaque to provide attenuation and, because they lose their leaves, deciduous trees do not provide year-round noise protection. The FHWA guidance concludes, that in general, plantings by themselves do not provide much sound attenuation and it is more effective to use plantings in conjunction with other noise reduction techniques. Existing vegetation on the Project site is not dense and is composed primarily of deciduous almond trees. Therefore, removal of the trees does not provide much, if any, sound attenuation and its removal would not have a discernible impact on noise levels. No further response is required.

Transportation
The commentor states a concern that although the report predicts approximately 550 trips down Walnut Lane per day, the report claims no impact on traffic congestion on either Walnut Lane or Almond Drive. The commentor states that the Walnut/128 roundabout is already congested at rush hour. The commentor asks whether it would be better to route Project traffic directly to Highway 505 by driving east on a new road. The commentor further states that Walnut Lane is a relatively narrow residential road with young children being dropped off by school buses, playing, etc., and that Walnut Lane is tantamount to a one-lane drivable road now, since employees of Mariani Nut Company park on both sides of Walnut Lane during working hours. The commentor concludes by suggesting that perhaps one side of Walnut Lane (where the Mariani Nut Company employees park) could be designated as a "no parking zone.

Traffic to and from the Project site has been planned for and addressed in the City's Circulation Master Plan. As identified in IS/MND Section XVII. Transportation, the Project site is included in the City's General Plan Land Use Map and therefore was included in the "buildout scenario" analyzed in the Circulation Master Plan, which addresses performance standards for the City's roadway facilities and Grant Avenue (State Route 128). The Circulation Master Plan identified two traffic signals, one roundabout, and one roadway widening program that are necessary to address the City's circulation needs based on growth anticipated under the General Plan. These traffic improvements have been planned for and are required to be addressed as buildout occurs within Winters. Such planned improvements would address the potential for geometric hazards, emergency access, and trip generation, including those induced by the Project, on an as-needed basis. The City of Winters Public Works Department will continue to evaluate pedestrian safety needs on an ongoing basis.
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The City's Circulation Master Plan identifies that, as of 2017, Walnut Lane maintained a LOS of C or better, and had a peak traffic volume of 156 trips during PM peak hour traffic. The Project would contribute, through payment of Roadway Impact Fees, to the infrastructure identified for the City at General Plan buildout by the Circulation Master Plan. Furthermore, the Project applicant would be required to pay all applicable roadway impact fees, which are determined on a per-unit or per-square-footage basis, as required (as delineated in the Circulation Master Plan), as applicable. As shown in the Circulation Master Plan, the roundabout at Walnut Lane and SR 128 is planned to operate at LOS F under future conditions with no improvements, but with implementation of the City’s planned improvements for buildout traffic conditions, the roundabout will operate at LOS D as shown on Figure 9 of the Circulation Master Plan. It is noted that traffic congestion, including that associated with vehicle LOS, is no longer considered an impact under CEQA for land use projects pursuant to CEQA Guidelines Section 15064.3; however, the above information is provided for informational purposes.

As discussed in the response to Letter 2, the Project is not anticipated to result in pedestrian or bicycle safety impacts along Walnut Lane. The commentor is referred to the response to Letter 2 under Transportation/Pedestrian Safety for a full discussion of the Project’s potential to result in vehicle safety impacts along Walnut Lane.

As identified in IS/MND Section XVII. Transportation, the Project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), substantially increase hazards due to a geometric design feature or incompatible uses and/or result in inadequate emergency access. Therefore, no further response is required.

The commentor has several concerns regarding the Project, relating to two main issues: traffic/site access and flooding.

Traffic/Site Access
The commentor states that there may be some inconsistencies in the IS/MND. In the first part of the comment letter, the commentor identifies that the IS/MND states that there will be four access points into the Project when in fact there is one access point (at Walnut Lane at Grant Avenue). The commentor also states that the additional trips generated by the Project at Walnut Lane is unacceptable, especially when considering the bottleneck on the stretch of road adjacent to Mariani Nut Company. The commentor further states the he questions the unimpeded travel of a full sized fire truck during peak traffic hours.

With regard to the number of access points, the four access points planned for the Project, and as identified in the IS/MND, the commentor is referred to IS/MND Figure 4, Site Plan. As shown in Figure 4, the Project would have two access points (Street A and Street B) to Walnut Lane, one access point to Almond Drive to the south, and a access point via Street A to the planned future development and roadway system associated with the parcel to the east. Although the primary access to Walnut Lane and the Project site is from SR 128/E.
Grant Avenue, the Walnut Lane area has secondary/emergency access via an emergency vehicle access (EVA) located along the southern edge of Walnut Park which provides a vehicle connection between Walnut Lane and Dutton Street and will provide an additional access point to SR 128/E. Grant Avenue in the event of an emergency. As discussed in the IS/MND and herein, the Project would not substantially increase hazards due to a geometric design feature, or result in inadequate emergency access, at this location.

As identified in IS/MND Section XVII. Transportation, the Project site is included in the City's General Plan Land Use Map and therefore was included in the "buildout scenario" analyzed in the Circulation Master Plan, which addresses performance standards for the City's roadway facilities and Grant Avenue (State Route 128). The Circulation Master Plan identified two traffic signals, one roundabout, and one roadway widening program that are necessary to address the City's circulation needs based on growth anticipated under the General Plan. These traffic improvements have been planned for and are required to be addressed as buildout occurs within Winters. Such planned improvements would address the potential for geometric hazards, emergency access, and trip generation, including those induced by the Project, on an as-needed basis.

A review of SWITRS data for the area identified two collisions in the Walnut Lane Area, one at Walnut Lane/SR 128 and one collision at 830 Walnut Lane, over the past four years (there were a total of 68 vehicle/pedestrian/bicycle accident reports during this time frame). Of the two accidents, there were no fatalities, no injuries, and no pedestrians/bicyclists involved; neither accident required a tow-away. Walnut Lane typically has a 50-foot right-of-way with a 39-foot face of curb, except for the portion of Walnut Lane immediately west of the Project site which is unimproved but is also not heavily traveled as Walnut Lane terminates at this location. The older part of Walnut Lane south of the Project has a 45-foot right-of-way with 34-feet face of curb. This right-of-way provides a 20-foot width for vehicle travel, which is typically considered adequate for fire and emergency access. The 20-foot width is consistent with the Division of the State Architect (DSA) policy guidance for Fire Department, Emergency Access Roadways and School Drop Off Areas (DSA PL07-03, revised 12/12/18). As noted previously, emergency access to and from the Walnut Lane area is available via the emergency via access along the southern edge of Walnut Park, which provides a connection between Walnut Lane and Dutton Street. Further, the Project has been circulated for review by the City of Winters Police Department and Winters Fire Department; and neither agency identified any concerns related to safety issues associated with Walnut Lane, subject to the Developer securing for dedication to the City an emergency vehicle access easement (EVA) from the end of Walnut Lane out to Railroad Avenue, or an alternative acceptable to the City Engineer, Police Chief and Fire Chief. The EVA shall be in a form and content acceptable to the City Engineer, Police Chief and Fire Chief. The EVA shall be accessible by either removable bollards or a gate, as approved by the City Engineer, Police Chief and Fire Chief. While there is no evidence of existing conditions that have resulted in significant traffic safety hazards, this concern is noted for the decision-makers consideration.

Furthermore, as identified in IS/MND Section XVII. Transportation, the Project applicant would be required to pay all applicable roadway impact fees, which are determined on a per-unit or per-square-footage basis, as required (as delineated in the Circulation Master Plan),
as applicable. As described in the IS/MND, based on the size of the Project, construction traffic would be temporary and minor.

Flooding
In the second part of the comment letter, the commentor states that since Orchard Lane and Almond Drive have experienced major flooding impacts in the past, and that due to the complexity of the engineering, the commentor requests that the upcoming public hearing considering the adoption of the IS/MND be postponed for 30 days after the scheduled March 24th hearing for at least 30 days to allow for further study be all affected parties. The commentor provides additional comments regarding the technical details of the storm water infrastructure improvements.

Flooding issues on and around the Project site have been analyzed by Wood Rogers and are described in IS/MND Section X, Hydrology and Water Quality. Wood Rogers developed a Winters 71 Storm Drainage Assessment on July 16, 2019, which analyzed and identified storm drainage improvements that would be needed at the Project site and off-site, under the scenario that an adjacent development (the Skreden 61 development) is constructed prior to and/or alongside the Project. However, Wood Rogers provided the follow-up Walnut 10 Interim Condition Drainage Analysis on October 29, 2019, which separately analyzed the Project in the instance that the Project is developed ahead of the Skreden 61 development. In that instance, and as described in IS/MND Section X, Hydrology and Water Quality, the Project would require an interim storm drainage design that can sufficiently handle on-site flooding and prevent the substantial worsening of flooding conditions off-site.

Drainage improvements to mitigate flooding and drainage impacts are required by mitigation measures HYDRO-1 through HYDRO-3. The required facilities improvements address storm drainage impacts and are consistent with the City's Storm Drainage Master Plan efforts. The drainage improvements have been designed to sufficiently handle on-site flooding and prevent any substantial worsening of flooding conditions off-site. The commentor is referred to the response to Letter 1 under the Flooding heading, the response to Letter 2 under the Flooding heading, and the response to Letter 4 under the Hydrology and Water Quality heading.

As described in the response to Letter 4 under General Comments, the comment period for the Project was extended to March 24, 2020 allow for additional comments, and the upcoming public hearing has been postponed from the originally scheduled March 24th date to May 26 2020. No further response is required.


The commentor states that the Project will contribute to the congestion on SR-128. The commentor requests that fair share and/or mitigation fees consistent with the City of Winters Circulation Master Plan and Roadway Impact Fee Program are calculated for future improvements, due to the continuing development in the area. The commentor further
requests that their office be provided with copies of any further actions regarding this Project.

As previously described, the Project site is included in the City's General Plan Land Use Map and therefore was included in the "buildout scenario" analyzed within the City of Winters Circulation Master Plan and Roadway Impact Fee Program Update (see IS/MND, XVII. Transportation). The Project will be required to pay all applicable roadway impact fees. The City of Winters will provide copies of any further actions regarding this Project to Caltrans. The commentor did not address the adequacy of the IS/MND and no further response is required.

**Letter 7. Residents, February 28, 2020 - Tim Ireland and Laura Ireland.**

The commentor requests a 30-day time extension for the comment period, in order to thoroughly review, understand, and comment on the documents. The commentor also requests alternatives of the plans to be considered and also requests additional information and/or documentation in support of their concerns. The comment requests that alternatives of the Project plans be considered. The commentor states that their overall concerns relate to the following issues: traffic and circulation of Walnut Lane; traffic speed and congestion of parking on Walnut Lane; emergency access; flooding/floodplain and drainage of the Project and surrounding areas; sewer capacity; and details relating to aesthetic/visuals of home, and population density.

The comment period for the Project has been extended to allow for additional comments. Separately, the IS/MND contained appendices showing the technical reports that were prepared for the Project, which include a Biological Resources Assessment (Madrone Ecological Consulting, 2019), Energy modeling results (De Novo Planning Group, 2019), a Storm Drainage Assessment (Wood Rogers, 2019), and supporting technical memorandum (Wood Rogers, 2019). Concerns relating to the topics identified in the comment letter have been analyzed in the IS/MND and/or in this Responses to Comments document as described below:

- traffic and emergency access - see IS/MND Section XVII, Transportation, and responses to Letter 2 under Transportation/Pedestrian Safety, Letter 4 under Transportation, and Letter 5 under Traffic/Site Access;
- flooding - see IS/MND Section X, Hydrology and Water Quality, and responses to Letter 1 under Flooding, Letter 2 under Flooding, Letter 4 under Hydrology and Water Quality, and Letter 5 under Flooding;
- sewer capacity - see IS/MND Section XIX, Utilities and Service Systems;
- aesthetics - see IS/MND Section I, Aesthetics, and response to Letter 4 under Aesthetics; and
- population density - see IS/MND Section XI, Land Use and Planning, and Section XIV, Population and Housing.

Alternatives to the Project are not required to be analyzed under CEQA; analysis of alternatives is only required for an Environmental Impact Report as required. No further response is required.
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The commentor provides several comments relating to the Central Valley Regional Water Quality Control Board’s responsibilities relating to protecting of surface and groundwaters of the state. The comment letter describes the regulatory setting, including the Basin Plan and the mandatory antidegradation policy contained in the Basin Plan. The commentor proceeds to describe the specific permitting requirements for construction, industrial, and municipal discharges as well as permitting requirements associated with the Clean Water Act and dewatering of and/or discharge to waters of the United States.

The Project would be required to comply with construction-related National Pollutant Discharge Elimination System [NPDES] requirements (see IS/MND, VII. Geology and Soils, Mitigation Measure GEO-3) and operational NPDES requirements. Additionally, the Project does not contain any aquatic resources, and there are no protected wetlands or other jurisdictional areas and there is no need for permitting associated with the federal or state Clean Water Acts (identified by the Biological Resources Assessment for the Project developed by Madrone Ecological Consulting in 2019) (see IS/MND, IV. Biological Resources, response c). The commentor does not provide any comments regarding the adequacy of the IS/MND and no further response is necessary.

Letter 9. Resident, March 5, 2020 - Sally Ivory.

The commentor addresses concerns related to geology/soils, hydrology and water quality, and transportation.

Geology/Soils

The commentor identifies an area on the figure shown on p. 187 of the IS/MND where homes built along a fill area experienced major shifts and cracking resulting in structural damage during the 2014 Napa earthquake and indicates their hope that proper site preparation will prevent these same results from occurring in Walnut Lane 10.

As discussed in the IS/MND Section VII, Geology and Soils, under Responses a.iii), c), d), there is the potential for project soils to become unstable, particularly in association with liquefaction and/or expansive soils. Mitigation Measure GEO-1 requires all building plans to comply with the California Building Standards Code and all on-site soil engineering activities to be conducted under the supervision of a licensed geotechnical engineer or certified engineering geologist. Mitigation Measure GEO-2 requires a geotechnical/soils report to be submitted to the City for review and approval and further requires that the report include an analysis of the susceptibility of the Project site to liquefaction and unstable and expansive soils. Mitigation Measure GEO-2 is revised as shown in the Errata to further require that any fill materials are properly engineered and to ensure that the geotechnical/soils report includes recommendations to address fill materials.

Hydrology and Water Quality

The commentor requests that the City complete an updated study on groundwater supply, noting that the City’s landscape has changed dramatically since the 2006 Water Master Plan, including a drought from 2012-2017 and development of several agricultural wells, noting
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that one had water problems. The commentor states a new assessment of water availability and quality needs to occur before bringing the new homes of Walnut 10 and Farmstead online.

The City's 2006 Water Master Plan was prepared to address City buildout conditions and is a long-range water planning document. The Water Master Plan anticipated that the City population would double (from approximately 7,000 persons at the time of the plan) and that residential development would increase from 316 acres to 770 acres, commercial development would increase from 51 to 169 acres and industrial development would increase from 0 acres to 102 acres under buildout conditions. The Water Master Plan anticipated that daily water demand would increase from an existing demand of 1.53 million gallons per day to a demand of 4.91 million gallons per day under buildout conditions. The Water Master Plan assessed demand in periods with consecutive dry years and concluded that the City's groundwater supply can meet future demands with no risk of overdraft even during consecutive dry years. Development remains well below projected buildout conditions, with the 2019 population estimated at 7,417 persons by the California Department of Finance. With development well below the buildout levels projected in 2006, the Water Master Plan continues to provide adequate guidance, including recommendations for additional wells and water infrastructure, to meet the potential future demand. In 2018, the City's water use was just over approximately 339 million gallons, which equates to 0.91 mgd. Based on this information, the City's current water usage is below the demand at the time of the 2006 Water Supply Plan and demand from the Project would be well within the total demand envisioned for the City under buildout conditions.

