

ENVIRONMENTAL REVIEW

PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE
CEQA GUIDELINES SECTION 15183

PINK VIKING ESTATES



PREPARED BY:



METROPOLITAN PLANNING GROUP
499 HUMBOLDT STREET
SANTA ROSA, CA 95404

NOVEMBER 2023

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PINK VIKING ESTATES

Project Title:	Pink Viking Estates
Lead Agency:	City of Cotati: Community Development Department 201 West Sierra Avenue Cotati, CA 94931
Contact Person:	Jon-Paul Harries, Senior Planner 707-665-3634
Project Location:	8841 Old Redwood Highway City of Cotati, Sonoma County, California APN 046-223-018
Project Sponsor(s):	Brian Flahavan Pink Viking ORH, LLC 400 College Avenue Santa Rosa, CA 95401 707-332-9104 btf@flahavanlaw.com
General Plan Designation:	Low/Medium Density Residential (LMDR)
Zoning:	Neighborhood, Low Density (NL)
Description of Project:	The Project proposes a 35-lot subdivision on a 7.1-acre parcel in the southern portion of the City of Cotati. A mix of single- and two-floor single family dwellings each with an optional ADU are proposed on 35 lots. Each dwelling will feature a garage accessed by a new roadway from Old Redwood Highway terminating in a cul-de-sac and stub road to the southern property line. The Project proposes new landscaping, utility connections, frontage improvements, and ancillary improvements.
Surrounding land uses and setting; briefly describe the project's surroundings:	The Project site is located along the southern border of the City of Cotati, bounded to the east by Old Redwood Highway, single family residential development to the north, and disperse rural residential development to the south and west. The Project site exhibits a gradual 10 percent slope nearest to Old Redwood Highway that increases to 14.45% slope towards the rear of the site. The site was formerly used for agricultural purposes and contains orchard trees and remnants of former chicken coops at the rear of the property. The front of the property is developed with two residential structures, gravel compacted driveways, and ornamental landscaping.
Other public agencies whose approval is required:	California Department of Fish and Wildlife US Fish and Wildlife Service

	Army Corps of Engineers North Coast Regional Water Quality Control Board Sonoma Water
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?	In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to the tribes below on August 16, 2022, which included a brief description of the Project and its location, the City of Cotati contact information, and a notification that the Tribes have 30 days to request consultation. Notified tribal organizations include the Federated Indians of Graton Rancheria (FIGR). FIGR requested consultation on August 25, 2022, and the City of Cotati responded via email on September 1, 2022, providing a summary of the Project, potential effects, recommended mitigations, a Soil Investigation Report prepared by Reese and Associates October 21, 2014, a Soil Investigation Update prepared by Reese and Associates February 4, 2022, and a Cultural Resources Evaluation prepared by Archaeological Resource Service July 16, 2016. No response was received, and a follow up communication was sent by the City on November 15, 2022. No response was received, and a follow up communication was sent by the City on September 20, 2023. No response was received.

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ACRONYMS AND ABBREVIATIONS

APN	ASSESSOR PARCEL NUMBERS
BAAQMD	BAY AREA AIR QUALITY MANAGEMENT DISTRICT
BMP	BEST MANAGEMENT PRACTICE
CCR	CALIFORNIA CODE OF REGULATIONS
CDFW	CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
CEQA	CALIFORNIA ENVIRONMENTAL QUALITY ACT
CNEL	COMMUNITY NOISE EQUIVALENT LEVEL
CNPS	CALIFORNIA NATIVE PLANT SOCIETY
CRHR	CALIFORNIA REGISTER OF HISTORICAL RESOURCES
CRPUSD	COTATI-ROHNERT PARK UNIFIED SCHOOL DISTRICT
CTS	CALIFORNIA TIGER SALAMANDER
dBA	A-WEIGHTED DECIBEL
DPM	DIESEL PARTICULATE MATTER
DPR	DEPARTMENT OF PARKS AND RECREATION
DTSC	DEPARTMENT OF TOXIC SUBSTANCE CONTROL
EIR	ENVIRONMENTAL IMPACT REPORT
GHG	GREENHOUSE GAS
gpd	GALLONS PER DAY
LID	LOW IMPACT DEVELOPMENT
LWWTP	LAGUNA WASTEWATER TREATMENT PLANT
MBTA	MIGRATORY BIRD TREATY ACT
NPDES	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
NAHC	NATIVE AMERICAN HERITAGE COMMISSION
NHPA	NATIONAL HISTORIC PRESERVATION ACT
NRHP	NATIONAL REGISTER OF HISTORIC PLACES
NWIC	NORTHWEST INFORMATION CENTER
OEHHA	CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARDS ASSESSMENT
PPV	PEAK PARTICLE VELOCITY
PRC	PUBLIC RESOURCES CODE
RCPA	REGIONAL CLIMATE PROTECTION AGENCY
ROG	REACTIVE ORGANIC GAS
RWQCB	REGIONAL WATER QUALITY CONTROL BOARD
SCH	STATE CLEARINGHOUSE
SRPCS	SANTA ROSA PLAIN CONSERVATION STRATEGY
SWPPP	STORM WATER POLLUTION PREVENTION PLAN
SWRCB	STATE WATER RESOURCES CONTROL BOARD
UST	UNDERGROUND STORAGE TANK
UWMP	URBAN WATER MANAGEMENT PLAN
µg/M ³	MICROGRAMS PER CUBIC METER

1. INTRODUCTION

This California Environmental Quality Act (CEQA) Analysis evaluates consistencies with the City's General Plan Environmental Impact Report (EIR) to identify any new or more significant impacts from the Project, which includes entitlements for Design Review, Tentative Subdivision Map, Tree Removal Permit, and a Hillside Development Permit for a 35-lot subdivision to construct 35 single-family dwelling units varying from one to two stories in height, containing two car garages, each with an optional accessory dwelling unit (ADU), new landscaping, frontage improvements, a new access road, utility connections, and ancillary improvements on a 7.1-acre sloped lot located west of Old Redwood Highway between Clothier Lane and the Cotati City Limits (the "Project").

1.1. OVERVIEW OF CEQA ANALYSIS

This CEQA Analysis has been prepared by the City of Cotati, as the lead agency in full accordance with the procedural and substantive requirements of CEQA, CEQA Guidelines, and the City of Cotati local CEQA provisions.

This CEQA Analysis uses CEQA Guidelines Sections 15183, which provides a streamlined review of the environmental impacts of the Project by tiering from the program level analysis prepared for the Cotati General Plan and its certified Environmental Impact Report (EIR), thereby focusing the analysis to potential environmental impacts of the Project relative to the impacts analyzed in the program level EIR. Section 15183 of the CEQA Guidelines mandates that projects which are determined to be consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the Project or its site. The analysis provided herein relies upon the program level analysis prepared for the 2013 City of Cotati General Plan and its EIR (SCH No. 2013082037), which was certified in 2015. This CEQA Analysis describes the Project and its environmental setting, including the Project site's existing conditions and applicable regulatory requirements, and provides an assessment of the Project's consistency with the City of Cotati General Plan. All adopted mitigating General Plan policies and mitigation measures identified in the 2013 General Plan EIR that apply to the Project are identified herein and imposed as environmental conditions of approval, as described herein.

1.2. PURPOSE AND SUMMARY OF THIS CEQA DOCUMENT

The purpose of this document is to disclose and evaluate environmental effects of the Project under CEQA. This document considers the specific environmental effects of the Project as proposed and whether such impacts were adequately addressed in the 2013 General Plan EIR. The Project is required to incorporate or comply with all applicable mitigation measures identified in the 2013 General Plan EIR, uniformly applied development standards, and environmental conditions of approval. Section 7 of this document contains environmental conditions of approval imposed on the Project to ensure implementation of General Plan policies and mitigation measures from the 2013 General Plan EIR which have been identified to avoid, reduce, or offset potential environmental impacts. As presented herein, the Project is consistent with the General Plan and its certified EIR and qualifies for a General Plan Exemption pursuant to CEQA Guidelines Section 15183.

1.3. PUBLIC REVIEW PROCESS

The Project has been analyzed pursuant to CEQA Guidelines Section 15183 and does not require circulation for public review and comment. Nonetheless the City will make this CEQA Analysis available

as part of the public hearing process, which requires review and a recommendation from the Planning Commission and approval from the City Council for Design Review, Tentative Subdivision Map, a Tree Removal Permit, and a Hillside Development Permit.

2. PROJECT DESCRIPTION

2.1. PROJECT LOCATION

Cotati is located in central Sonoma County along the Highway 101 corridor approximately 8 miles south of Santa Rosa and 40 miles north of San Francisco. It is situated in the southern region of Sonoma County in a low-lying topographical area known as the Santa Rosa Plain. The city has a population of approximately 7,584¹ within approximately 1,217 acres of City-incorporated land.

The Project site is located in the southern portion of the City of Cotati, in the County of Sonoma (Error! Reference source not found.). Specifically, the Project site is located along the southern boundary of the City Limits at 8841 Old Redwood Highway and south of an existing residential development on Clothier Lane. Old Redwood Highway, which fronts the subject property, is maintained by the City of Cotati within City Limits and Sonoma County in unincorporated regions. Old Redwood Highway provides regional access via its connection to US 101 in northern Cotati and to the south in Petaluma. At the Project site frontage, Old Redwood Highway is a two-lane road with a posted speed limit of 35 miles per hour (mph).

The Project site is comprised of one parcel that occupies approximately 7.1 acres. The Project site is occupied by ruderal grassland, orchard trees, two residential structures near the site frontage to Old Redwood Highway, and gravel driveways. A strand of eucalyptus trees was removed circa 2021 along the western boundary of the site. The Project site is bounded by Old Redwood Highway to the east, single family residential development to the north, rural residential to the west, and to the south is agriculture and rural residential uses within Sonoma County (Error! Reference source not found.).

The Project site is located approximately one mile southwest of the Cotati SMART rail station, 0.7 miles south of the Cotati Hub bus station, and is 500 feet south of the Old Redwood Highway and Valparaiso Avenue bus stop for Route 48 through Sonoma County Transit.

2.2. GENERAL PLAN AND ZONING

The City of Cotati General Plan identifies the City's vision for the future and provides a framework that guides decisions on growth, development, and conservation of open space and resources in a manner consistent with the quality of life desired by the community. To ensure that this desired vision is realized, the General Plan has been designed to be internally consistent and cross-referenced with other documents, including the City's Land Use Code. The Project site has a General Plan land use designation of Low/Medium Density Residential (LMDR) (Error! Reference source not found.). The surrounding land uses are designated LMDR to the east and north, Low Density Residential (LDR) and Rural Residential (RR) to the west, and Agriculture & Residential (Sonoma County) to the south.

The City of Cotati Land Use Code implements the General Plan. Several different districts are identified in the Zoning Ordinance that are intended to, among other things, provide for a wide range of uses and implement the City's vision to accommodate development and to conserve open space and resources. The Project site is zoned Neighborhood, Low Density (NL) pursuant to the City of Cotati

¹ US Census Bureau, City of Cotati, <https://data.census.gov/cedsci/all?q=cotati>, accessed May 23, 2022

Zoning Map (Error! Reference source not found.**Zoning**). The surrounding zoning designations include N L to the north and east, rural residential to the west, and to the south, within unincorporated Sonoma County, is zoned Agriculture & Residential within the B6 Combining District.

2.3. EXISTING SITE CONDITIONS

The Project site is on a gradual slope, with remnant previous agriculture operations (chicken coops and orchard trees). Current uses are for residential purposes with three currently occupied existing residential structures, two garages, fencing, a well, two onsite septic systems, and gravel driveways on the eastern portion of the site near the Old Redwood Highway. The remainder of the site is characterized by ruderal grassland, and dense brush. The site slopes upward from Old Redwood Highway at an approximate elevation of 120 ft. to the western boundary of the site with a maximum height of 189 ft, with maximum grades of approximately 15%.

An earthen roadside drainage ditch runs along the west side of Old Redwood Highway, parallel to the eastern boundary of the Project site, traversing along approximately 900 linear feet of the Project Site and which, according to the biological report contains seasonal wetlands.

2.4. PROJECT DESCRIPTION

The Project proposes a 35-lot subdivision and construction of 35 single-family dwelling units varying from one to two stories in height, 2,300 to 2,700 square feet in floor area (including garage), and three to four bedrooms, with each unit containing two-car garages. The Project proposes five floor plan options, all of which provide an additional option to include an Accessory Dwelling Unit (ADU). The Project proposes demolition and removal of all existing structures, trees, and fencing within the Project boundary including existing well & septic system, new grading, hillside retaining wall on lots 14-18, landscaping, a new access road terminating in a cul-de-sac and stub road to the southern property line, utility connections, and ancillary improvements on a 7.1-acre lot located west of Old Redwood Highway.

The Project site plan, architecture, tentative subdivision map, and landscaping plans as provided in the application submitted March 9, 2023² and August 28, 2023, include the following:

Lot Subdivision

The Project would create 35 new lots ranging in size from 6,000 sf to 12,212 sf and two new public streets, Viking Way and Longship Lane. Viking Way would terminate in a cul-de-sac and Longship Lane would dead end at the southern property line. Lots 1-13 would be located on the northern property boundary along Viking Way and would be approximately 6,000 square feet with generally rectangular shapes with the exception of lot 1 which would be approximately 7,496 square feet. Lots 14-18 are proposed to be located at the cul de sac at the end of Viking Way on the western boundary of the property and range in size from 8,331 to 12,212 square feet. Development of these lots will require hillside grading and retaining walls. All of these lots, with the exception of lot 16 will be flag lots. Lots 19 -23 are located south of Viking Way with direct access and range in size from 6,016 to 7,475 square feet. Lot 24, approximately 8,730 square feet, is an irregular shaped flag lot with access from the proposed stub road, Longship Lane. Lots 25 and 26 have direct access from Longship Lane and are 6,005 and 6,604 square feet respectively. Lot 27, approximately 7,808 square feet, is located on the

² 8841 Old Redwood Highway Project Plans, prepared by Hunt Hale Jones Architects, TDG Consulting Civil Engineers, Inc., and Parker Smith Landscape Architecture, submitted March 9, 2023 and August 8, 2023.

southeast corner of Viking Way and Longship Lane with direct access to Viking Way. Lot 28, 8,496 square feet, is a flag lot with driveway access from Viking Way. Lots 29-30 (approximately 6,000 square feet) and lots 34-35 (approximately 6,000 square feet) are generally rectangular lots with access from Viking Way. Lot 32 (8,558 square feet) and Lot 33 (11,401 square feet) are flag lots with a reciprocal access driveway from Viking Way that would also be shared by Lot 31 (6,010 square feet) and Lot 34 (6,159 square feet) which front Viking Way. Lot 35 (6,801 square feet) would be located on the corner of Viking Way and Old Redwood Highway with access from Viking Way (*Error! Reference source not found.*).

Residences

All new proposed residences would be single-family dwelling units on individual lots. Lots would contain one of 5 proposed plan types with an additional option to include an ADU. The proposed plan types 1-5 would be distributed throughout the tentative map along both sides of a new roadway terminating in a cul-de-sac in the western portion of the Project site and both sides of the new stub road terminating at the southern property line, generally in the center of the Project site.

The proposed building plans contain various configurations of floor plans, number of bedrooms and bathroom, porch area, and garage. Plan type 1 is a one-story house and plans 2-5 are two-story designs. Two-car garages are proposed for each unit with access to Viking Way or Longship Lane with the exception of the above noted properties that will have a reciprocal access easement. Each unit has an optional configuration that allows for an accessory dwelling unit and two one-car garages instead of one two-car garage.

Architecture

The proposed architectural design for the new residences would incorporate traditional elements in building form and materiality. The residential homes would range from one to two stories in height with low pitched roofs using composition shingle materials. A variety of materials articulate the building form, including vinyl windows, wooden trim, corbels, railings, and columns, hardie board lap, shingle, and board and batten siding, adhered stone, and metal roll-up garage doors. Proposed architecture features varying entry porch designs including tapered craftsman columns stacked to a pitched canopy and columns below projecting eaves surrounding the porch area. The Project proposes approximately six building colors for separated wall planes and finish materials to convey dimension and distinction.

Access and Parking

Site access would continue to be from Old Redwood Highway via a formalized and improved 30 ft wide, 800 ft long access road terminating in a cul-de-sac and identified as Viking Way. A new stub road, identified as Longship Lane, would extend south from Viking Way toward the southern property line approximately between Lots 25 and 26 and be 30 ft wide and approximately 150 ft long. Both would be dedicated to the City and become public roads. New residential units on Lots 1 through 23, 27, 30, and 35 would be accessed directly from the new roadways. New residential units on Lots, 28 and 29, and 31, 32, 33, and 34 would be accessed via shared driveways. New residential units on Lots 24 through 26 would be accessed directly from the new stub road.

The proposed access road and stub road would provide access to garages via driveways and access easements from the new roadways. Each proposed residence would have sufficient driveway length and width of 20 feet and 10 feet respectively to provide an additional parking space outside of each

two-car garage. Lots with a shared driveway have a width of 20 feet, as required. Pedestrian access would be accommodated by providing sidewalks on both sides of the Viking Way, around the cul-de-sac and stub road, as well as along the Project site frontage to Old Redwood Highway.

Emergency vehicle access (EVA) will be provided from Old Redwood Highway via the 30-foot-wide access road, with adequate turnaround available from the cul-de-sac and stub road.

Landscaping, Lighting, and Fencing

The Landscape Site Plan proposes a mix of trees, shrubs, groundcover, and grasses. Trees and other landscaping are proposed throughout the Project site, including front yards, landscape planters along roadways and frontage to Old Redwood Highway, as well as within private rear yards. All landscaping will be required to complete an irrigation audit, irrigation schedule, and maintenance schedule as required by the City of Cotati Municipal Code Chapter 17.34.)

New side yard and rear yard fencing would be provided throughout the subdivision to enclose rear yard areas from neighboring properties with six-foot-tall wooden construction. Fencing location is proposed to vary based on each lot configuration, with rear yards generally terminating near the midpoint of side yards with a gate on one side of each residence.

Proposed lighting includes one streetlight at the southern portion of the Old Redwood Highway frontage and streetlights at regular intervals of about 120 ft along Viking Way. Lighting will be required to comply with all City of Cotati standards for outdoor lighting through the discretionary Design Review process, including regulations outlined in Chapter 17.30.060 of the Cotati Municipal Code.

Water Supply

Potable water would be accommodated via a connection to the existing water line within Old Redwood Highway and the installation of new 8-inch water line within the proposed access road and stub road that would connect to laterals serving each lot.

Wastewater

Wastewater would be accommodated via the installation of new 8-inch sanitary sewer lines within the proposed access road and stub road that would connect to laterals serving each lot. Wastewater would be discharged to the new proposed onsite sanitary sewer line and convey flows to the existing 8-inch sanitary sewer line within the right of way along Old Redwood Highway at the Project site frontage. The new sanitary sewer lines would collect wastewater generated onsite and convey flows through the existing sanitary sewer system to the wastewater processing plant for treatment.

Solid Waste

Solid waste services are provided by Recology Sonoma Marin for single-family homes on a weekly basis. Garbage service offered by Recology is mandatory for all residents within the City of Cotati, and rates include curbside recycling and compost service. Residents may voluntarily choose garbage cart sizes, ranging from 20 to 96-gallon sizes.

Storm Drainage Infrastructure

Downspouts from roof gutters located at the proposed home frontage lots will be collected at front area drains, directed under the sidewalk and discharged into the gutter or direct to a bio-retention; the downspouts located at the back at the proposed homes will be discharged onto splash blocks,

and runoff will be collected at grade breaks to the bio-retention and private drain inlets which overflow to storm drain system. Flow from the street will be collected at the gutter and discharged through the curb cuts to bio-retention facilities. The uphill drainage coming from the southwest would be collected by the swales and storm drain system as a bypass drainage. The sheet flow from Old Redwood Highway would be collected at curb and gutter and discharged to bioretention facilities.

The Project will incorporate a robust landscape plan including interceptor trees from the approved LID list that will be planted along the driveway at every lot and street planter areas. Additionally, the Project will implement roadside bioretention with curb openings at Viking Way, Longship Lane & Old Redwood Highway to mitigate pollutants and provide volume capture for the 85th percentile 24-hour storm. Volume capture is accomplished by incorporating an area for storm water storage.³

Overflow discharges would be conveyed through a proposed 18-inch storm drain to connect with the existing 24-inch storm drain network within the right of way along Old Redwood Highway adjacent to the Project frontage.

Site Preparation and Construction

For the purpose of this analysis, it is assumed that site preparation and construction would occur over a three-year period. Site preparation would initiate with the removal of vegetation and trees and demolition of existing structures onsite. All trees would be removed to accommodate construction of the Project, and seven trees would require removal due to poor condition or poor species characteristics. Existing fencing, residences, accessory structures, and associated improvements would be demolished and removed.

The top of the site ranges from 175 to 189 feet in elevation at the western boundary of the property sloping down to approximately 122 feet above sea level at the eastern boundary along Old Redwood Highway. The Project includes grading of the site to achieve level building pads on each lot and to accommodate infrastructure with gravity flows and uses a series of retaining walls to create relatively flat areas for the residential structures. As demonstrated on Sheets 8 and 9 of the Tentative Map, each development envelope will have a protective rear and protective front slope.

The steepest portion of the site is located at the southwest corner of Parcel 18. The top of slope at the boundary line will be graded from an elevation of 180 feet to 165 feet with three-tiered landscape walls installed at a horizontal distance of approximately 15 feet. This terracing will be constructed adjacent to the western property line along parcels 14-18. Lots 4-15, and lots 18, 20, 21, 22, and lots 25 – 30, and lots 32-34 will have deep foundation retaining walls. Most sites will have a landscape wall and fence as well.

Site grading would involve approximately 36,500 cubic yards of cut and 6,000 cubic yards of fill. Cut soils will be reused onsite as fill resulting in approximately 30,500 net cubic yards of export. Excess material will be off-hauled to an approved location or placed onsite under the direction of the Project soils engineer. Following completion of grading activities, infrastructure improvements and building foundations would be constructed. Foundations are proposed to be post-tensioned slab floor and foundation systems. Utilities, storm drains and catch basins would be installed and residential homes constructed. New driveways, sidewalks, curbs and gutters, striping, landscaping, and signage would be installed.

³ TDG Engineers. Stormwater Mitigation Plan. August 28, 2023.

Construction equipment expected to be utilized during site preparation and grading includes tractors, backhoes, haul trucks, graders, pavers, and water trucks. All material and equipment would be staged on-site or, through issuance of an encroachment permit, at abutting rights-of-way.

Offsite Improvements

Proposed offsite improvements include the following:

- Sidewalks and ADA dome pads at the site frontage to Old Redwood Highway
- Landscape planting strips and trees at the frontage to Old Redwood Highway
- New curb and cut to accommodate proposed driveway off of Old Redwood Highway
- Ungrounding of overhead utilities at Project site frontage
- Replacement of existing 24-inch diameter CMP with 24-inch diameter storm drain across Old Redwood Highway
- Installation of new public storm drain infrastructure (15-inch diameter) along the site frontage to Old Redwood Highway
- Restriping of Old Redwood Highway along the site frontage to accommodate a two-way center turn lane

Required Discretionary Actions

The applicant is requesting approval of a Design Review application, a Vesting Tentative Parcel Map application, Tree Removal Permit, and Hillside Development application to construct a 35-lot subdivision, which consists of single family detached residential units and ancillary improvements. The Project applicant has applied to the City of Cotati for the following entitlements:

- Design Review
- Tentative Map
- Hillside Development Application
- Tree Removal Permit – A tree removal permit is required for the remaining trees on site which will be removed.