Further, the City participates in the Water Resources Association of Yolo County (WRA). The WRA completed the Yolo County Integrated Regional Water Management Plan in 2007 and is a regional forum that coordinates and facilitates solutions to water issues facing Yolo County. The City's groundwater usage will continue to be coordinated with regional usage through the WRA and will be consistent with the IRWMP, which considers sustainable management of the County's groundwater resources. The Project is consistent with the growth anticipated in the 2006 Water Master Plan as well as the City of Winter's water demand that is accounted for in the IRWMP and is not anticipated to result in any increase in groundwater demand beyond the sustainable level of groundwater use planned for the City and, therefore would not result in adverse impacts to groundwater resources. No revisions to the IS/MND is necessary to address the Project's water use.

It is noted that the City is also a member of the Yolo Subbasin Groundwater Agency and is participating in the development of the Yolo Subbasin Groundwater Sustainability Plan, which establishes how the groundwater basin will reach long-term sustainability. The GSP is required to be completed and submitted to the State Department of Water Resources by January 31, 2022.

The commentor also requests reassurance from the City and the developer that every effort will be made to properly apply flood control methods necessary to keep Walnut Lane 10, Farmstead, and Almond Orchard safe from flooding. As discussed in the previous responses to Letters 2 and 4 under the Flooding headings, technical analyses of the Project's drainage
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infrastructure needs have been completed that consider two scenarios: the Project being developed concurrently or after Skreden 61 and development of the Project in advance of Skreden 61. These analyses are included in Section X, Hydrology and Water Quality, of the IS/MND under Responses c), e). Under either scenarios, the proposed drainage improvements described in the technical drainage analyses prepared by Wood Rodgers would be required by Mitigation Measures HYDRO-1 through HYDRO-3. Implementation of Mitigation Measures HYDRO-1 through HYDRO-3 would reduce flooding impacts on the Project site and the potential for the Project to result in off-site flooding impacts to less than significant as demonstrated in Section X of the IS/MND and in the technical studies provided in Appendices C and D of the IS/MND. No further response is required.

Transportation
The commentor states that safety, access, egress, and circulation are of major concern to her, noting that an increase of 529 trips down Walnut Lane for a daily total of 1,780 is unacceptable and also notes that SR 128 traffic levels through the roundabout are worrisome. The commentor indicates that the problem will be compounded with additional traffic from Winters Healthcare and Blue Mountain uses (two projects located on the south side of SR 128). The commentor notes that seniors will be using the crosswalks at the roundabout and adding more vehicles to the mix is a recipe for disaster. The additional traffic added by the Project is within the level of development planned for Walnut Lane and SR 128, as described in previous responses (see response to Letter 2 under the Transportation/Pedestrian Safety heading, response to Letter 4 under the Transportation heading, and response to Letter 5 under the Traffic/Site Access heading).

As previously described, traffic to and from the Project site has been planned for and addressed in the City’s Circulation Master Plan. As identified in IS/MND Section XVII. Transportation, the Project site is included in the City’s General Plan Land Use Map and therefore was included in the “buildout scenario” analyzed in the Circulation Master Plan, which addresses performance standards for the City’s roadway facilities and Grant Avenue (State Route 128). The Circulation Master Plan identified two traffic signals, one roundabout, and one roadway widening program that are necessary to address the City’s circulation needs based on growth anticipated under the General Plan. These traffic improvements have been planned for and are required to be addressed as buildout occurs within Winters. Such planned improvements would address the potential for geometric hazards, emergency access, and trip generation, including those induced by the Project, on an as-needed basis.

It is noted that traffic congestion, including that associated with vehicle LOS, is no longer considered an impact under CEQA for land use projects pursuant to CEQA Guidelines Section 15064.3; however, the above information is provided for informational purposes.

As discussed in the response to Letter 2, the Project is not anticipated to result in pedestrian or bicycle safety impacts along Walnut Lane. The commentor is referred to the response to Letter 2 under Transportation/Pedestrian Safety for a full discussion of the Project’s potential to result in vehicle safety impacts along Walnut Lane. The City of Winters Public Works Department will continue to evaluate pedestrian safety needs on an ongoing basis.
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As identified in IS/MND Section XVII. Transportation, the Project would not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), substantially increase hazards due to a geometric design feature or incompatible uses and/or result in inadequate emergency access. Therefore, no further response is required.

The commentor addresses concerns related to traffic and access and requests a water line extension to their residence from the new development.

Traffic/Access
The commentor indicates their understanding that Walnut Lane 10 has one ingress and egress route from Walnut Lane, that the project will create heavier traffic flow on Walnut Lane, and that the single route creates a public safety concern and requests that the City consider a secondary route. The commentor is referred to the response to Letter 4 under the Transportation heading regarding levels of traffic. The commentor is referred to the response to Letter 5 under the heading Traffic/Access. As discussed in the response to Letter 5, the Project site has four access points two to Walnut Lane, one to Almond Drive (which ultimately connects to Walnut Lane), and a fourth future access to the planned future development east of the Project site. Primary access to the Walnut Lane area is from SR 128; however, a secondary route is provided by the EVA located along the southern portion of Walnut Park which connects Walnut Lane to Dutton Street.

Water Line Extension
The request for the water line extension does not address the adequacy of the IS/MND and is noted for consideration by the City’s decision-makers.

The commentor addresses concerns related to proper notice under CEQA, description of the Project’s, Project location, and surrounding land uses, aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, utilities and service systems, wildfire, and mandatory findings of significant. The concerns are addressed below.

Proper Notice under CEQA
The Notice of Intent to Adopt the Mitigated Negative Declaration [NOI] was issued in compliance with CEQA Guidelines Section 15072, including publishing the notice [identify location and publication date] consistent with CEQA Guidelines Section 15072(a) and mailing the NOI to the owners and occupants of property contiguous to the Project consistent with consistent with CEQA Guidelines Section 15072(a). The City published the updated NOI extending the comment period in the same manner as the original notice. Project materials, including Project Application materials, technical studies, and the IS/MND, were available for review at City of Winters City Hall, 318 First Street until the City Hall closure on March 18, 2020 in response to the Yolo County Health Office Order related to COVID-19.
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Application materials were available for review by appointment during the Covid-19 order. The NOI includes contact information, including a phone number, so that individuals needing assistance with reviewing Project-related documents may call the City and receive assistance. The City also published the NOI, IS/MND, and related project materials and posted on the City’s website at: http://www.cityofwinters.org/wp-content/uploads/2020/01/2020Walnut10Project-NOI_NOC_IS-MND-Merged.pdf

Comments received in writing are included as an attachment to this Response to Comments document and will be provided to the Planning Commission and City Council for review and will be available for review by the public.

The commenter’s concerns regarding noticing are noted for the consideration of the City’s decision-makers. As described above, the noticing was consistent with the requirements of CEQA.

Project Location and Surrounding Uses
The commenter indicates that their property to the west is zoned for agriculture and currently ranched with horses and sheep and is not mentioned in the location and setting information. The commenter is referred to IS/MND Figure 6, which shows the zoning of the property to the west of the Project as R-1-, Single Family Residential (7,000). Their property is not designated or zoned for agricultural use. P. 4 of the IS/MND is revised as shown in the Errata to reflect the rural residential nature of the commenter’s parcel.

Project Description
The commenter indicates that the IS/MND refers to the almond orchard and notes there are multiple examples where the document notes that the trees have been removed. The commenter is referred to the Response to Letter 4 under Aesthetics regarding the orchard.

The commenter indicates that the infrastructure and access section of the Project Description states that stormwater would drain to the east of the Project site via a v-ditch but if Walnut 10 is built alone (without Skreden 61), lesser interim measures will be installed and that the description is not sufficient in addressing the two measures of mitigation. It is noted that the two scenarios (Project build prior to Skreden 61 and Project built concurrently or after Skreden 61) are described in detail and addressed in the IS/MND Section X under Responses c,e) but are not fully described in the Project Description section of the IS/MND. P. 5 of the Project Description is revised as shown in the Errata to describe the two potential scenarios to address stormwater.

General Plan and Zoning Designations
The commenter states that Figure 6 is not an accurate depiction of the current zoning for the area, in that it shows the desired state of the City and the Sphere of Influence. Figure 6 is intended to depict the General Plan land use designation and zoning of the Project site, as part of the Project description. The commenter further notes that their parcel (038-050-024-000) is in the County and is zoned for agriculture and that the land to the north of the Project is in Yolo County, is zoned for agriculture, and is currently farmed. The commenter indicates
that the inaccurate future zoning skews the narrative and does not present the reality of the Project.

The commentor is correct that IS/MND Figure 6 identifies the City of Winters General Plan designations and zoning for the Project site and surrounding lands. The parcel to the west of the Project (commentor's parcel) and the parcels to the north are located in unincorporated Yolo County. The parcel to the north is outside of the City's boundary and is zoned for Agricultural-Intensive use. The parcel to the north as well as the commentor's parcel are both designated Agriculture (AG) by the Yolo County General Plan. The parcel to the north is outside of the City's boundary and is zoned for Agricultural-Intensive use. However, the commentor's land is not identified with agricultural zoning on County zoning documents, rather it is depicted as "Cities", based on a review of the County's GIS site and the County's zoning maps (see Map 3, Adopted Zoning, July, 2014 created by Yolo County). The Project site is not zoned or designated by Yolo County as it is within Winters City limits. Page 5 and 6 of the IS/MND is updated to identify that the Yolo County zoning for the parcels north of the site is A-N (Agricultural Intensive). It is noted that the existing agricultural uses in the vicinity of the Project site are described in the IS/MND Project Description and were considered in the evaluation of the Project in the IS/MND. The commentor's concerns related to potential impacts associated with agricultural uses are discussed below under the Agricultural Resources heading.

Aesthetics
The commentor indicates that the IS/MND is incorrect in stating that the Project cannot be seen from State Route 128, and if it is built without the adjacent project, the orchard will be removed and replaced with housing. The commentor identifies that their belief that every time an orchard is removed from the view of Highway 128, there is a significant impact because the reason of the designation is our agricultural roots. The commentor indicates that while the IS/MND finds that 1.a. is Less Than Significant, it identifies the potential for 1.b as No Impact.

The IS/MND identifies Response a) in Section 1 as Less than Significant as there are no established scenic vistas in the vicinity of the Project. No changes to this discussion are necessary. Potential impacts associated with scenic highways are addressed under Response b).

The Project site is within the view of SR 128, as noted by the commentor, although views of the Project site are limited. Further, the Project would be an extension of urban development located south of the Project site. However, while SR 128 is an eligible state scenic highway, the status of SR 128 will only change from eligible to officially designated when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway. To date, the portion of SR 128 from which the site is visible is identified by CalTrans as eligible, but not as an officially designated state scenic highway (Scenic Highways, Designated and Eligible, Caltrans, August 2019). Response b) in Section 1 of the IS/MND is updated to reflect this change as shown in the Errata. As SR 128 is not yet an official state scenic highway, no change to the conclusion under Response b) is warranted.
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The commentor discusses the difficulty of understanding visual changes, in regard to their home and the residential area south of the Project site, when there are no design plans and further indicates that the future update to the City’s Housing Element may change design elements and aesthetic options, noting there is room for change between the IS/MND and ultimate design plans. The commentor also indicates that the character of the neighborhood is one- and two-story homes that are less dense than the Project and they would like to see the development plan match the existing dwellings lot for lot, especially along the fence line that would be contiguous with Orchard Lane. The commentor indicates that no landscaping information was provided and no area of the City’s Design Guidelines was cited, making it impossible to comment when this information has not been included. The commentor also discusses the change in character to the west of the site and that the IS/MND does not discuss the actual land use to the west, which is their home with horses and sheep. The commentor believes that the destruction of agricultural land and orchard will have a potentially significant impact from their home, a private vista and will also change the views from Railroad Avenue and looking north from Walnut Park. The IS/MND is revised as shown in the Errata to provide additional discussion of public views that may be affected by the Project and to identify the City’s specific standards to address scenic quality. As discussed in the revised Section I, Response c), the Project is required to comply with the City’s standards and regulations related to scenic quality, including the requirements established in Chapter 17.36 (Design Review), Chapter 17.60 (Residential Densities and Standards), and the Winters Design Guidelines.

The commentor indicates that none of the trees on the project site have been removed and the removal of the trees would provide an unhindered line of sight to the Chevron and businesses at Matsumoto Lane, which will last of the duration of construction. While the commentor’s views of the site may change, the construction activities will be temporary and the Project is required to comply with all City zoning and other regulations related to design and visual quality. The Project will be a continuation of the residential community located to the south of the Project site and is consistent with the urban views anticipated for the Project site. While the commentor’s views may change, the Project site would not result in a significant change to the public viewshed, as described in the IS/MND.

The commentor discusses the potential for three-story residences on the Project site or the potential to raise the elevations, and thus the second stories, of the homes that back up to Orchard Lane to higher than the existing residences and the resulting potential light or glare. The Winters Municipal Code limits building heights in the R-1 district to 30 feet and the Project would be required to comply with this requirement. Building pads of residences that abut those along Orchard Lane would range from 130.3 to 132.0 feet in elevation, generally increasing in elevation from east to west. These elevations would be similar to the existing elevations along Orchard Lane, which generally range from 129 feet at the east to 132 feet at the west, based on the contour lines nearest the Project border (see IS/MND Figure 5, Infrastructure Plan).

The commentor indicates that IS/MND does not provide any standards to ensure that the correct fixtures are used and recommends mandating external figures with the International Dark-Sky Association Seal of Approval. The commentor also indicates that there is no
discussion of building or construction hours if lighting will be necessary during construction. Mitigation Measure AES-1 has been revised to provide greater specificity to ensure all exterior lighting is fully shielded to prevent upward lighting and to reduce off-site spillover lighting and also requires that any lighting associated with construction activities also be fully shielded in order to reduce night sky and spillover lighting impacts.

Agriculture and Forestry Resources
The commentor notes that the IS/MND relies heavily on the City's General Plan, which has not been updated since 1992 and believes the City should update the General Plan before moving forward with significant development and should let the Climate Change committee do their job to address City policy to make Negative Declarations and Environmental Impact Reports more in line with current science and planning standards. The commentor notes that IS/MND lists General Plan sections for consideration, that the IS/MND does not identify specific and measurable examples of programs that have been the beneficiary of the City's support of agriculture.

In regards to the commentor's questions regarding the City's actions to support agricultural conservation, to limit future expansion of the City's ultimate urban limits, to support agricultural activities at the local and state levels, and passing a right-to-farm ordinance, the City has maintained its ultimate Urban Limit Line/Planning Area boundary identified in the General Plan and has not developed plans that anticipate urbanization beyond the area identified in the General Plan Land Use Map. Maintaining this Planning Area continues to ensure that the City's future expansion is within the areas envisioned by the General Plan and does not encroach on agricultural areas outside of the urban area anticipated by the General Plan. Further, the City has maintained its General Plan and Zoning Code to continue to identify locations for agricultural uses, through application of the A-1 General Agricultural zoning district and the Agriculture General Plan designation. The City continues to support protection of agricultural lands outside of the Urban Limit Line through County agricultural policies and regulations that address conservation and protection of these lands as described by Policy VI.B.4. The City adopted Right To Farm provisions in 1997 (see WMC Chapter 17.88). In 2009, the City's updated the Municipal Code requirements related to tentative subdivision maps and ensured that WMC Section 16.01.090.D. includes a requirement for denial of tentative maps were updated in 2009 to require the Planning Commission to recommend denial of a tentative map if it makes the finding that, subject to Section 66474.4 of the Subdivision Map Act, that the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and that the resulting parcels following a subdivision of the land would be too small to sustain their agriculture use. The General Plan does not include policies that require an acre for acre offset, as discussed by the commentor.

The commentor indicates no evidence has been provided that the Project site was included in the 1992 General Plan. The commentor is referred to General Plan Figure II-2, Urban Study Area, which depicts the Urban Limit Line. The Project site is within the Urban Limit Line.

As discussed in the IS/MND, the Project site was planned for conversion to non-agricultural uses in the Winters General Plan, is within the urban area envisioned by the General Plan,
and the Project would not have any additional contribution to agricultural conversion beyond that addressed in the General Plan and General Plan EIR. As previously described, the City continues to implement its General Plan and adhere to General Plan policies that address protection and conservation of agricultural lands.

Air Quality

The commentor indicates that Responses a-d) in Section III of the IS/MND should be marked Less than Significant Impact with Mitigation Incorporation. The table at the start of IS/MND Section III, Air Quality, will be updated accordingly for Responses a-c). This is not a significant error and the subsequent discussion of these topics in the IS/MND addresses the need for mitigation and a reader of the IS/MND. Response d), related to odors, does not require mitigation and no change to the table is necessary in relation to this response.

The commentor indicates that the mitigation does not specifically call out mitigation guidelines for heavy equipment and idling, which will be the main source of exhaust and particulate matter in addition to dust from construction. The commentor recommends that additional mitigation language be provided, including the following requirements:

- Require all vehicles used during the construction phase to comply with the California EPA Heavy Duty Diesel Vehicle Idling Regulation Limits. Mitigation Measure AIR-1 has been updated to address construction equipment exhaust, including compliance with State law related to vehicle idling.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes, as required by the California Code of Regulations, and provide clear signage that posts this requirement for workers at the entrances to the site. While this is State law and is already required of affected motor vehicle operators, Mitigation Measure AIR-1 has been revised to ensure awareness of and compliance with this requirement.
- Provide current certificate(s) compliance for the California Air Resources Board’s In-Use Off-Road Diesel-Fueled Fleets Regulation. This is existing State law and the revision to Mitigation Measure AIR-1 references this requirement.
- Equipment inspection and maintenance programs to ensure work and fuel efficiencies. Mitigation Measure AIR-1 has been revised to ensure construction equipment is maintained in proper working condition.
- The commentor notes there are additional mitigations from the Yolo-Solano Air Quality Management District Handbook for Assessing and Mitigation Air Quality Impacts (YSAQMD Handbook) on page 27 but that the IS/MND only included four measures. The measures identified in YSAQMD Handbook Table 5 include multiple approaches to addressing individual source categories, including fugitive emissions from active unpaved construction areas, spills from haul trucks, wind erosion from inactive areas, wind erosion from storage piles, on-road entrained PM10 and mud/dirt carryout. The measures selected for the Project, summarized in Table AQ-1 of the IS/MND address the primary source categories for PM10 emissions; however, Table AQ-1 of the IS/MND is updated to identify all potential mitigation measures identifies in YSAQMD Handbook Table 5. It is noted that Mitigation Measure AIR-1 addresses all categories identified in Table 5, except spills from haul
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trucks. Mitigation Measure AIR-1 addresses fugitive emissions from active unpaved construction areas, wind erosion from inactive areas, wind erosion from storage piles, on-road entrained PM10, and mud/dirt carryout including fugitive emissions from active unpaved construction areas. Mitigation Measure AIR-1 is updated as shown in the Errata to address the potential for air quality impacts associated to spills from haul trucks.

- The commentor identifies the following mitigation from pages 16 and 17 of the YSAQMD Handbook that they recommend to include as mitigation, including standards associated with visible emissions from stationary diesel-powered equipment (Rule 2.3), dust emissions (Rule 2.5), portable equipment greater than 50 horsepower (ARB Portable Equipment Registration Program), architectural coatings and solvents (Rule 2.14), asphalt application (Rule 2.28), stationary equipment (Authority to Construct), and wood-burning appliances (Rule 2.40). It is noted that each of these recommendations are based on specific rules and regulations that YSAQMD enforces. These are generally referenced on p. 29 of the IS/MND under the heading “Compliance with Existing Law”. The Errata includes a refinement of this discussion to include the additional requirements referenced by the commentor as well as to describe YSAQMD’s enforcement process. Mitigation Measure AIR-1 is revised the IS/MND to ensure the Project’s compliance with applicable rules and regulations and to ensure construction staff is aware of such requirements.

The commentor identifies concerns related to the “North Winds” that blow for days at 20-40 miles per hour. Mitigation Measure AIR-1 includes measures addresses the potential for wind-related dust (PM10) emissions, including covering of stockpiles, applying water as necessary to control dust emissions, including dust control treatment in late morning and at the end of the day, suspension of grading operations during periods of high winds, stabilization of exposed earth surfaces in inactive areas and after cut and fill operations, street sweeping, and treating site access points in the vicinity of paved roads with a 6-inch gravel layer. Mitigation Measure AIR-1 has been revised to ensure that covers for stockpiles are secure and to ensure construction debris stored on-site is securely covered in the event of high winds.

The commentor identifies concerns related to asthma sufferers that may be affected by air quality and environmental disturbances during site improvement activities and suggests that a mitigation measure identifying a website or notification be provided to the neighborhood that provides information of days where there is a decrease in air quality so persons can take precautions and further requests a City hotline for construction complains and complain procedures. Mitigation Measure AIR-1 has been revised as shown in the Errata to include contact information for the construction manager, City staff, and YSAQMD enforcement staff as well as a link to the YSAQMD website where interested parties can sign up for forecasts, alerts, and advisories related to air quality.

Tree Removal on Air Quality, Climate Change/Greenhouse Gas Emissions, and Water Quality
The commentor states that the IS/MND does not discuss the loss of trees to develop this Project, although it states that trees will be removed. The commentor states that the orchard, which they estimate to be approximately 1,000 trees, provides temperature reduction,
removal of air pollutants, the potential removal of zone, cooling and shading of neighboring homes, and helps filter groundwater recharge. The commenter believes that the effect of climate change and increased energy use to cool homes loss of pollutant reduction is a potentially significant impact.

Potential air quality impacts for the Project were evaluated in accordance with the criteria established by the YSAQMD Handbook. It is noted that the California Emissions Estimator Model (CalEEMod), which is the model used to evaluate project-level impacts of development projects on the scale of a residential subdivision and is the accepted project-level model by YSAQMD as well as other air districts throughout the State, does not model criteria pollutant concentrations or impacts based on tree removal and no revisions to the IS/MND are needed to address this topic.

Related to groundwater quality, the drainage improvements for the Project are required to meet State water quality requirements, which would ensure that the Project does not degrade surface or groundwater quality. As discussed in IS/MND Section X, Hydrology/Water Quality under Response a), the Project is required by State law and mitigation measure GEO-3 to prepare a Stormwater Pollution Prevention Plan (SWPPP) to ensure that water quality impacts associated with construction activities, which will include tree removal, do not substantially degrade surface or water quality. The Project will be required to demonstrate compliance with State standards as part of the NPDES General Permit and the permit documentation takes into account existing conditions, such as the orchard, on the Project site. Water quality improvements are addressed in the drainage memos provided in Appendices C and D and include an average of two trees per lot, roof gutters draining less than 600 square feet of roof area to a sheet-flow, landscaped area, and amending soils within the front and rear lot landscaping. Water quality measures proposed for the project will be implemented as part of the stormwater improvements required by Mitigation Measures HYDRO-1 and HYDRO-2.

The commentor indicates that the removal of the trees could contribute to climate change impacts. The Project is consistent with regional efforts to address climate change as discussed in the IS/MND. The Project is within the area of Winters anticipated to develop as an “Established Community” as described and projected in the February 18, 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) prepared for the Sacramento region. The MTP/SCS provides for the coordination of transportation and development planning in order to meet the region’s state greenhouse gas reduction targets. The MTP/SCS forecasts regional growth based on the MTP/SCS land use pattern and identifies measures appropriate to ensure that the region meets state greenhouse gas reduction targets. As part of the SCS/RTP, agricultural lands, including orchards and crop lands, were anticipated for conversion to development consistent with the land uses envisioned in the SCS/RTP. The Project is not located outside of the area anticipated for development within the MTP/SCS and, as such, its contribution to the regional and cumulative greenhouse gas emissions and climate change impacts are addressed by the MTP/SCS. As the project consistent with the MTP/SCS, which anticipated residential growth within the Project’s location in the Winters Established Community and anticipated removal of agricultural lands and crops, it is anticipated that it would not have any additional or
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unique characteristics that would result in greenhouse gas or climate change emissions beyond those addressed by the MTP/SCS.

Energy
The commentor refers to their previous comments related to tree removal, noting that the tree removal will result in warmer houses and higher energy bills without the shade provided by the orchards and the commentor states their belief that the City must establish guidelines to address replacement of orchards that require the purchase of larger trees and established plants. The commentor also notes that the lack of landscaped backyards in a new development increases cooling costs for the new home and homes around them. The thresholds considered by the Project, identified on p. 44 of the IS/MND, address whether the Project would result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation or whether the Project would conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The removal of the orchard is a necessary component of the Project and would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The Project site is identified for urbanization in the City’s General Plan and Zoning map and development of the Project site with residential uses is consistent with the local (City) and regional plans prepared pursuant to State law.

Hazards and Hazardous Materials
The commentor indicates that while the IS/MND Section IX, Hazards and Hazardous Materials, Response f) states that the Project would not cause evacuation issues, that this is only true if the Project is developed in conjunction with Farmstead as Walnut Lane is the only point of ingress and egress for the entire neighborhood. As described in the Response to Letter 5, the Walnut Lane area has secondary/emergency access via the EVA located along the southern edge of Walnut Park which provides a vehicle connection between Walnut Lane and Dutton Street and will provide an additional access point to SR 128/E. Grant Avenue in the event of an emergency.

The commentor states that related to fire, there is no discussion of undergrounding powerlines or other mitigation that should be considered given the number of public safety power shutoffs (PSPS) and new reality of wildland fire and identifies changes for grass fire from the east between 128 and the Project. The commentor that the one way out on Walnut Lane scenario was not addressed if Walnut 10 is built alone (e.g., without the adjacent Skreden 61 project). WMC Chapter 16.20 requires all new subdivisions to place utility distribution and transmission facilities underground, with the exception of poles solely supporting street lights, electrical transmission lines rates at 60 kilovolt capacity or more, specific facilities within cabinets and boxes. This requirement ensures that utility lines are installed underground and that supporting utility facilities are located underground, to the extent feasible. As previously described, the Walnut Lane area has secondary/emergency access via the EVA located along the southern edge of Walnut Park which provides a vehicle connection between Walnut Lane and Dutton Street and will provide an additional access point to SR 128/E. Grant Avenue in the event of an emergency, including a wildland fire. It is further noted that Response g) relates to wildland fire risk, and as discussed under Response g) in Section IX of the IS/MND, the Project site is not located in an area identified
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as a high or very high fire hazard risk. While there are lands identified as moderate fire risks located northwest and west of winters, the Project area, including agricultural lands to the north and east and rural residential uses to the west, are not identified as a moderate, high, or very high fire hazard risk (Fire Hazard Severity Zones in State Responsibility Areas Map, CalFire, November 7, 2007 and Draft Fire Hazard Severity Zones in Local Responsibility Areas Map, CalFire, October 5, 2007). While the western and southern portions of the City are affected by areas at risk of fires, including wildfire, the Project site is not in or adjacent to lands at high risk of wildfires. No change to the IS/MND is necessary to address this concern.

Groundwater
The commenter identifies their concern that the Project will have a negative effect on their well as it will pave over the earth, remove the trees, and the stormwater infrastructure will catch and remove the water they rely on to recharge their well. The commenter also notes that they have had issues in the past from the orchard to the north depleting the water table and that it is unknow what construction will do to their well.

While the Project would result in the development of the Project site with residential uses, including residential structures, driveways, and roadways, it would continue to have landscaped areas that would provide for continued infiltration of groundwater on the Project site. While stormwater from the Project would be conveyed off-site, it would be conveyed via a lengthy vegetated swale (if developed prior to Skreden 61) or via the storm drainage system to a detention basin on the Skreden 61 property (once Skreden 61 is developed), which will ultimately discharge into Putah Creek. The landscaping, vet groundwater basin, and which would provide opportunities for stormwater infiltration and groundwater recharge. Ultimately, stormwater will be conveyed to Putah Creek where it would also provide for infiltration and groundwater recharge. It is noted that the drainage improvements for Skreden 61 and the Project do provide for a drainage basin on the Skreden 61 site that would provide for groundwater recharge. It is noted that the Project would remove the on-site well that had been used to irrigate the orchard on the Project site and would remove the potential for agricultural irrigation and other uses of the well on the Project site to draw from the local groundwater sub-basin. As previously described, the City participates in the WRA, which completed the WRA completed the Yolo County Integrated Regional Water Management Plan in 2007, and is a regional forum that coordinates and facilitates solutions to water issues facing Yolo County. The City is also a member of the Yolo Subbasin Groundwater Agency and is participating in the development of the Yolo Subbasin Groundwater Sustainability Plan, which establishes how the groundwater basin will reach long-term sustainability. The GSP is required to be completed and submitted to the State Department of Water Resources by January 31, 2022.

Flooding
The commenter indicates that the property is in a FEMA AO 2' flood zone and the category is never named in the report. The commenter feels that the mitigation should not be borne by Walnut 10 alone and that the Project and Farmstead (Skreden 61) projects should be approved and built simultaneously. The commenter indicates that to raise the pads and build the Project without full mitigations from both projects is irresponsible and that the
area has a history of flooding. The commenter indicates the appendix reports are somewhat
difficult to understand and hoped the City would have coordinated a meeting between the
neighborhoods and developer to review the technical elements of the flood and hydrology
mitigations. The commenter asserts that for IS/MND Section X, Hydrology and Water
Quality, Response c) (ii), (iii), and (iv), that the Less than Significant with Mitigation
Incorporation is for Walnut 10 and Farmstead and that Walnut 10 alone may have a
potentially significant impact. The commenter indicates that the current FEMA status of AO
2' means that the entire site, or at least a majority, needs to be elevated at least two feet to
get it out of the existing flood plain. The commenter believes that this would cause Walnut
10 to end up higher than the existing homes and potentially cause flooding into the Orchard
development. The commenter observes the statement that the greatest risk of flooding is
from November to March and recommends that the proposed mitigations should ensure that
any construction for flood mitigation is completed well before the rainy season and include
penalties if they are not finished in time.

The Project site is identified as being in the 100-year flood zone under Responses c) and d)
in Section X, Hydrology and Water Quality, IS/MND as well as on Figure 9. The 100-year
flood zone includes a range of FEMA categories, including the AO zone which is defined by
the Federal Emergency Management Agency (FEMA) as areas subject to inundation by 1-
percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where
average depths are between one and three feet. While the IS/MND doesn’t describe each
FEMA 100-year flood zone, the IS/MND clearly identifies that the site is within the 100-year
floodplain and references Figure 3 of Appendix C for a depiction of existing 100-year flood
conditions, which identifies the range of flood depths on the Project site and in its vicinity
under existing (unmitigated) conditions.

It is noted that the Project proposes to grade the site to raise areas of the site by
approximately 1 to 2.5 feet, as shown on IS/MND Figure 5, Infrastructure Plan, regardless of
whether Walnut 10 is constructed before or concurrently with or after Skreden 61. This
grading will bring the Project site relatively level with development to the south and west of
the site (see IS/MND Figure 5).

Section X, Hydrology and Water Quality, of the IS/MND identified the storm drainage and
flooding impacts and associated mitigation necessary to address potential impacts under
two separate scenarios, as described under the previous responses to Letters 1 and 2. While
the commenter had indicated a preference for the Project to be approved and developed
concurrently with Skreden 61, the IS/MND analyzes potential impacts associated with
development of just the Walnut 10 development and provides adequate mitigation to reduce
potential impacts under this scenario to less than significant.

Wood Rogers developed the Winters 71 Storm Drainage Assessment on July 16, 2019, which
analyzed and identified storm drainage improvements that would be needed at the Project
site and off-site, under the scenario that an adjacent development (the Skreden 61
development also referred to as Farmstead) is constructed prior to and/or alongside the
Project. Subsequently, Wood Rogers provided the follow-up Walnut 10 Interim Condition
Drainage Analysis memorandum (Walnut 10 Drainage Analysis) on October 29, 2019 (see
Appendix D of the IS/MND) that separately analyzed the Project in the instance that the Project is developed ahead of the Skreden 61 development.