Other Public Agency Review

The Project may require the following approvals from agencies other than the City:

- U.S. Army Corps of Engineers (Clean Water Act, Section 404 permit)
- North Coast Regional Water Quality Control Board (Water quality certification, Section 401 of the Clean Water Act)
- U.S. Fish and Wildlife Service (Endangered Species Act Permit)
- California Department of Fish and Wildlife Service (California Endangered Species Act permit)

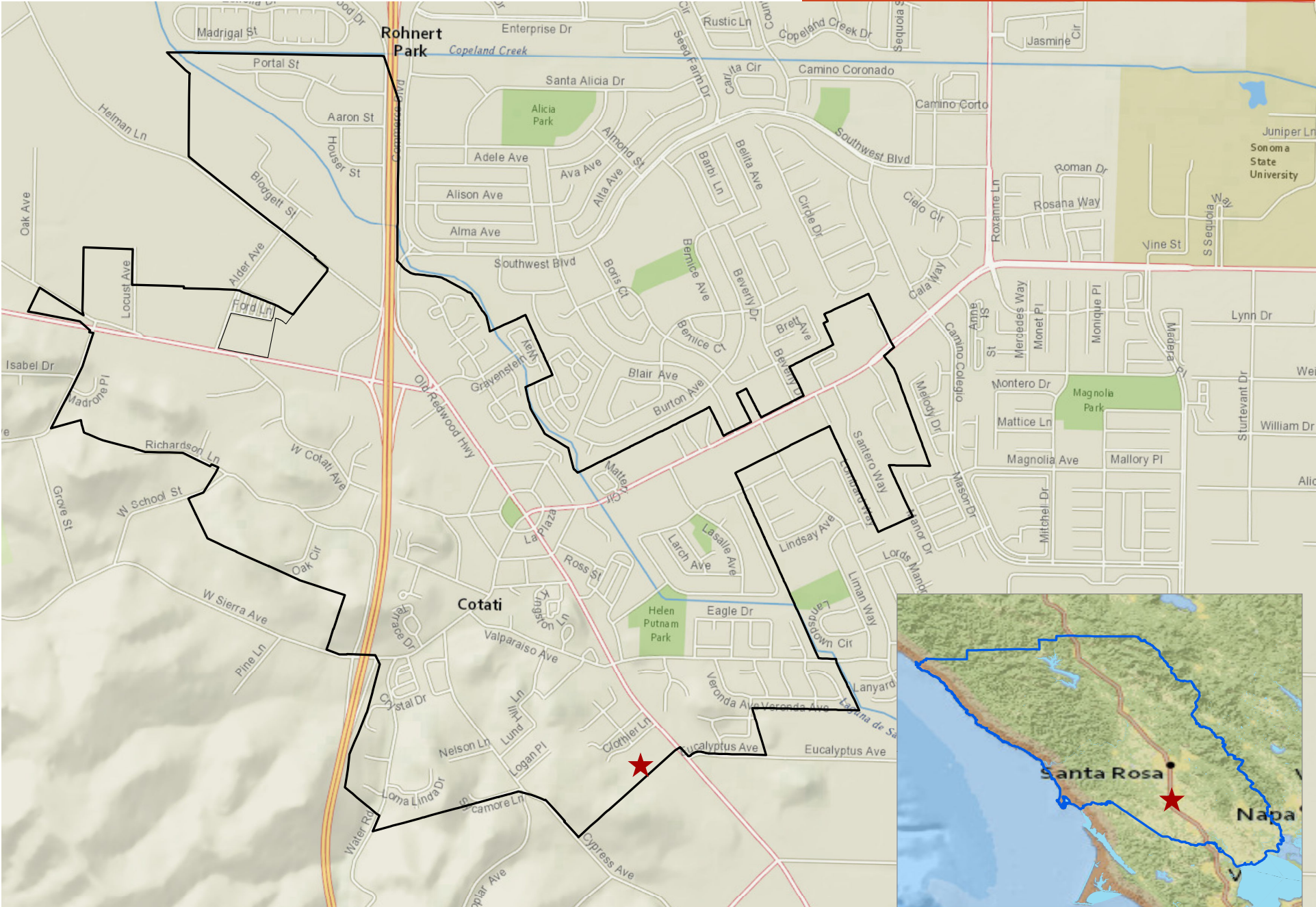
California Native American Tribal Consultation

In accordance with Public Resources Code (PRC) Section 21084.2, lead agencies are required to consider Tribal Cultural Resources (TCR) including a site feature, place, cultural landscape, sacred place or object, of cultural value to the tribe and is listed on the California Register of Historic Resources (CRHR) or a local register, or the Lead agency, at its discretion, chooses to treat resources as such. In accordance with PRC Section 21080.3.1(b)(1), the Federated Indians of Graton Rancheria (FIGR), in a letter dated July 2015, stated that its tribe was traditionally and culturally affiliated with a

geographic area within the City of Cotati's geographic area of jurisdiction, and requested formal notice of and information on projects for which the City of Cotati serves as a lead agency under CEQA.

In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to the FIGR on August 16, 2022, which included a brief description of the Project and its location, the City of Cotati's contact information, and a notification that FIGR has 30 days to request consultation pursuant to this section.

The City of Cotati received a response from FIGR requesting consultation under PRC Section 21080.3.1(b)(2) on August 26, 2022. The City of Cotati entered into consultation with FIGR and provided requested information, including a letter dated September 1, 2022, providing a summary of the Project, potential effects, recommended mitigations, a Soil Investigation Report prepared by Reese and Associates October 21, 2014, a Soil Investigation Update prepared by Reese and Associates February 4, 2022, and a Cultural Resources Evaluation prepared by Archaeological Resource Service July 16, 2016. No response was received, and a follow up communication was sent by the City on November 15, 2022. No response was received, and a follow up communication was sent by the City on September 20, 2023. No response was received.



PINK VIKING ESTATES REGIONAL LOCATION



Data source: City of Cotati GIS, County of Sonoma GIS

- ★ PROJECT SITE
- CITY OF COTATI
- SONOMA COUNTY



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PINK VIKING ESTATES: PROJECT VICINTY

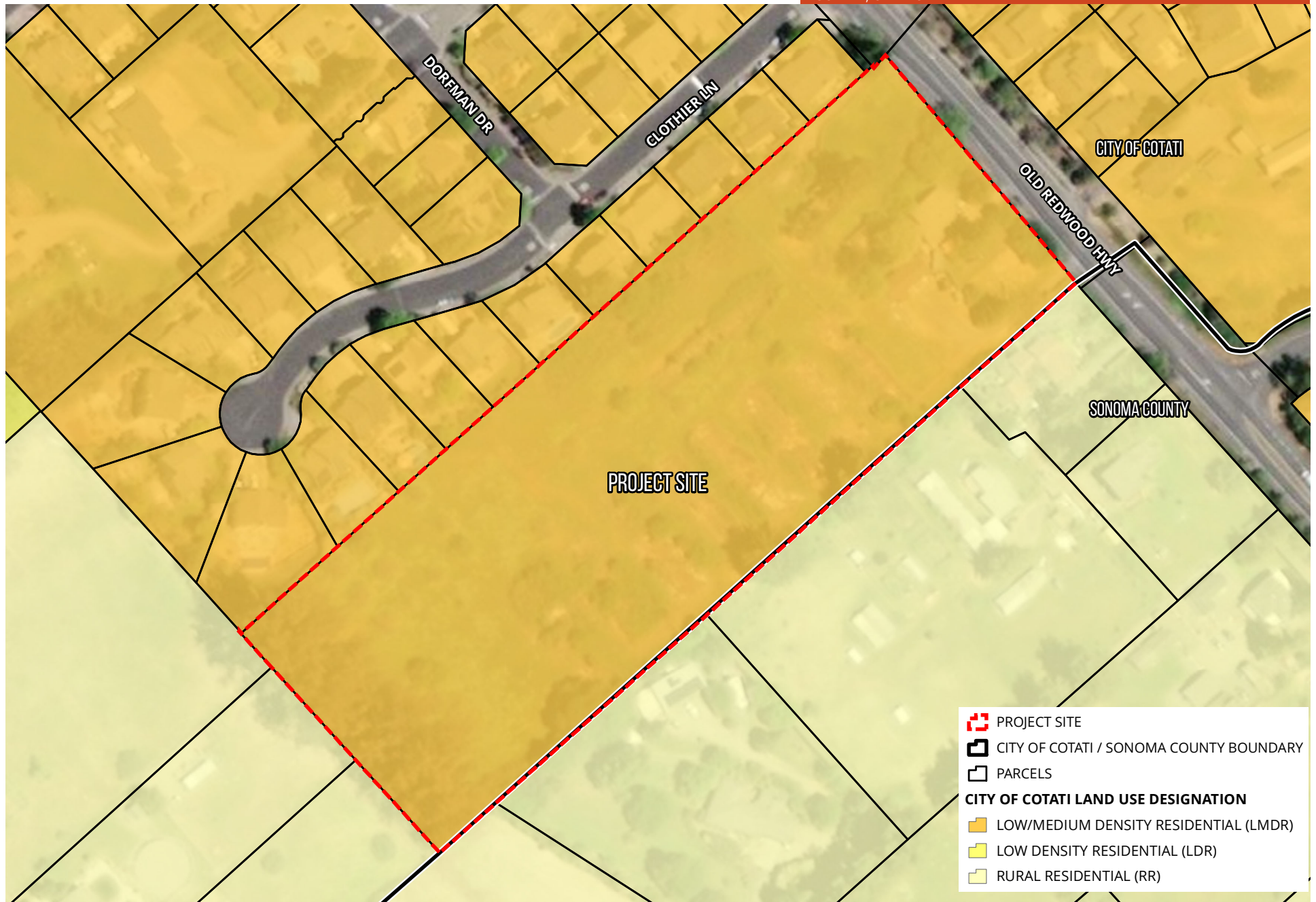
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Data source: City of Cotati GIS, County of Sonoma GIS

 PROJECT SITE
 CITY OF COTATI



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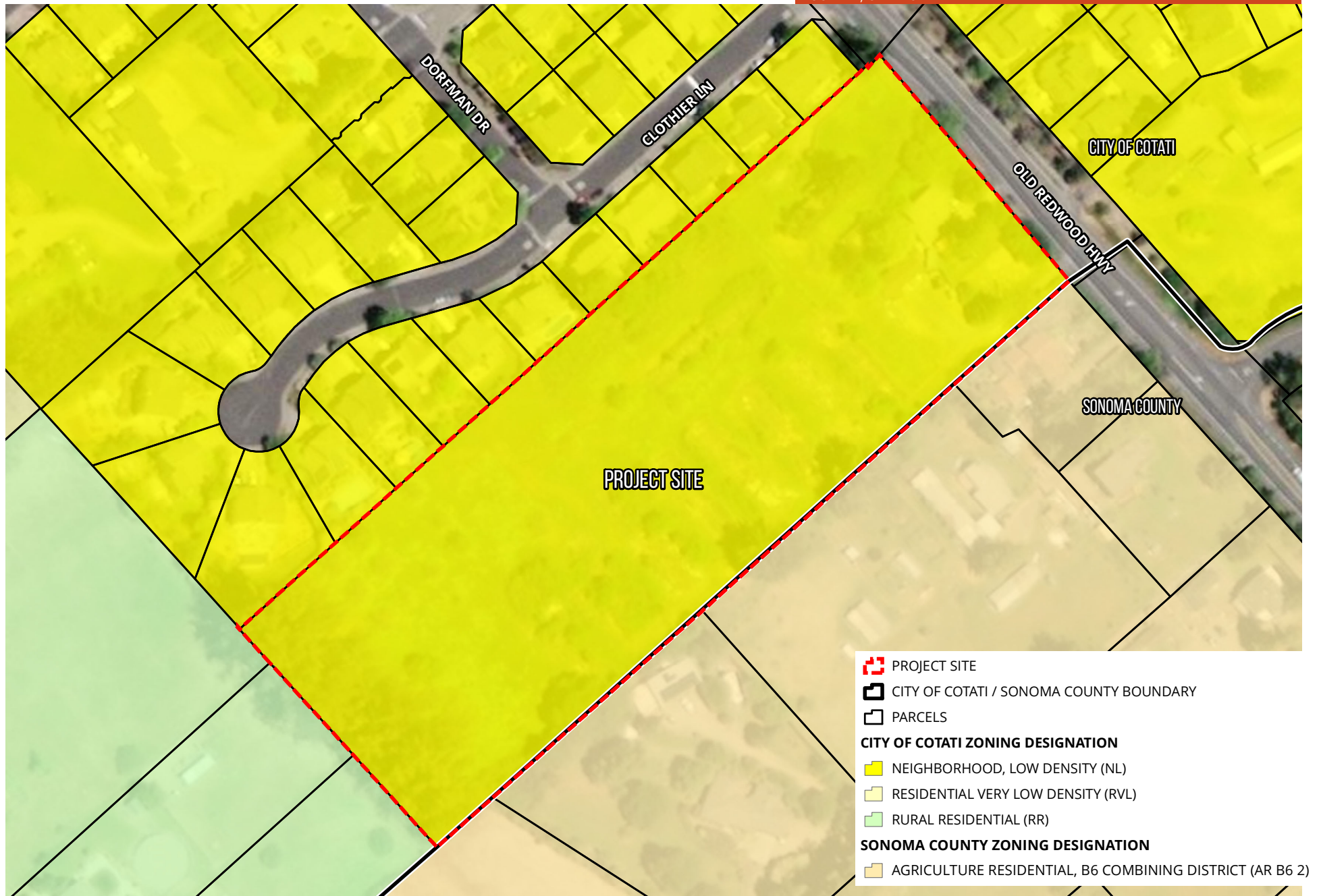


PINK VIKING ESTATES: GENERAL PLAN LAND USE

0 0.0125 0.025 0.05 Miles

Data source: City of Cotati GIS, County of Sonoma GIS

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PINK VIKING ESTATES: ZONING

0 0.0125 0.025 0.05 Miles

Data source: City of Cotati GIS, County of Sonoma GIS

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PINK VIKING ESTATES: SITE PLAN

0 0.0125 0.025 0.05 Miles

 PROJECT SITE

 CITY OF COTATI / SONOMA COUNTY BOUNDARY



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Figure 6: Site Plan



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3. RELEVANT CITY PLANNING DOCUMENTS

3.1. CITY OF COTATI GENERAL PLAN

The 2013 City of Cotati General Plan was adopted in 2015 and identifies the City's vision for the future and provides a framework that will guide decisions on growth, development, and conservation of open space and resources in a manner consistent with the quality of life desired by the City's residents and businesses. To ensure that this desired vision is realized, the General Plan has been designed to be internally consistent and cross-referenced with other documents, including the City's Land Use Code. The Cotati General Plan was adopted by City Council on March 24, 2015, by Resolution Number 2015-12.

The Cotati General Plan is intended for a broad range of applications, including:

- Informing discretionary activities carried out by City Council and Planning Commission;
- Program and project development and implementation carried out by City staff;
- Preparation of project proposals by the development community; and
- Facilitation of public understanding of future development in Cotati and the City's vision, goals, and priorities.

A copy of the City of Cotati's General Plan is available at the Community Development Department, 201 West Sierra Avenue, Cotati, California 94931, during normal business hours and online at <https://www.cotaticity.org/>.

3.2. CITY OF COTATI'S 2013 GENERAL PLAN EIR

The City of Cotati 2013 General Plan EIR (2013 General Plan EIR) (SCH No. 2013082037) was certified on March 24, 2015, by Resolution Number 2015-11. The 2013 General Plan EIR analyzed the following environmental resource topics: aesthetics and visual resources; air quality; biological resources; cultural resources; geology and soils; greenhouse gases and climate change; hazards; hydrology and water quality; land use, agriculture, and population; noise; public services and recreation; transportation and circulation; and utilities. The EIR analyzed two buildout scenarios. One evaluated maximum projected development within the City Limits, and the other evaluated the maximum projected development that could occur within the existing City Limits and the City's Sphere of Influence.

The 2013 General Plan EIR reviewed potentially significant environmental effects resulting from plan implementation and developed measures and policies to mitigate impacts to less-than-significant levels. Nonetheless, significant and unavoidable impacts were determined to occur under the General Plan. Therefore, the City adopted a statement of overriding considerations, which balance the merits of approving the plan despite the significant environmental effects. The effects identified as significant and unavoidable in the 2013 General Plan EIR include:

Aesthetics

- Impact 3.1-1: Substantial Adverse Effects on Visual Character, including Scenic Vistas or Scenic Resources.
- Impact 4.1: Cumulative Degradation of the Existing Visual Character of the Region

Noise

- Impact 3.10-1: Traffic Noise Sources.
- Impact 3.10-7: Cumulative Noise Impacts
- Impact 4.11: Cumulative Exposure of Noise-Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise.

Traffic

- Impact 3.12-1: Acceptable traffic operation at the study intersections and roadway segments controlled by the City of Cotati, though the ability to fully fund all identified improvements is uncertain.
- Impact 3.12-2: Acceptable traffic operation on Gravenstein Highway, though the funding and timing of improvements needed to accommodate regional and local growth on the highway is uncertain.
- Impact 3.12-3: Unacceptable operation on US 101 freeway facilities.
- Impact 4.13: Cumulative Impact on the Transportation Network.

Utilities

- Impact 3.13-3: Potential to exceed wastewater treatment capacity or the requirements of the RWQCB.
- Impact 4.14: Cumulative Impact on Utilities.

Other

- Impact 4.15: Irreversible Effects (Consumption of Nonrenewable Resources, Irretrievable Commitments, Irreversible Physical Changes).

The Draft EIR for the Cotati General Plan (SCH No. 2013082037) was prepared in September 2014. The Draft EIR, together with the Response to Comments Document dated November 2014, constitute the Final EIR for the Cotati General Plan. On March 24, 2015, the City of Cotati City Council adopted Resolution 2015-11 certifying the Final EIR for the Cotati General Plan. A copy of the 2013 General Plan EIR is available at the Community Development Department, 201 West Sierra Avenue, Cotati, California 94931, during normal business hours and online at www.cotaticity.org.

3.3. CITY OF COTATI ZONING CODE

The City of Cotati Land Use Code implements the goals and policies of the Cotati General Plan by classifying and regulating the uses of land and structures within the City of Cotati. In addition, the Land Use Code is adopted to protect and promote the public health, safety, and general welfare of residents, and preserve and enhance the aesthetic quality of the city. The Land Use Code is provided within Title 17 (Land Use) of the City of Cotati Municipal Code.

The Project site is zoned Neighborhood, Low Density (NL), which permits a maximum residential density of six dwelling units per acre as provided in Chapter 17.20.030 of the City of Cotati Land Use Code. As the Project site is 7.1 acres in area, a maximum of 42.6 units is permitted under the City's density provisions at the Project site.

4. APPLICABLE CEQA PROVISIONS AND FINDINGS

The following discussion presents the relevant provisions of CEQA with which the Project complies. It provides an overview of the Community Plan Exemption. A description of how the Project complies

with each provision is also provided. Finally, this section concludes with the CEQA finding and determination that the Project is exempt from further environmental review.

4.1. GENERAL PLAN/COMMUNITY PLAN EXEMPTION (CEQA GUIDELINES SECTION 15183)

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified.

Section 15183 (a) “mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.”

Section 15183(b) of the CEQA Guidelines specifies that “in approving a project meeting the requirements of Section 15183, examination of environmental effects:

As prescribed in Section 15183(b), a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Are peculiar to the project or the parcel on which the project would be located,
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) specifies that impacts which are not peculiar to the project site which have been addressed as a significant effect in the prior EIR or can be substantially mitigated by applying uniformly applied development standards and policies shall not require preparation of an additional EIR on the basis of that impact. As such, the Project is required to implement all applicable mitigation measures set forth in the 2013 General Plan EIR to avoid, reduce, or offset environmental impacts. Section 7 of this CEQA Analysis identifies the relevant conditions of approval that will be required of the Project to demonstrate compliance with mitigation measures set forth in the program level EIR, and policies, programs and goals of the General Plan.

4.2. APPLICABILITY OF THE PROJECT TO CEQA GUIDELINES SECTION 15183

Section 15183(d) of the CEQA Guidelines states that streamlining provisions of this section apply to projects that meet the following criteria: (1) the project is consistent with (a) a community plan adopted as part of a general plan, (b) a zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or (c) a general plan of a local agency, and (2) an EIR was certified by the lead agency for the zoning action, the community plan, or the general plan. The Project is consistent with the General Plan land use

designation and zoning for the site, and meets the streamlining provisions under CEQA Guidelines Section 15183(d)(1) as follows:

The Project site is consistent with the General Plan land use designation of Low-Medium Density Residential (LMDR) and zoning district of Neighborhood, Low Density (NL) for the site, as outlined below, and meets the statutory exemption criteria under CEQA Guidelines Section 15183(d)(1)(C).

4.3. CEQA DETERMINATION AND SUMMARY OF FINDINGS

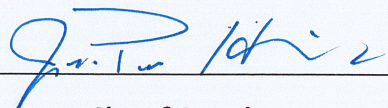
As summarized above and presented herein, the Project is eligible for the following CEQA provisions:

Community Plan Exemption. Development of the project site has been planned for and analyzed in the Environmental Impact Reports (EIRs) certified for the City of Cotati General Plan. As such, the analysis in the General Plan program-level EIR is applicable to the project and provides the basis for use of the Community Plan Exemption (California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183).

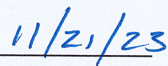
The Project will implement applicable mitigation measures identified in the 2013 General Plan EIR (SCH Number 2013082037), as detailed in Section 7 below. With implementation of relevant mitigation measures imposed as conditions of approval, the project would not result in a substantial increase in the severity or significant impacts that were previously identified in the program level EIR, nor would the project introduce any new significant impacts that were not previously identified. Therefore, there would be no additional environmental impacts beyond those disclosed and analyzed in the 2013 General Plan EIR.

The Pink Viking Project applicant(s) has reviewed all conditions of approval and as signed below is committed to implementing all conditions of approval as part of the Project. The finding above provides a basis for CEQA compliance. We do hereby certify that the above determination has been made pursuant to State and Local requirements.

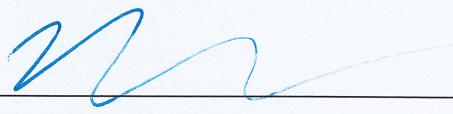
The City of Cotati finds that although the Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR (2013 General Plan EIR) pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions to the Project or mitigation measures that are imposed upon the Project, as environmental conditions of approval, nothing further is required.



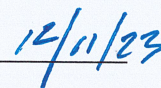
Signature: City of Cotati



Date



Signature: Project Applicant



Date

5. EVALUATION OF ENVIRONMENTAL EFFECTS

This section examines the Project's potential environmental effects within the parameters outlined in CEQA Guidelines Section 15183(b). The "Prior EIR" (as defined in CEQA Guidelines Section 15183(b)(3), is the 2013 General Plan EIR, inclusive of all impact determinations, significance thresholds and mitigation measures identified therein.

This evaluation builds from the Appendix G Environmental Checklist and has been modified to reflect the parameters outlined in CEQA Guidelines Section 15183(b). The checkboxes in the evaluation below indicate whether the Project would result in environmental impacts, as follows:

- **New Significant Impact** – The Project would result in a new significant impact that was not previously identified in the General Plan EIR.
- **Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR** – The Project's specific impact would be substantially greater than the specific impact described in the General Plan EIR.
- **Substantial Change Relative to GP EIR** – The Project would involve a substantial change from analysis conducted in the General Plan EIR.
- **Equal or Less Severity of Impact than Previously Identified in GP EIR** – The severity of the specific impact of the Project would be the same as or less than the severity of the specific impact described in the General Plan EIR.

Where the severity of the impacts of the Project would be the same as or less than the severity of the impacts described in the 2013 General Plan EIR, the checkbox for "Equal or Less Severity of Impact Previously Identified in GP EIR" is checked. Where the checkbox for "Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR" or "New Significant Impact" is checked, there are significant impacts that are:

- Peculiar to the Project or Project site (CEQA Guidelines Section 15183(b)(3));
- Not analyzed as significant impacts in the previous EIRs, including off-site and cumulative impacts (CEQA Guidelines Section 15183(b)(2));
- Due to substantial changes in the Project (CEQA Guidelines Section 15162(a)(1));
- Due to substantial changes in circumstances under which the Project will be undertaken (CEQA Guidelines Section 15162(a)(2)); or
- Due to substantial new information not known at the time the EIRs were certified (CEQA Guidelines Sections 15162(a)(3) and 15183(b)(4)).

Following the Checklist, a summary of the potential environmental impacts relevant to the Project that may result from the General Plan, as evaluated in the 2013 General Plan EIR, are described. Next, the potential Project-specific environmental effects of the Project, including the Project's consistency with the 2013 General Plan EIR, are discussed. Last, applicable 2013 General Plan EIR mitigation measures, as well as General Plan Objectives, Policies and Programs, are identified.

As described herein, the Project will be required to comply with all applicable mitigation measures and policies identified in the 2013 General Plan EIR.

This evaluation hereby incorporates by reference the 2013 General Plan EIR discussion and analysis of all environmental topics. The 2013 General Plan EIR significance thresholds have been consolidated and abbreviated in this Checklist; a complete list of the significance thresholds can be found in the 2013 General Plan EIR.

The 2013 General Plan EIR is a program level document that consider the combined effects of implementing several related projects. As such, the analyses presented in the 2013 General Plan EIR represent a cumulative analysis of environmental impacts that may occur from buildout of the General Plan.

5.1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality)?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; 8841 Old Redwood Highway Project Plans, prepared by Hunt Hale Jones Architects, July 28, 2023, TDG Consulting Civil Engineers, Inc. August 28, 2023, and Parker Smith Landscape Architecture, November 29, 2022; Tentative Map Slope Analysis, prepared by TDG Engineers, December 13, 2022; 5.California Scenic Highway Mapping System, Scenic Highway System Lists, 2019. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, accessed August 2022; and City of Cotati Municipal Code.

2013 General Plan EIR Findings

The 2013 General Plan EIR identifies visual and scenic resources throughout the City including scenic highways and corridors, natural scenic resources such as rivers, wildlife area, and prominent visual features in the Cotati Planning Area.

The 2013 General Plan EIR concludes that, with implementation of General Plan policies, impacts to the visual character, visual quality and views to the Sonoma Mountains, and resources along the City's scenic roadways would be significant and unavoidable. The following impacts to aesthetics were considered under the 2013 General Plan EIR:

- Impact 3.1-1: General Plan Implementation could result in Substantial Adverse Effects on Visual Character, including Scenic Vistas or Scenic Resources. General Plan Policies LU 1.4, LU 1.6, LU 1.8, LU 2.1, LU 2.2, LU 3.2, OS 1.1 - OS 1.15, CON 1.15 - CON 1.20 and Actions LU 1c, LU 1d, LU 2b, LU 2c, OS 1a – OS 1g, and CON 1l were identified as mitigating policies. However, despite these measures, implementation of the General Plan would have a significant and unavoidable.
- Impact 3.1-2: General Plan Implementation could result in the Creation of New Sources of Nighttime Lighting and Daytime Glare. Through the implementation of mitigating General Plan Policy OS 1.13 and Action OS 1f, implementation of the General Plan would have a less than significant impact.
- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for Aesthetics and Visual Resources (Impact 3.1-1). The City findings determined that despite the significant and unavoidable impact to aesthetic resources, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

The 2013 General Plan EIR identifies significant visual resources in the Planning Area including views of the Sonoma Mountains, expansive views of agricultural lands, wildlife habitat areas, the Laguna de Santa Rosa, and various creek corridors. These resources can be viewed from public vantage points, including highways, open roads, open space areas, and private residences throughout the Planning Area. The EIR identified Policies LU 1.4, LU 1.6, LU 1.8 which address visual resources associated with the location of new development, preservation of rural areas, and the urban growth boundary. General Plan policies LU 2.1, LU 2.2, and LU 3.2 address site design, OS 1.1 -OS 1.20 address preservation of open space, scenic views, and rural lands and CON1.15-1.19 address preservation of ridgelines, hillsides, and slopes.

The 2013 General Plan Final EIR (FEIR) determined that the implementation of the General Plan could result in substantial adverse effects on visual character, including impacts to scenic vistas or scenic resources and no feasible mitigation measures were available. The findings of the FEIR determined that there were mitigating policies included in the 2013 General Plan that would lessen the impacts, but that they would not reduce the impacts to less than significant. The City adopted a Statement of Overriding Considerations Finding that the benefits of the General Plan outweigh the significant and unavoidable impacts to aesthetic resources.

Project Consistency with the 2013 General Plan EIR

The Project will subdivide a 7.1 acre parcel into 35 lots with thirty-five one and two story houses. The Project site is located within City limits and the General Plan land use designation is Low/Medium Density Residential, which permits a maximum land use density of 6 dwelling units per acre and is within the Urban Growth Boundary. The Project proposes 4.9 units per acre.

5.1(a) (Scenic Vista)– No Change Relative to the General Plan EIR

The Project's location is such that it would not substantially alter scenic vistas, which the General Plan identifies as views of the Sonoma Mountains or Laguna de Santa Rosa because neither are readily visible from the Project site. Furthermore, the Project would introduce a residential development on

a site intended for residential use and is substantially surrounded by existing residential properties. Additionally, the tops of the new houses introduced by the Project will be below the ridgeline. Therefore, the Project would not substantially alter the visual character or visual quality of the site and will not result in a substantial new or more severe impact to aesthetic resources relative to what was identified in the 2013 General Plan EIR.

5.2(b) (Scenic Highways) – No Change Relative to the General Plan EIR

The Project is not located on or near an officially designated state scenic highway or on a highway eligible for designation by the California Department of Transportation Scenic Highways Program within the City.⁴ Accordingly, the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

5.3(c) (Visual Character) – No Change Relative to the General Plan EIR

The Project is not in a location that would impact scenic vistas or scenic resources. It has been reviewed and conditioned to ensure consistency with to Chapter 17.25 Zoning District Development Standards, Chapter 17.30 Standards for All Development, Section 17.42.120 Specific Land Use Standards for Multifamily and small lot single-family projects, Chapter 17.53 Hillside Ordinance, Chapter 17.54 Tree Ordinance, Section 17.62.040 Design Review, and the City of Cotati Residential Design Criteria. The Project complies with these requirements and is consistent with the City's plan to accommodate residential development in areas that would not substantially alter the visual character of the City. Therefore, the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

5.4(d) (Lighting and Glare) – No Change Relative to the General Plan EIR

The Project is located on an underutilized site which is surrounded by low density residential and rural uses, roadways, and various sources of existing lighting including streetlights, buildings, and headlights from vehicles. The Project will not substantially increase light levels relative to existing conditions. The Project proposes outdoor lighting, consisting of lighting for the access drive, exterior building lighting, and accent lighting, which is proposed in compliance with the City's uniformly applied standards by being shielded downward and no taller than fourteen feet in height. Furthermore, final lighting detail and design is required and shall be reviewed for compliance with Cotati Municipal Code Chapter 17.30.060 prior to issuance of the building permit. As lighting associated with new development was anticipated by the 2013 General Plan EIR and the Project site is located in an area designated to accommodate residential development and with existing adjacent sources of lighting, the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy OS 1.14: Ensure that the site layout and design of development adjacent to scenic roads is consistent with the natural character of such roads.

⁴ California Department of Transportation. *California Scenic Highway Mapping System*. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed June 14, 2023.

Status: The Project is not located adjacent to a designated scenic road nor highway. Nonetheless, the site frontage will have landscaping along the public right of way of Old Redwood Highway that will screen the development from the road. In order to ensure that the Project is consistent with this policy **COA AES-2** requires that a final landscaping plan be submitted and approved prior to issuance of the building permit. As conditioned, the Project is consistent with this policy.

Policy CON 1.15: Protect Cotati's ridgelines (hill tops and hillsides with slopes of 15% or greater) from erosion, slope failure, and development. (See Figure CON---1 in the General Plan).

Policy CON 1.16: Preserve the topography of Cotati's hills by prohibiting unnecessary leveling/grading activities prior to site---building on hillsides where development is permitted.

Status: The Project site does not have a slope of more than 15% and does not overlap with ridgelines or hilltops. The average slope of the site is approximately 7%. The site slopes upward from an area that is relatively flat to a maximum grade of 14.45%. As proposed, the site's topography will be preserved by the construction of retaining walls that will terrace the slope while maintaining the overall site gradient in compliance with the City's Municipal Code Chapter 17.53 Hillside Ordinance. As proposed, the Project is consistent with policies CON 1.15 and CON 1.16.

Policy CON 1.20: Require structures within new developments to step with the slope of the site. Absorb site topography through the use of split-level designs.

Status: The Project incorporates the stepped building pads and retaining walls to step with the slope. The homes constructed on lots 14 through 18 would have the highest elevations on the site. The plans provided show that these dwellings would not exceed 192 feet. The top of the hill is just above 200 feet in elevation and would step with the slope. As such, it complies with this policy.

Action OS 1f: Review all development proposals, planning projects, and infrastructure projects to ensure that open space and scenic resource impacts are reduced by maximizing design features that preserve a sense of open space and by minimizing off-site and night sky impacts of outdoor lighting consistent, with the requirements of the Land Use Code.

Status: As proposed, the Project complies with the Outdoor Lighting Standards in the City's Zoning Code Section 17.30.060. However, to ensure compliance with Action OS 1f, **Condition of Approval (COA) AES 1** requires a final lighting plan be submitted prior to issuance of a building permit. As conditioned, the Project is consistent with this policy.

Action CON 1I: Require assessment of public views and ridgelines as part of the project review process to assure that projects protect natural resources through proper site planning, building design, and landscaping.

Status: The Project includes a Tentative Map Slope Analysis prepared by TDG Engineers on December 13, 2022, which demonstrates areas of the Project site with slopes greater than 10%. Sheet 10 of the Tentative Map shows the cross section of the site which demonstrates the overall grade existing and planned with the height of the proposed structures. The cross section shows that the proposed structures will not exceed the height of the ridge. Because the structures will be below the ridgeline, they will not be readily visible from public vantage points. As such, the Project complies with the requirements of the Hillside Ordinance and as such is consistent with this policy.

Conclusion and Environmental Condition of Approval

The Project is within the scope of development projected under the General Plan and analyzed in the 2013 General Plan EIR and as conditioned, will not result in any substantial new or more severe impacts to aesthetics relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval is required to implement the 2013 General Plan EIR mitigating policies and actions:

- COA AES-1:** The applicant shall submit a final lighting plan in compliance with Municipal Code Section 17.30.060 for review and approval by the Community Development Director prior to issuance of a building permit.
- COA AES-2:** The applicant shall submit a final landscaping plan for review and approval by the Community Development Director prior to issuance of a building permit.

5.2. AGRICULTURAL AND FORESTRY RESOURCES

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
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?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; California Department of Conservation Farmland Mapping and Monitoring Program, 2016; Sonoma County Permit Sonoma GIS, Williamson Act Contracts, 2017; and USGS Land Cover Classification System.

2013 General Plan EIR Findings

The 2013 General Plan EIR determined that approximately 36.42 acres of Farmland of Local Importance within the City limits may be converted to urbanized land uses upon full buildout of

the General Plan. The 36.42 acres of Farmland of Local Importance are not under Williamson Act Contract and represent less than nine percent of the total acreage of Important Farmlands within the Cotati Planning Area. Approximately 63.46 acres of land cover within the City of Cotati are used for agricultural purposes. The 2013 General Plan EIR concluded that with implementation of the policies and action items in the General Plan, impacts to agricultural and forestry resources would be less than significant. The following impacts to agriculture and forestry resources were considered under the 2013 General Plan EIR:

- Impact 3.9-3: Implementation of the General Plan would not result in the conversion of farmland, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. While implementation of the 2013 General Plan would result in the future urbanization of a small amount of Farmland of Local Importance, over 90 percent of the Important Farmlands within the Planning Area would be preserved and protected for ongoing viable agricultural use upon buildout of the General Plan. As such, this impact is considered less than significant.
- Impact 3.9-4: Implementation of the General Plan would not conflict with existing farmlands, agricultural zoning, or Williamson Act Contracts and would have a less than significant impact.
- The 2013 General Plan EIR determined that there are no lands within or adjacent to the city that are currently zoned as forest land, timber, or timber production. Therefore, implementation of the General Plan would have no impact on forest land, timber, or timber production.
- There is no agriculturally zoned land within City limits, and the 36.42 acres of Farmland of Local Importance may be converted to urbanized land uses, which are not under any Williamson Act Contract and represent less than nine percent of the total acreage of Important Farmlands evaluated within the Planning Area.

Project Consistency with the 2013 General Plan EIR

5.2 (a-e) (Farmland, Agricultural Land, Forest Land) – No Change Relative to the General Plan EIR

There are no farmland, agricultural lands, or forest lands onsite. The Project site was previously used for agricultural purposes containing orchard trees and chicken coops at the rear of the property. Currently, the site contains ruderal grassland, orchard trees, two residential structures near the site frontage to Old Redwood Highway, and gravel driveways. The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to FMMP⁵ nor is it designated as forestland pursuant to Section 12220(g) of the Public Resources Code. In addition, the site is not zoned for agricultural use or designated as a Williamson Act contract.⁶ As such, impacts of the Project to agricultural resources will be equal or less severe than impacts identified in the 2013 General Plan EIR. Furthermore, there are no impacts that are peculiar to the Project site and there

⁵ California Department of Conservation. California Important Farmland Finder website. <https://maps.conservation.ca.gov/dlrp/ciff/> June 12, 2023.

⁶ GreenInfo Network. Bay Area Greenprint. <https://www.bayareagreenprint.org/report/#ReportOutputBottom-Overview> Accessed June 14, 2023.

have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the General Plan 2035 EIR.

Conclusion

The Project is within the scope of development projected under the General Plan and will not result in any substantial new or more severe impacts to agricultural and forestry resources relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

5.3. AIR QUALITY

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
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 in 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?	☐	☐	☒	☐

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; BAAQMD 2017 Bay Area Clean Air Plan, prepared by the Bay Area Air Quality Management District, April 2017; Air Quality Impact Analysis and Health Risk Assessment prepared by Integral Consulting, Inc. September 8, 2023, and BAAQMD 2022 CEQA Guidelines, April, 2023.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts to air quality and determined that with implementation of General Plan Policies and Actions that mitigate potential impacts, impacts to air quality would be less than significant. The following impacts to air quality were considered under the 2013 General Plan EIR:

- Impact 3.2-1: Implementation of the General Plan would not conflict with or obstruct implementation of the applicable air quality plan. Through the implementation of mitigating General Plan Policies CON 2.1 - CON 2.12, CON 3.1- CON 3.20, LU 1.4, LU 1.5, LU 2.3, LU 2.5, LU 2.9, LU 2.10, LU 3.2, LU 3.8, CI 1.2, CI 1.6, CI 1.9, CI 1.17 - CI 1.21, CI 2.17 – CI 2.19 and mitigating Actions CON 2a – CON 2g, CON 3a – CON 3r, implementation of the General Plan would have a less than significant impact.
- Impact 3.2-2: Implementation of the General Plan would not cause health risks associated with toxic air contaminants. Through the implementation of mitigating General Plan Policies CON 2.1- CON 2.3, CON 2.5 and mitigating Actions CON 2a – CON 2d, implementation of the General Plan would have a less than significant impact.

- Impact 3.2-3: Implementation of the General Plan would not create objectionable odors and would have a less than significant impact.
- Impact 3.2-4: Implementation of the General Plan would not conflict with Regional Plans and would have a less than significant impact.

Bay Area Air Quality Management District

The City of Cotati is located within the San Francisco Bay Area air basin and regulated by the Bay Area Air Quality Management District (BAAQMD), the agency responsible for planning, implementing, and enforcing air quality standards within the Bay Area Air Basin, including within the City of Cotati. The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone standards, 0.09 parts per million (ppm) and 0.07 ppm, respectively. The Bay Area Air Basin is also in non-attainment for PM₁₀ and PM_{2.5} state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m³ for PM₁₀ and less than 12 µg/m³ for PM_{2.5}. In addition, the Basin is designated as non-attainment for the national 24-hour fine particulate matter (PM_{2.5}). All other national ambient air quality standards within the Bay Area Air Basin are in attainment.

The air quality analyses in the 2013 General Plan EIR relied on prior BAAQMD screening criteria and clean air plans. Since preparation of the 2013 General Plan EIR, the BAAQMD has adopted the 2017 Bay Area Clean Air Plan (CAP). On April 20, 2022, BAAQMD adopted new CEQA thresholds for determining the level of significance for a development project along with new screening criteria.

Local Regulation

The 2013 General Plan EIR determined that implementation of the General Plan would result in less than significant impacts with the following mitigating policies: Policies CON 2.1- CON 2.12, CON 3.1- CON 3.20, LU 1.4, LU 1.5, LU 2.3, LU 2.5, LU 2.9, LU 2.10, LU 3.2, LU 3.8, CI1.2, CI 1.6, CI 1.9, CI 1.17- 1.20, CI 1.21, and CI 2.17- 2.19 and Actions CON 2a-2d and 3a-3r.

The 2013 General Plan EIR determined that the implementation of the General Plan would be consistent with the Regional Transportation Plan and would not impede efforts to reduce air quality emissions at the regional level.

Project Consistency with the 2013 General Plan

The Project site is located in San Francisco Bay Area Air Basin (SF Air Basin). The air quality of the SF Air Basin is a product of sources of air pollution within the basin, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, and the surrounding topography. The local air quality regulatory agency responsible for the SF Air Basin is the Bay Area Air Quality Management District (BAAQMD).

Within the SF Air Basin, the Project site is located in the Cotati Valley Region. Wind patterns in the Cotati Valley are strongly influenced by the Petaluma Gap, with winds flowing predominantly from the west (BAAQMD 2017a). Cotati Valley has a potential for reduced air quality due to a larger population, industrial facilities in and around Santa Rosa, and increased motor vehicle traffic and the associated air contaminants.

5.3(a) (Conflict with Plan) – No Substantial Change Relative to the General Plan EIR

An Air Quality Analysis and Health Risk Assessment was prepared by Integral Consulting Inc. on October 4, 2023 (**Appendix A**). The report analyzed the air quality impacts of the Project from the

construction and operation of the 35 dwelling units using the 2022 BAAQMD Thresholds and screening criteria, as shown in Table 5.3.1. According to the report, the Project is expected to be constructed over a three-year period from 2024 through 2026. The activities that would result in construction related emissions include demolition, site preparation and grading, paving, and building construction. In order to not conflict with the applicable plans (see above) the Project would have to be below the thresholds of significance as determined and implement best management practices (BMPs).

Table 5.3.1 Criteria Air Pollutant Thresholds of Significance

Criteria Air Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Annual Average Emissions (tons/year)
ROG	54	54	10
NOx	54	54	10
PM ₁₀	82 (Exhaust)	82	15
PM _{2.5}	54 (Exhaust)	54	10
CO	Not Applicable	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)	
Fugitive Dust (PM ₁₀ /PM _{2.5})	Construction Dust Ordinance or other BMP	Not Applicable	
Health Risks and Hazards	Single Sources Within 1,000-foot Zone of Influence	Combined Sources (Cumulative from all sources within 1,000-foot zone of influence)	
Excess Cancer Risk	>10 per one million	>100 per one million	
Hazard Index	>1.0	>10.0	
Incremental annual PM _{2.5}	>0.3 µg/m ³	>0.8 µg/m ³	

Source: BAAQMD's April 2022 CEQA Air Quality Guidelines

Note: BMP = Best Management Practices, ROG = reactive organic gases, NOx = nitrogen oxides, PM₁₀ = coarse particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM_{2.5} = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less;

BAAQMD 2022 CEQA Guidelines Screening Criteria Table 4-1 screens out the operation of residential projects if they are under 421 units. As this Project is 35 units, it screens out from further analysis of criteria air pollutants resulting from the operations phase. The screening criteria also allow screening out the construction of residential single family projects with less than 254 units. However, this is only applicable to construction project that would not include demolition, simultaneous occurrence of two or more construction phases, or extensive site preparation. Because the Project will demolish existing houses, simultaneously pave and construct houses, and will require the export of 30,500 cubic yards of net cut material, the Project's construction phase does not screen out. The Air Quality Analysis estimated the criteria project emissions during construction and operations as shown below in Table 5.3.2.

TABLE 5.3.2 ESTIMATED AVERAGE DAILY CRITERIA POLLUTANT EMISSIONS

Average Daily Emissions (lbs/day)							
Phase/year	ROG	NO _x	PM ₁₀ Exhaust	PM _{2.5} Exhaust	PM ₁₀ Dust	PM _{2.5} Exhaust	CO
Construction							
2024	0.53	4.88	0.19	0.17	0.56	0.07	4.19
2025	0.58	5.40	0.17	0.16	0.71	0.13	5.66
2026	0.30	2.08	0.07	0.07	0.16	0.04	3.15
Operations	2.97	1.59	0.05	0.05	1.97	0.50	10.2
Threshold of Significance	54	54	82	54	BMP	BMP	--
Exceedance?	No	No	No	No	COA	COA	N/A

Source: Integral Consulting Inc. *Air Quality Impact Analysis and Health Risk Assessment*. October 4, 2023.

As shown in Table 5.3.2, the Project does not exceed the threshold of significance for criteria air pollutants from the construction of the Project and as such would not conflict with or obstruct implementation of an applicable air quality plan. However, as noted in the table, BAAQMD requires implementation of BMPs for construction-related fugitive dust emission. Therefore, **COA AQ-1** has been established and requires the implementation of the BMPs to reduce construction related dust. As conditioned, the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

5.3(b) (cumulatively considerable net increase of any criteria pollutant) – No Substantial Change Relative to the General Plan EIR

As noted in Section 5.3(a) the Project does not exceed the thresholds of significance for criteria air pollutants from construction and the operation of the Project is below the screening threshold in the 2022 BAAQMD Guidelines. **COA AQ-1**, which requires the implementation of Best Management Practices is required to ensure that the Project is below the threshold of significance for both PM₁₀ and PM_{2.5} particulate matter (dust). As conditioned the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

5.3(c) (sensitive receptors) – No Substantial Change Relative to the General Plan EIR

At the project-level, construction activities would result in short term emissions that could potentially impact nearby sensitive receptors including surrounding residential uses. During construction, onsite activities will result in airborne particles from site disturbance and construction equipment emissions (i.e., diesel particulate matter exhaust emissions from vehicles and heavy equipment operations). Health risks from diesel-exhaust emissions are connected to long-term exposure and the associated carcinogenic risk. For toxic air contaminants (TACs) and effects on sensitive groups, health risks are based on a 30-year exposure period in accordance with the Office of Environmental Health Hazard Assessment.

The Health Risk Impact Assessment (**Appendix A**) prepared by Integral Consulting Inc. identifies children, the elderly, and people with respiratory or cardiovascular diseases as potentially sensitive to air pollution. Sensitive receptors include schools, daycare facilities, hospitals, nursing homes, and residences. While there are no schools, day care facilities, hospitals, nor nursing homes within a 0.25-

mile radius of the Project site, there are residences adjacent to three sides of the Project with the highest concentration to the north of the Project located on Clothier Lane.

Impacts to residents adjacent to the Project site could occur during construction activities. In compliance with the BAAQMD recommendations, the Project was analyzed to determine if the Project would exceed the following thresholds of significance to ensure that no individual project creates a significant adverse impact and that no sensitive receptor endures a significant impact. Project level thresholds for health risks and hazards are as follows:

Project Level Thresholds of Significance

- Increase cancer risk greater than 10 in a million
- Increased hazard greater than 1 (chronic or acute)
- Increase PM_{2.5} greater than 0.3 µg/m³ annual average

Cumulative Thresholds of Significance

- Cancer risk greater than 100 in a million (from all local sources)
- Hazard greater than 10 (chronic from all local sources)
- PM_{2.5} greater than 0.8 µg/m³ annual average

Project emissions were modeled following BAAQMD guidance using CalEEMod (see Table 5.3.2) and the concentrations of exhaust PM_{2.5} emissions were estimated using EPA's SCREEN3 dispersion model for a Tier 1 screening analysis. Table 5.3.3 summarizes the results of the modeling and the local and cumulative risk/hazards of annual PM_{2.5} emissions by construction year.

Table 5.3.3 Local and Cumulative Risk/Hazards from Annual PM_{2.5} Emissions

Construction Year	Modeled PM _{2.5} Air Concentration adjacent to northern boundary (µg/m ³)	Modeled PM _{2.5} Air Concentration – Maximum Exposure (µg/m ³)
2024	0.07	0.12
2025	0.07	0.12
2026	0.02	0.04

Source: Integral Consulting Inc. *Air Quality Impact Analysis and Health Risk Assessment*, October 4, 2023

As modeled, the Project would not result in a significant increase in the concentration of PM_{2.5} and would not increase the cumulative risks/hazards from emissions and as such will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

The Cancer Risk was modeled by using the most current exposure assumptions from the Office of Environmental Health Hazard Assessment guidance in accordance with BAAQMD guidance which used modeled air concentrations adjacent to the Project site to calculate the inhalation doses for children and adults. Table 5.3.4 summarizes the local and cumulative cancer risk during construction for receptors adjacent to the Project site and the maximum exposed receptors.

Table 5.3.4 Local and Cumulative Cancer Risk During Construction

Receptor	Adjacent to Site (at 10 Meters) In a million	Maximum Exposed (at 176 Meters) In a million
Adult	0.4	0.6
Young Child	3	5
Infant	10	10

Source: Integral Consulting Inc. *Air Quality Impact Analysis and Health Risk Assessment*, October 4, 2023

As shown in Table 5.3.1, the BAAQMD threshold for any single source of TACs is 10 in a million total cancer risk, 0.3 $\mu\text{g}/\text{m}^3$ for annual $\text{PM}_{2.5}$ and 1.0 for the hazard index. The analysis found that during Project construction, the MEIs would experience cancer risks of 10 in a million (infant), 3 in a million (young child), and 0.4 in a million (adult), which is at the single source threshold. Because the projected emissions are approaching the threshold **COA AQ-2** is imposed to ensure that the cancer risk is not exceeded. **COA AQ-2** requires that the construction equipment used during construction achieve a reduction in construction diesel particulate matter emissions by 70 percent or greater.

The non-cancer hazard risk thresholds established by the BAAQMD are 1 in a million for the local non-cancer hazard and 10 in a million for the cumulative non-cancer hazard. The non-cancer hazard for the Project is estimated at 0.01 adjacent to the site (adult, young child, and infant) and 0.02 at the maximum. As such, it is well below the thresholds and no additional measures are required beyond implementation of the Best Management Practices required by **COA AQ-1**. No additional tiers of evaluation are warranted, and the Project would result in a less than significant non-cancer risk to surrounding sensitive receptors and MEIs.

At operation, the Project would be within 1,000 feet of Old Redwood Highway which is the only source of TAC emissions near the Project site. The daily trip volume for Old Redwood Highway is 12,500 vehicles per day. Based on the BAAQMD Roadway Screening Analysis Table for Sonoma County at a distance of 50 feet, the estimated $\text{PM}_{2.5}$ concentration would be 0.18 $\mu\text{g}/\text{m}^3$. The estimated cancer risk would be 7.2 in a million or less which is lower than the threshold (10 in a million) and the hazard index would be less than 1. As such, the Project would not be a significant source of operation-related TAC emissions and would not result in significant adverse risk to onsite or offsite receptors.

As conditioned, the Project would not result in a significant increase of exposure of sensitive receptors to substantial pollutant concentrations and will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

5.3(d) (odor) – No Substantial Change Relative to the General Plan EIR

According to the BAAQMD CEQA Guidelines, odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The presence of an odor impact is dependent on a number of variables including: the nature of the odor source; the frequency of odor generation; the intensity of odor; the distance of odor source to sensitive receptors; wind direction; and sensitivity of the receptor. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative analysis to determine the presence of a significant odor impact is difficult. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, landfills, and composting facilities. The Project will not introduce any such land uses and is not located in the vicinity of any such existing or planned land uses.

Construction activities often include diesel-fueled equipment and heavy-duty trucks, which could create odors associated with diesel fumes that may be considered objectionable. However, construction activities will be temporary and limited to between the hours of 7:00 am and 7:00 pm on weekdays and 9:00 am and 5:00 pm on Saturdays with no construction allowed on Sundays or holidays as required by **COA NOI-1**. Further, the BMPs and emissions reductions required by **COA AQ-1** and **COA AQ-2** will minimize emissions leading to odors. Accordingly, substantial objectionable

odors are not expected to occur during construction activities or at operation. Thus the Project would not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

2013 General Plan EIR Mitigation Measures and Implementing Policies and Actions

Policy CON 2.2: Minimize exposure of sensitive receptors to concentrations of air pollutant emissions and toxic air contaminants.