The improvements identified in the Walnut 10 Interim Condition Drainage Analysis memorandum address flooding issues associated with the Project and do not rely on improvements associated with the Skreden 61 development. Under existing conditions, the Project site experiences 100-year flooding up to 2 feet, with limited locations projected for depths over 2 feet, as shown in Figure 3, Existing Condition 100-Year Flooding, of the Winters 71 Storm Drainage Assessment (see IS/MND, Appendix C).

As described in IS/MND Section X. Hydrology and Water Quality under responses c) and e), the Project would be subject to potential storm drainage impacts and flooding under either scenario (development concurrent with Skreden 61 or development prior to Skreden 61). In the event that Walnut 10 develops in advance of Skreden 61, mitigation measure HYDRO-2 requires implementation of the improvements identified in the Walnut 10 Drainage Analysis memorandum. In this scenario, projected peak flows from the Project site are projected to increase from 78 cubic feet per second to 90 cubic feet per second and would result in increases in the 100-year flood depth from 0.005 to 0.061 foot, depending on the location (see IS/MND Appendix D, Figure 7).

The Walnut 10 Drainage Analysis identified storm drainage improvements necessary to accommodate the Walnut 10 Project without the Skreden 61 development; these improvements include a v-ditch that would be installed across the Skreden 61 property and connect to an existing culvert at Grant Avenue, a weir to accommodate, store, and convey overflows, and additional improvements to existing storm drainage facilities, including box culverts at Grant Avenue, improvements at the PG&E channel, and the addition of a third lower-elevation 60-inch culvert at the end of the PG&E channel, southeast of the outfall. As discussed in the Walnut 10 Drainage Analysis, implementation of these measures would eliminate any increase in flood levels on adjacent properties as shown in Figure 9, 100-Year Flooding Impacts, of Appendix D of the IS/MND and would decrease worst-case 100-year flood event impacts to lands west of the Project site. This is not a potentially significant impact and no changes to the IS/MND, beyond those shown in the Errata and discussed under previous responses, are necessary to address potential stormwater and flooding impacts.

Regarding the timing of mitigation measures HYDRO-1 and HYDRO-2, the Mitigation Monitoring and Reporting Program requires that the mitigation measures be implemented concurrently with or prior to site improvements and be completed prior to issuance of building permits, which ensures that flooding associated with the Project will be in place prior to construction of the residences associated with the Project.

The drainage improvements described in IS/MND Section X. Hydrology and Water Quality under Responses c) and e) would ensure that the Project site is protected from 100-year flood events and would not result in any significant increases in off-site flooding.
Land Use and Planning

The commenter requests that the City allow for updates to the General Plan, input from the Climate Change board, and other community input so that new infill and other developments meet the needs of the community. The commenter agrees that new housing is needed and there is an opportunity to develop and be inclusive and that it is time to get a General Plan update and note rely on 30-year old planning to get this done. The commenter indicates that these updates should happen before all the infill projects are brought forward. This comment does not address the IS/MND and is noted for the decision-makers consideration.

Noise

The commenter indicates that Walnut Lane and Orchard development residents are shielded from many of the sounds of Highway 128 by the trees on the Walnut 10 site. The commenter indicates that no mention of the effect of tree removal on surrounding residents was discussed and no noise mitigations have been offered for this section. The commenter believes that the tree removal will increase noise and sound from SR 128 and Highway 505.

The commenter also indicates a mention of solar PV panels and asks if they are for the new houses or construction and requests this issue be clarified.

The commenter also indicates that no construction times or allowed noise-generating windows are identified, although the residential noise ordinance is described. The commenter indicates that the construction will cause significant impacts to homes abutting the project and will reduce the quiet enjoyment of their homes. The commenter suggests that onerous noise-generating hours (e.g., vibration, ground-shaking work) be limited to 9 am to 4 pm Monday through Friday and 9 am to 2 pm on Saturday, with no work on Sunday. The commenter notes that no limits were suggested or provided in the report. The commenter also notes that during the grading process, idling vehicles and equipment create substantial ongoing noise in addition to air quality mitigations. The commenter requests additional mitigations for noise that protect the existing community and provide for continued quiet enjoyment of their homes, support those who work from home, and those who provide our medical, health, and public safety work.

As identified on p. 78 of the IS/MND, WMC Section 8.20.070.B.4., prohibits the use of any power tools or equipment associated with construction on weekdays and Saturdays after 7 p.m. and before 7 a.m. and at any time on Sundays or holidays and WMC Section 8.20.070.B.5. prohibits operating any device that creates a vibration above the vibration perception threshold of an individual at or beyond the real property boundary of the source. These City requirements ensure that construction noise and vibration impacts will be minimized to off-site receptors. The construction noise discussion on pp. 80 and 81 of the IS/MND is revised to specifically refer to these requirements, to include a mitigation measure addressing hours of construction, to reduce noise associated with construction activities and equipment, including through limiting the hours of construction on weekdays to the times allowed under the City’s noise requirements and reducing construction hours on Saturdays to between 8 a.m. and 5 p.m., ensuring noise-producing equipment and vehicles with internal combustion engines are equipped to ensure noise levels are within factory specifications, locating
stockpiles and staging areas away from adjacent residences, and limiting noise-producing signals to those for safety warnings, and to remove the reference to solar PV panels.

Related to construction vibration, the discussion under Response b) on pages 80 and 81 of the IS/MND demonstrates that anticipated vibration levels associated with Project construction would be below the threshold of annoyance (for persons) and the threshold of damage to buildings. No changes to the IS/MND are needed to address potential vibration impacts.

Traffic
The commenter discusses the amount of traffic occurring at the roundabout traveling south on Walnut, traffic speeds on Walnut Lane, and the increased trips on Walnut Lane. The commenter recommends a number of mitigation measures to address traffic impacts including:

- Red striping on side of Walnut Lane next to the Mariain office
- Allowing only residential and not commercial parking on Walnut Lane
- Analyzing speeding and determining if speed bumps will help the traffic flow
- Analyzing traffic to determine if stop signs are necessary
- Installing a crosswalk for the park with lights and signaling to protect park users

The commenter also indicates their concern that public safety equipment cannot get up the street to the park or their home during the most congested times of day and notes that with or without the Project, this intersection (e.g., Walnut Lane at SR 128 E. Grant Ave) is a problem.

While the commenter indicates general traffic concerns and suggests mitigation for traffic along Walnut Lane, the commenter does not identify any specific traffic issues associated with the Project. The commenter is referred to previous responses, including the responses to Letter 4 under the Transportation discussion, Letter 5 under the Traffic/Site Access discussion, and Letter 9 under Transportation, X regarding traffic levels of service, traffic safety, and emergency vehicle access.

Utilities and Service Systems
The commenter indicates that the City has published concerns related to the water system and the cost of Chromium 6 upgrades. The commenter refers to their neighboring property having their water lines flushed bi- or tri-weekly due to their location at the end of the line and speculates that Walnut 10 may become the 'end of the line' and may be faced with water issues that the Traylor's have faced for years. The commenter indicates that it is disingenuous to not outline existing issues as this will require mitigation of existing water quality issues faced by the community. The commenter indicates that the City should consider a development fee to help offset the cost of Chromium -06 and water upgrades necessary to ensure that the City has quality water and the water for the existing Orchard and Walnut neighbors gets fixed.
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Regarding Chromium-6, the commenter is referred to Letter 4 under Hydrology and Water Quality. The City will continue to address MCLs as such are established by the Board. The City would be required to address current and future MCLs and existing water quality issues regardless of the Project. While the commentor has identified existing issues, the commentor has not addressed how or whether the Project would result in new or exacerbated issues. The Project would be served by the City's water system and is not anticipated to have any impact related to Chromium 6. The Project would create a looped system serving the Walnut 10 Project that would circulate and flush the water lines serving the development and is not anticipated to result in water quality issues.

Wildfire
The commenter indicates that Response a) does not delineate between Walnut 10 being built alone or with Farmstead, indicating that if built with Farmstead, emergency access may be improved for the existing condition and new residents. The commentor further states that if Walnut 10 is built alone, it increases the burden on a neighborhood that only has one exit at Walnut Lane and Grant Avenue. The commentor indicates that Walnut 10 alone is possibly a potentially significant impact and is only less than significant when built in conjunction with Farmstead.

Related to Response b), the commenter indicates that the discussion does not mention the North Wind elements of the site or the new reality of PSPS and wildfire suppression efforts in the community. The commenter indicates that if any welding, open flame, or sparks are ignited during heavy wind days next to the open grass pasture, there is a substantial possibility for a grassfire on the Skreden/Farmstead site. The commenter recommends that mitigations are put in place that do not allow for construction on North Wind days or PSPS events and requests that stricter enforcement of grass fire mitigation be considered during the construction of this project. The commenter further indicates that Responses c) and d) are only valid if Walnut 10 is built with Farmstead and, built alone, Walnut 10 adds to the burden of a neighborhood with one evacuation route out that is blocked by existing users at peak usage. The commenter indicates that the grading and pad raising of the new development will have sections higher than the existing neighborhood and that with one way out in a flood, the neighborhood could be at risk.

The commenter is referred to the response to Letter 5 (Traffic/Site Access) regarding the EVA at Walnut Park, which provides an alternate route of ingress/egress to the Walnut Lane neighborhoods and ensures that access to the area is not solely available via the Walnut Lane/SR 128 (E. Grant Avenue) roundabout in the event of an emergency. Further, as discussed in the IS/MND on p. 98, the Project site is not located in or in the vicinity of a very high fire hazard severity zone so questions a), b), c), and d) are not significant relative to the Project as there is no very high fire hazard severity zone associated with the Project.

Mandatory Findings of Significance
The commenter indicates their hope that City, including both the Planning Commission and City Council, will consider the neighbor comments and be open to a larger discussion on increased mitigations or defer the Project to be built in conjunction with Farmstead so that appropriate mitigations can be applied to make this truly less than significant with
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mitigation incorporation. The commentor indicates that as it stands, there are sections of this report (IS/MND) they feel are a potentially significant impact to the community and that the City must ensure additional mitigations are considered and required.

Comments submitted by the commentor and other members of the community have been reviewed herein. Where revisions to the IS/MND, including additional mitigation, has been determined to be necessary, those have been provided as described herein. Based on the input provided by the community, additional mitigation measures to address concerns related to aesthetics, air quality, and noise have been provided. The Mandatory Findings of Significance discussion in the IS/MND has been updated to reflect these additional mitigation measures.

Closing Comments
The commentor indicates that they and their husband are in favor of Walnut 10, but a Walnut 10 development that takes the existing concerns of the neighbors into consideration and is not prepared with a blanket approval. The commentor indicates that the site has issues with flooding and traffic in its current state and that many of their neighbors have clearly been harmed in the past by water flowing directly through the Walnut 10 property and into their homes. The commentor indicates that there is no mention of the flooding harm already experienced by the Orchard neighbors in this report (e.g., IS/MND).

It is noted that this IS/MND focuses on the potential impacts of the Walnut 10 development on the existing environment, including its contribution to traffic and flooding issues which have been addressed previously. The IS/MND does not address, and is not required to address, alleviating existing flooding issues and traffic experienced by nearby properties and neighborhoods in the Walnut 10 vicinity. While these issues may be considered and discussed by the Planning Commission and City Council, the analysis of the IS/MND focuses on the Project’s potential to have an effect on the environment and mitigating significant or potentially significant effects associated with the Project. The commenters concerns are noted for the decision-makers consideration.
This response to comments on the Walnut Lane 10 project (Project) addresses four comment letters (Letter A from Les Tilden, Letter B from Liz Coman, Letter C from Dan and Ashley Nelson, and Letter D from Gregor Blackburn) that were received prior to the Planning Commission hearing on May 26, 2020, but were not individually addressed in the response to comments prepared for the Initial Study/Mitigated Negative Declaration (IS/MND). The concerns raised in these letters relate to traffic, pedestrian and roadway safety, flooding, water demand, and aesthetics, and are concerns that were raised by the comment letters on the IS/MND that were addressed in the Response to Walnut Lane IS/MND Comments dated on May 11, 2020. Each of these issues were considered in the Response to Walnut Lane IS/MND Comments document and revisions were made to the Walnut 10 IS/MND to ensure that impacts associated with the Project were adequately addressed and mitigated, as discussed in the Response to Walnut Lane IS/MND Comments document and identified in the Walnut 10 – Errata to the Initial Study/Mitigated Negative Declaration dated May 11, 2020 (Errata). The IS/MND was adopted on May 26, 2020 by the Planning Commission with the changes identified in the Errata. It is noted that this is an informational document and no amendment to the IS/MND is necessary to address these comments.

Letter A. Resident, March 5, 2020 – Les Tilden
The commenter addresses concerns related to traffic and flooding. The concerns are addressed below.

Traffic
The commenter indicates that increased traffic of 500 cars per day will strain Walnut Lane and indicates safety concerns related to on-street parking and children using the park located along Walnut Lane. The commenter would like to see street infrastructure completed first with an additional exit from the neighborhood.

The commenter is referred to the Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020, including the responses to Letter 2 under Transportation/Pedestrian Safety, which addresses the Project’s potential to result in vehicle-related safety impacts along Walnut Lane, and Letter 9 under Transportation, regarding traffic levels of service, traffic safety, and emergency vehicle access. In addition to the emergency vehicle access discussed in Letter 9, the Project is also conditioned to obtain emergency vehicle access dedication to the City from the end of Walnut Lane to Railroad Avenue prior to the approval of improvement plans (Condition of Approval 82). The Winters Fire Department and City Engineer have indicated the existing and conditioned emergency vehicle access and have determined that the existing and required emergency vehicle access would provide adequate emergency access to and from the Project area.

Flooding
The commenter indicates that new housing could make past flooding problems re-occur and indicates they would like to receive information about how new developments will impact the dry creek and the plans the City has to ensure they are not flooded again. The commenter
is referred to Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020, including the responses to Letter 1 and Letter 11 under Flooding, which describe how the Project will mitigate potential flooding impacts. As discussed in the response to Letter 1, flooding issues associated with the Project have been analyzed for two separate scenarios: 1) Walnut 10 developing concurrently or after the Skreden 61 Project and 2) Walnut 10 developing in advance of the Skreden 61 development. Under the first scenario, the improvements required by Mitigation Measures HYDRO-1 and HYDRO-3 would ensure that drainage from the Project and the adjacent Skreden 61 development would be conveyed to the existing drainage system and would result in reduced water surface elevations during a 100-year flood event (see Responses c) and e) in the IS/MND under Section X, Hydrology and Water Quality and Appendix C of the IS/MND. Under the second scenario, the improvements required by Mitigation Measures HYDRO-2 and HYDRO-3 would eliminate any increase in flood levels on adjacent properties as shown in Figure 9, 100-Year Flooding Impacts, of Appendix D of the IS/MND.

Letter B. Resident, March 1, 2020 – Liz Coman
The commenter addresses concerns related to the layout of the Project and the findings of the Initial Study that there is no substantial evidence that the Project may have a significant effect on the environment particularly related to flooding. The concerns are addressed below.

Project Layout
The commenter indicates that they were told the Project site would be a “mirror image of Almond Drive and Orchard Lane” when they purchased their house, indicating the density would be the same. The commenter indicates that the developer was not informed of this or chose to discount it for more density. The commenter indicates that more density means more traffic, more noise, and houses placed too close together, spoiling the aesthetics and environment of the neighborhood. The commenter is referred to Section I, Aesthetics, Section XIII, Noise, and Section XVII, Transportation, of the adopted IS/MND related to the Project’s potential environmental impacts associated with these topics. This comment does not address the IS/MND and is noted for the decision-makers’ consideration.