Status: As a residential use, during operation the Project would not be a significant source of toxic air contaminants. However, during construction, the existing residential properties proximate to the Project Site could be subjected to criteria pollutant emissions and toxic air contaminants. In order to maintain consistency with the General Plan, an air quality analysis including an evaluation of exposure to sensitive receptors was prepared for the Project (**Appendix A**). The Air Quality analysis described the threshold for cancer risk as greater than 10 in a million for adult, youth, and infants. The projected cancer risk for infants for the Project was estimated to be 10 in a million which the report characterizes as not exceeding the threshold. However, because the projections approach the threshold, **COA AQ-2** requires the Project to utilize construction equipment on-site that would achieve a reduction in construction diesel particulate matter emissions by 70 percent or greater. As conditioned, the Project is consistent with this policy.

Policy CON 2.4: Require new development or significant remodels to install fireplaces, stoves, and/or heaters which meet current BAAQMD standards.

Status: The Project proposes 35 single-family dwellings which will be required through the final building permit process to demonstrate that all features and appliances comply with all current energy efficiency standards adopted by the City of Cotati, CalGreen and Title 24 of the California Code of Regulations which are uniformly applied to all projects. In order to comply with the greenhouse gas emissions standards **GHG-1** requires that the Project shall not install any natural gas appliances or natural gas plumbing. As conditioned the Project complies with this standard.

Policy CON 2.5: Continue to require all construction projects and ground disturbing activities to implement BAAQMD dust control and abatement measures.

Status: **COA AQ-1** requires the implementation of dust control and abatement measures in compliance with BAAQMD. As conditioned, the Project is consistent with this policy.

Action CON 2b: Refer development, infrastructure, and planning projects to the Bay Area Air Quality Management District (BAAQMD) for review. Require project applicants to prepare air quality analyses to address BAAQMD and General Plan requirements, which include analysis and identification of:

- Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
- Potential exposure of sensitive receptors to toxic air contaminants.
- Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
- Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.

Status: The Air Quality report was prepared using the BAAQMD 2022 CEQA Guidelines and included the information and analysis consistent with this document. Demolition activities will require a permit from the BAAQMD and if other air quality permits are required, the Project will be referred to the BAAQMD. As such, the Project is consistent with this policy.

Conclusion and Environmental Condition of Approval

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to air quality relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

COA AQ-1: During any construction period ground disturbance, the following dust control and exhaust measures shall be implemented:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. All trucks and equipment, including their tires shall be washed off prior to leaving the site.
8. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12- inch layer of compacted wood chips, mulch, or gravel.
9. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
10. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
11. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take

corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

COA AQ-2:

During construction activities, contractors shall use construction equipment that has low diesel particulate matter exhaust to minimize emissions and limit use of diesel-powered equipment. The Project shall implement a plan to reduce diesel-powered machinery (DPM) emissions by as much as possible through one or both of the following:

1. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM10 and PM2.5), if feasible. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).
2. Develop a Construction Operations Plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter. Such a plan shall be approved by the City prior to commencement of ground-disturbing activities and may be subject to review by an air quality expert. Elements of the plan could include a combination of some or all of the following measures:
 - Use equipment that meets EPA Tier 4 standards or alternatively fueled equipment.
 - Install electric power lines during early construction phases to avoid use of diesel generators and compressors.
 - Use electrically powered equipment.
 - Use forklifts and aerial lifts for exterior and interior building construction that are electric or propane/natural gas powered.
 - Change construction build-out plans to lengthen phases.
 - Implement building techniques that result in the use of less diesel-powered equipment.

5.4. BIOLOGICAL RESOURCES

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (Formerly Fish and Game) or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (formerly Fish and Game) or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Final Santa Rosa Plain Conservation Strategy, 2005, USFWS; Recovery Plan for the Santa Rosa Plain, 2016, USFWS; 8841 Old Redwood Highway Oak Tree Evaluation, prepared by Horticultural Associates, November 20, 2021; Tree Inventory Report, prepared by Horticultural Associates, December 10, 2021; California Tiger Salamander Assessment, prepared by Sol Ecology, January 28, 2022; Biological Resources Report, prepared by Sol Ecology, May 23, 2022; Preliminary Jurisdictional Determination, issued by Army Corps of Engineers, December 22, 2021; and City of Cotati Municipal Code.

2013 GENERAL PLAN EIR FINDINGS

Biological resources are protected by federal and state statutes including the Federal Endangered Species Act (FESA), the California Endangered Species Act (CESA), and the Clean Water Act (CWA). The Migratory Bird Treaty Act (MBTA), which affords protection to migratory bird species including birds of prey, which apply to the Project. These regulations provide legal protection for identified plant and animal species of concern and their habitat and a basis for many of the applicable General Plan policies.

The 2013 General Plan EIR evaluated potential impacts to biological resources in Chapter 3.3 and determined the following:

- Impact 3.3-1: Implementation of the General Plan could 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. Through the implementation of mitigating General Plan Policies CON 1.1 – CON 1.14, OS 1.1, OS 1.4 and mitigating Actions CON 1a – 1k, implementation of the General Plan would have a less than significant impact.
- Impact 3.3-2: Implementation of the General Plan could have a substantial adverse effect on 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 U.S. Fish and Wildlife Service. Through the implementation of mitigating General Plan Policies CON 1.1 – CON 1.3, CON 1.7 – 1.14 and mitigating Actions CON 1a, CON 1b, CON 1f, CON 1g – 1k, implementation of the General Plan would have a less than significant impact.
- Impact 3.3-3: Implementation of the General Plan could have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Through the implementation of mitigating General Plan Policies CON 1.1 – CON 1.3, CON 1.7 – CON 1.14 and mitigating Actions CON 1a, CON 1b, CON 1g - CON 1k, implementation of the General Plan would have a less than significant impact.
- Impact 3.3-4: Implementation of the General Plan Update could interfere substantially with the movement of native resident or migratory fish or wildlife species. Through the implementation of mitigating General Plan Policies CON 1.1 – CON 1.4, CON 1.8 – CON 1.14, OS 1.1, OS 1.4, and mitigating Actions CON 1a, CON 1b, CON 1d, CON 1e - CON 1j, implementation of the General Plan would have a less than significant impact.

- Impact 3.3-5: Implementation of the General Plan could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Through the implementation of mitigating General Plan Policy CON 1.13 and mitigating Actions CON 3k, CON 3l, CON 3o, and CON 3p, implementation of the General Plan would have a less than significant impact.
- Impact 3.3-6: Implementation of the General Plan Update would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation Plan, and as such, would have a less than significant impact.

The 2013 General Plan EIR concluded that construction and maintenance activities associated with future development projects under the proposed General Plan could result in the direct and indirect loss or indirect disturbance of special-status wildlife or plant species or their habitats as well as wetlands and Waters of the United States that are known to occur, or have potential to occur, in the region.

These impacts are mitigated by General Plan Policies CON 1.1-1.14 which provide a framework for protecting, enhancing, rehabilitating, and avoiding sensitive habitat areas including waterways. These policies include requirements for discretionary projects to develop in an environmentally sustainable manner. Furthermore, actions required by the General Plan that mitigate the impacts include Action CON 1a and 1b which requires all development project proposals to submit a biological resources evaluation which determines whether significant adverse impacts will occur and to include mitigation measures as needed. These are further supported by additional Actions CON 1c and 1d, 1f, and 1g which require project review and mapping of sensitive habitats and conservation.

Furthermore, Policy CON 3.13 requires the City to continue to implement the City's Tree Preservation and Protection Ordinance and consistent with local policies to protect and preserve biological resources.

Santa Rosa Plain Conservation Strategy, Recovery Plan, and Reinitiation Plan

The City of Cotati does not have a habitat conservation plan, but it is located within the boundary of the Santa Rosa Plain (SRP). The SRP is a unique environment that supports a mosaic of vernal pool, seasonal wetland, and grassland habitats, which provide a home to the threatened and endangered species. The Santa Rosa Plain Conservation Strategy (Conservation Strategy) was developed by the US Fish and Wildlife Service in 2005 to create a long-term conservation program sufficient to mitigate potential adverse effects on listed species due to future development on the Santa Rosa Plain. The conservation strategy provides specific actions necessary to mitigate potential adverse effects on listed species due to future development on the Plain.

The Santa Rosa Plain Recovery Plan was released by the United States Fish and Wildlife Service (USFWS) in June 2016 and provides a framework for the recovery of listed species. Subsequently, in 2020, the USFWS published the reinitiation of formal consultation on issuance of Section 404 of the Clean Water Act for the Santa Rosa Plain. The reinitiation of the Biological Opinion analyzes the impacts to critical habitat as it relates to development in the Santa Rosa Plain. As noted therein, development in the Santa Rosa Plain would result in the filling of wetlands and removal of upland habitat, resulting in the loss of critical habitat for CTS as well as Burke's Goldfield, Sebastopol meadowfoam, and Sonoma Sunshine. To address these impacts, the Corps provides several

minimization measures and best management practices for each species including updates to measures identified in the 2005 Conservation Strategy and 2007 Biological Opinion to reflect current knowledge and more effectively minimize adverse impacts of development within the Santa Rosa Plain.

Though not a habitat conservation plan, the Santa Rosa Plain Conservation Strategy Plan, Recovery Plan, and Reinitiation Plan are intended to mitigate potential adverse impacts on listed plant and animal species within the Plan area. The Plans establish a long-term conservation program to mitigate potential adverse impacts associated with development in the Santa Rosa Plain, conserve and contribute to the recovery of the listed species and the conservation of sensitive habitat, protect public and private land use interests, and support issuance of an authorization for incidental take of CTS and that may occur in the course of carrying out a broad range of activities in the Santa Rosa Plain area, including development such as the Project.

Project Consistency with the 2013 General Plan EIR

The Project site was formerly used for agricultural/residential uses and is now only used for residential purposes. Approximately one acre on the eastern portion of the site along Old Redwood Highway is developed with accessways and residences and accessory structures. The remaining approximately 6 acres of the site was previously used for orchards and chicken farming but is currently inactive.

The site is located within the Final Critical Habitat area for the California Tiger Salamander as designated by the US Fish and Wildlife Service⁷. Additionally, the Project site is mapped as "Areas within 1.3 Miles of Breeding." The Project site is located within a "Conservation Area" in the Santa Rosa Plain Conservation Strategy Plan Maps (Figure 3 dated 4.16.2007).

A biological resources report prepared by Diana Riggs of Sol Ecology on May 23, 2022 (**Appendix B**) documents the potential for special status species on the Project site. The report includes the finding from a literature review, reconnaissance-level field surveys on May 3, 2022, and Protocol-level surveys during blooming season on March 24, 2022, April 26, 2022, and May 23, 2022 in accordance with the Santa Rosa Plain Conservation Strategy Guidelines.

4.4(a) (Special-Status Species) – No Substantial Change Relative to the General Plan EIR

The biological report identified a potential for 64 special-status plant species in the 9-quadrangle search of the Project site, but because of the site's hydrologic conditions, topographic conditions, soil conditions, and associated vegetative communities the Project site would only have the potential to support two of these species, the *Centromadia parryi* ssp. *Parryi* and the *Hemizonia congesta* subsp. *Congesta*. Neither plant was observed during the appropriately timed field surveys and there is a low potential for occurrence on the site.

Forty-seven special-status wildlife species have been documented within 9-quadrangle search of the Project Study Area, of which 13 species are documented within a five-mile radius. The Project site has the potential to support seven of these species including the *Ambystoma californiense* California tiger salamander (low potential), *Athene cunicularia* burrowing owl (low potential), *Baeolophus inornatus* oak titmouse (low potential), the *Dryobates nuttallii* Nuttall's woodpecker (low potential), *Elanus leucurus* white-tailed kite (moderate potential), *Antrozous pallidus* pallid bat (moderate potential), and *Taxidea taxus* American badger (low potential).

⁷ California Department of Fish and Wildlife Service. BIOS. <https://apps.wildlife.ca.gov/bios6/> Accessed on May 9, 2023.

California Tiger Salamander

The Project site, like much of Cotati and Sonoma County, is designated as critical habitat for California tiger salamander (CTS). The CTS was federally listed as endangered in 2003 and state-listed as a threatened species in 2010. In 2011, the USFWS designated revised critical habitat for the Sonoma County “Distinct Population Segment” of the California tiger salamander. In total, approximately 47,383 acres of land were designated as critical habitat for the Sonoma County “Distinct Population Segment” of the California tiger salamander under the revised Final Rule. The Project site is within the mapped critical habitat area.

CTS occur in grasslands and open oak woodlands that provide suitable aestivation (over summering) and/or breeding habitats. They spend most of their lives underground and typically only emerge from their subterranean refugia for a few nights each year during the rainy season to migrate to breeding ponds. The maximum migration distance of California tiger salamanders to/from their breeding pools to upland over-summering habitat is typically 1.3 miles.

A site habitat assessment for CTS was conducted by Sol Ecology and the results were provided in a memo on January 28, 2022. No CTS were found on the site, but because the site is within 1.3 miles of a known breeding location and the 6.2 acres of undeveloped area on the site contains suitable habitat for upland California Tiger Salamander habitat replacement for all undeveloped areas of the site would be required (**Appendix B-2**). Further, because the 900 square foot seasonal wetland along Old Redwood Highway could provide suitable breeding habitat, and would be impacted by the Project, a 1:1 replacement of this feature will be required as well. Impacts and environmental conditions of approval for the project’s effect to the seasonal wetland are discussed under Impact 4.4c below.

Consistent with the 2013 General Plan EIR, the Project has the potential to impact sensitive status species and in accordance with 2013 General Plan Actions CON 1a and b, **COA BIO-1, BIO-2, BIO-3, BIO-8, BIO-9 and HYD-1** have been imposed on the Project to implement CTS Habitat protection in accordance with the Santa Rosa Plain Conservation Strategy and Recovery Plan. With implementation of these COAs, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to a sensitive species relative to the 2013 General Plan EIR.

Migratory Birds, Oak Titmouse, Nuttall’s Woodpecker, and White Tailed Kite

The Project Study Area provides nesting habitat for birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code § 3513. The Project has the potential to impact nesting birds resulting in nest abandonment or direct mortality to chicks or eggs. Additionally, there are a few trees within and adjacent to the Project Study Area that may provide suitable nesting habitat for oak titmouse, Nuttall’s Woodpecker, and White Tailed Kite. In accordance with General Plan Actions CON1a and b, **COA BIO-4** has been established and requires pre-construction nesting bird surveys and associated actions if nesting birds are present. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to migratory birds relative to the 2013 General Plan EIR.

Burrowing Owl

Marginal overwintering habitat is present on the Project Site based on the presence of sandy soils. Although there is a low potential for the species to occur on site, if present, burrowing owls may be impacted by construction during their overwintering period resulting in mortality. To comply with

General Plan Actions CON1a and b, **COA BIO-5** requires burrowing owl surveys if work occurs during the time owls may be present and associated actions if owls are determined to be present. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to a sensitive species relative to the 2013 General Plan EIR.

Pallid Bat

There is marginally suitable roost habitat within the existing structures present on the site, and possibly in a large valley oak to be removed on the southern boundary. In accordance with General Plan Action CON1a and b, **COA BIO-6** has been established and requires bat roost emergence surveys no more than 7 days prior to the start of activities outside of the hibernation period (November 1 to March 1) and associated actions if bats are determined to be present. Accordingly, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to a sensitive species relative to the 2013 General Plan EIR.

American Badger

Suitable prey habitat is present, and biologists observed numerous rodent burrows at the site. Additionally, the soils within the Project Study Area are friable and therefore suitable for badger burrows and there is a low potential for American badger to occur within the Project. In accordance with General Plan Action CON1a, **COA BIO-7** has been established and requires pre-construction surveys for American Badgers and associated actions if badgers are identified onsite. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to a sensitive species relative to the 2013 General Plan EIR.

Summary

COA BIO-1 through BIO-9 and HYD-1 are imposed in accordance with the 2013 General Plan EIR mitigation and implementing Policy Action CON1a and CON 1b. With identified environmental conditions consistent with implementing policies of the General Plan, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impacts to special status species relative to the 2013 General Plan EIR.

4.4(b) (Sensitive Natural Communities) – No Substantial Change Relative to the General Plan EIR

As noted, the Project could impact potential upland habitat for the California Tiger Salamander, however, implementation of **COA BIO-3** requires the replacement at a ratio of 1:1 for all habitat lost, estimated to be 6.2 acres of upland habitat. There are no other sensitive natural communities onsite. Therefore, with the identified COA, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impacts to sensitive natural communities relative to the 2013 General Plan EIR.

4.4(c) (Jurisdictional Waters) – No Substantial Change Relative to the General Plan EIR

A 900 square foot seasonal wetland, along the west side of Old Redwood Highway was previously delineated for the Project on December 27, 2021. Per General Plan Policy CON 1.7, a consultation was requested with Army Corps of Engineers. The response provided on December 22, 2022 stated that the seasonal wetland “may be subject” to the USACOE authority under Section 404 of the Clean Water Act. The 2013 General Plan EIR identifies the potential to impact wetlands and identifies mitigating policies. In accordance with General Plan Actions CON 1a and 1b, the Project is subject to **COA BIO-8**,

BIO-9, and **HYD-1**. The Project is consistent with the implementing policies of the General Plan identified to reduce impacts to wetland resources. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to jurisdictional wetlands relative to the 2013 General Plan EIR.

4.4(d) (Wildlife Movement) – No Change Relative to the General Plan EIR

The 2013 General Plan EIR determined that implementation of the General Plan could interfere with movement of native resident or migratory fish or wildlife species and those impacts would be less than significant. The southern boundary line of the Project site runs along the boundary of the City limit. The site is surrounded by residential development with rural parcels to the south and east and higher density single family housing to the north and west.

Although there are no barriers preventing terrestrial species from traversing the Project Study Area, the site is surrounded by fencing, a roadway, and existing development which limit it from being a wildlife movement corridor. The linear seasonal wetland identified adjacent to Old Redwood Highway has limited potential to support movement for native and non-native aquatic species due to ephemeral flows and the variability of the conditions of culverts beneath driveways along Old Redwood Highway. Therefore, the Project will not substantially interfere with the movement of any native species or native nursery site. Accordingly, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to wildlife movement relative to the 2013 General Plan EIR.

4.4(e-f) (Conflict with Policies, Ordinances, or Habitat Conservation Plan) – No Change Relative to the General Plan EIR

The Project is subject to the City of Cotati Tree Ordinance, Cotati Municipal Code Chapter 17.54 which regulates the protection, preservation and maintenance of native trees, trees of historic or cultural significance, groves and stands of mature tree, and mature trees in general that are associated with proposals for development. A tree permit was issued on July 27, 2021 to allow for the removal of 65 Blue Gum Eucalyptus trees on the parcel, which were subsequently removed. As a condition of the 2021 tree removal permit, 40 native trees (preferably oaks) are required to be planted as a part of the future development of the site.

The 2013 General Plan EIR identifies the potential impacts of tree removal and identifies Policy CON 1.6. The Project includes the removal of the remaining trees and in compliance with Policy CON 1.6, an application for a tree permit has been submitted, reviewed, and conditions have been established. Therefore, **COA BIO-10** requires that the conditions of the tree permit be implemented for compliance with Policy CON 1.6. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impacts through conflicts with local ordinances relative to the 2013 General Plan EIR.

Sonoma County does not have any California Regional Conservation Plans, as identified in the California Department of Fish and Wildlife's (CDFW) Natural Community Conservation Planning (NCCP) Map. The Santa Rosa Plain Conservation Strategy Plan (SRPCSP) and the Recovery Plan were reviewed to assess the project's potential to impact any protected plant or animal species. The SRPCSP mapping (Figure 3 dated 4.16.2007) shows that the Project site is in an area designated as "Future Development." The Project site is not located within a "Conservation Area" of the Santa Rosa Plain

according to the Recovery Plan (Figure 1 dated 5.30.2015). Accordingly, the USFWS anticipated that this Project site would be developed when it prepared the Conservation Strategy.

The USFWS 2007 Programmatic Biological Opinion is based on the biological framework presented in the Conservation Strategy. Projects that require a Corps permit, that remain consistent with objectives stated in the Conservation Strategy, can be appended to the Programmatic Biological Opinion at the discretion of the USFWS. Projects that are appended to the Programmatic Biological Opinion will be provided individual take authorization for impacts to federally-listed species.

As described in 5.4 (a-d) above, development of the Project could result in impacts to CTS upland habitat and a seasonal wetland adjacent to Old Redwood Highway. **COAs BIO-1 through BIO-3, BIO-8, BIO 9, and HYD-1** require the applicant to purchase mitigation lands for CTS at replacement ratios identified in the USFWS' 2007 Programmatic Biological Opinion (or any successor Programmatic Biological Opinion) and are in accordance with the Policies of the General Plan and the Santa Rosa Plain Conservation Strategy and Recovery Plan. Therefore, the Project does not conflict with any local policies or adopted conservation plans, and as conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impacts through conflicts with a habitat conservation plan relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy CON 1.2: Preserve and enhance those biological communities that contribute to the City's and the region's rich biodiversity including, but not limited to, annual grasslands, freshwater marshes, wetlands, vernal pools, riparian areas, aquatic habitat, and agricultural lands.

Status: The Project site includes a 900 square foot seasonal wetland and 6.2 acres of suitable upland habitat for California Tiger Salamander. The site is located within the SRP Conservation Strategy, but it is not within a conservation area. In accordance with the SRPCS and Recovery Plan, the Project is subject to **COA BIO-1 – BIO-3, BIO-8, BIO-9, and HYD-1** and the Project would replace the loss of 900 sf of wetland and upland habitat at a 1:1 ratio and implementation of Best Management Practices. As conditioned, the Project is consistent with this policy.

Policy CON 1.6: Avoid removal of large, mature trees that provide wildlife habitat or contribute to the visual quality of the environment to the greatest extent feasible through appropriate project design and building siting. If full avoidance is not possible, prioritize planting of replacement trees on-site over off-site locations.

Status: A Tree Inventory Report, dated December 10, 2021 prepared by Horticultural Associates (**Appendix C**), provides inventory and general evaluation of 62 trees present onsite or in the vicinity of grading and construction activity which are 6 inches dbh or greater. A tree removal permit is required and has been included through the review process. In compliance with Municipal Code Section 17.54, a condition of the tree permit will require the applicant to attempt to preserve trees that might be preserved and to replace the trees removed. COA BIO-10 requires that the applicant comply with the conditions of the tree permit and as such, the Project is consistent with this policy.

Policy CON 1.7: Consult with all resource agencies during the CEQA review process for proposed developments to help identify wetland and vernal pool habitat that has candidacy for restoration,

conservation, and/or mitigation. Focus restoration and/or conservation efforts on areas that would maximize multiple beneficial uses for such habitat and provides opportunities for mitigation banking.

Status: A seasonal wetland runs along the west side of Old Redwood highway at the eastern site boundary which has been identified as ACOE jurisdictional wetlands under the Clean Water Act, for which a preliminary jurisdictional determination was issued on December 22, 2022 by the Army Corps of Engineers (**Appendix B-3**). **COA BIO-8, BIO-9, and HYD-1** are imposed to comply with this policy.

Action CON 1a: Require development project proposals, infrastructure projects, long-range planning projects, and other projects that may potentially impact special-status species and sensitive resources to submit a biological resources evaluation which determines whether significant adverse impacts will occur. Evaluations shall be carried out under the direction of the Community Development Department and consistent with applicable state and federal guidelines. Projects shall be designed to avoid or reduce impacts to the maximum extent feasible. Where adverse impacts cannot be feasibly reduced or avoided through project design, projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction (if applicable) that may include, but are not limited to, the following strategies:

- a. Preservation of habitat and connectivity of adequate size, quality, and configuration to support the special-status species. Connectivity shall be determined based on the specifics of the species' needs.
- b. Project design measures, such as clustering of structures or locating project features to avoid known locations of special-status species and/or sensitive habitats.
- c. Provision of supplemental planting and maintenance of grasses, shrubs, and trees of similar quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife.
- d. Protection for habitat and the known locations of special-status species through adequate buffering or other means.
- e. Provision of replacement habitat of like quantity and quality on- or off-site for special status species. Preference shall be given to the preservation of habitat as close to the area of impact as feasible, so long as that habitat is of comparable quality.
- f. Enhancement of existing special-status species habitat values through restoration and replanting of native plant species.
- g. Provision of temporary or permanent buffers of adequate size (based on the specifics of the special-status species) to avoid nest abandonment by nesting migratory birds and raptors associated with construction and site development activities.
- h. Incorporation of the provisions or demonstration of compliance with applicable recovery plans for federally listed species.
- i. Monitoring of construction activities by a qualified biologist to avoid impacts to on-site special status species.

Status: In accordance with Action CON 1a, a site-specific biological resources report, dated May 23, 2022, was prepared by Sol Ecology (**Appendix B**). Recommendations from the report are imposed on the Project as **COA BIO-1- BIO-9 and HYD-1**. As such, the Project complies with this policy.

Action CON 1b: Where sensitive biological habitats have been identified on or immediately adjacent to a project site, the project shall include appropriate mitigation measures identified by a qualified biologist, which may include, but are not limited to the following:

- a. Pre-construction surveys for species listed under the State or Federal Endangered Species Acts, or species identified as special-status by the resource agencies, shall be conducted by a qualified biologist;
- b. Construction barrier fencing shall be installed around sensitive resources and areas identified for avoidance or protection; and
- c. Employees shall be trained by a qualified biologist to identify and avoid protected species and habitat.

Status: The Project site contains approximately 6.2 acres of potential upland habitat for CT S and a 900 sf seasonal wetland along Old Redwood Highway. However, as conditioned by **COA BIO-1 - BIO-3, BIO-8, BIO-9, and HYD-1** the Project complies with this policy.

Conclusion and Environmental Conditions of Approval

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to biological resources relative to what was identified in the 2013 General Plan EIR. The Project complies with the mitigating policies and actions in the 2013 General Plan and as such the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to biological resources relative to the 2013 General Plan EIR.

Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval are required to implement the 2013 General Plan EIR mitigating policies:

COA BIO-1: To ensure that the Project does not result in the take of CTS, the following measures shall be implemented:

1. A Section 2081 Incidental Take Permit (ITP) from CDFW is required, along with avoidance measures prescribed in the 2020 Programmatic Biological Opinion (PBO) for CTS (USACE, 2020). Should Impacts to the ditch along Old Redwood Highway be necessary, formal consultation through the 2020 PBO would also be required. If no federal nexus exists, the Applicant may pursue a concurrence determination from USFWS with the 2081 ITP.
2. A USFWS and CDFW approved biological monitor shall conduct a training session for all construction workers before work begins. The biological monitor will be present on-site during excavation activity, and each morning when an open trench is uncovered to check for trapped animals or animals under equipment. The biological monitor will check all excavated steep-walled holes or trenches greater than one foot deep for any CTS.
3. In the event that CTS are found on site, construction work shall be halted immediately and the USFWS and/or CDFW contacted. Only a USFWS CTS recovery permit holder may relocate CTS.

Translocation shall be performed as described in USFWS 2005 protocol to a location outside the Project Site, as directed by USFWS or CDFW.

4. Fencing to exclude CTS shall be installed between the grasslands and the construction footprint. The biological monitor shall verify that appropriate exclusion fencing is utilized and that it is installed properly and maintained throughout the duration of construction.
5. Site access routes and the number and size of staging and work areas shall be limited to the minimum necessary to achieve the Project goals. Clearly mark routes and boundaries of the roadwork shall be installed prior to initiation construction/site disturbance.
6. All foods and food-related trash items shall be enclosed in sealed trash containers at the end of each day and removed completely from the site once every three days.
7. No pets shall be allowed anywhere in the Project site during construction.
8. Maintain all equipment such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.
9. Any hazardous materials such as fuels, oils, solvents, etc., shall be stored in sealable containers in a designated location that is at least 200 feet from aquatic habitats. All fueling and maintenance of vehicles and other equipment, and staging areas shall occur at least 200 feet from the seasonal wetland located along Old Redwood Highway.
10. Grading and clearing shall be conducted between June 15 and October 15, of any given year, depending on the level of rainfall and/or site conditions.
11. Project areas temporarily disturbed by construction activities shall be revegetated with native plants.

COA BIO-2: A Section 2081 ITP from CDFW shall be obtained and applicable avoidance measures prescribed in the 2020 PBO for CTS shall be implemented(USACE, 2020). Should impacts to the roadside ditch be necessary, formal consultation through the 2020 PBO would also be required. If no federal nexus exists, the Applicant may pursue a concurrence determination from USFWS with the 2081 ITP.

COA BIO-3: In order to replace the loss of 6.2 acres of CTS upland habitat the applicant shall secure suitable replacement lands at a 1:1 ratio at either an approved CDFW conservation bank or through the acquisition of CDFW approved permitted-responsible mitigation lands elsewhere on the Santa Rosa Plain.

COA BIO-4: To prevent impacts to nesting birds, the following avoidance and minimization measures shall be followed:

1. If construction begins between February 1 and August 31, a pre-construction nesting bird (both passerine and raptor) survey of the habitats within 500 feet of all work areas shall be performed within 7 days of groundbreaking. If no nesting birds are observed, no further action is required, and grading must occur within one week of the survey to prevent "take" of individual birds that could begin nesting after the survey. A follow-up survey is required if a stoppage in work occurs for longer than 7 days between February 1 and July 1.

2. If active bird nests (passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged or the nest has naturally failed or been predated, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, with the dimension of any required buffer zone to be determined by a qualified biologist.
3. To delineate the “no-work” buffer zone around a nesting tree, orange construction fencing must be placed at the specified radius from the base of the tree within which no construction related activity or machinery shall intrude.

COA BIO-5: If any work occurs between September 1 and January 31, a qualified biologist shall follow the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report) habitat assessment and survey methodology prior to Project activities occurring. The habitat assessment and surveys shall encompass a sufficient buffer zone to detect owls nearby that may be impacted. Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, including but not limited to a final survey within 24 hours prior to ground disturbance and before construction equipment mobilizes to the Project area. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. Detected burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report, unless otherwise approved in writing by CDFW, and any eviction plan shall be subject to CDFW review.

COA BIO-6: Prior to demolition of existing structures and trees, the biologist shall perform bat roost emergence surveys no more than 7 days prior to the start of activities outside of the hibernation period (November 1 to March 1). If bats are found, a bat exclusion plan shall be prepared and submitted to CDFW to include the following:

1. Bats shall be excluded between March 1 (once overnight low temperatures exceed 45 degrees Fahrenheit) and April 15, or between September 1 and October 15 to ensure no impact to maternity roosting occurs. Once bats have been fully excluded, the structure may be demolished or removed.
2. If a maternity roost is found, a replacement roost must be established either on-site or at a nearby off-site at a permanently protected location in consultation with CDFW.
3. Tree removal for trees greater than 16-inch dbh shall be performed using the three-step removal process. First the crown or upper 1/3 of the tree shall be removed and any limbs removed and left overnight. Next, the rest of the tree shall be felled and left overnight. On the third day, the biologist shall examine the felled tree to make sure any bats have escaped prior to chipping on-site or hauling to an off-site location for disposal.

COA BIO-7: Pre-construction surveys for American badger shall be performed within 10 days prior to the start of construction activities. If a potential den is found, a minimum 100-foot buffer shall be established around the potential den. The den shall be monitored using wildlife cameras or track plates to confirm the animal has left the

area of its own accord. Following confirmation by the biologist the potential den is no longer active, it may be excavated by hand under the direction of the biologist and the buffer removed.

- COA BIO-8:** During construction an exclusion fence shall be placed around the seasonal wetland to avoid impacts during construction. Because the Project will likely require a small amount of fill and/or removal and replacement of the existing culvert, during road improvements, both a Clean Water Act Section 404 Nationwide permit application must be submitted to the USACE, and a Section 401 Water Quality Certification application must be submitted to the RWQCB prior to the commencement of construction.
- COA BIO-9:** Compensatory replacement for any impacts to the seasonal wetland shall be required at a minimum 1:1 ratio through purchase of wetland mitigation bank credits or through permittee-responsible mitigation either on or off-site.
- COA BIO-10:** Prior to any site preparation, grading, or construction, the applicant and contractors shall implement the conditions of the Tree Permit.

5.5. CULTURAL RESOURCES

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; and Cultural Resources Evaluation, prepared by Archaeological Resource Service, 2016.

COTATI GENERAL PLAN EIR FINDINGS:

The 2013 General Plan EIR evaluated potential impacts to cultural resources in Chapter 3.4. Within the Cotati Planning Area, 36 resources have been recorded of which 7 are prehistoric Native American archaeological sites, and 2 are historic-period archeological sites, and 27 are built environment resources, 31 of which are within City limits. The 2013 General Plan EIR evaluated the following impacts:

- Impact 3.4-1: Implementation of the General Plan Update could result in the substantial adverse change in the significance of a historical or archaeological Resource. Through the implementation of mitigating General Plan Policies CON 4.1, CON 4.3 – CON 4.6, and mitigating actions CON 4a – CON 4c, and CON 4f, implementation of the General Plan would have a less than significant impact.
- Impact 3.4-2: Implementation of the General Plan could result in the disturbance of human remains. Through the implementation of General Plan Policies CON 4.2 and Action CON 4c and compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98, the implementation of the General Plan would have a less than significant impact.

PROJECT CONSISTENCY WITH THE 2013 GENERAL PLAN EIR

As shown in 2013 General Plan EIR Figure 3.4-1: Sensitive Archaeological Areas, the Project site is in an area considered sensitive for prehistoric archaeological deposits but is not located within the

Historic Corridor. As shown in Figure 3.8-1: Watersheds of the General Plan EIR, the Project site is not located near any streams or rivers.

A Cultural Resources Evaluation was prepared by Archaeological Resource Service on July 16, 2016. The process included both a records search and surface examination on the Project site. No resources were identified on the Project site, but the report identified the potential for resources to exist that may be uncovered through demolition, grading, and construction.

Three residences and accessory buildings are currently on the site and will be demolished to develop the Project and the former chicken houses were recently demolished on the back of the site. The remaining residential structures and outbuildings on the site appear to be greater than fifty years old. While the group of structures is old enough to be evaluated for listing on the National Register of Historic Places or the California Register of Historic Sites, Archaeological Resource Service determined that the remaining buildings are not eligible for listing on either of the historic registers and that no further action is required.

4.5(a-c) (Historic Resources, Archaeological Resources and Discovery of Human Remains) – No Substantial Change Relative to the General Plan EIR

As documented in the Cultural Resources Evaluation prepared by Archaeological Resource Service in 2016, no evidence of prehistoric or historic archaeological material was observed during the surface inspection. However, archaeological resources have been found within one mile of the site and prehistoric sites have been found on similar terrain, thus if resources are present, there is potential for impacts to cultural resources from the Project. The 2013 General Plan EIR identifies the potential to impact cultural resources and identifies mitigating policies and actions. In compliance with General Plan Action CON 4c, **COA CUL-1** is required. **COA CUL-1** specifies protocol for the treatment of cultural resources or human remains if found during the construction process. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to cultural resources relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Action CON 4b: Require a cultural and archaeological survey prior to approval of any development project where a potential or known historical, archaeological, or other cultural resource is located or which would require excavation in an area that is sensitive for cultural or archaeological resources. If significant cultural or archaeological resources, including historic and prehistoric resources, are identified, the project shall be required to implement appropriate measures, such as avoidance, capping of the resource site, or documentation and conservation, to reduce adverse impacts to the resource to a less than significant level.

Status: Archaeological Resource Service conducted a Cultural Resources Evaluation for the Project in July 2016 and the Project complies with recommendations therein, as imposed through COA CUL-1.

Action CON 4c: Require all development, infrastructure, and other ground-disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains:

- a. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources

shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.

- b. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.
- c. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.
- d. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.

Status: COA CUL-1 is required to implement Action 4c and as conditioned, the Project complies with this action.

Conclusion and Environmental Condition of Approval:

The Project is within the scope of development projected under the General Plan and, as conditioned, will not result in any substantial new or more severe impacts to cultural resources relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval is required to implement the 2013 General Plan EIR mitigating policies and actions:

CUL-1: In the event that cultural resources or human remains are inadvertently discovered during ground disturbing activities, the following conditions shall apply:

- 1. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.

2. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.
3. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.
4. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.

5.6. ENERGY

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Sonoma Clean Power 2021 Annual Report; BAAQMD 2017 Bay Area Clean Air Plan; Climate Action 2020 and Beyond: Sonoma County Regional Climate Action Plan, prepared by Sonoma County Regional Climate Protection Authority, July 2016; BAAQMD 2017 CEQA Guidelines; and City of Cotati Municipal Code.

2013 General Plan EIR Findings:

Energy resources include fuels, renewable resources, and production of electricity which requires conversion of these resources into energy. Energy production and energy use result in depletion of non-renewable energy resources such as oil, coal, and natural gas, the use of which results in pollutant emissions that contribute to global climate change. Sustainable use of energy resources is facilitated through conservation of non-renewable resources and development of alternative or renewable energy resources such as solar, wind, and geothermal.

The 2013 General Plan EIR analyzed the impacts to energy resources in Chapter 3.6 – Greenhouse Gasses and Climate Change. The policies and implementing actions relating to energy conservation are included in Chapter 5: Conservation of the General Plan and addressed under Goal 3 which promotes conservation of energy and other natural resources. The 2013 General Plan EIR specifically identifies the following energy-specific General Plan Policies CON 2.10, CON 3.1 – CON 3.10, LU 1.5, and Actions CON 3a – 3d which would result in a less than significant impact to Green House Gas Emissions and Climate Change and are applicable to this section.

Sonoma County Climate Action Plan 2020

In 2005, the ten local governments within Sonoma County pledged to reduce GHG emissions community-wide to 25 percent below 1990 levels by 2015 (Cotati adopted 30% by 2015, Resolution 05-66). The Regional Climate Protection Authority (RCPA) was created in 2009 to help each jurisdiction reach its goal. Climate Action 2020 is a collaborative effort led by the RCPA and includes nine cities, the County of Sonoma, and several partner entities to take further actions to reduce GHG emissions community-wide and respond to the threats of climate change.

As presented in the Climate Action Plan 2020, Section 5.2: Cotati, the City of Cotati is focused on infill development and “green” priorities for new building.⁸ Energy efficiency is a requirement of City of Cotati’s General Plan as provided in General Plan Objective Con 3A, including policies and actions which “achieve a high level of energy efficiency in new buildings and in significant remodels,” which is set forth in Municipal Code Chapter 14.04.130 and establishes CalGreen Tier 1 as mandatory for new residential and non-residential structures.

Cotati Municipal Code

The Project will construct 35 new dwelling units that are subject to Title 24 of the California Building Code and must meet the requirements for CalGreen Tier 1. In order to secure a building permit, the Project must comply with the uniformly applied standards of the City’s Municipal Code Section 14.04.090 California Energy Code and Section 17.51.030 Citywide Energy Conservation Standards and which requires that the new structures be designed and constructed to achieve a minimum of fifteen percent greater energy efficiency than otherwise required by the California Code of Regulations, Title 24, and to implement the city’s sustainable building program adopted by council resolution.

Project Consistency with the 2013 General Plan EIR

4.6(a) (Energy Consumption) – No Substantial Change Relative to the General Plan EIR

The Project proposes new residential construction and will be served by Pacific Gas and Electric and Sonoma Clean Power.

The California Green Building Standards Code, otherwise known as CalGreen (CCR Title 24, Part 11), is a portion of the California Building Standards Code (CBSC) is intended to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CalGreen Code include, but are not limited to, the following measures:

- Installation of Electric Vehicle (EV) charging infrastructure in residential and non-residential structures;
- Maximum fixture water use rates;
- Compliance with the California Department of Water Resources’ Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board; and
- For single-family and some low-rise residential development developed after January 1, 2020, mandatory on-site solar energy systems capable of producing 100 percent of the electricity demand created by the residence(s).

The 2022 Building Energy Efficiency Standards (BEES) went into effect on January 1, 2023 and establish new requirements related to heat pumps, require that new single-family homes be electric-ready, and

⁸ Sonoma County Regional Climate Protection Authority. Climate Action Plan 2020 and Beyond. July, 2016.

expand solar and storage requirements. It is estimated that over a 30 year period, the 2022 BEES will reduce greenhouse gas (GHG) emissions by 10 million metric tons.⁹

Further, the City has adopted CalGreen Tier 1 standards and as such, they are uniformly applied to this and all other new construction projects. The application of these standards to the Project will prevent wasteful, inefficient, or unnecessary consumption of energy resources. Additionally, the BMPs required by the BAAQMD and implemented as **COA AQ-1** limit the use of energy for construction by prohibiting unnecessary idling and maintaining construction equipment in good working order. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to energy consumption relative to the 2013 General Plan EIR.

4.6(b) (Conflict with State or Local Plans) – No Substantial Change Relative to the General Plan EIR

Pursuant to the Sonoma County Climate Action Plan 2020, Section 5.2: Cotati, the City of Cotati is focused on infill development and “green” priorities for new building. The Project is proposed within Cotati’s planning area within the existing city limits. The Project site is currently underutilized and the proposed density is consistent with the General Plan Low-Medium designation. The Project must comply with the uniformly applied energy conservation standards of CalGreen Tier 1 and as such would not conflict with state or local plans for renewable energy or energy efficiency. Further, **COA GHG-1** and **COA GHG-2** require the proposed project to install all electric appliance and to install electric vehicle charging stalls in compliance with CalGreen Tier 2¹⁰ standards to comply with the established BAAQMD greenhouse gas emissions reduction standards. As conditioned, the proposed project does not conflict with State or Local Plans for Energy. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to plans for renewable energy or energy efficiency relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Action CON 3a: Continue to review development projects to ensure that all new public and private development comply with CalGreen Tier 1 standards as well as the energy efficiency standards established by the General Plan and Land Use Code.

Status: The Project is subject to the uniformly applied standards in the Municipal Code Section 17.51.030 (Citywide energy conservation standard), CalGreen Tier 1 and the California Code of Regulations, Title 24. Furthermore, pursuant to COA GHG-2, the Project is conditioned to achieve CalGreen Tier 2 standards for electric vehicle charging for residential development, which exceeds Tier 1 and meets the BAAQMD requirements for GHG emissions reduction compliance. As such, it complies with this action.

Conclusion

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to energy relative to what was identified in the 2013

⁹ State of California, Energy Commission, 2022 Building Energy Efficiency Standard Summary, August 2021.

¹⁰ CalGreen Tier 1 adds additional voluntary requirements beyond the CalGreen mandatory requirements. Tier 2 affords the highest level of voluntary measure.

General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

5.7. GEOLOGY AND SOILS

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
I. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Publication 42.	☐	☐	☐	☒
II. Strong Seismic ground shaking?	☐	☐	☐	☒
III. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
IV. Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☐	☒

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

☐☐☒☐

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; <https://maps.conservation.ca.gov/cgs/DataViewer/>, accessed October 7, 2021; MTC/ABAG Hazard Viewer Map, accessed July 27, 2022; Tree inventory report, prepared by Horticultural Associates, December 10, 2021; Soil Investigation Report, prepared by Reese & Associates, October 21, 2014, affirmed February 4, 2022; and City of Cotati Municipal Code.

2013 General Plan EIR Findings

The City of Cotati is in a geologically active area of the San Andreas Fault system and the potential for ground shaking from seismic events is a risk throughout the region. Active faults are located four miles or more to the east, north, and west, but no active faults traverse the City.

The 2013 General Plan EIR evaluated the potential impacts related to geology and soils in Chapter 3.5 and determined the following.

- Impact 3.5-1: Implementation of the General Plan has the potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction. Through the implementation of mitigating General Plan Policies CSF 1.8, SA 2.1 - 2.11 and Actions SA 2a – SA 2k, implementation of the General Plan would have a less than significant impact.
- Impact 3.5-2: Implementation of the General Plan has the potential to result in substantial soil erosion or the loss of topsoil. Through the implementation of mitigating General Plan Policies SA 2.5 -SA 2.10 and Actions SA 2d and SA 2f, implementation of the General Plan would have a less than significant impact.
- Impact 3.5-3: Implementation of the General Plan has the potential to 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. Through the implementation of mitigating General Plan Policies SA 2.1 – SA 2.9 and Actions SA 2a – SA 2i, implementation of the General Plan would have a less than significant impact.
- Impact 3.5-4: Implementation of the General Plan has the potential to result in development on expansive soil, as defined in Table 18--1--B of the Uniform Building Code (1994), creating substantial risks to life or property. Through the implementation of mitigating General Plan Policies SA 2.1- SA 2.3, SA 2.11 and Actions SA 2a – 2c, SA 2e, SA 2h, and SA 2i, implementation of the General Plan would have a less than significant impact.
- Impact 3.5-5: Implementation of the General Plan does not have the potential to have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Because there are no septic tanks or alternative wastewater disposal systems utilized for new development, implementation of the General Plan would have a less than significant impact.

The 2013 General Plan EIR found that the implementation of the 2013 General Plan could have significant impacts on Geology and Soils but determined that those impacts were mitigated to less than significant through the implementation of Policies CSF 1.8, SA 2.1- 2.11 and Actions SA 2a-2k.

Project Consistency with the 2013 General Plan EIR

A Soil Engineering Report (**Appendix D**) was prepared by Reese and Associates on October 21, 2014. Reese & Associates Engineering conducted an additional site visit on February 1, 2022 to confirm the findings of the original report and the recommendation for seismic design was updated (**Appendix D-2**). The Project site is sloped with a steeper inclination in the eastern portion of the site and more gradual on the western portion of the site. At the time of the field survey, it was observed that there was minor fill on site including aggregate base rock driveways.

The results of the soil boring tests indicated that some areas of the site are underlain by silty and sandy topsoil which is underlain by clayey and sandy soils and highly weathered rock materials. The topsoils appeared to be porous from prior decomposition of organic materials in the upper 1-2 feet with low expansion potential. Boring tests on other portions of the site indicated low expansive, dense to very dense silty sands underlain by highly expansive, plastic clays underlain by deeply weathered rock materials of the Petaluma Formation. The rock materials consisted of low hardness, friable siltstone, claystone, and sandstone.

4.7(a i-ii) (Seismic Hazards) – No Change Relative to the General Plan EIR

The Project site is located within the vicinity of the San Andreas Fault system, which is 44 miles wide and extends throughout much of the North Bay Area, but the site is not located within a designated Alquist-Priolo Earthquake Fault Zone. The nearest active faults to the Project are Rodgers Creek Fault located approximately 4.3 miles east, San Andreas which is approximately 15 miles southwest, and the West Napa fault zone approximately 20 miles to the east. The proximity of the Project site to the active Rodgers Creek Fault places it within Zone 8 (Very Strong) of the Modified Mercalli Intensity Shaking Severity Level. There is potential for strong ground shaking, however, the Project is subject to review by the City's Building Department and the uniformly applied standards of the California Building Code contain standards that reduce potential risks related to strong ground shaking. As such, the Project is consistent with the findings of the 2013 General Plan EIR and the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to seismic hazards and groundshaking relative to the 2013 General Plan EIR.

4.7(a iii) (Liquefaction) – No Change Relative to the General Plan EIR

The Project is not located in a Liquefaction Zone designated on the California Department of Conservation's Geologic Hazards Map¹¹ and is not located in an area of the City that is known to have liquefaction. As such, The Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to liquefaction relative to the 2013 General Plan EIR.

4.7(a-iv) (Landslides) – No Substantial Change Relative to the General Plan

The 2013 General Plan EIR identified the Project site as having a moderate potential for landslides. The Project site has slopes over 10% and in compliance with General Plan Policy SA 2.5, the Project is

¹¹ California Department of Conservation, Geologic Hazards Data and Map.
<https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed: May 15, 2023.

subject to the Hillside Development Ordinance (Chapter 17.53 of the Municipal Code). The Hillside Development Ordinance regulates hillside development and encourages appropriate grading practices in these areas. The Soil Report indicates that there may be additional soil conditions that require more substantial design for both retaining walls and for building foundations. Implementation of these designs are required by **COA GEO-1**. Additionally, Policy SA 2.9 requires the use of drought-tolerant plants for landscaping in hillside areas. In compliance with this policy, **COA UTI-1** requires installation of drought-tolerant landscaping in compliance with the City's Water Efficiency Landscaping Ordinance (WELO).

As conditioned and pursuant to General Plan Policy SA 2.5, Action SA 2a, and SA 2.9 the Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to landslides relative to the 2013 General Plan EIR.

4.7(b) (Erosion) – No Substantial Change Relative to the General Plan EIR

Development of the Project will require site preparation and grading activities that will potentially result in soil erosion or the loss of topsoil if not properly controlled. However, in compliance with General Plan Policy CON 1.12, **COA HYD-1** is required which will ensure Best Management Practices are implemented during construction. Additionally, Chapter 14.36 of the Cotati Municipal Code requires an erosion control plan prepared by a Civil Engineer or other qualified professional that outlines appropriate measures to minimize soil erosion and sedimentation and that complies with design and construction standards contained in the City's Municipal Code. Preliminary designs comply with Chapter 14.36 and through the standard review process, the final plans will be reviewed by the City Engineer to confirm compliance. As conditioned, and pursuant to General Plan Policy CON 1.12, the Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to erosion relative to the 2013 General Plan EIR.

4.7(c) (Geologic Stability) – No Substantial Change Relative to the General Plan EIR

The Soil Report prepared by Reese & Associates, dated October 21, 2014 (**Appendix D**) concluded that the site is suitable for residential construction with implementation of the recommendations in the report. In compliance with General Plan Policy SA 2.1, Action SA 2a and Action SA 2e, **COA GEO-1** is required. **COA GEO 1** ensures that all design-level recommendations from the Soil Report shall be incorporated into the Project design, construction documents, and improvement plans, or as otherwise determined by the City Engineer and/or Chief Building Official. As conditioned, pursuant to General Plan Policy SA 2.1, Action SA 2a and Action SA 2e, the Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to geologic stability relative to the 2013 General Plan EIR.

4.7(d) (Expansive Soils) – No Substantial Change Relative to the General Plan EIR

The Soil Report concluded that the site has expansive soils in some locations and recommended methodologies and engineering design to prevent risks associated with expansive soils. The requirements of General Plan Policy SA 2.1, Action SA 2a, and Action SA 2e are reflected in **COA GEO-1** which ensures that the Project will be designed to prevent risk from expansive soils. As conditioned and pursuant to General Plan Policy SA 2.1, Action SA 2a, and Action SA 2e, the Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant

impact or substantially increase the severity of a previously identified significant impact to expansive soils relative to the 2013 General Plan EIR.