Flooding
The commenter describes historical flooding that has occurred and affected their home, describing the work that needed to be done to address the flood-related damage. The commenter provides pictures of flooding that has occurred on Orchard Lane and Almond Drive. The commenter indicates that the orchard behind their home cannot absorb enough water during significant rain events, further noting their home, as well as the cul-de-sac on Orchard Lane and a section of Almond Drive, is within the 100-year floodplain. The commenter indicates a berm has been built and that the City deploys a pump to move water from the orchard during rain events. The commenter also indicates that flooding occurs in another neighborhood that is a newer development. The commenter indicates their concern that with two subdivisions prone to flooding, that the mitigation for the Project are not enough, indicating that the homes will be raised, removing safety from the lower depth of the orchard and the water being soaked up by trees and vegetation in the
orchard. The commenter indicates that the asphalt and concrete from the Project will alter the current infiltration and runoff processes, which are clearly insufficient during times of significant rainfall and indicates they are concerned that stormwater runoff from the Project backyards into their backyard will become normal, causing flooding in their backyard and possibly their house. The commenter indicates that drainage issues should be fully addressed and permanent measures constructed prior to Project homes being built. The commenter suggests a more thorough report, indicating other developments have installed French drains in the residential lots to prevent flooding.

As discussed under the responses to Letters 1, 2, and 11 under the Flooding headings in the Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020, flooding issues on and around the Project site have been analyzed in the IS/MND for two separate scenarios: the Project being developed concurrently or after Skreden 61 and development of the Project in advance of Skreden 61. These analyses are included in Section X, Hydrology and Water Quality, of the IS/MND under Responses c), e). Under either scenario, the proposed drainage improvements described in the technical drainage analyses prepared by Wood Rodgers would be required by Mitigation Measures HYDRO-1 through HYDRO-3.

Under existing conditions, the Project site and adjacent areas experience 100-year flooding, with depths over 2 feet in some areas, as shown in Figure 3, Existing Condition 100-Year Flooding, of the Winters 71 Storm Drainage Assessment (see IS/MND, Appendix C). As described in IS/MND Section X, Hydrology and Water Quality under responses c).

As discussed in the Walnut 10 Drainage Analysis, the Project, which includes elevating the Project site as shown in IS/MND Figure 5 and development of 54 homes and related improvements and infrastructure, would cause off-site increases north of Grant Avenue from 0.005 to 0.061 foot, depending on the location, as shown in Figure 9, 100-Year Flooding Impacts, of Appendix D.

If the Project is developed concurrently with or following Skreden 61, a flood barrier would be constructed along the northern boundary of the Skreden 61 site as discussed in the Winters 71 Storm Drainage Assessment. Under these conditions, drainage from the Project is designed to drain overland to the northwesterly portion of the Skreden 61 property, and also has a 24" storm drain that will connect into the Skreden 61 property storm drainage system to convey runoff to the basin and channel on the east side of the Skreden 61 property. A flood barrier is necessary across the eastern portion of the northern boundary of the Skreden 61 site to protect the site from 100-year flood events. In order to ensure that the flood barrier would not cause flooding to the north, a weir would be provided to accommodate, store, and convey overflows and off-site lands would not be significantly impacted. These improvements are described in detail in the Winters 71 Storm Drainage Assessment (IS/MND Appendix C). These improvements are described in detail in the Winters 71 Storm Drainage Assessment (IS/MND Appendix C) and would result in a decrease in flood elevations under interim and ultimate conditions (Appendix C, Tables 1 and 2).

In the event the Project is constructed prior to the Skreden 61 project, implementation of Mitigation Measure HYDRO-2 would require a weir to accommodate, store, and convey
overflows, a temporary v-ditch would be installed across the Skreden 61 property and connect to an existing culvert at Grant Avenue, and the Project would provide additional improvements to existing storm drainage facilities, including box culverts at Grant Avenue, improvements at the PG&E channel, and the addition of a third lower-elevation 60-inch culvert at the end of the PG&E channel, southeast of the outfall. These improvements are adequate to ensure that the Project would not result in on-site or increases in off-site flooding during a 100-year flooding event, as shown in Figure 9, 100-Year Flooding Impacts, of Appendix D of the IS/MND.

The drainage improvements and mitigation measures described in IS/MND Section X, Hydrology and Water Quality, under responses c) and e), including Mitigation Measures HYDRO-1 through HYDRO-3, would ensure that the Project site is protected from 100-year flood events and that the Project would not result in any significant impacts to off-site flooding as demonstrated in Section X of the IS/MND and in the technical studies provided in Appendices C and D of the IS/MND.

It is noted that the IS/MND addresses the potential for the Project to result in increased flooding or significant changes in drainage conditions and is not intended to solve existing, off-site flooding issues that existed prior to the Project and may continue to occur regardless of whether the Project is implemented. The commenter's concerns related to existing off-site flooding conditions are noted for the decision-makers' consideration.

**Water Use**

The commenter indicates they are concerned with the amount of water that a potential 300 homes will consume, indicating that the Water Master Plan was generated in 2006 and whether it was updated during the drought that began in 2011. The commenter indicates concerns related to the rate of groundwater recharge. The commenter asks how much water will be used with the addition of 300 homes. It is noted that the Project proposes 54 homes, not 300. The commenter is referred to the Hydrology and Water Quality discussion in the response to Letter 9 in the Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020. As discussed in the response to Letter 9, development remains well below projected buildout conditions discussed in the Water Master Plan which addressed consecutive dry year periods. The City's water usage is well below the City's demand at the time of the 2006 Water Master Plan and Project demand would be well within total demand envisioned for the City under buildout conditions. As also discussed in the Response to Letter 9, the City participates in the Water Resources Association of Yolo County and the Yolo Subbasin Groundwater Agency to coordinate regional groundwater use and conservation efforts. The City's groundwater usage is consistent with those planning efforts.

**Letter C. Residents, March 16, 2020 - Dan and Ashley Nelson**

The commenter thanks the City for extending the comment period on the IS/MND and identifies concerns related to aesthetics, hydrology and water quality, and transportation. These issues are addressed below.
**Aesthetics**
The commenter indicates that there are no details of house designs and locations other than the lot map and indicates their concern that the aesthetics would resemble new tract development in other communities where two-story houses look into the yards and homes of single-story houses, noting that landscaping cannot mitigate the lack of privacy. The commenter is referred to the *Aesthetics* discussion in the response to Letter 11 in the Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020, which discusses potential aesthetic and visual character impacts of the Project. The environmental checklist questions addressed in Section 1, Aesthetics, of the IS/MND address effects on scenic vistas, scenic highways, the visual character or quality of public views, and new sources of substantial light or glare that would adversely affect day or nighttime views. While this comment does not address the CEQA Environmental Checklist topics, the commenter's concern related to the potential lack of privacy is noted for the decision-makers' consideration.

**Hydrology and Water Quality**
The commenter indicates that current residents have told them of past flooding in the neighborhood and that the commenter observed standing water on the Project site which resulted in a pond that did not drain for months. The commenter indicates concern whether the mitigations proposed for Section X(c)(i-iv) will be adequate to control the volume of water in a heavy precipitation year to prevent flood damage to the existing neighborhood, which would be at a lower elevation than the Project. The analysis of potential flooding impacts provided in Section X of the IS/MND addressed potential flooding for the 100-year flood scenario, which represents the extreme hydrologic event that has a 1 percent chance of occurring in any year. This scenario anticipates heavy precipitation conditions, which would result in flood depths of up to two feet on the Project site, with the potential for greater depths in limited areas of the Project site. The commenter is referred to Response B above, as well as to the Flooding discussions in Responses 1, 2, and 11 in the Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020. As discussed under Response B above, the IS/MND evaluated flooding potential under two scenarios for the Project and the mitigation measures provided, which are supported by the technical analyses provided in Appendices C and D of the IS/MND, would reduce the Project's impacts to flooding and drainage-related impacts to a less than significant level. It is noted that the Project is not required to alleviate existing flooding conditions but rather is required to address the Project's potential to result in significant impacts related to flooding, so the potential would remain for areas outside of the Project site to be affected by existing flood hazards associated, including those hazards associated with the existing 100-year flood hazard area designations.

**Transportation**
The commenter questions how a traffic increase of 30% can be less than significant on a residential street, noting current delays at the south end of Walnut Lane due to narrowing of the road and parking on both side, potential concerns related to construction traffic, and current issues with drivers speeding and associated safety issues. The commenter indicates that potential solutions include eliminating on-street parking on the south end of Walnut Lane and instituting effective speed controls. The commenter is referred to the
Transportation/Pedestrian Safety discussion under Letter 2 in the Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020 which addresses issues associated with traffic and pedestrian safety on Walnut Lane, including the potential for hazards associated with Project construction. Regarding the anticipated increase in traffic, the commenter is referred to the Transportation discussion under Letter 4 in the Response to Walnut Lane 10 IS/MND Comments dated May 11, 2020, which addresses potential impacts on transportation related to the increase in traffic associated with the Project.


This letter provides information regarding National Flood Insurance Program floodplain management building requirements. This letter was submitted prior to the preparation and publication of the IS/MND and does not address the adequacy of the IS/MND.
Edits to the Initial Study/Mitigated Negative Declaration are shown in underline for additions and strikethrough for deletions.

Page 4 of the IS/MND is revised as follows:

**SURROUNDING LAND USES**

The land directly to the north of the Project site is currently cultivated for agricultural uses. The parcels to the west is a rural residential use with livestock and parcels to the and-south of the Project site are characterized by residential uses, and the parcel to the east of the Project site is characterized by agriculture (currently being dry farmed).

Page 5 of the IS/MND is revised as follows:

The Project would be served by existing City water, sewer, and storm drainage infrastructure. The proposed water system will be tied into the 8-inch water line in Walnut Lane and the 8-inch water line in Almond Drive. An 8-inch water line connection is also proposed to the northeast to connect with the future Skreden 61 subdivision. Stormwater would drain to the east of the Project site via a v-ditch to the Grant Avenue culvert. The Project would grade the site to raise areas of the site by approximately 1 to 2.5 feet, as shown on Figure 5, Infrastructure Plan.

If the Project develops concurrently with or following the Skreden 61 property to the east, the Project would coordinate stormwater and flood improvements with the Skreden 61 project. In general, drainage from the Project would be designed to drain overland to the northwesterly portion of the Skreden 61 property, and the Project would have a 24" storm drain connecting to the Skreden 61 storm drainage system. These improvements are described in Section X, Hydrology and Water Quality, and depicted in the Winters 71 Storm Drainage Assessment (see IS/MND Appendix C).

If the Project develops in advance of the Skreden 61 property to the east, a v-ditch and weir would be installed across the Skreden 61 property weir to accommodate, store, and convey stormwater and would connect to an existing culvert at Grant Avenue. The Project would also improve existing storm drainage facilities, including box culverts at Grant Avenue, improvements at the PG&E channel, and the addition of a third lower-elevation 60-inch culvert at the end of the PG&E channel, southeast of the outfall. These improvements are described and depicted in Section X, Hydrology and Water Quality, and in the Walnut 10 Interim Condition Drainage Analysis (see IS/MND Appendix D).

Pages 5 and 6 of the IS/MND are revised as follows:

**GENERAL PLAN AND ZONING DESIGNATIONS**

**General Plan**

The existing General Plan land uses and zoning designations adopted by the City of Winters are shown in Figure 6. The Project site is designated Low Density Residential (LDR) by the Winters General Plan Land Use Map. According to the City of Winters General Plan, the LDR designation provides for single-family detached homes, secondary residential units, public and quasi-public uses, and similar and compatible uses. Residential densities of 1.1 to 7.3 units per gross acre are allowed by this land use designation (Zoning Code Chapter 17.60, Table 5). With 54 units on 10.0 acres, the proposed density would be approximately 5.4 dwelling units per gross acre, which is within the allowed density range.

The General Plan designations shown in Figure 6 reflects the designations adopted by the City for the Project site and surrounding lands. Parcels located in unincorporated Yolo County to the
north of the site and directly west of the site are designated Agriculture by the Yolo County General Plan.

Zoning

The Project site is zoned Single Family Residential (7,000) (R-1) by the City of Winters Zoning Map. As provided in the Winters Municipal Code, the R-1 zone accommodates a variety of uses, including permitted uses for a variety of residential uses including single-family, two-family or duplex, farmworker housing unit, and accessory dwelling units, for utility services, as well as conditional uses for bed and breakfast inns, convalescence and care service facilities, day care facilities, public parks, religious institutions, mobile homes, residential care facilities. Residential densities of 1.1 to 7.3 units per acre are permitted in the R-1 zoning district. The Project includes a rezone to add a Planned Development (PD) overlay to allow modified development standards, including reduced lot widths and reduced setbacks to accommodate the proposed half-plex lots.

Figure 6 reflects the zoning adopted by the City of Winters for the Project site and adjacent lands. Parcels to the north of the site located in unincorporated Yolo County are zoned Agricultural Intensive (A-N) and the parcel located directly west of the site, outside of the City boundaries, is identified as 'Cities' by the Yolo County zoning map.

Pages 22 and 23 of the IS/MND are revised as follows:

The Project would result in the conversion of the Project site from an almond orchard to a single-family residential development. The Project will not significantly disrupt middleground or background views from public viewpoints. The Project would result in changes to the foreground views from the public viewpoint by adding residential buildings to a site that was used for agricultural purposes.

The greatest visual change would apply to the area located south of the Project site with a direct view of the area. Views of the Project site are generally visible from immediately adjacent roadways. While the site is visible from Walnut Park, it is not a significant portion of the views. The views from Walnut Park in the vicinity of the Project site are generally of the public road (Walnut Lane) and single family residential development with the Project site occupying a small portion of the mid- to background views visible from Walnut Park. Upon build-out, the Project would be of similar visual character to nearby and adjacent developments (such as the residential community located to the south of the Project site). For persons travelling along nearby roadways, the Project would appear to be a continuation of adjacent residential land uses and would not present unexpected or otherwise unpleasant aesthetic values within the general Project vicinity.

Upon development of the Project, the Project site would be developed with single family residences, public roads, and landscaping would be provided throughout the Project site. The proposed landscaping includes a variety of plants and support materials at varying heights that would provide some shielding from existing residences in the vicinity. The Project would result in a single family residential character that is similar to the single family residential areas south of the Project site.

Various temporary visual impacts could occur as a result of construction activities as the Project develops, including grading, equipment and material storage, and staging. Though temporary, some of these impacts could last for several weeks or months during any single construction phase. Because impacts would be temporary and viewer sensitivity in the majority of cases would be slight to moderate, significant impacts are not anticipated.

The change in character of the Project site, once developed, is anticipated by the General Plan and would be visually compatible with surrounding uses, including the existing residential uses.
The Project is located within the City of Winters urban boundary and will be required to comply with City regulations addressing visual quality, including building height, density, and lot size requirements established in Winters Municipal Code (WMC) Chapter 17.56 and design review requirements, including quality of exterior construction materials, use of landscaping, decorative site paving, etc. to provide effective visual screening or softening of the development, as necessary, conformance with the Winters design guidelines, avoidance of repetitive designs and site plans for single-family production housing as required by WMC Chapter 17.36. The Winters Design Guidelines include both mandatory and optional (preferred or encouraged) requirements. The mandatory requirements require installation of new residential neighborhoods to incorporate design elements that reflect the best qualities of the historic neighborhoods of Winters, including large street trees and following a grid pattern for streets, require residential neighborhoods to limit repetitive building elevations, provide varied design to create variety and interest, and screen mechanical equipment. The Project has not requested any exemptions from these specified design criteria and would not conflict with these applicable zoning and other regulations related to scenic quality. Landscaping plans, improvement plans, individual home plans, and subsequent plans associated with the Project will be required to comply with these requirements. Therefore, implementation of the Project will result in a visual character that is a continuation of Winter's residential community, such as the area south of the Project site, and is regulated by the aforementioned City requirements related to scenic quality. Therefore, the Project would have a less than significant impact relative to this topic.