4.7(c) (Septic Tanks) – No Change Relative to the General Plan EIR

Implementation of the General Plan would not result in a conflict between soil capacity and septic systems because the City's sewer and wastewater treatment facilities have sufficient capacity to accommodate all development under the General Plan without the use of septic. The Project site currently has septic which will be removed as part of the development process, and replaced with City sewer services. The Project is zoned and planned for residential development in the General Plan and proposes to connect to the City's sewer system and will not continue to use septic systems. As such, the Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to septic tanks relative to the 2013 General Plan EIR.

4.7(f) Paleontological Resources) – No Substantial Change Relative to the General Plan EIR

The potential to uncover undiscovered paleontological resources was considered in the 2013 General Plan EIR, in which Action CON 4c is identified, which requires work to be suspended within 100 feet of any discovered potentially unique paleontological resources and for the City to be contacted to coordinate further investigation. In compliance with Action CON 4c, **COA CUL-1** is required. **COA CUL-1** requires specific protocol to be followed if paleontological resources are encountered during ground disturbing activities. As conditioned and pursuant to Action CON 4c, the Project complies with the General Plan and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to paleontological resources relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy SA 2.5: Ensure that development on slopes over 10% grade complies with special building and grading restrictions specified in Chapter 17.53 of the Municipal Code.

Policy SA 2.6: Development and grading on slopes greater than 15% shall be prohibited, unless the conditions specified in Chapter 17.53 of the Municipal Code are met.

Status: The Project site exhibits slopes that range up to 14.45% and development will not take place on slopes greater than 15%. The Project complies with the applicable standards of Chapter 17.53 of the Municipal Code which regulate hillside development. In accordance with Policy SA 2.1, Action SA 2a, and Action SA 2e **COA GEO-1** requires that the Project plans incorporate the recommendations of the soil engineering report. As conditioned, the Project is consistent with General Plan Policies SA 2.5 and SA 2.6.

Policy SA 2.7: Natural slopes should be maintained and existing vegetation preserved to the greatest extent feasible, especially in areas with a slope greater than 15%.

Policy SA 2.8: Where alterations such as grading and tree removal are made to hillside sites, rendering slopes unstable, planting of vegetation shall be required to protect structures at lower elevations.

Status: A Tree Inventory Report prepared by Horticultural Associates on December 10, 2021 provides inventory and general evaluation of 62 trees (6 inches dbh or greater) present onsite or in the vicinity of grading and construction activity. The report identifies 8 trees for preservation, 47 trees for removal

due to expected construction impacts, and 7 trees for removal due to poor condition or species characteristics. Replacement tree plantings will be provided pursuant to Cotati Municipal Code Chapter 17.54. The Project site slopes west to east with the steepest portion of the site located to the west. These portions of the site will be terraced with retaining walls and planted with vegetation. Landscaping plans provided show all non-paved surfaces as being landscaped. As such, the Project complies with General Plan Policy SA 2.7 and Policy SA 2.8.

Policy SA 2.9: The use of drought-tolerant plants for landscaping in hillside areas shall be required as a means to eliminate the need for supplemental watering, which can promote erosion and earth movement.

Status: The proposed landscape plan prepared by Parker Smith Landscape Architecture dated November 29, 2022 proposes use of drought-tolerant species with low to moderate water use. **COA UTI-1** requires the use of drought tolerant species. As conditioned, the Project complies with Policy SA 2.9.

Policy SA 2.10: An erosion and sediment control plan prepared by a civil engineer or other professional who is qualified to prepare such a plan, shall be submitted as part of a grading permit application. The erosion and sediment control plan shall delineate measures to appropriately and effectively minimize soil erosion and sedimentation and shall comply with the design standards and construction site Control measures contained In Chapter 14.36 of the Municipal Code.

Status: Development of the Project will require site preparation and grading activities that will potentially result in soil erosion or the loss of topsoil if not properly controlled. To ensure that the Project complies with General Plan Policy SA 2.10, a draft Storm water Mitigation Plan has been prepared and **COA HYD-1** requires the applicant submit a final erosion control plan for approval from the City Engineer and use Best Management Practices in compliance with Chapter 14.36. As conditioned, the Project complies with this Policy.

Policy SA 2.11: Prior to the development of any new structures and any addition greater than 500 square feet in areas of moderate to high potential for expansive soils as identified in Figure 7.1-5 of the General Plan Background Report, a site-specific soils study shall be prepared. All structures and building foundations located within areas containing expansive soils shall be designed and engineered to comply with the most current version of the California Building Standards Code.

Action SA 2a: Require a geotechnical analysis for construction in areas with potential geological hazards and require that recommendations from the geotechnical analysis are incorporated into the project's design and engineering.

Action SA 2e: Require the submission of geologic and soils reports for all new developments. The geologic risk areas that are determined from these studies shall have standards established and recommendations shall be incorporated into development.

Status: A soil investigation was prepared by Reese & Associates, dated October 21, 2014 followed by a subsequent letter prepared by Reese & Associates, dated February 4, 2022 (**Appendix D, D-2**). **COA GEO-1** requires that final plans showing implementation of appropriate measures be submitted for review and acceptance by the City Engineer. As conditioned the Project complies with this policy. As conditioned the Project complies with Actions SA 2a and SA 2e.

Conclusion and Environmental Condition of Approval

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to geology and soils relative to what was identified in the 2013 General Plan EIR. The Project, as conditioned, complies with the applicable policies and actions in the 2013 General Plan and would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to geology and soils relative to the 2013 General Plan EIR.

Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies:

GEO-1: All design-level recommendations from the Soil Report shall be incorporated into the Project design, construction documents and improvement plans, or as otherwise determined by the City Engineer and/or Chief Building Official. The Project's geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the soil investigation report.

GEO-2: Upon completion of grading planting shall be done as soon as practicable. Prior to issuance of a certificate of occupancy, the City shall verify that the applicant has appropriately installed all plants consistent with the approved final landscaping plan.

5.8. GREENHOUSE GAS EMISSIONS

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Preliminary Landscape Plan, prepared by Parker Smith Landscape Architecture on November 29, 2022, Traffic Impact Analysis for Flahavan Estates Project, prepared by Transpedia Consulting Engineers, January 13 2022; Air Quality Impact Analysis and Health Risk Assessment prepared by Integral Consulting, Inc. September 8, 2023, and BAAQMD 2022 CEQA Guidelines, April 2023.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts to air quality and determined that with implementation of General Plan Policies and Actions that mitigate potential impacts, impacts to air quality would be less than significant. The following impacts to air quality were considered under the 2013 General Plan EIR:

- Impact 3.6-1: General Plan implementation could generate GHGs, either directly or indirectly, that may have a significant effect on the environment. Through the implementation of mitigating General Plan Policies CON 2.6 – CON 2.12, CON 3.1 – CON 3.6, CON 3.8 – CON 3.12, CI 1.2, CI 1.19 – CI 1.21, CI 2.1 – CI 2.3, CI 2.7 – CI 2.10, CI 2.21, CI 3.1 – CI 3.4, LU 1.4, LU 1.5, LU 2.2, LU 2.5, LU 2.10, LU 3.8, OS 1.1 – OS 1.6, OS 1.10, OS 1.11 and Actions CON 2e, CON 2f, CON 2g, CON 3a – CON 3d, CI 1q, CI 2a, CI 2i – CI 2k, CI 3a, CI 3b, LU 2b, and OS 1a – OS 1e, implementation of the General Plan would have a less than significant impact.
- Impact 3.6-2: Implementation of the General Plan would not an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The General Plan is consistent with the CCAP and AB 32 and as new projects are required to fully implement the City's Green Building Standards. Compliance with the City's Green Building Standards would reduce GHG emissions from future development to the greatest extent feasible and implementation of the General Plan would have a less than significant impact.

A number of regulations currently exist related to GHG emissions, predominantly AB 32, Executive Order S-3-05, and Senate Bill (SB) 32. AB 32 sets forth a statewide GHG emissions reduction target of 1990 levels by 2020. Executive Order S-3-05 sets forth a transitional reduction target of 2000 levels by 2010, the same target as AB 32 of 1990 levels by 2020, and further builds upon the AB 32 target by

requiring a reduction to 80 percent below 1990 levels by 2050. SB 32 also builds upon AB 32 and sets forth a transitional reduction target of 40 percent below 1990 levels by 2030. To implement statewide GHG emissions reduction targets, local jurisdictions are encouraged to prepare and adopt area-specific GHG reduction plans and/or thresholds of significance for GHG emissions.

Bay Area Management District 2022 Greenhouse Gas Thresholds

On April 20, 2022, the BAAQMD Air District Board of Directors adopted the proposed CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects. Consistent with CEQA Guidelines Section 15064 (Determining the Significance of the Environmental Effects Caused by a Project), the thresholds are intended to assist public agencies in determining whether projects would result in a cumulatively considerable contribution to global climate change. The adopted thresholds are intended to evaluate projects based on their effect on efforts to meet the State's long-term climate goals. As determined by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife*, a project would be considered to have a less than significant air quality impact under CEQA so long as it contributes its fair share toward achieving long-term climate goals. As such, new land use development projects are required to either (A) incorporate design elements including replacing natural gas with electric power, eliminating inefficient or wasteful energy usage, reducing project-generated VMT to the recommended 15-percent reduction below existing, and providing sufficient electric vehicle (EV) charging infrastructure to support the shift to EVs or (B) must comply with a qualified local GHG reduction strategy.

The BAAQMD uses a "fair share" approach for determining whether an individual project would have an effect on the environment. The "fair share" approach requires that projects are incorporating design elements that will reduce emissions and thus contribute toward achieving long-term climate goals to reduce emissions. These are stated as:

Table 5.8-1: Climate Impact Thresholds of Significance (Project Level)

Thresholds of Significance for Land Use Projects (Must Include A or B)
A. Projects must include, at a minimum, the following project design elements: 1. Buildings a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development). b. The project will not result in any wasteful, inefficient, or unnecessary energy use as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines. 2. Transportation a. The project will achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target that reflects the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory: Evaluating Transportation Impacts in CEQA: i. Residential projects: 15 percent below the existing VMT per capita

b. The project will achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

B. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

Source: BAAQMD, 2022 CEQA Guidelines Thresholds of Significance, April 20, 2023

Sonoma County Climate Action Plan 2020

As presented in the Sonoma County Climate Action Plan 2020, the City of Cotati's GHG inventory in 2010 resulted in the emission of 52,060 metric tons of CO₂e per year (MT CO₂e/yr) and a per capita emission level of 7.2 MT CO₂e/yr. A backcast effort identified 1990 emission levels at 51,480 MT CO₂e/yr and a per capita emission level of 9.0 MT CO₂e/yr. **Table 5.8-2** presented below provides the forecast emission levels for the City of Cotati.

Table 5.8-2: GHG Emission Forecasts

	2020 Forecast	2040 Forecast	2050 Forecast
Total Emissions	61,350	68,980	70,900
Per Capita Emissions	7.9	7.8	7.5

Source: Sonoma County Climate Action Plan 2020 Table 5.2-3 Cotati Community.

The City of Cotati will achieve GHG reduction targets through a combination of state, regional and local measures. At the state level, fuel efficiency standards, Title 24 building standards, low carbon fuel standard, and RPS are estimated to achieve a GHG reduction of 13,710 MTCO₂e by 2020. Regional efforts are projected to achieve a GHG reduction of 4,070 MTCO₂e through activities carried out by the Regional Climate Protection Authority, Sonoma County Water Agency, County of Sonoma Energy Independence Office, Sonoma County Transportation Authority, and Sonoma Clean Power. Locally, the City of Cotati is expected to realize a GHG reduction of 1,550 MTCO₂e through implementation of Measure 11-L1 (Senate Bill SB X7-7 – Water Conservation Act of 2009), Measure 2-L4 (Solar in Existing Non-Residential Buildings), and Measure 2-L2 (Solar in Existing Residential Buildings).

On March 27, 2018, the Cotati City Council adopted Resolution 2018-15 reaffirming its intent to reduce GHG emissions as part of a coordinated effort through the Sonoma County Regional Climate Protection Authority.

Project Consistency with 2013 General Plan EIR

The Project proposes construction of 35 single-family dwellings at a permitted density on an underutilized site identified by the General Plan for residential use. The Project is approximately 0.25 miles from the nearest bus stop which provides a direct connection to the SMART Train station in Cotati. The bus route is not considered "high-quality" transit. An analysis of greenhouse gases was completed in the Air Quality Impact Analysis prepared by Integral Consulting Inc on October 4, 2023 (**Appendix A**).

5.8(a) (Greenhouse Gas Generation) – No Substantial Change Relative to the General Plan EIR

The Project will result in the generation and emission of GHGs during construction and operation. Construction will result in GHG emissions from heavy-duty construction equipment, worker trips, and

material delivery and hauling. Construction GHG emissions are short-term and will cease once construction is complete. Furthermore, as presented in 5.3 Air Quality **COA AQ-1** and **COA AQ-2** is imposed on the project to ensure compliance with BMP identified by the BAAQMD and General Plan Policy CON 2.2 to protect sensitive receptors, which also reduced greenhouse gas emissions during construction.

All homes in the Project will include solar and battery back-ups and will be built to meet CalGreen Tier 1 voluntary measures as adopted by the City of Cotati. In order to ensure compliance with BAAQMD thresholds of significance, **COA GHG-1** is imposed to ensure that the Project will not include natural gas appliances or extend natural gas plumbing onsite, and **COA GHG-2** requires Tier 2 compliance for off-street electric vehicle charging on all residential parcels in compliance.

As discussed above in Section 5.6 Energy, the Project is subject to the California Building Code and CalGreen Energy Code. The City has adopted Tier 1 voluntary measures of CalGreen which are required for all new construction. As determined in the Energy section, the Project would not result in any wasteful, inefficient, or unnecessary energy.

The Traffic Impact Analysis (TIA) prepared by Transpedia Consulting Engineers (**Appendix H**) analyzed the effects of Vehicle Miles Traveled (VMT) introduced by the Project. The City uses the State of California Office of Planning and Research recommended VMT threshold of fifteen percent (15%) below the existing baseline city residential VMT/capita. These limits are based on the Sonoma County Transportation Authority's Sonoma County Travel model and identifies the VMT threshold as 19.42 VMT per capita minus 15%. The Project is in Traffic Analysis Zone (TAZ) 436 which had a home-based VMT per capita of 11.56 VMT per capita in 2015 and a projected cumulative VMT of 6.67 VMT per capita in 2040. The Project's VMT is projected to be 40.47% below the citywide VMT baseline based on 2021 being the same as 2015 and 65.65% below the cumulative 2040 VMT baseline. As such, the Project exceeds the 15% reduction in VMT and there is consistency with the BAAQMD GHG thresholds.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to greenhouse gas generation relative to the 2013 General Plan EIR.

5.8(b) (Conflict with Plans) – No Substantial Change Relative to the General Plan EIR

The Project will construct additional housing on an under-utilized site that is surrounded by other housing development within the density and use allowed by the General Plan.

The Project is consistent with applicable local plans, policies, and BAAQMD regulation related to GHG emissions and as conditioned by **COA GHG-1** and **COA GHG-2**, does not conflict with an applicable air quality plan, or any other State or regional plan, policy, or regulation of an agency for the purpose of reducing greenhouse gas emissions. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy CON 3.1: Continue to require all new public and privately constructed buildings to meet and comply with CalGreen Tier 1 standards.

Action CON 3a: Continue to review development projects to ensure that all new public and privately development complies with CalGreen Tier 1 standards as well as the energy efficiency standards established by the General Plan and Land Use Code.

Status: The Project is subject to the uniformly applied standards in the Municipal Code Section 17.51.030 (Citywide energy conservation standard), CalGreen Tier 1 and the California Code of Regulations, Title 24. Furthermore, pursuant to COA GHG-2, the Project is conditioned to achieve CalGreen Tier 2 standards for electric vehicle charging for residential development, which exceeds Tier 1 and meets the BAAQMD requirements for GHG emissions reduction compliance. As such, it complies with this action.

Policy CON 3.3: Promote the use of alternative energy sources in new development.

Status: The uniformly applied building standards of the California Building Code requires that all new construction includes solar panels which apply to this Project. As such, the Project is consistent with this policy.

Policy CON 3.6: Ensure that street layout and design minimizes the use of pavement to the greatest extent feasible in order to reduce cooling energy needs.

Status: The Project does not propose additional paving other than that which is necessary for roads, sidewalks, driveways, and foundation. As proposed, the Project complies with the lot coverage standards in the City's Land Use Code and is consistent with this policy.

Policy CON 3.10: Ensure that the layout and design of new development and significant remodels encourages the use of transportation modes other than automobiles and trucks.

Policy LU 2.5: Locate medium and higher density housing within easy walking or bicycling distance of public facilities, services, transit, and major employers.

Status: The Project site has a General Plan land use designation of Low/Medium Density Residential (LMDR) and will be located approximately 0.25 miles from a City transit stop and within 1.5 miles of the SMART Train Station. The Project is required to install sidewalks along the frontage that will connect with the existing sidewalks along Old Redwood Highway and preserve bike lanes which will improve ease of walking. As such, the Project is consistent with these policies.

Policy OS 1.10: Require residential development, with the exception of rural and low density residential, to be contiguous to existing urban development.

Status: The Project is located within the city limits on a site that is designated for residential development. It is adjacent to and contiguous with existing residential development of similar density. As such the Project complies with this policy.

Action CON 2e: Continue to review new development, significant remodels, and infrastructure projects for consistency with the Sonoma County Community Climate Action Plan and Greenhouse Gas Reduction and Implementation Plan (GRIP).

Status: The Project is subject to Measure 11-L1 (Senate Bill SB X7-7 – Water Conservation Act of 2009) and Measure 2-L2 (Solar in Existing Residential Buildings) which are identified as measures to reduce

the City of Cotati's greenhouse gas emissions in the Climate Action Plan. Accordingly, the Project is consistent with Policy OS 1.10 and Action CON 2e.

Conclusion and Environmental Condition of Approval:

The Project is within the scope of development projected under the General Plan and as conditioned will not result in any substantial new or more severe impacts to Greenhouse Gas Emissions relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies:

- GHG-1:** The Project shall not install any natural gas appliances or extend natural gas plumbing onsite. Prior to issuance of a building permit, final engineered plans shall be submitted by the applicant demonstrating preclusion of natural gas and reviewed and verified for compliance by the City.
- GHG-2:** Prior to issuance of a building permit, final engineered plans shall be submitted by the applicant demonstrating inclusion of electrical vehicle charging at each residence in compliance with CalGreen Tier 2 (A4.106.8) and verified for compliance by the City.

5.9. HAZARDS/HAZARDOUS MATERIALS

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of	☐	☐	☒	☐

loss, injury or death involving wildland fires?

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; California Code, Health and Safety Code Section 25501(n)(1); Sonoma County Multijurisdictional Hazard Mitigation Plan Update 2021, prepared by Tetra Tech Consultants for Permit Sonoma, October 2021; Phase I Environmental Site Assessment, prepared by Trans Tech Consultants August 21, 2023; GeoTracker, managed by the State Water Resources Control Board, accessed September 2022; and EnviroStor, managed by the Department of Toxic Substances Control, accessed September 2022; and City of Cotati Municipal Code.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts related to hazards and hazardous materials and determined that with implementation of General Plan Policies and Actions that mitigate potential impacts, impacts would be less than significant. The following impacts related to hazards and hazardous materials were considered under the 2013 General Plan EIR:

- Impact 3.7-1: Implementation of the General Plan has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Through the implementation of mitigating General Plan Policies CSF 3.7, CSF 3.8, SA 1.1 – SA 1.7 and Actions CSF 3d, SA 1a – SA 1i, implementation of the General Plan would have a less than significant impact.
- Impact 3.7-2: Implementation of the General Plan has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Through compliance with all existing regulations and hazard mitigation plans as well as the implementation of mitigating General Policies CSF 3.7, CSF 3.8, SA 1.1 – SA 1.7 and Actions CSF 3d, SA 1a – SA 1i, implementation of the General Plan would have a less than significant impact.
- Impact 3.7-3: Implementation of the General Plan has the potential to have projects located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Through Compliance with state and federal regulations and the implementation of mitigating General Plan Policies CSF 3.7, CSF 3.8, SA 1.5, SA 1.7, SA 1.9 and Actions CSF 3d, implementation of the General Plan would have a less than significant impact.
- Impact 3.7-4: Implementation of the General Plan is not located within an airport land use plan, two miles of a public airport or public use airport, or within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project area. The City of Cotati does not have any airport facilities located within the city limits, sphere of influence, of urban growth boundary. The City of Cotati does not lie within the Runway Protection Zone, Inner/Outer Safety Zones, Inner Turning Zone, Sideline Safety Zone, or Traffic Pattern Zone for this airport. According to the National Transportation Safety Board Aviation Accident Database, there have been no accidents within the City of Cotati between January of

1950 to January 2014. Therefore, implementation of the General Plan would have a less than significant impact.

- Impact 3.7-5: Implementation of the General Plan does not have the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Through the implementation of mitigating General Plan Policies SA 1.1 – SA 1.6 and Actions SA 1a – SA 1i, implementation of the General Plan would have a less than significant impact.
- Impact 3.7-6: Implementation of the General Plan does not have the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Through the implementation of mitigating General Plan Policies CSF 2.28 – 2.32, CSF 2.36, SA 1.1 – SA 1.7 and Actions CSF 2o, CSF 2p, SA 1a, and SA 1d, implementation of the General Plan would have a less than significant impact.

The 2013 General Plan EIR concluded that implementation of the General Plan would result in less than a significant impact to hazards and hazardous materials through compliance with applicable federal, state, and local regulations and policies as well as the implementation of mitigating policies CSF 2.28-2.32, CSF 2.36, 3.7-3.8, SA 1.1- SA 1.7, SA 1.9 and mitigating actions CSF 2o-2p, CSF 3d, SA 1a – 1i.

Sonoma County Hazard Mitigation Plan

On September 28, 2021, the City Council of the City of Cotati adopted the Sonoma County Multijurisdictional Hazard Mitigation Plan to guide pre- and post-disaster mitigation of identified hazards. The plan includes actions to mitigate current risk from hazards and changes in hazard impacts resulting from climate change. Through the County-wide plan, the City will coordinate strategies for hazard mitigation with other planning programs under its jurisdiction, as well as promote and support the mitigation strategies of all County partners.

Project Consistency with the 2013 General Plan EIR

The Project includes the demolition and construction of structures which may involve hazardous materials. During Project operation, typical residential use includes limited hazardous materials such as household cleaning supplies, landscaping fertilizers, and other chemicals commonly used in residential applications.

Site Specific Phase 1

A Phase I Environmental Site Assessment (ESA) was prepared based upon the guidelines of the American Society of Testing and Materials (ASTM) E1527-21 by Trans Tech Consultants on August 21, 2023. The ESA analyzes the presence or likely presence of any hazardous substances or petroleum

products in, on, or at the property. The Phase I ESA found no indication of hazardous substances or petroleum onsite.

5.9(a-b) (Routine Transport, Use, Disposal, or Release of Hazardous Materials) – No Substantial Change Relative to the General Plan EIR

Project related demolition and construction activities will result in the temporary presence of potentially hazardous materials including, but not limited to, fuels and lubricants, paints, solvents, insulation, electrical wiring, and other construction related materials onsite. Although potentially hazardous materials may be present onsite during construction, consistent with the 2013 General Plan, the Project is required to comply with all existing federal, state, and local safety regulations governing the transportation, use, handling, storage, and disposal of potentially hazardous materials.

Applicable regulations include the preparation of a Storm Water Pollution Prevention Plan (SWPPP) approved by the Regional Water Quality Control Board prior to construction. The SWPPP includes Best Management Practices that will be implemented during all construction activities. Per **COA HYD-1**, approval of this plan is required prior to construction.

Accordingly, impacts of hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials from the Project would not exceed those analyzed in the 2013 General Plan EIR. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to routine transport, use, disposal, or release of hazardous materials relative to the 2013 General Plan EIR.

5.9(c) (Emit Hazardous Materials within ¼ Mile of an School Sites) – No Change Relative to the General Plan EIR

There are no school sites located within 0.25 mile of the Project site and no activities associated with the Project that would pose a threat to nearby schools from the release or handling of hazardous materials. As such, the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.9(d) (Existing Hazardous Materials Sites) – No Substantial Change Relative to the General Plan EIR

A review of available records, databases (EnviroStor and GeoTracker) and reports indicate that the Project site is not located within ¼ mile of any cleanup sites. The nearest voluntary cleanup site is the Cotati Rod and Gun Club, located over 2.5 miles from the Project site.¹² There are no open “Leaking Underground Storage Tank (LUST) Cleanup Sites” nor any open “Cleanup Program Sites” in the vicinity of the Project.¹³ The Project site is not on the Cortese List.¹⁴

Trans Tech Consultants prepared a Phase I Environmental Site Assessment (ESA) for the Project was prepared on August 21, 2023 (**Appendix E**). The ESA reviewed regulatory agency files, conducted interviews with current and past property owners, reviewed historic maps and aerial photographs, and performed a site visit. Trans Tech Consultants did not find any Recognized Environmental Conditions (RECs), controlled RECs, historical RECs, or de-minimis conditions associated with suspected RECs.

¹² CA Department of Toxic Substances Control, Envirostor Website. Accessed on June 12, 2023.

¹³ California Water Board, Geotracker website: <https://geotracker.waterboards.ca.gov/map/> Accessed on June 12, 2023.

¹⁴ CA Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese) downloaded June 12, 2023.

Construction of the Project involves demolition and removal of existing buildings, structures, and other improvements onsite. Given the age of existing buildings, there is a potential that asbestos-containing materials (ACM) and lead-based paints (LBP) may be present. If such materials are present, demolition activities could release ACM and LBP, potentially impacting people and the environment. To comply with the 2013 General Plan, **COA HAZ-1** is required. **COA HAZ-1** requires an asbestos and lead-based paint survey prior to demolition of the existing structures and the implementation of Occupational Safety and Health Administration (OSHA) procedures for removal and disposal.

The site was formerly used for raising poultry. The “chicken houses” are no longer on the property but there is potential for elevated levels of nitrates and abnormal pH levels around the former structures.

In accordance with **Policy CSF 3.7**, a Phase I Environmental Site Assessment (ESA) was prepared to evaluate Project site conditions and identify and potential recognized environmental constraints. The Phase I ESA concluded that the Project site does not contain any REC, and notes that the prior use of the site for poultry related activities present the potential for the presence of elevated levels of nitrate. In order to identify if nitrate levels are elevated and to remediate prior to the introduction of residents onsite, **COA HAZ-2** is imposed on the Project.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.9(e) (Public Airport Land Use Plans) – No Change Relative to the General Plan EIR

Consistent with the General Plan, the Project site is not located within an airport land use plan, within two miles of a public or private airport, nor within the vicinity of a private airstrip. As such, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.9(f-g) (Wildfire and Emergency Response) – No Substantial Change Relative to General Plan EIR

The Project is subject to the California Fire Code and the preliminary plans have been reviewed and conditions added by the Rancho Adobe Fire District which ensure that the Project will not expose people or structures, either directly or indirectly to significant risk of loss, injury, or death involving fires and **COA WF-2** which requires implementation of wildfire prevention measures such as homeowner maintenance of landscaping and preservation of defensible space. The proposed Viking Way will meet City standards for emergency vehicle access and would not impair the implementation or physically interfere with an adopted emergency response or emergency evacuation plan. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy CSF 3.7: Continue to coordinate with Sonoma County to require all businesses and residents to comply with the local and State requirements regarding the proper disposal of toxic and hazardous materials and waste.

Status: The construction phase of the Project, including the demolition of old buildings and the construction of 35 new homes may involve hazardous materials or waste. In compliance with Policy CSF 3.7, **COA HAZ-1** includes requirements for potentially hazardous or toxic materials associated

with demolition and **COA HYD-1** requires approval of an SWPPP to limit ongoing exposure through Best Management Practices. As conditioned, the Project complies with Policy CSF 3.7.

Policy CSF 3.8: Require new or significantly remodeled residential and all non-residential development to incorporate sufficient, attractive, and convenient interior and exterior storage areas for recyclables and green waste.

Status: The Project proposes single-family dwellings with side yards and fencing with gates rising six feet in height in addition to garages for each dwelling. Storage for recyclables and green waste may be stored in either area at the discretion of future homeowners. Either option provides sufficient, attractive, and convenient interior and exterior storage areas for waste materials in compliance with Policy CSF 3.8.

Conclusion and Environmental Conditions

The Project conditions ensure that the Project is consistent with federal, state, and local regulations for the treatment of hazardous materials as identified in the 2013 General Plan EIR. The Project is within the scope of development projected under the General Plan and will not result in any substantial new or more severe impacts related to hazards and hazardous materials relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies (see also HYD-1 in Section 5.10):

HAZ-1: To avoid potential impacts related to the release of asbestos-containing materials or lead-based paint, an asbestos survey adhering to sampling protocols outlined by the Asbestos Hazard Emergency Response Act (AHERA) a lead-based paint screening shall be conducted prior to demolition of the existing structures. In the event that such substances are found, the applicant shall be subject to requirements set forth by the Occupational Safety and Health Administration (OSHA) AHERA requirements, lead standard contained in 29 CFR 1910.1025 and 1926.62, and any other local, state, or federal regulations. Treatment, handling, and disposal of these materials shall adhere to all requirements established by OSHA and other agencies.

HAZ-2: Prior to issuance of the building permit, soil testing around the former agricultural use areas shall be tested for nitrates. If elevated levels of nitrates are found, the applicant shall prepare and submit a remediation plan for review and acceptance by the City. Once accepted, the remediation plan shall be carried out by the applicant and remediation documentation submitted to the City upon completion and prior to issuance of occupancy.

5.10. HYDROLOGY AND WATER QUALITY

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒
i. result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
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	☐	☐	☒	☐
iv. impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒

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

☐☐☒☐

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Stormwater Mitigation Plan, prepared by T.D.G Consulting Civil Engineers, Inc., August 28, 2023; and City of Cotati Municipal Code.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated the potential impacts related to hydrology and water quality in Chapter 3.8 and determined the following.

- Impact 3.8.1- Implementation of the General Plan could result in a violation of water quality standards or waste discharge requirements. Through the implementation of the mitigating Policies CON 1.8 – CON 1.14 and Actions CON 1f – CON 1k, and the requirements of the NPDES Phase 1 MS4 permit and the LID Manual requirements, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.2 – Implementation of the General Plan could contribute to the depletion of groundwater supplies or interfere substantially with groundwater recharge. Through the implementation of the mitigating General Plan Policies CSF 2.1- CSF 2.15 and Actions CSF 2a - CSF 2g , combined with the City continuing to obtain surface water from the Russian River and reducing the consumption of groundwater, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.3 – Implementation of the General Plan could alter the existing drainage pattern in a manner which would result in substantial erosion, siltation, flooding, or polluted runoff. Through the implementation of the mitigating General Plan Policies CON 1.1 , CON 1.2, CON 1.7 – CON 1.14, SA 3.1 – 3.13, Actions CON 1f – CON 1k, SA 3a – 3h, and compliance with state and local regulations, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.4 – Implementation of the General Plan could otherwise substantially degrade water quality. Through the implementation of the mitigating General Plan Policies CON 1.8 – CON 1.14, Actions CON 1f – CON 1k, and compliance with state and local regulations, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.5 – General Plan implementation could place housing and structures within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Through the implementation of the mitigating General Plan Policies SA 3.1 – SA 3.13, Actions SA 3a – 3h, and compliance with state and local regulations, implementation of the General Plan would have a less than significant impact.

- Impact 3.8.6 – Implementation of the General Plan Update would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of failure of a levee or dam, seiche, tsunami, or mudflow. There are no levees or dams upriver from the City of Cotati and it is not located within the vicinity of a body of water that could be subject to a seiche or tsunami. The relatively level slopes and soil types throughout the City of Cotati result in a very low potential for mudflow. Therefore, implementation of the General Plan would result in a less than significant impact.

The 2013 General Plan EIR found that with the implementation of mitigating General plan Policies CON 1.1, CON 1.2, CON 1.7 – CON 1.14, CSF 2.1-2.15, SA 3.1- SA 3.13 and Actions CON 1f-1k, CSF 2a-2g, SA 3a-3h as well as through the application of applicable state and local regulation, impacts to hydrology and water quality were less than significant.

Stormwater Regulation

The State Water Resources Control Board (SWRCB) is responsible for implementing the Clean Water Act (CWA) and has issued a statewide General Permit for construction, which acts to minimize pollutant runoff to surface waters and groundwater. The City of Cotati is located principally within the North Coast Hydrologic Region which manages the Russian River watershed. Southern portions of the city drain to San Pablo Bay via the Petaluma River and is managed by the San Francisco Bay Hydrologic Region. Within the city there are two hydrologic subareas, the Upper Laguna de Santa Rosa Subarea (Russian River) and the Petaluma River Subarea (San Pablo). Cotati has joined with other permittees in the Santa Rosa Plain under a Phase 1 NPDES permit (Water Quality Order No. R1-2009-0050) (NPDES No. CA0025054) which imposes requirements on municipalities to mitigate for stormwater quality and quantity and provides the Santa Rosa Storm Water Low Impact Development Technical Design Manual (LID Manual) as guidance.

Project Consistency with 2013 General Plan EIR

The Project will demolish existing residential structures, remove trees, grade the site, and develop 35 new lots with single family homes. It also includes the construction of a 30-foot wide by 800 foot long access road and a new stub road that will be 30 feet wide by 150 feet long. The existing impervious surface on the site is currently estimated at 20,786 square feet and the Project will result in a total impervious area of 161,322 square feet which will be approximately 52% of the site. Lot coverage on individual parcels range from 12% to 40%.¹⁵

A Hydrology Analysis was prepared for the Project by TDG Consulting Civil Engineers on November 13, 2022 (**Appendix F**). An Initial Storm Water Mitigation Plan was prepared by T.D.G. Consulting Engineers, Inc., dated August 28, 2023.

4.10(a) (Stormwater Discharge) – No Substantial Change Relative to the General Plan EIR

The Project's construction activities and the installation of new impervious areas have the potential to result in increased runoff that could contain sediment and other pollutants that could degrade water quality if not properly controlled. Sources of potential pollution associated with construction include

¹⁵ Lot Coverage Exhibit prepared by TDG Consulting Civil Engineers, August 1, 2023.

fuel, grease, oil and other fluids, concrete material, sediment, and litter. These pollutants have the potential to degrade water quality if not properly managed. However, as concluded in the 2013 General Plan EIR, the NPDES requirements, including the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and compliance with the RWQCB Order No. R1-2009-0045, Waste Discharge Requirements minimize the impacts from future development. The purpose of the SWPPP is to identify potential sediment sources and other pollutants and prescribe BMPs to ensure that potential adverse erosion, siltation, and contamination impacts would not occur during construction activities.

The Initial Stormwater Mitigation Plan proposes that downspouts from roof gutters located at the proposed home frontage lots will be collected at front area drains under sidewalk drain discharging at lip of gutter or direct to a bio-retention area. The downspouts would discharge on splash blocks and runoff would then be conveyed to the bio-retention and private drain inlets which overflow to the storm drain system. Surface water flow from the street would be collected on lip of gutter through the curb cuts to the bio-retention facilities. The uphill drainage coming from the southwestern portion of the site would be collected by the swales and storm drain system as a bypass drainage. Additionally, the Project will incorporate landscaping and trees, which facilitate filtration and reduce sediment runoff. Additionally, the Project proposes to utilize roadside bioretention facilities with curb openings Type P2-04 bio-retention at Viking Way, Longship Lane & Old Redwood Highway to mitigate pollutants and provide volume capture for the 85th percentile 24-hour storm.¹⁶

The City Engineer has reviewed the proposed plans and determined preliminary compliance with Chapter 13.68 of the Cotati Municipal Code, which regulates storm water discharge and Chapter 14.36 of the Municipal Code, which contains grading and erosion control requirements. Prior to issuance of a building permit, the final stormwater mitigation plan will be reviewed and accepted by the City Engineer.

To comply with the 2013 General Plan EIR Policy CON 1.12 and Policy SA 3.13, **COA HYD-1** requires that the applicant have a SWPPP approved by the RWQCB and the City's Engineer prior to commencing site demolition or construction. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impacts to stormwater discharge relative to the 2013 General Plan EIR.

4.10(b) (Groundwater) – No Change Relative to the General Plan EIR

The Project does not involve the extraction and use of groundwater. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

4.10(c)(i-iv) (Drainage Pattern) – No Substantial Change Relative to the General Plan EIR

The City is served by an existing storm drain system, and the City Engineering Division confirms infrastructure capacity for new developments. As new development has the potential to incrementally increase the use of storm drains, the City has established development impact fee levied on new developments to contribute to any needed new or expanded infrastructure. Payment of development impact fees, as well as review of final drainage plans, is a requirement in the building permit review process. Development impacts fees are used in part to maintain and build out the city's storm drain system as planned.

¹⁶ TDG Consulting Civil Engineers, Inc. Stormwater Mitigation Plan Flahaven Estates. August 28, 2023.

The Project applicant submitted preliminary drainage plans that include the use of onsite infiltration. To ensure compliance with the 2013 General Plan EIR Policy CON 1.12, SA 3.2, and SA 3.3, **COA HYD-2** is required. **COA HYD-2** requires that the applicant submit engineered drainage plans for approval to the City Engineer prior to issuance of the building permit. The plans shall include onsite storm drain infrastructure with connections to the existing storm drain system and shall pay any required development impact fees. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

4.10(d) (Pollutants in Flood Hazard, Tsunami, or Seiche Zones) – No Change Relative to the General Plan EIR

As shown in Figure 3.8-1: Watersheds of the 2013 General Plan EIR, the Project site is not located near any streams or rivers that could be directly impacted by the Project. As shown in Figure 3.8-2: Flood Hazard Map of the 2013 General Plan EIR, the Project site is located within a minimal flood hazard area. Therefore, the Project would not place housing within a flood hazard area and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to pollutants in flood hazards relative to the 2013 General Plan EIR.

4.10(c) (Conflict with Water Quality Control Plan or Sustainable Groundwater Management Plan) – No Substantial Change Relative to the General Plan EIR

The 2013 General Plan EIR determined that new development would be required to adhere to pertinent local, state, and federal agency requirements. **COA HYD-1 and HYD-2** implement the pertinent local, state, and federal agency requirements as conditions of approval for the Project and ensure that the Project does not conflict with a Water Quality Control Plan. As concluded in 4.10(b) the Project will have no change to groundwater and will therefore not impact a Sustainable Groundwater Plan. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact resulting from conflicts with a water quality control plan or sustainable groundwater management plan relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy CON 1.12: Require discretionary projects, as well as new flood control and stormwater conveyance projects, to integrate best management practices (BMPs) and natural features to the greatest extent feasible, while ensuring that these features adequately convey and control stormwater to protect human health, safety, and welfare.

Status: The Project is subject to the regulations of the Regional Water Quality Control Board and as a project that is larger than one acre, the Project is required to prepare a Storm Water Pollution Prevention Plan (SWPPP), comply with the RWQCB Order No. R1-2009-0045 Waste Discharge Requirements, implement BMPs and comply with the City's Municipal Code Chapter 13.68 which regulates storm water discharge and Chapter 14.36 which regulates erosion and sediment control. To ensure compliance with this policy, **COA HYD-1** requires compliance with these regulations as a condition of approval. As conditioned, the Project complies with Policy CON 1.12.

Policy CON 1.13: Prioritize the use of natural features such as bioswales, vegetation, retention ponds, and other measures to remove surface water pollutants prior to discharge into surface waters.

Status: The Project is designed to include a series of bioswales, rain gardens, and bioretention areas that will remove surface water pollutants prior to entering into storm drains and as such complies with this policy.

Policy SA 3.2: Require all development projects to demonstrate how storm water runoff will be detained or retained on-site and/or conveyed to the nearest drainage facility as part of the development review process. Project applicants shall demonstrate that project implementation would comply with all applicable provisions of the City's MS4 permit and companion documents, which collectively define the design storm event for water detention and retention features.

Policy SA 3.3: Ensure that construction activities will not result in adverse impacts to existing flood control and drainage structures.

Status: The Project includes the use of bioretention facilities that will treat stormwater on site, however, water from the proposed roadways will use a curb and gutter system that will enter into a drainage pipe that will connect with the City's drainage system. The implementation of **COA HYD-2** ensures that the Project complies with these policies.

Policy SA 3.12: Require all new developments in the city to be designed to minimize vegetation removal, soil compaction, and site coverage.

Status: The Project will remove vegetation and result in soil compaction in order to create 35 buildable lots and construct single family homes. However, the compaction and vegetation removal are proposed for what is necessary to complete the Project. This includes the removal of all trees onsite which will be replaced in accordance with Cotati Municipal Code Chapter 17.54. The Project will have an overall lot coverage (including roads) of 52% and includes the use of bioretention facilities which reduces paved areas and increases natural infiltration. As such, the project design complies with this policy.

Policy SA 3.13: Ensure that adequate drainage and erosion controls are provided during construction of all new developments.

Status: The applicant provided a Stormwater Mitigation Plan and has provided drainage plans as part of the Project. **COA HYD-2** requires that the applicant submit engineered drainage plans for approval to the City Engineer prior to issuance of the building permit. As conditioned, the Project complies with this policy.

Action SA 3g: As part of the development review process, require developers to prepare hydrological studies for all new developments as required by the City Engineer. Studies shall encompass the project site as well as the entire drainage area.

Status: A Hydrology Analysis was prepared by T.D.G. Consulting Engineers, Inc., dated November 13, 2022 (**Appendix F**), which provides a hydrological analysis for the Project site in compliance with this action.

Conclusion and Environmental Condition of Approval:

The Project is within the scope of development projected under the General Plan and as conditioned, complies with the mitigating policies and actions in the 2013 General Plan EIR. As conditioned, the

Project would not result in any substantial new or more severe impacts to hydrology and water quality relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies:

- HYD-1:** The applicant shall submit a Storm Water Prevention and Pollution Plan (SWPPP) approved by the Regional Water Quality Control Board for approval by the City Engineer prior to the issuance of a building permit. The SWPPP shall include Best Management Practices for construction activities as well as accounting for any BMPs required for operational activities. The SWPPP shall incorporate the requirements of all applicable federal, state, and local regulations including the City of Cotati Municipal Code Chapter 13.68 Storm Water Ordinance and Chapter 14.36 Erosion and Sediment Control.
- HYD-2:** The applicant shall submit a final Stormwater Low Impact Development and Stormwater Mitigation Plan for review and approval by the City Engineer prior to issuance of the building permit.

5.11. LAND USE AND PLANNING

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015;

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts to Land Use in Chapter 3.9 and determined the following:

- Impact 3.9-1: General Plan implementation has the potential to physically divide an established community. The proposed General Plan does not include any new areas designated for urbanization or new roadways, infrastructure, or other features that would divide existing communities and would result in a less than significant impact.
- Impact 3.9-2: General Plan implementation has the potential to conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted to avoid or mitigate an environmental effect. Implementation of the General Plan could result in potential adverse environmental impacts, including traffic, noise, water quality, biological resources, drainage and water quality, air quality, hazards, geology/soils, and cultural resources. Through compliance with local, state, and federal regulations as well as the mitigating policies and actions evaluated in the 2013 General Plan EIR, implementation of the General Plan would have a less than significant impact.

Project Consistency with the 2013 General Plan EIR

The Project site is located at 8841 Old Redwood Highway in southern Cotati and proposes to subdivide a seven acre parcel into a 35-lot subdivision and construction of 35 single-family dwellings within the boundaries of the Project site. The Project site has a General Plan land use designation of Low/Medium Density Residential (LMDR). The surrounding land uses are designated LMDR to the east and north, Low Density Residential (LDR) and Rural Residential (RR) to the west, and Agriculture &

Residential¹⁷ to the south. The Project site is zoned Neighborhood, Low Density (NL) pursuant to the City of Cotati Zoning Map. The surrounding zoning designations include NL to the north and east, rural residential to the west, and to the south, within unincorporated Sonoma County, is zoned Agriculture & Residential within the B6 Combining District.¹⁸

5.11(a) (Physically Divide Community) – No Change Relative to the General Plan EIR

The Project is proposed on an existing under-utilized site planned for residential use. The Project site is currently fenced off and there is no access through the site to other locations. The Project would introduce new residences and access roads in a manner anticipated by the General Plan and consistent with the site's zoning. As such, the Project would not physically divide a community. Therefore, the Project would not substantially increase the severity of the less than significant impacts nor would it result in new significant impacts related to physical division of an established community that were not identified in the 2013 General Plan EIR.

5.11(b) (Conflict with Land Use) – No Substantial Change Relative to the General Plan EIR

The Project is consistent with the General Plan land use designation, the zoning designation, and the allowable density for the site. Through the environmental review process, design review process, and tree permit process conditions of approval have been established to ensure consistency with the General Plan and compliance with the City of Cotati Zoning Code. As conditioned, the Project would not substantially increase the severity of the less than significant impacts nor would it result in new significant impacts that were not identified in the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

The 2013 General Plan EIR did not identify any mitigating policies for Land Use.

Conclusion

The Project is within the scope of development projected under the General Plan. As conditioned through the review process, the Project is consistent with the General Plan and complies with the City's Zoning Code and would not physically divide a community. As conditioned, the Project would not substantially increase the severity of impacts identified nor would it result in new significant impacts that were not identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

¹⁷ Sonoma County, Permit Sonoma Parcel Look Up. Website: <https://parcelsearch.permitsonoma.org/ParcelSearch>. Accessed on September 18, 2023.

¹⁸ Ibid.

5.12. MINERAL RESOURCES

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; and California Department of Conservation.

2013 General Plan EIR Findings

The California Department of Conservation Surface Mining and Reclamation Act of 1975 (§ 2710), also known as SMARA, provides a comprehensive surface mining and reclamation policy that permits the continued mining of minerals, as well as the protection and subsequent beneficial use of the mined and reclaimed land. The 2013 General Plan EIR did not identify any known significant mineral resources of value to the region and residents of the state within the city.

Project Consistency with the 2013 General Plan EIR**5.12(a-b) (Mineral Resources) – No Change Relative to the General Plan EIR**

The site does not contain known significant mineral resources of value.¹⁹ As such, the Project will not impact mineral resources and the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

There are no applicable 2013 General Plan EIR mitigating policies to this Project.

Conclusion

The Project would not result in any substantial new or more severe impacts to mineral resources relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental

¹⁹ California Department of Conservation, Division of Mine Reclamation. Mines Online. <https://maps.conservation.ca.gov/mol/index.html> Accessed: June 14, 2023.

circumstances relative to the evaluation in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

5.13. NOISE

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Environmental Noise Study for 8841 Old Redwood Highway, Cotati, California, prepared by RGD Acoustics January 28, 2022; Traffic Impact Analysis for Flahavan Estates Project, prepared by Transpedia Consulting Engineers, January 13 2022; and City of Cotati Municipal Code.

2013 General Plan EIR Findings

The 2013 General Plan EIR identifies the City's existing noise and vibration sources and levels, standards of measurement and thresholds, and potential impacts resulting from implementation of the General Plan. The 2013 General Plan EIR concludes that, with implementation of General Plan policies, impacts to ambient noise levels in the City due to traffic noise sources as well as cumulative stationary noise sources and increased traffic noise would be significant and unavoidable.

The 2013 General Plan EIR evaluated potential impacts to Noise in Chapter 3.10 and determined the following:

- Impact 3.10-1: General Plan implementation would result in exposure to increased ambient noise levels due to traffic noise sources. While implementation of the Policies N 1.1 – N 1.3, N1.6 – N 1.14 and Actions N 1a – N 1g of the General Plan will reduce noise and land use compatibility impacts from vehicular traffic noise sources and would ensure that new development is designed to include noise-attenuating features, some traffic noise impacts cannot be mitigated to a less-than-significant

level due the proximity of sensitive receivers to major roadways, and because noise attenuation may not be feasible in all circumstances. Therefore, implementation of the General Plan could potentially result in a significant increase in ambient noise levels and would result in a significant and unavoidable impact.

- Impact 3.10-2: General Plan implementation has the potential increase ambient noise levels due to railroad noise sources. This is considered a less than significant impact. Through the implementation of the mitigating General Plan Policies N 1.1 – N 1.3, N 1.8, N 1.11, and Actions N 1a – N 1c, and 1g, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-3: General Plan implementation has the potential to increase ambient noise levels due to stationary noise sources. Through the implementation of the mitigating General Plan Policies N 1.1, N 1.2, N 1.3, N 1.4, N 1.5, N 1.7, N 1.8, N 1.9, N 1.11, N 1.13, and Actions N 1a – N 1c, and 1g, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-4: General Plan implementation has the potential to increase ambient noise levels due to construction noise sources. Through the implementation of the mitigating General Plan Policies N 1.5, N 1.12, and Actions N 1c, N 1d, N 1e, and N 1h, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-5: General Plan implementation has the potential to cause increased perceptible groundborne vibration levels during construction. Through the implementation of the mitigating General Plan Policies N 1.5, N 1.12, N 1.15, and Actions N 1c and N 1h, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-6: Development facilitated by the General Plan could expose persons to excessive groundborne vibration levels attributed to SMART train service. The proposed General Plan includes Action N 1b, which requires that individual development projects adjacent to SMART undergo project-specific environmental review and address potential vibration impacts associated with SMART operations. If project-level significant vibration impacts are identified, specific mitigation measures would be required under CEQA. Through implementation of this mitigating action potential impacts from groundborne vibrations associated with SMART operations would be less than significant.
- Impact 3.10-7: Under cumulative conditions, the General Plan would accommodate development that would result in increased traffic noise and an increase in stationary noise sources. The General Plan includes mitigating Policies N 1.1- N 1.14, and Actions N 1a – N1h that are intended to reduce noise associated with both stationary sources and traffic. While these policies will reduce noise impacts, some traffic noise impacts cannot be mitigated to a less-than-significant level due the proximity of sensitive

receivers to major roadways, and because noise attenuation may not be feasible in all circumstances. As a result, this is a significant and unavoidable cumulative impact.

- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for noise (Impacts 3.10-1 and 3.10-7). The City findings determined that despite the significant and unavoidable impact to noise, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

Project Consistency with the 2013 General Plan EIR

5.13(a) (Increase in Ambient Noise) – No Substantial Change Relative to the General Plan EIR

Old Redwood Highway traffic is the dominant noise source affecting the Project. According to the Project's Traffic Impact Analysis, future traffic volume is expected to increase up to 21%; therefore, a 0.8 dBA increase in the L_{dn} was included in the analysis. RGD Acoustics prepared an Environmental Noise Study for the Project (**Appendix G**). Based on RGD Acoustics' measurements and calculations, the proposed dwelling units closest to Old Redwood Highway would be exposed to a future exterior L_{dn} of 69 dBA. The noise exposure of homes further from Old Redwood Highway would be less due to attenuation from increased distance and acoustical shielding provided by the intervening buildings.