Page 23 of the IS/MND is revised as follows:

Response b): Assembly Bill No. 998 was approved on July 12, 2019, designated SR 128 as a route in the state scenic highway system (starting from Railroad Avenue in Winters). Although SR 128 is located approximately 1,400 feet from the Project site (at its closest point) and a portion of the Project site is visible from SR 128, the scenic portion of SR-128 is located further away, at approximately 2,400 feet southwest of the Project site (at its closest point). The City of Winters General Plan Policy VIH.7 states that the City shall establish design guidelines for new development along Highway 128 reflecting its designation as a Scenic Highway, and that the City shall work with Caltrans and Yolo County in development consistent guidelines. Moreover, as described by this policy, the Project is required to be consistent with any relevant guidelines developed by Yolo County and Caltrans. However, SR 128's current status as a state scenic highway is "eligible" and it has not yet been officially designated as a state scenic highway. SR 128 will only become an officially designated state scenic highway officially when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway. The City has not yet applied for scenic highway approval and has not adopted a Corridor Protection Program. Therefore, the Project site is not located within view of this scenic highway, nor any other state scenic highway. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Implementation of the Project would have no impact relative to this topic.

Pages 23 and 24 of the IS/MND is revised as follows:

Response d): The Project site is currently undeveloped vacant and was formerly used as an orchard (the trees have been removed). The site contains no existing lighting. There is a potential for the Project to create new sources of light and glare. Examples of lighting would include construction lighting, street lighting, exterior building lighting, interior building lighting, and
automobile lighting. Examples of glare would include reflective building materials and automobiles.

There is a potential for the implementation of the Project to introduce new sources of light and glare into the Project area. With regard to light and glare impacts, the primary source of lighting that could affect sensitive receptors during nighttime would be street lighting. Daytime glare is most likely to result from two sources: reflective building materials and vehicle windshields. Lighting and glare from additional motorists at night and from the residences themselves would be minimal.

Contributors to light and glare impacts would include construction lighting and nighttime street lighting that would create ongoing light impacts to the area. Nighttime construction activities are not anticipated to be required as part of on-site roadway construction. Operational light sources from street lighting may be required to provide for safe travel. Skyglow generated from the Project would be minimal, and is anticipated to be consistent with the subdivisions operating throughout the City and adjacent to Project. The City of Winters Municipal Code does not contain any lighting or glare standards relevant to the Project site, so there is the potential for the Project to include substantial sources of intrusive lighting and/or glare-introducing materials. This is a potentially significant impact.

Fully shielded lighting fixtures have a solid barrier at the top of the fixture where the lamp or bulb is located and the fixture is angled so that light is not visible below the horizontal angle of the barrier. Implementation of Mitigation Measure AES-1 would ensure that the Project lighting is shielded and directed to eliminate upward night lighting, reduce light spillage onto adjacent properties, and reduce excessive illumination in order to reduce night sky impacts, either through use of International Dark Sky-approved fixtures or through submittal of a lighting plan that demonstrates that all lighting fixtures are fully shielded to prevent upward lighting and to reduce off-site spillover lighting, and to ensure that lighting would not have an adverse effect and would ensure that the Project uses building materials that would not result in significant levels of glare. With implementation of the following mitigation measure, the Project would have a less than significant impact as it relates to lighting and glare.

Mitigation Measure

Mitigation Measure AES-1: The Project applicant shall implement the following lighting and glare requirements. These measures shall apply to all outdoor lighting and to building materials and shall be incorporated as part of the building and improvement plans.

- Lighting shall be directed downward and light fixtures shall be fully shielded to prevent/reduce upward lighting and to reduce off-site spillover lighting. Compliance with this requirement may be fulfilled either 1) through use of exterior lighting and street light fixtures that have received International Dark Sky seal of approval or 2) submittal of a lighting plan that demonstrates all exterior lighting complies with this measure.
- Any lighting associated with construction activities shall be fully shielded to prevent upward lighting and to reduce off-site spillover lighting.
- Lighting, and exterior building light fixtures, and materials shall be designed to reduce the effects of glare off of glass and metal surfaces.

Page 27 of the IS/MND is revised as follows:
Walnut 10 - Errata to the Initial Study/Mitigated Negative Declaration
May 11, 2020

| a) Conflict with or obstruct implementation of the applicable air quality plan? | Mitigation Incorporation |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard? | X | X |

Pages 28 and 29 of the IS/MND is revised as follows:

Construction Emissions
Because the Project is located within the nonattainment area for State ozone and PM standards, the Project would be subject to any requirements set forth in the 2019 Triennial Assessment and Plan Update or YSAQMD efforts related to PM emissions, as enforced by YSAQMD through rules and regulations.

It is anticipated that approximately 99 percent of the PM$_{10}$ emissions during the construction emissions years (i.e. in year 2020) would be related to PM$_{10}$ dust, with the remainder related to PM$_{10}$ exhaust. The YSAQMD recommends the use of construction dust mitigation measures to reduce PM$_{10}$ emissions during construction. The Yolo-Solano Air Quality Management District’s Handbook for Assessing and Mitigating Air Quality Impacts (2007) provides a list of dust mitigation measures along with their effectiveness at reducing PM$_{10}$ emissions; Table AQ-1 lists the most effective measures for each source category below.

<table>
<thead>
<tr>
<th>Table AQ-1: Construction Dust Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mitigation Measure</td>
</tr>
<tr>
<td>Water all active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.</td>
</tr>
<tr>
<td>Haul trucks shall maintain at least 2 feet of freeboard</td>
</tr>
<tr>
<td>Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.</td>
</tr>
<tr>
<td>Cover inactive storage piles</td>
</tr>
<tr>
<td>Sweep streets if visible soil material is carried out from the construction site.</td>
</tr>
<tr>
<td>Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.</td>
</tr>
</tbody>
</table>


The primary source of ozone precursor emissions during the construction phase is construction equipment exhaust. The YSAQMD Handbook recommends that mitigation of construction equipment exhaust should focus on strategies that reduce NOx, ROG, and PM10 emissions, which may include restricting unnecessary vehicle idling to 5 minutes, using reformulated and emulsified fuels, and modernizing the equipment fleet with cleaner repower and newer engines.

Implementation of the dust mitigation measures listed in Table AIR-1 would ensure that Project-related construction PM$_{10}$ emissions are less than significant. With implementation of the
following mitigation measure, which are consistent with the mitigation list in Table AQ-1 and YSAOMD-recommended construction equipment exhaust measures, the Project would have a less than significant impact as it relates to construction emissions.

**Mitigation Measures**

**Mitigation Measure AIR-1:** The Project applicant shall prepare a Construction Emission/Dust Control Plan prior to approval of grading and improvement plans. The Construction Emission/Dust Control Plan implement the following construction exhaust and dust control measures during all construction activities. These measures shall be incorporated as part of the building and grading plans.

**Dust Control**

- Water all active construction sites at least three times daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Cover all trucks hauling dirt, sand, or loose materials.
- Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the Project onto streets as determined by Public Works.
- Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour).
- Outdoor storage of fine particulate matter on construction sites shall be prohibited.
- Contractors shall securely cover any stockpiles of soil, sand and similar materials. There shall be no storage of uncovered construction debris for more than one week; during periods of high winds, all construction debris stored on-site shall be securely covered.
- Re-vegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the Project. Cover all trucks hauling dirt, sand, or loose materials.
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.
- Sweep streets if visible soil material is carried out from the construction site.
- Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.
- Reduce speed on unpaved roads to less than 5 miles per hour.

**Construction Exhaust Emissions**

- Construction vehicle shall comply with all applicable regulations that limit idling times, including California Code of Regulations Section 2485 (Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling).
- The Project shall demonstrate compliance with all applicable State and YSAOMD requirements related to construction activities, including but not limited to, YSAOMD Rules 2.1 (Control of Emissions), 2.3 (Visible Emissions from Stationary Diesel-Powered Equipment), 2.5 (Prohibits Detrimental and Nuisance Emissions), 2.11 (Particulate Matter Concentration), R 2.12 (Combustion Contaminants), 2.14 (Limit Volatile Organic Compounds in Architectural Coatings), and 2.37 (Natural Gas-Fired Water Heaters and Small Boilers) and the CARB-administered In-Use Off-Road Diesel-Fueled Fleets Regulation.
- An enforcement plan shall be established to ensure all exhaust-generating construction equipment is maintained in proper working order according to manufacturer specifications.
Weekly evaluation of project-related on-and-off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180-2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project-related off-road and heavy-duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

**Job Site Posting**

- The project site shall be posted with a sign that lists applicable air quality rules, regulations, and requirements that all contractors and construction workers shall follow, as provided in this mitigation measure. The sign shall provide contact information for the project’s Construction Manager, the City Planner, and YSAQMD enforcement staff and shall include the following link to regional air quality information: https://www.ysaqmd.org/plans-data/air-quality-data/, where interested parties can sign up for YSAQMD forecasts, alerts, and advisories related to air quality.

Page 30 of the IS/MND is revised as follows:

**Compliance with Existing Law**

The project is required to comply with all applicable YSAQMD rules and regulations, such as Rule 2.1 (Control of Emissions), Rule 2.3 (Visible Emissions from Stationary Diesel-Powered Equipment), Rule 2.5 (Prohibits Detrimental and Nuisance Emissions), Rule 2.11 (Particulate Matter Concentration), Rule 2.12 (Combustion Contaminants), Rule 2.14 (Limit Volatile Organic Compounds in Architectural Coatings), Rule 2.37 (Natural Gas-Fired Water Heaters and Small Boilers), Rule 2.40 (Wood Burning Appliances), Rule 3.4 (New Source Review), and Rule 3.7 (Emission Statements), and any other YSAQMD rule or regulation determined to be applicable to the project by YSAQMD staff. Mitigation Measure AIR-1 requires the project to comply with all YSAQMD rules and regulations and to clearly post applicable requirements on the project site for the duration of construction activities. Compliance with the aforementioned YSAQMD rules and regulations would help to minimize emissions generated during project construction and operations.

Page 31 of the IS/MND is revised as follows:

**Conclusion**

With incorporation of Mitigation Measure AIR-1, the project would not conflict with and/or obstruct implementation of the YSAQMD’s air quality planning efforts, violate any applicable standard, or contribute substantially to an existing or Projected air quality violation. Therefore, with mitigation incorporated, the project would have a less than significant impact relative to this topic.

Page 49 of the IS/MND is revised as follows:

**Mitigation Measure GEO-2:** Prior to submittal of improvement plans, a geotechnical/soils report shall be submitted to the City of Winters for review and approval, as a condition on the tentative map. The geotechnical/soils report shall incorporate an analysis of the susceptibility of the project site, including any fill materials, to liquefaction, and unstable and expansive soils, in order to appropriately inform the final design of project roadways and building pad compaction. The geotechnical/soils report shall include recommendations to ensure fill materials are adequately
Page 49 of the IS/MND is revised as follows:

Response b): The Project site is currently undeveloped vacant and was formerly used as an orchard.

Page 58 of the IS/MND is updated under Responses a), b) as follows:

The Project site is currently undeveloped vacant and was formerly used as an orchard.

the AO zone which is defined by the Federal Emergency Management Agency (FEMA) as areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

P. 64 of the IS/MND is revised as follows:

Mitigation Measure HYDRO-1: Prior to issuance of building permits, the Project applicant shall implement the following flood measures to ensure that all off-site runoff entering the Project site under the worst-case condition is contained and/or conveyed to downstream facilities in order to safely convey potential flooding without creating adverse impacts. The City of Winters Public Works Department will be responsible for monitoring implementation of these flood protection measures.

Grading and Elevation: Grading and improvements shall be implemented, including improvements shown on the Project’s Infrastructure Plan and the improvements identified by the Winters 71 Storm Drainage Assessment, to elevate the Project site and remove the Project site from the design 100-year storm event floodplain prior to issuance of building permits. All grading and improvements shall be designed by a licensed engineer and be accepted by the Public Works Director.

Mitigation Measure HYDRO-2: Prior to the issuance of building permits, subject to monitoring by the City of Winters Public Works Department, if the Skreden 61 property and proposed Skreden 61 drainage improvements (i.e. the property located immediately to the east of the Project site) are not built in advance or concurrently with the Project as anticipated by Mitigation Measure HYDRO-1, the Project applicant shall construct the drainage improvements as described and modeled in the Walnut 10 Subdivision Interim Condition Drainage Analysis Technical Memorandum (prepared by Wood Rogers), including but not limited to installation of the temporary v-ditch across the Skreden 61 property and connecting to an existing culvert at Grant Avenue. All drainage improvements shall be designed by a licensed engineer and be accepted by the Public Works Director.

Page 72 of the IS/MND is revised as follows:

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Response a): Construction noise would be temporary, lasting a period of a few weeks to a few months. Construction noise would differ among various stages of construction and is dependent upon the specific activities and equipment used. It is anticipated that the largest amount of construction-related noise would be generated during the initial grading and earthwork; however, the amount of grading and earthwork during Project construction would be minimal, so there would be less construction noise during installation of the solar PV panels than would be typical for other Project types (e.g. for Projects with residential or non-residential buildings). Construction of the proposed project would temporarily increase noise levels during construction. Construction activities will include grading and site preparation, maintenance of roadways, installation of public utilities, infrastructure improvements, and construction of the residential uses associated with the project. These activities include the use of heavy equipment and impact tools.

Section 8.20.070.B.4 of the Winters Municipal Code establishes provisions addressing noise impacts associated with construction. Specifically, Section 8.20.070.B.4 prohibits the use of any power tools or equipment associated with construction on weekdays and Saturdays after 7 p.m. and before 7 a.m. and at any time on Sundays or holidays. While the City's Municipal Code provisions are considered adequate to reduce potential noise impacts associated with the Project to less than significant, Mitigation Measure N-1 is provided to give nearby residents additional assurance that noise associated with construction activities will be reduced through limiting the hours of construction on weekdays to the times allowed under the City's noise requirements and reducing construction hours on Saturdays to between 8 a.m. and 5 p.m., ensuring noise-producing equipment and vehicles with internal combustion engines are equipped to ensure noise levels are within factory specifications, locating stockpiles and staging areas away from adjacent residences, and limiting noise-producing signals to those for safety warnings.

Mitigation Measure

**Mitigation Measure N-1:** The following measures shall be included as standard notes on all improvement plans and shall be implemented during all phases of grading, site preparation, and construction of the proposed project:

- **Construction activity on the site shall be limited to weekday daytime hours (7:00 a.m. to 7:00 p.m.) and Saturdays between 8:00 a.m. and 5:00 p.m. No construction activity is allowed on Sundays and National Holidays.**
- **All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specifications. Mobile or fixed "package" equipment (e.g., air compressors) shall be equipped with shrouds and noise-control features that are readily available for that type of equipment.**
- **All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.**
- **Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located centrally or in the northeastern portion of the site and be as far as practicable from noise-sensitive receptors (adjacent residential uses). Material stockpiles and staging areas shall be indicated on project plans prior to issuance of grading and building permits.**
• Construction site and access road speed limits shall be established and enforced during the construction period. Speed limits shall be noted on project plans prior to issuance of grading and building permits.

• The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
RESOLUTION 2020-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS, ADOPTING A
MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND
REPORTING PROGRAM, FOR THE DEVELOPMENT OF THE WALNUT LANE 10
PROJECT

WHEREAS, the City received an application from Jim Corbett, for the Walnut Lane
10 Project (Walnut 10 Project or Project. The Project site is located at the terminus of
Walnut Lane along the northern edge of the City and is Assessor's Parcel Number (APN)
038-050-019; and,

WHEREAS, the Planning Commission of the City held a duly noted public hearing
on May 26, 2020; and

WHEREAS, the City prepared an Initial Study and Mitigated Negative Declaration
(IS/MND), to evaluate the potential environmental impacts of the Project in conformance
with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA
Guidelines"); and,

WHEREAS, the draft IS/MND was circulated initially for a 30-day review period,
with the public review period commencing on January 24, 2020 and ending on February
24, 2020 and in response to public requests for additional time to comment, the review
period was extended to March 24, 2020; and

WHEREAS, the City received 15 written comments on the IS/MND and worked
with the environmental consultant to review and respond to the comments in the
Response to Walnut Lane 10 IS/MND Comments document dated May 11, 2020;

WHEREAS, the City worked with the environmental consultant to prepare an errata
to the Initial Study dated May 11, 2020, ("Errata") to clarify information in the IS. The Final
IS/MND consists of the IS/MND, the Response to Walnut 10 IS/MND Comments, and the
Errata; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May
26, 2020 and heard public testimony and considered and reviewed the Final IS/MND and
mitigation Monitoring and Reporting Program (MMRP) for this Project and the comments
received during the comment period; and,

WHEREAS, the Final IS/MND determined the Project and it associated actions
could result in potentially significant impacts in the CEQA topical areas of Aesthetics, Air
Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards &
Hazardous Materials, Hydrology and Water Quality, Public Services, Tribal Cultural
Resources, and Mandatory Findings of Significance. However, feasible mitigation
measures were identified that will reduce all potentially significant impacts to a less-than-
significant level; and

WHEREAS, on the basis of the findings of the Final Initial Study, the City has
prepared a Final Mitigated Negative Declaration in compliance with the California

ATTACHMENT L
Environmental Quality Act (CEQA), the CEQA guidelines as promulgated by the State Secretary of Resources, finding that although the Project and its associated actions could have a significant effect on the environment, there will not be a significant effect in this case due to the implementation of the mitigation measures identified in the Final Initial Study; and

WHEREAS, public notices describing the City's intent to adopt a Mitigated Negative Declaration and announcing the public and agency review period, which exceeded 30 days, beginning on January 30, 2020 and ending on March 24, 2020, were sent to all affected property owners within 300- feet of the boundaries of the Project Site, all public agencies potentially serving the Project or having some oversight of the Project's construction, all responsible agencies and trustee agencies, the county clerk of Yolo, and all interested parties requesting notice, and published in the Winters Express, a newspaper of local circulation on January 23, 2020; and

WHEREAS, public notices describing the Planning Commission's public hearing on the proposed IS/MND prepared for the Project and its associated actions were sent to all affected property owners within located off Walnut Lane including which included those within 300- feet of the boundaries of the Project Site, all public agencies potentially serving the Project or having some oversight of the Project's construction, all responsible agencies and trustee agencies, the county clerk of Yolo, and all interested parties requesting notice, and published in the Winters Express, a newspaper of local circulation on April 24, 2020; and

WHEREAS, the Planning Commission held a public hearing on May 26, 2020 and considered all oral and written comments and evidence contained in the Record on the Final IS/MND and the actions associated with the Project; and

WHEREAS, following said public hearing the Planning Commission recommended on a 6 to 1 vote the City Council adopt the IS/MND for the Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the Final IS/MND for the Project and its associated actions based on the following findings:

Section 1. Record

The Record of Proceedings ("Record") upon which the Planning Commission based its recommendation includes, but is not limited to:

(1) the Final IS/MND and the appendices and technical reports cited in and/or relied upon in preparing the Final Mitigated Negative Declaration/Initial Study,

(2) the staff reports, City files and records and other documents, prepared for and/or submitted to the Planning Commission relating to the Final IS/MND, the Tentative Subdivision Map, and associated documents,

(3) the evidence, facts, findings and other determinations set forth in this resolution,

(4) the City General Plan and all amendments thereto and its related EIR,
(5) the City Municipal Code,

(6) all designs, plans, studies, data and correspondence submitted by the City in connection with the Final IS/MND, the Tentative Subdivision Map and associated documents required for the Project, and/or the Project itself,

(7) all documentary and oral evidence received at meetings, and hearings or submitted to the City during the comment period relating to the Final IS/MND, the Tentative Map Subdivision and associated documents, and/or the Project itself,

(8) all other matters of common knowledge to the Planning Commission including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the City and its surrounding areas.

The location and custodian of the records is the City of Winters Community Development Department, 318 First Street, Winters, California, 95694.

Section 2. Final Mitigated Negative Declaration/Initial Study Considered and Recommended

Based upon information in the Final IS/MND for the Project, the Record as a whole, and all other matters deemed material and relevant prior to adopting this resolution, the City Council adopts the Final Mitigated Negative Declaration for the Project and its associated actions based on the following findings:

a. The Proposed Final IS/MND, attached hereto as Exhibit A, has been completed in compliance with the California Environmental Quality Act (California Public Resources Code § 21000 - 21178); and

b. The Proposed Final Mitigated Negative Declaration/Initial Study was presented to the City Council, which, at a hearing before the public, reviewed and considered the information contained in the Final Mitigated Negative Declaration/Initial Study prior to making a decision regarding the Project and its associated actions; and

c. The Final Initial Study/Mitigated Negative Declaration reflects the City's independent judgment and analysis as Lead Agency.

Section 3. CEQA Findings

The City Council hereby finds that all significant environmental effects of the Project and its associated actions have been reduced to a less-than- significant level in that all significant environmental effects have been eliminated or substantially with implementation of the mitigation measures identified in the Final IS/MND. Based upon the foregoing, the City Council finds and determines that the Project and its associated actions will not have a significant effect upon the environment.

Section 4. Mitigation, Monitoring, and Reporting Program

The City Council hereby adopts the mitigation measures set forth in the Final IS/MND and its accompanying Mitigation, Monitoring, and Reporting Program (MMRP), attached
hereto as Exhibit B and incorporated herein by reference. Pursuant to Public Resources Code Section 21081.6, the MMRP is a program designed to ensure compliance with the project changes and mitigation measures imposed to avoid or substantially lessen the significant effects identified in the Final IS/MND and said mitigation measures are described in the MMRP included therein and incorporated herein by reference.
RESOLUTION NO. 2020-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
APPROVING AN THE TENTATIVE SUBDIVISION MAP FOR THE
WALNUT LANE 10 SUBDIVISION

WHEREAS, on May 26, 2020 the Planning Commission of the City of Winters
recommended to the City Council approval of 54-lot Tentative Subdivision Map No. 5173
for the Walnut Lane 10 Subdivision (the "Tentative Map"); and

WHEREAS, the Tentative Map is in the form attached hereto as Exhibit A,

WHEREAS, the City Council has adopted Resolution 2020-20 finding that the
proposed project has been determined, subject to the Initial Study and Mitigated Negative
Declaration to be in compliance with the California Environmental Quality Act ("CEQA")
Guidelines.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINTERS
RESOLVES AS FOLLOWS:

SECTION 1. Based on the entire record before the City Council, all written
and oral evidence presented to the City Council, the City Council hereby approves
Tentative Map as depicted in Exhibit A.

SECTION 2. Except as specifically amended, the Tentative Map, all
Findings of Fact and Conditions of Approval approved by the City Council therewith, and
all other approvals and conditions approved by the City pursuant to Resolution No 2020-
11 remain in full force and effect.

SECTION 3. This Resolution shall become effective upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City
Council of the City of Winters at a regular meeting held on the 7th day of July 2020, by
the following vote:

AYES: ___________________________
NOES: ___________________________
ABSENT: _________________________
ABSTAIN: _______________________  Wade Cowan, Mayor

ATTEST: _________________________
Tracy Jensen, City Clerk
City of Winters
TENTATIVE SUBDIVISION MAP - TRACT 5173
WALNUT LANE 10
CITY OF WINTERS, CALIFORNIA
FEBRUARY 7, 2019
(REVISED: OCTOBER 2, 2019)

52 LOTS (58'x105' TYP.)
2 HALF-PLEX LOTS (37A & 37B)
10.0 +/- AC. (G)

LEGAL DESCRIPTION

PLOT PLAN
STREET SECTIONS

PROJECT NOTES

LEGAL DESCRIPTION

LAND USE SUMMARY

WALNUT LANE 10 TENTATIVE SUBDIVISION MAP
ORDINANCE NO. 2020-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS
REZONING WALNUT LANE 10 SUBDIVISION (APN 030-050-019) TO ADD A PLANNED DEVELOPMENT (PD) OVERLAY ZONE AND ADOPTING PD OVERLAY ZONE REGULATIONS

WHEREAS, the City received an application from James Corbett (Property Owner) and requesting that the City consider a rezoning of that certain property located north end of Walnut Lane, north of the intersection with East Grant Avenue in the City of Winters, known as ("the Walnut Lane 10 Subdivision") APN No. 030-220-034 to adopt a PD Overlay Zone on the Walnut Lane 10 Subdivision that would implement certain PD Overlay Permit Regulations that would apply to such property (the "Zoning Amendment"); and

WHEREAS, the Winters Planning Commission held a duly noticed public hearing on May 26, 2020 to review and consider recommendation to the City Council of the proposed zoning amendment; and

WHEREAS, following said public hearing, the Planning Commission recommended on a 6 to 1 vote that the City Council approve the Zoning Amendment; and

WHEREAS, on July 7, 2020, the City Council conducted a duly noticed public hearing on the Zoning Amendment at which time all persons wishing to testify in connection with the Zoning Amendment were heard and the Zoning Amendment was comprehensively reviewed; and

WHEREAS, the City Council has reviewed all written evidence and all oral testimony presented to date, and all other legal prerequisites to the adoption of this Ordinance have occurred;

NOW, THEREFORE, The City Council of the City of Winters, State of California, does hereby ordain as follows:

1. Purpose. The purpose of this ordinance is to rezone the property known as the Walnut Lane 10 Subdivision (APN 030-050-019) by adding a Planned Development Overlay Zone to the existing R-1 Single Family Residential Zoning.

2. Findings. Based on the evidence presented to the City Council on or before the public hearing on the Zoning Amendment, the City Council hereby makes the following findings in conformance with Section 17.48.060 of the Winters Municipal Code:

a. The Zoning Amendment and the development of the Walnut Lane 10 Subdivision is consistent with the general plan and the purposes of Chapter 17.48 of the Winters Municipal Code.
b. The Zoning Amendment and the proposed development of the Walnut Lane 10 Subdivision as contemplated herein complies with the applicable provisions of the R-1 Single Family Residential Zoning districts, except for certain reductions to the lot widths and average lot size, which will allow for the development of smaller units that are more affordable by design and meet a need for housing that in the City of Winters that is more affordable to working families and first time homebuyers.

c. The proposed development is desirable to the public comfort and convenience as it provides new housing consistent with the City's General Plan, that will accommodate a need for smaller, affordable by design units in the City, and will be built on an in-fill site that will accommodate housing within the City limits and help to limit future outward expansion to meet the City's housing needs.

d. The requested development plan will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety or general welfare in that it will allow for development of 54 residential units on property designated and zoned for residential use consistent with the allowable density for the site, with only minor reductions in the setbacks for certain lots within the proposed development.

e. Adequate utilities, access roads, sanitation and/or necessary facilities and services will be provided, or available, and such requirements are conditions of approval for the tentative subdivision map being considered for such development.

f. The development will not create an adverse fiscal impact for the City in providing necessary services as the development is consistent with the contemplates zoning and land use designations for such site, with the City anticipating that residential units would be prepared for such site.

3. Authority. The City of Winters has authority to adopt this ordinance pursuant to the general police power granted to cities by Article 11, Section 7 of the California Constitution and Chapter 17.48 of the Winters Municipal Code.

3. Rezoning. The subject property is hereby rezoned as shown on Exhibit A, attached hereto and incorporated herein by this reference to rezone APN 030-220-034 by adding a PD Overlay Zone to said property.

4. Adoption of PD Overlay Permit. A PD Overlay Permit is hereby approved which permits the setbacks as set forth in Exhibit B, attached hereto and incorporated herein. All other zoning requirements within this PD Overlay Zone shall be as set forth in the underlying R-1 zoning for this site.

5. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Winters.
INTRODUCED at a regular meeting on the 7th day of July 2020 and PASSED AND ADOPTED at a regular meeting of the Winters City Council, County of Yolo, State of California, on the ___ day of __________ 2020, by the following vote:

AYES: Wade Cowan, Mayor
NOES:
ABSENT: Tracy S. Jensen, City Clerk
ABSTAIN: Ethan Walsh, City Attorney

ATTEST:

Tracy S. Jensen, City Clerk

APPROVED AS TO FORM:

Ethan Walsh, City Attorney
WALNUT LANE 10 SUBDIVISION - ZONING

WALNUT LANE 10 SUBDIVISION
(PROPOSED P-D OVERLAY)
ZONING: R-1

C-1 Neighborhood Commercial
C-2 Central Business District
D-A Downtown A (FBC)
D-B Downtown B (FBC)
O-F Office
B-P Business Park
C-H Highway Service Commercial
M-1 Light Industrial
M-2 Heavy Industrial
R-1 Single Family Residential (7,000 Sq. Ft. Avg.)
R-2 Single Family Residential (6,000 Sq. Ft. Avg.)
R-3 Multi-Family Residential
R-4 High Density Multi-Family Residential
R-R Rural Residential
PQP Public/Quasi-Public
P-R Parks and Recreation
O-S Open Space
A-1 General Agriculture
Planned Development Overlay
City Limits

City Limits

N

0 125 250 US Feet

WALNUT LANE

CARRION CT

EXHIBIT A

ALMOND DR

ORCHARD LN

R-1

R-2

BROADVIEW LN

MORGAN ST

P-R
Exhibit “B”

PLANNED DEVELOPMENT (PD) PERMIT
Walnut Lane 10 Subdivision
July 7, 2020

TERM: Unlimited term pursuant to the requirements of Section 17.48.050 of the Winters Municipal Code (Title 17, Zoning) and subject to compliance with the conditions of approval.

Lot Widths

Corner Lots: 70 to 65 feet

Interior Lots: 60 to 58 feet

Average Lot Size

7,000 to 6,368 square feet

EXHIBIT B
FINDINGS OF FACT

Findings for Adoption of Mitigated Negative Declaration

1. The City Council has considered the proposed Mitigated Negative Declaration (original and revised) before making a decision on the project.

2. The City Council has considered comments received on the Mitigated Negative Declaration during the public review process.

3. The City Council finds that the environmental checklist/initial study identified potentially significant effects, but: a) mitigation measures agreed to by the applicant before the mitigated negative declaration and initial study were released for public review would avoid the effects or mitigate the effects to a point where clearly no significant impact would occur; and b) there is no substantial evidence, in light of the whole record before the City, that the project as revised to include the mitigation measures may have a significant effect on the environment.

4. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Winters.

5. The Mitigated Negative Declaration has been prepared in compliance with CEQA and the State CEQA Guidelines, and as amended/revised is determined to be complete and final.

6. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall, 318 First Street, Winters, California 95694.

7. The Mitigation Monitoring Reporting Program is hereby adopted to ensure implementation of mitigation measures identified in the Mitigated Negative Declaration. The City Council finds that these mitigation measures are fully enforceable as conditions of approval of the project, and shall be binding on the applicant, future property owners, and affected parties.

8. The City Council hereby adopts the Walnut 10 Lane Subdivision Mitigated Negative Declaration.
Findings for PD Overlay and PD Permit

1. The project, as modified and conditioned, is consistent with the General Plan and the purposes of Chapter 17.28 of the Zoning Ordinance.

2. Deviations from specified provisions of the basic zoning district on the property have been justified as necessary to achieve an improvement design for the development and/or the environment. The development complies with the remaining applicable provisions of the basic zoning district on the property.

3. The proposed development, as modified and conditioned, is desirable to the public comfort and convenience.

4. The requested plan, as modified and conditioned, will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare.

5. Adequate utilities, access roads, sanitation, and/or other necessary facilities and services will be provided or available.

6. The development, as modified and conditioned (including execution of the Development Agreement) will not create an adverse fiscal impact for the City in providing necessary services.

Findings for Tentative Subdivision Map (Government Code 66474)

1. The proposed map is consistent with the General Plan.

2. The design and improvement of the proposed map is consistent with the General Plan.

3. The site is physically suitable for the type of development.

4. The site is physically suitable for the proposed density of development.

5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. The design of the subdivision and type of improvements will not cause serious public health problems.

7. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
CONDITIONS OF APPROVAL

The following conditions of approval are required to be satisfied by the applicant/developer prior to final map, unless otherwise stated.

General

1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expense in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the subdivider in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.

2. All conditions identified herein shall be fully satisfied prior to acceptance of the first final map unless otherwise stated.

3. The project is as described in the May 26, 2020 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the May 26, 2020 Planning Commission staff report, except as modified by these conditions of approval. Substantive modifications require a public hearing and Planning Commission and City Council action.

General Plan Requirements

4. Pursuant to General Plan Policy II.A.19, a minimum of ten (10) percent of the single-family lots (5 lots) shall be offered for sale to local builders or owner-builders. These lots shall not be the same lots as those identified to meet the City's affordable housing requirement.

5. Pursuant to General Plan Policy II.C.1 and VI.F.2, energy efficient design shall be used. At a minimum this shall include: maximization of energy efficient techniques as identified in the July 27, 2004 Planning Commission staff report on "Proposed Energy Resolution" (attached), and attainment of EPA Energy Star Standards in all units; low emission furnaces; avoidance of dark colored roofing; and a minimum of...
10 percent solar photovoltaic homes. The applicant shall provide written evidence from each buyer that they were provided with a solar energy option on their home.

6. Pursuant to General Plan Policy II.D.4 and IV.A.1 necessary public facilities and services shall be available prior to the first occupancy of the project.

7. Pursuant to General Plan Policy IV.A.4 (second sentence), the developer shall pay in-lieu fees for the increment of parkland not provided on site, or at the City's discretion may construct needed improvements according to City specification in lieu of paying the fees.

8. Pursuant to General Plan Policy VI.C.7, drought-tolerant and native plants, especially Valley oaks, shall be used for landscaping roadsides, parks, schools, and private properties. Pursuant to General Plan Policy VI.C.8, drainage-detention areas shall incorporate areas of native vegetation and wildlife habitat.

9. Pursuant to General Plan Policy IV.B.14, there shall be a water meter on each new hook-up.

10. Pursuant to General Plan Policy IV.C.2, adequate sewer service shall be provided prior to the issuance of any individual building permit.

11. Pursuant to General Plan Policy IV.J.2, all new electrical and communication lines shall be installed underground.

12. Pursuant to General Plan Policy VI.A.6, grading shall be carried out during dry months, when possible. Areas not graded shall be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes shall be carried out immediately upon completion of grading. Temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the project creating the potential impacts. Pursuant to General Plan Policy VII.B.3, should the City allow any grading to occur during the rainy season, conditions shall be implemented to ensure that silt is not conveyed to the storm drainage system.

13. Pursuant to General Plan Policy VI.E.6, construction-related dust shall be minimized. Dust control measures shall be specified and included as requirements of the contractor(s) during all phases of construction of this project and shall be included as a part of the required construction mitigation plan for the project.

14. Pursuant to General Plan Policy VII.A.1, VII.A.2, and VII.C.4 all site work and construction activities shall be in accordance with the requirements of the City, and other applicable local, regional, state, and federal regulations.
15. Pursuant to General Plan Policy VII.C.1, necessary water service, fire hydrants, and access roads shall be provided to the satisfaction of the Fire Chief and Fire Protection District standards.

16. Pursuant to General Plan Policy VII.C.2, a minimum fire-flow rate of 1,500 gallons per minute is required for all residential uses.

17. Pursuant to General Plan Policy VIII.D.2, street trees shall be planted along all streets, in accordance with the City's Street Tree Plan and Standards. There shall be a minimum of one street tree in the center front of each single-family lot, and on both frontages for corner lots. All trees shall be of a type on the approved street tree list and shall be a minimum of fifteen gallons in size with a mature tree canopy of at least a thirty-foot diameter within five years. The intent is that majestic street tree species that create large canopies at maturity will be required in all medians and street-side landscape strips. The goal is to create maximum shade canopy over streets and sidewalks.

18. Pursuant to General Plan Policy VIII.D.4, a permanent mechanism for the ongoing maintenance of street trees is required, to the satisfaction of the City Manager and City Finance Director.

19. Pursuant to General Plan Policy VIII.D.7, all lighting including street lighting, shall be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity.

20. All mitigation measures in the MMRP shall be complied with by the applicant/developer.

**Negative Declaration Mitigation Measures**

21. The Developer shall comply with all of the mitigation measures contained in the Mitigation Monitoring Report Program (MMRP) as adopted by the City Council.

**Planned Development Overlay Zoning**

22. The Planned Development Permit allows a reduction in lot widths and average lot size as stated in Ordinance 2020-04. Any further modifications to the City’s lot development standards will be considered by the Planning Commission when a production builder brings forward plans for the model homes.

**Public Works and Engineering**

23. Prior to submitting the Final Map for Council approval the Developer shall reduce the number of lots (#43 through #53 on TM) from 11 to 10, resulting in a total of 53 lots. Reducing the number of lots from 11 to 10 increases the average lot size to 7,199 square feet eliminating the need to add a PD Overlay Zoning to these lots.
24. The Developer shall comply with all aspects of the latest City of Winters Public Works Improvement Standards.

25. A signage and striping plan is required and shall be approved by the City Engineer. All striping shall be thermoplastic.

26. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.

27. Water system shall be designed and installed to the satisfaction of the Public Works Department. Extend 12-inch water main in Walnut Lane north to property line in accordance with City of Winters Water Master Plan, subject to review and approval by City Engineer.

28. The Developer will be required to pay the appropriate City connection fees. All domestic water services will be metered. Water meters shall be installed on all water services to the satisfaction of the Public Works Department.

29. Grading shall be done in accordance with a grading plan prepared by the Developer's Civil Engineer and approved by the City Engineer. The amount of earth imported or exported shall not exceed that specified on the approved grading plan, unless otherwise approved by the City Engineer. A haul route for import or export shall be shown.

30. All grading work shall be performed in one continuous operation, unless otherwise approved by the City Engineer. In addition to grading information, the approved grading plan shall indicate all existing trees and trees to be removed as a result of the proposed development, if any.

31. All storm drain improvements shall be designed and installed to the satisfaction of the City Engineer.

32. The Developer shall conform to County Health regulations and requirements for the abandonment of any septic tanks and water wells.

33. All electric, phone/date and cable facilities within 100 feet of the project boundary and within the project shall be installed underground and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers. Excluded are utilities along west side of Walnut Lane and along north boundary, unless within project property.

34. Upon submittal of the initial improvement plans package, the Developer shall submit a soils and geotechnical report prepared by a geotechnical engineer that fully assesses the existing site conditions, and addresses all issues regarding excavation and grading, foundations and their construction, drainage, retaining wall systems, periodic on-site observations, and other related items involving the Project. All recommendations of the geotechnical engineer shall be incorporated into all final
design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City Engineer prior to the issuance of a grading permit.

35. 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.

36. Appropriate easements, to the satisfaction of the City Engineer, shall be required for City maintained facilities located outside of City owned property or the public right-of-way.

37. Existing Flood Control easement: The City of Winters has the rights to the easement. The applicant shall facilitate with the City the abandonment of the easement prior to the approval of improvement plans, unless otherwise determined by the City Engineer.

38. The Developer shall agree to grant all public easements as determined by the City for public purposes.

39. A 10-foot Public Utility Easement (PUE) behind right-of-way shall be dedicated along all frontages.

40. The Developer shall annex into the City-Wide Assessment District in order to maintain and provide for the project’s fair share of future needs of parks, open space, street lighting, landscaping, and other related aspects of development. The Developer is responsible for all costs associated with the annexation. The Developer shall fulfill this condition prior to the sale of any buildable lots or parcels within the project area.

41. Prior to approval of improvement plans, the Developer shall submit a street lighting plan for approval to the City Engineer, Community Development Department and Pacific Gas and Electric. Streetlights shall be decorative post top - Granville LED or approved equal.

42. If relocation of existing facilities is deemed necessary, it shall be performed by the Developer who will also be responsible to bear all expenses associated with this condition. All public utility standards for public easements shall apply, unless otherwise approved by the City Engineer.

43. Developer shall pay appropriate reimbursements for benefiting improvements installed by others in the amount and at the time specified by existing reimbursement agreements.

44. All construction shall follow the requirements outlined by City Ordinances and the Building Codes.
45. Applicant shall contact the City Engineer prior to beginning construction for a pre-construction meeting.

46. Grading shall not occur when wind speed exceeds 20 MPH over a one-hour period, construction vehicle speed on unpaved roads shall not exceed 15 MPH, and construction equipment and engines shall be properly maintained.

47. Potentially windblown materials shall be watered or covered.

48. Construction areas and streets shall be wet swept.

49. All inactive portions of the construction site that have been graded shall be seeded and watered until vegetation is grown.

50. Tarpaulins or other effective covers shall be used for haul trucks.

51. Construction practices shall minimize vehicle idling.

52. Applicant shall be required to coordinate with the City's Floodplain Administrator to determine if a CLOMR or LOMR is needed for the project as a result of possible impacts to Putah Creek Flood Plain. A CLOMR is required prior to improvement plan approval. Prior to issuance of a building permit, the Applicant must have an approved LOMR, unless otherwise approved by the Flood Plain Administrator.

53. All projects shall include implementation of post-construction best management practices (BMPs), in accordance with the provisions of the General Construction Activity Storm Water Permit adopted by SWRCB in 2009 and amended in 2012 (2009-009-DWQ).

54. Post construction BMPs shall be identified on improvement plans and approved by the City Engineer. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit, or a WPCP.

55. Pursuant to General Plan Policy IV.D.4, as a condition to any development entitlement approval, all development affected by or contributing to the 100-year flooding problem shall be required to contribute to the financing of the comprehensive flood control solution in an amount that reflects that property's relative contribution to the flooding problem or benefit from the program adopted.

56. Pursuant to General Plan Policy IV.D.6, all development allowed to proceed within the General Plan flood overlay zone, in advance of implementation of storm drainage improvements specified in the updated Storm Drainage Master Plan, must address interim drainage and flooding requirements in a manner found acceptable by the City Engineer, and in a manner that furthers and is not inconsistent with the updated
Storm Drainage Master Plan. Interim drainage/flooding solutions that do not implement logical components parts of the storm drainage improvements identified in the updated Storm Drainage Master Plan, or would be otherwise inconsistent with implementation of the update Storm Drainage Master Plan, can only be approved if consistent with the water quality treatment/design criteria and standards criteria of the updated Storm Drainage Master Plan and the City shall provide no reimbursement or credit for said work.

57. Pursuant to General Plan Policy IV.D.7, all projects citywide and within the flood overlay zone (FOZ) shall pay a Storm Drainage Master Plan Implementation Fee that represents a fair share towards implementation of the improvements specified in the updated Storm Drainage Master Plan. This fee shall be due prior to issuance of the building permit. To the extent that all or a component part of the Storm Drainage Master Plan is constructed by a project approved to move forward, credit toward the fee will be provided.

58. A hydrant use permit shall be obtained from the Public Works Department for the use of hydrant water during the construction.

59. Existing public and private facilities damaged during the course of construction shall be repaired by the Developer, at his/her sole expense, to the satisfaction of Public Works.

60. Prior to submittal of Improvement Plans, the Developer shall submit a storm water drainage plan prepared by a registered civil engineer for project watershed(s). The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing upstream and downstream facilities and to prevent additional flooding at off-site locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the Developer shall be consistent with the most recent version of the City’s Storm Drainage Master Plan criteria and Public Improvement Standards. The plan shall incorporate final sizing and location of on-site and off-site storm conduit channels and structures.

61. If proposed drainage improvements affect the existing Caltrans roadside ditch or any other facilities within State Right of Way; the developer shall submit the plans and calculations to Caltrans for review.

62. Storm Water Prevention Plan (SWPPP) shall be included as part of the improvement plan package. The SWPPP shall be prepared by the Developer’s civil engineer and approved by the City Engineer. 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 plans for approval by the Public Works Department.

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

64. 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 said slopes.

65. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.

66. Prior to final acceptance of the public improvements; the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code. All monuments necessary to establish the exterior boundaries of the subdivision shall be set or referenced prior to final acceptance of the public improvements.

67. Closure calculations shall be provided at the time of initial final map check submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation print out. The point(s) of beginning shall be clearly defined, and all lot acreages shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the subdivision map.

68. The Developer shall provide the City Engineer with an electronic copy and two print copies of the recorded final map from the County, prior to issuance of the first building permit.

69. Prior to recordation of the Final Map, the Developer shall enter into a Public Improvement and Maintenance Agreement for construction of the public improvements. All Bonding and Insurance requirement shall be met.

70. Developer shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.

71. Existing public and private facilities damaged during the course of construction shall be repaired by the developer, at his sole expense, to the satisfaction of the City Engineer.

72. A current title report shall be submitted with the first Final Map submittal. The title report shall include the entire legal boundary of property being divided.

73. Proposed improvements, including but not limited to, grading, streets, utilities, and landscape have not been reviewed in detail and are not approved at this time. The
City Engineer shall review the design of all improvements, during the plan check process and shall be revised, as needed, at the discretion of the City Engineer.

74. U.S. Postal Service mailbox locations shall be coordinated with the Postmaster and shown on the as-built improvement plans prior to final acceptance.

75. Prepare improvement plans for work within the public right-of-way, including an on-site grading plan, and submit them to the Public Works department for review and approval. The improvement plan sheets shall conform to the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal.

76. The Engineer shall provide two print sets and a PDF of each improvement plan submittal for review. Upon City Engineer approval, the Engineer shall provide 2 prints and a PDF of the approved plans.

77. The conditions as set forth in this document are not all inclusive. The Developer shall comply with all applicable City, State, and Federal regulations and requirements.

78. Occupancy shall not occur until on-site and off-site improvements have been accepted by the City Council and the City has approved as-built drawings. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.

79. Joint trench/utility/composite plans shall be submitted to the City Engineer for review, prior to approval of improvement plans.

80. Walnut Lane shall include monolithic curb, gutter and sidewalk on the east side of the roadway, and sufficient pavement to accommodate two travel lanes, for approval by the City Engineer.

81. Access to the existing house west of the project site shall be maintained at all times, and a transition to their existing driveway shall be provided with Walnut Lane street improvements.

82. Roads and Utilities shall be designed to accommodate any future tie in or extension to the development east of the project.

83. Prior to approval of the Improvement Plans, the Developer shall secure for dedication to the City an emergency vehicle access easement (EVA) from the end of Walnut Lane out to Railroad Avenue, or an alternative acceptable to the City Engineer, Police Chief and Fire Chief. The EVA shall be in a form and content acceptable to the City Engineer, Police Chief and Fire Chief. The EVA shall be accessible by either removable bollards or a gate, as approved by the City Engineer, Police Chief and Fire Chief.
TO: Honorable Mayor and Council Members
DATE: July 7, 2020
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Eric Lucero Public Works Superintendent
SUBJECT: Remodel South Side of Old PD into Finance/HR Offices and Billing Department

RECOMMENDATION: Approve remodel of Old Police Department building into an accessible, compliant and a more functional Finance & HR office space. Add access stairs to back of City Hall for emergency exit and install an emergency generator for both buildings.

BACKGROUND: City staff is proposing to remodel the old police department building next to City Hall that would fit the needs of HR, the finance department and the daily function of the front office in City Hall downstairs. Staff is asking Council to approve the sum of $200,000 to remodel the south side of the building to fill those needs.

Work to be done will include:

1. Demo work: Remove flooring (Outside contractor), old drywall, drop ceiling and old utilities.
2. Install two new offices, new drywall, tape, texture, insulation, paint, new electrical, ceiling fans, lights and interior windows.
3. Install new carpet, retrofit existing HVAC, install exterior windows on the west and east walls.
4. Pull Air Quality Control permit, comply to Title 24
5. Install new 200amp breaker
6. Install emergency generator with automatic transfer switch

FISCAL IMPACT: Estimate is not to exceed: $200,000 budgeted in 2020-21 approved fiscal budget ($52,000 from Yolo County OES toward emergency generator)