The Project will be exposed to existing and future noise levels considered "conditionally acceptable" by General Plan Table N-1. The General Plan provides that "specified land use may be permitted only after detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design." The City of Cotati Municipal Code Section 17.30.050 further states that the maximum allowable noise levels for residential outdoor and interior spaces are 65 dBA L_{dn} and 45 dBA L_{dn} , respectively.

Construction would increase ambient noise temporarily and **COA NOI-1** requires the implementation of noise attenuation measures during construction to reduce temporary noise impacts.

During operation, the residents proximate to Old Redwood Highway would be exposed to elevated noise levels and **COA NOI-2** requires the implementation of noise attenuating strategies to reduce exterior noise levels to below 65 dBA L_{dn} . As conditioned, the Project will not substantially increase the severity of the significance of impacts nor would it result in new significant impacts relative to the 2013 General Plan EIR.

5.13(b) (Groundborne Vibration) – No Substantial Change Relative to the General Plan EIR

The Project would not result in long-term and excessive groundborne vibration or groundborne noise once it is operational as a residential use. The 2013 General Plan EIR determined that construction activities from buildout of the General Plan could result in periods of significant ambient noise levels and groundborne vibration. As outlined below, General Plan action items relevant to the Project include Actions N 1c and N 1h. Action N 1c requires an acoustical study for all new discretionary projects and Action N 1h contains suggested "best practices" for control of construction noise. In compliance with these action items identified in the 2013 General Plan EIR, an Environmental Noise

Study was prepared by RGD Acoustics on January 28, 2022 and **COA NOI-1** is required. Furthermore, noise Standards outlined in Chapter 17.30.050 of the Municipal Code establish allowable hours of operation for construction activities and **COA NOI-1** requires compliance with these standards. As conditioned, the Project will not substantially increase the severity of the significance of impacts identified nor would it result in new significant impacts to groundborne vibration relative to the 2013 General Plan EIR.

5.13(c) (Airfield Noise) – No Change Relative to the General Plan EIR

The Project is not located within the vicinity of a private airstrip or an airport land use plan, nor is it within two miles of a public airport or public use airport. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to airfield noise relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy N 1.2: Require development and infrastructure projects to be consistent with the Land Use Compatibility for Community Noise Environments standards indicated in General Plan Table N-1 (EIR Table 3.10-9) to ensure acceptable noise levels at existing and future uses.

Policy N 1.3: Require development to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials such as rubberized asphalt.

Policy N 1.8: Ensure that new development does not expose indoor sleeping areas to indoor noise levels in excess of 45 dBA Ldn.

Status: The major noise source at the Project site is traffic on Old Redwood Highway. RGD Acoustics prepared an Environmental Noise Study for the Project (**Appendix G**) and determined that the future noise environment would exceed the maximum 65 dBA Ldn specified in the City of Cotati Zoning Code and was expected to be 69 dBA Ldn and that some homes would exceed the indoor sleeping area noise level of 45 dBA Ldn. **COA NOI-2** is required for consistency with the General plan and requires the implementation of noise attenuation measures that comply with General Plan Table N-1 (EIR Table 3.10-9). As conditioned the Project complies with these policies.

Action N 1c: Require an acoustical study for all new discretionary projects, including development and transportation, with potential noise impacts. The study shall include mitigation measures necessary to ensure compliance with this Noise Element and relevant noise standards in the Land Use Code.

Status: RGD Acoustics prepared an Environmental Noise Study for the Project (**Appendix G**) on January 28, 2022. The study addressed the existing and future noise environment with respect to the requirements of the City of Cotati General Plan and Cotati Municipal Code and proposed appropriate noise attenuation measures. As such, the Project complies with this action.

Action N 1h: During the environmental review process, determine if proposed construction will constitute a significant impact on nearby residents and require mitigation measures in addition to the standard “best practice” controls.

Status: Construction activities associated with the Project have the potential to result in temporary noise and vibration levels that would impact adjacent homes periodically over the course of the construction period and **COA NOI-1** is required for consistency with this policy which includes the standard noise attenuation conditions including conformance with Chapter 17.30.050 of the Municipal Code, which establishes allowable hours of operation for construction activities. As conditioned, there would be no additional construction-related noise and vibration impacts beyond those analyzed in the 2013 General Plan EIR and the Project is consistent with this policy.

Conclusion and Environmental Conditions of Approval:

The Project is within the scope of development projected under the General Plan and as conditioned complies with the 2013 General Plan and would not result in any substantial new or more severe impacts to noise relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies:

NOI-1: Construction-related noise and vibration impacts shall be attenuated through implementation of the following best management practices (BMPs) for control of construction noise:

1. Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 7:00 pm on weekdays and 9:00 am and 5:00 pm on Saturdays. No construction shall occur on Sundays or holidays.
2. All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
3. The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
4. At all times during project grading and construction, stationary noise---generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.
5. Unnecessary idling of internal combustion engines shall be prohibited.
6. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
7. Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
8. The construction contractor shall designate a “noise disturbance coordinator” who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

NOI-2: Prior to issuance of the building permit, the applicant shall submit final design plans that specify the noise attenuation measures along with an analysis documenting that the measures taken reduce interior and exterior noise to 65 dBA Ldn during the day and interior noise levels of no more than 45 dBA Ldn at night (with the windows closed) for all homes proposed for construction. This may be achieved through implementation of the recommendations of the RGD Acoustics Noise Study (e.g. installation of the six-foot-tall soundwall) and/or through installation of sound-rated doors or windows as appropriate, and/or the installation of air conditioning or mechanical ventilation systems in compliance with Municipal Code Section 17.30.050(D)(5).

5.14. POPULATION AND HOUSING

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; and City of Cotati 2023-20231 Housing Element certified June 2, 2023.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts to Population and Housing in Chapter 3.9 and determined the following:

- Impact 3.9-5: General Plan implementation has the potential to induce substantial population growth. Through implementation of General Plan policies and actions intended to guide growth to appropriate areas and limit land uses allowed under the proposed General Plan, population and housing growth associated with the proposed General Plan would result a less than significant impact.
- Impact 3.9-6: General Plan implementation does not have the potential to displace substantial numbers of people or existing housing. The General Plan could result in development that would remove residences, but the development allowed under the General Plan would result in an increase in the total number of residences and provide housing opportunities for persons that may be displaced as a result of development. This provision of replacement “housing opportunities” is essentially a self-mitigating aspect and implementation of the General Plan and would have a less than significant.

The 2013 General Plan EIR determined that the 2030 General Plan would accommodate approximately 2,140 new residential units within the City Limits and the Sphere of Influence through 2035. This new growth would increase the Planning Area’s population by approximately 5,243 residents. The population in Cotati in 2013 was estimated at 7,310 in the

2013 General Plan EIR. The General Plan is intended to accommodate the City's fair share of statewide housing needs, which are allocated by the Association of Bay Area Governments.

The 2013 General Plan EIR determined that with implementation of General Plan policies and actions intended to guide growth to appropriate areas and provide services necessary to accommodate growth, the land uses allowed under the proposed General Plan, the infrastructure anticipated to accommodate proposed land uses, and the goal and policy framework would not induce growth that would exceed adopted thresholds, but did not specify any mitigating policies. Additionally, the 2013 General Plan EIR determined that while the proposed General Plan may result in development that would remove residences, development allowed under the General Plan would result in an increase in the total number of residences and provide housing opportunities for persons that may be displaced as a result of development. This provision of replacement "housing opportunities" was found to be self-mitigating as a result of implementation of the proposed General Plan and impacts from population and housing were found to be less than significant.

2023- 2031 Housing Element

On June 2, 2023, State Department of Housing and Community Development (HCD) certified the City of Cotati's updated Housing Element of the General Plan. The Housing Element serves as Cotati's blueprint for meeting the housing needs of residents, including people living at all economic levels and those with unique or specific housing needs. It also serves as the City's document for how it will achieve the Regional Housing Needs Allocation (RHNA) as required by State housing law and determined by Association of Bay Area Governments (ABAG). Cotati's RHNA is 234 units which includes 60 very low income units, 34 low income units, 39 moderate income units, and 101 above moderate income units. The Project site, 8841 Old Redwood Drive, is included in the Housing element as a proposed project under review and accounted for as contributing to the City's housing needs.

An Addendum Evaluation of the 2023-2031 Housing Element (Addendum) was prepared by Rincon Consultants, Inc. in March of 2023. CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when a project has a previously certified EIR. CEQA Guidelines Section 15164 states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The City of Cotati, acting as the lead agency, determined that an addendum is the appropriate environmental document under CEQA because the proposed project would not require revisions to the certified General Plan EIR due to the involvement of new significant environmental effects or substantial increases in the severity of significant effects previously identified in the General Plan EIR and no additional mitigating policies or actions were added to those identified in the 2013 General Plan EIR.

Project Consistency with the 2013 General Plan EIR

The Project site is 7.1 acres in area and six dwelling units per acre are permitted by the Low-Medium Density General Plan land use designation, a maximum of 42.6 units is permitted under the City's

density provisions at the Project site. The proposed 35 new single-family homes would create a residential density of 4.9 units per acre, consistent with the General Plan Low-Medium designation.

5.14(a) (Induced Substantial Growth) – No Change Relative to the General Plan EIR

The City of Cotati has an existing population of approximately 7,453 residents²⁰ which is only slightly more than the population in 2013 and the City has not reached its planned growth (additional 5,243 residents). The Project would result in the construction of 35 new single-family homes, increasing the population within the City of Cotati by approximately 86 persons²¹ which is not substantial and well within the planned growth in the 2013 General Plan EIR, particularly as the site is designated and zoned for housing development.

The Project site is located within City limits and would connect to the existing water main within Old Redwood Highway and the existing sanitary sewer line within Old Redwood Highway. As such, the Project site is served by existing services and infrastructure and will not require the extension or construction of new utilities to provide adequate service. There are no other elements of the Project that would induce growth at levels beyond what has been anticipated by the 2013 General Plan EIR. The project will not substantially increase the severity of the significance of impacts nor would it result in new significant impacts relative to the 2013 General Plan EIR.

5.14(b) (Displacement) – No Change Relative to the General Plan EIR

The Project site is located within the City limits and currently contains three single-family residences. Two single-family residences are inhabited and the other is vacant. The Project would introduce 35 new single-family homes onsite. As such, the Project would not displace a substantial number of people or existing housing that would require the construction of replacement housing elsewhere. Therefore, Project impacts related to the displacement of housing or people would not exceed those analyzed in the 2013 General Plan EIR and the Project will not substantially increase the severity or the significance of impacts nor would it result in new significant impacts relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

There are no applicable 2013 General Plan EIR mitigating policies nor actions related to Population and Housing.

Conclusion

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to land use and planning relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

²⁰ US Census Bureau, QuickFacts, City of Cotati, July 1, 2022. Accessed on May 23, 2023.

²¹ Based on the 2016 California Department of Finance estimate of 2.46 persons per household in Cotati.

5.15. PUBLIC SERVICES

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Rancho Adobe Fire District; and School District Enrollment.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts to Public Services in Chapter 3.11 and determined:

- Impact 3.11-1: Implementation of the General Plan has the potential to result in adverse physical impacts associated with governmental facilities and the provision of public services. Through the implementation of mitigating policies CSF 1.1 – CSF 1.3, CSF 2.28 – CSF 2.36, CSF 4.7, CSF 4.8, OS 2.1 – OS 2.6, LU 3.12, LU 3.14, LU 3.15, and LU 4.1 and mitigating actions CSF 1a, CSF 1b, CSF 2o – CSF 2s, CSF 4d, CSF 4e, OS 2a – OS 2c, implementation of the General Plan would have a less than significant impact.
- Impact 3.11-2: Implementation of the General Plan has the potential to result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities. Through the implementation of mitigating General Plan policies OS 2.1 – OS 2.6 and mitigating actions OS 2a – OS 2c,

implementation of the General Plan would have a less than significant impact.

The 2013 General Plan EIR determined that development accommodated under the 2013 General Plan would result in additional residents and businesses in the City, including new residential, industrial, office, and commercial uses and accommodate approximately 1,541 new residential dwelling units. The new growth was expected to increase the City's population by approximately 3,775 residents. This would result in increased demand for public services, including fire protection, law enforcement, schools, parks, libraries, and other public and governmental services. The 2013 General Plan includes policies and actions to ensure that public services are provided at acceptable levels and to ensure that development and growth does not outpace the provision of public services. The 2013 General Plan EIR concluded that the implementation of the mitigating policies CSF 1.1 – CSF 1.3, CSF 2.28 – CSF 2.36, CSF 4.7, CSF 4.8, OS 2.1 – OS 2.6, LU 3.12, LU 3.14, LU 3.15, and LU 4.1 and mitigating actions CSF 1a, CSF 1b, CSF 2o – CSF 2s, CSF 4d, CSF 4e, OS 2a, OS 2b, and OS 2c would result in a less than significant impact.

Project Consistency with the 2013 General Plan EIR

The Project will result in the construction of 35 homes that will be served by Municipal services including water, sewer, police, and fire.

5.15(a) (Fire) – No Change Relative to the General Plan EIR

The project site is served by the Rancho Adobe Fire Protection District (RAFPD). The District was formed in 1993 through the combining of two smaller districts, the Cotati Fire Protection District and the Penngrove Fire Protection District. The RAFPD provides services to the Penngrove, Cotati, and unincorporated areas of Petaluma. RAFPD covers an emergency response area of roughly 86 square miles and serves approximately 28,000 people. Service is provided by three stations located at 1 East Cotati Avenue; 11000 Main Street in Penngrove and 99 Liberty Road in Petaluma. The department is comprised of full-time, part-time and volunteer positions who work 48 hour shifts.²²

The RAFPD has automatic aid agreements with neighboring districts, including the California Department of Forestry (CDF) and the City of Rohnert Park. The CDF provides automatic aid for emergency incidents in the west portions of the District and to State Responsibility Area fires. CDF provides fire response to anywhere in the District at the District's request. Under the automatic aid agreement between RAFPD and the City of Rohnert Park, the City of Rohnert Park responds to structure fires, water-flow alarm-sounding, vegetation fires, and vehicle collision calls in the RAFPD service area, including locations in Cotati.

The Project proposes to install an on-site 8-inch PVC public water main under the new access road to connect with the existing 8-inch water main under Old Redwood Highway along with 3 new hydrants to serve the development. The system is required to comply with the uniformly applied standards of the California Fire Code (CFC) as referenced in the City of Cotati Municipal Code 14.04.110.

As a standard condition of Project approval, the applicant will be required to pay all applicable development impact fees, including fire suppression facilities impact fees. These funds will be sufficient to offset any cumulative increase in demands to fire protection services. As such, the Project

²² Rancho Adobe Fire District. Rancho Adobe Fire District Website: <https://www.rafd.org/> accessed on September 18, 2023.

will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.15(b,d,e) (Police, Parks, Other) – No Change Relative to the General Plan EIR

The Project is not anticipated to induce substantial growth in the area, either directly or indirectly. However, the increase in residents will incrementally increase the demand for public services including police and parks. New demands on police services and recreational facilities have been previously anticipated as part of General Plan buildout. As a standard condition of Project approval, the applicant will be required to pay all development impact fees applicable to a residential development project, including recreation facilities impact fees. These funds will be sufficient to offset any increase in demand for public services. As such, the Project will not result in a new significant impact or substantially increase the severity of a previously identified impact relative to the 2013 General Plan EIR.

5.15(c) (Schools) – No Change Relative to the General Plan EIR

The Project involves the construction of 35 single-family residences, which could increase student enrollment within the Cotati-Rohnert Park Unified School District (CRPUSD). The CRPUSD includes eight elementary schools, two middle schools, and two high schools. As of August 31, 2017, total enrollment within the CRPUSD was 5,844 students.²³ The CRPUSD has a capacity to serve approximately 8,227 students;²⁴ therefore the school district can accommodate up to 2,383 more students.

The City of Cotati levies School Impact Fees on new development as allowed by Senate Bill 50 (SB 50). It is outlined in California Government Code Section 65996 that development fees authorized by SB 50 are considered, “full and complete school facilities mitigation.” While the Project may introduce new students, the payment of requisite school impact fees will offset any potential impacts related to school facilities. Fees will be leveraged as student enrollment reaches capacity to expand facilities as necessary. As such, the CRPUSD has the capacity to serve the increase in student enrollment from the Project and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Action CSF 2q: As part of the development review process, consult with the Police Department in order to ensure that the project design facilitates adequate police response time and public safety and that the project addresses its impacts on police services.

Status: In accordance with City processing procedures, the application was routed to the Police Department for input. The Police Department reviewed the site plans and found them adequate for police protection purposes. Prior to certificate of occupancy, the City will assess and require payment of a police services impact fee. As such, the Project complies with Action CSF 2q and will not result in

23 Cotati-Rohnert Park Unified School District, Month Enrollment as of August 31, 2017, presented to Board of Trustees on September 15, 2017.

24 Developer Fee Justification Study for Cotati-Rohnert Park Unified School District, prepared by SchoolWorks, Inc., <https://www.crpUSD.org/developerfees>, March 2016.

a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

Conclusion

The Project is within the scope of development projected under the General Plan and will not result in any substantial new or more severe impacts to public services relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

5.16. RECREATION

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; California Code, Government Code Section 66477; and City of Cotati Municipal Code.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts to recreation in Chapter 3.11 and determined the following:

- Impact 3.11-2: Implementation of the General Plan has the potential to result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities. Through the implementation of mitigating General Plan Policies OS 2.1 – OS 2.6 and Actions OS 2a – OS 2c, implementation of the General Plan would have a less than significant impact.

Quimby Act

The Quimby Act (California Government Code Section 66477) states that “the legislative body of a city or county may, by ordinance, require the dedication of land or impose a requirement of the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative or parcel map.” The Quimby Act seeks to preserve open space needed to develop parkland and recreational facilities; however, the actual development of parks and other recreational facilities is subject to discretionary approval and is evaluated on a case-by-case basis with new residential development.

Chapter 17.76.030 of the Cotati Municipal Code provides for the dedication of land and/or the payment of fees to the City for park and recreational purposes as a condition of the approval of a tentative map, as authorized by the Quimby Act. As a standard condition of tentative map approval,

applicants are required to dedicate land and/or pay a fee at the discretion of the City Council for the purpose of developing new or rehabilitating existing park or recreation facilities to serve the subdivision. The Municipal Code requires that one acre of property for every 200 persons residing within the City be devoted to neighborhood and community park and recreational purposes.

Project Consistency with the 2013 General Plan EIR

The Project will subdivide 7.1 acres into 35 lots and construct 35 new single family residential dwelling units. The Project does not include development of a park and is subject to impact fees.

5.16(a-b) (Deterioration of Recreational Facilities, Additional Recreation Facilities) - No Substantial Change Relative to the General Plan EIR

The City of Cotati owns and maintains 11 parks. One of these parks, Helen Putnam Park (8.3 acres), is located approximately 0.5 miles to the northeast of the Project site.²⁵

The Project is projected to increase the City's population by 86 new residents that would use the surrounding parks and recreational facilities as there is not plan to develop park space. As noted in population and housing, this increase is not substantial and is accounted for in the 2013 General Plan and the recently adopted Housing Element. Additionally, the Project is subject to Municipal Code 17.76.030 Park land dedications and fees and **COA REC-1** is required. **COA REC-1** requires the applicant pay an in-lieu fee in accordance with Municipal Code 17.76.030. As conditioned, the Project will not cause substantial or accelerated physical deterioration and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Action OS-2a: Update the Municipal Code to establish minimum parks and open space standards for new development. At a minimum, the standards shall seek to maintain one acre of park land per 200 residents. Additional measures may include requirements to establish assessment or tax districts to fund park maintenance, open space requirements, and provisions for in-lieu fees in instances where it is not feasible or appropriate for new development to provide park land on-site.

Status: Pursuant to Cotati Municipal Code Section 17.76.030, **COA REC-1** is required and the applicant shall either dedicate parkland or pay the required impact fee. As conditioned this Project complies with Action OS-2a and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

Conclusion and Environmental Condition of Approval

The Project is within the scope of development projected under the General Plan and will not result in any substantial new or more severe impacts to recreation relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR

²⁵ City of Cotati. City of Cotati Public Facilities Website. <https://www.cotaticity.org/Facilities/Facility/Details/Putnam-Park-8>
Accessed on September 18, 2023.

mitigating policies:

REC-1: The applicant shall either dedicate 0.54 acres of parkland or pay the in-lieu fee in compliance with 17.76.030(B)(1). The applicant shall pay the fee prior to issuance of the building permit.

5.17. TRANSPORTATION

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Technical Advisory on Evaluating Transportation Impact in CEQA, prepared by the California Office of Planning and Research, December 2018; Cotati Bicycle and Pedestrian Master Plan, prepared by Sonoma County Transportation Authority for the City of Cotati, adopted December 2008, updated April 22, 2014; Traffic Impact Analysis for Flahavan Estates Project, prepared by Transpedia Consulting Engineers, January 13 2022; and Guidelines for Analysis of Vehicle Miles Traveled, adopted by City of Cotati September 22, 2020.

2013 General Plan EIR Summary

The 2013 General Plan EIR identifies the City's circulation network, including the roadway network, pedestrian and bicycle facilities, transit service, park and ride lots, rail service, and truck routes. The 2013 General Plan EIR concludes that, with implementation of General Plan policies, impacts to traffic operations in the City due to funding uncertainty, traffic operations on Gravenstein Highway, and traffic operations on US 101 freeway facilities would be significant and unavoidable. The following impacts to transportation and circulation were considered under the 2013 General Plan EIR:

- Impact 3.12-1: Implementation of the proposed General Plan would result in acceptable traffic operation at the study intersections and roadway segments controlled by the City of Cotati, though the ability to fully fund all identified improvements is uncertain. Implementation of mitigating General Plan Policies CI 1.1, CI 1.2, CI 1.3, CI 1.5, CI 1.7, CI 1.20, CI 3.2, CI 3.3, CI 3.4, and Actions CI 1a, CI 1b, CI 1e- CI 1g, CI 1o- CI 1r, and CI 3b are not sufficient to reduce the impacts and implementation of the General Plan would result in a significant and unavoidable impact.

- Impact 3.12-2: General Plan buildout as well as regional growth would require improvements on Gravenstein Highway, a Caltrans facility. Because the City does not control the funding or timing of these improvements, the City cannot determine that the improvements will be made in time to accommodate regional and local growth. Implementation of mitigating General Plan Policies CI 1.1, CI 1.2, CI 1.3, CI 1.5, CI 1.7, CI 1.20, CI 3.2, CI 3.3, CI 3.4, CI 4.1, CI 4.3, - CI 4.7 and Actions CI 1a, CI 1b, CI 1e- CI 1g, CI 1o- CI 1r, CI 3b, and CU 4a would not sufficiently mitigate the lack of a regional fee program, or another identified source of funding. As such, implementation of the General Plan would result in a significant and unavoidable impact and no further mitigation is available.
- Impact 3.12-3: General Plan implementation would contribute to unacceptable operation on US 101 freeway facilities. The Metropolitan Transportation Commission, County of Sonoma, City of Cotati, and SCTA recognize that US 101 will experience congestion into the foreseeable future, and that there will be no further major capacity enhancements such as expansions or new freeways. Implementation of the mitigating General Plan Policies CI 3.2 – CI 3.4, CI 4.1, CI 4.4, CI 4.6, CI 4.7, LU 2.5, LU 2.10, LU 3.8, and Actions CI 3b and CI 4a would not reduce the impacts to less than significant levels and implementation of the General Plan would result in significant and unavoidable impacts.
- Impact 3.12-4: The proposed General Plan would not conflict with an applicable congestion management program. As of the writing of the 2013 General Plan EIR, there was no congestion management program for Sonoma County or the City of Cotati. As such, implementation of the General Plan would have no impact.
- Impact 3.12-5: The proposed General Plan would not result in a change in air traffic patterns. The City has no existing or planned airport facilities and is not located near any airports, approach, or departure zones. As such, the General Plan would have no impact.
- Impact 3.12-6: Implementation of the proposed General Plan would not substantially increase hazards due to a design feature. Development and infrastructure projects in Cotati would be required to comply with the General Plan, Land Use Code, and applicable state and local regulations. Through the implementation of the mitigating General Plan Policies CI 1.8, CI 1.9, CI 1.18, and CI 1.24 and Actions CI 1j, CI 1l, CI 1m, CI 1r, and CI 2f, implementation of the General Plan would result in a less than significant impact.
- Impact 3.12-7: Emergency Access. Through the implementation of the mitigating General Plan Policies CI 1.10, CI 1.14, CI 1.16 and Actions CI 1r, implementation of the General Plan would not impede emergency access and would result in a less than significant impact.
- Impact 3.12-8: The proposed General Plan would accommodate increased demand for public transit and supports a shift in trips from automobile to transit modes. Through the implementation of the mitigating General Plan Policies CI 1.6, CI 2.14 – CI 2.22, and CI 3.2 and Actions CI 2i – CI 2k, implementation of the General Plan would have a less than significant impact.

- Impact 3.12-9: The proposed General Plan is consistent with adopted bicycle and pedestrian plans, and supports enhancements that emphasize bicycle and pedestrian circulation. Through the implementation of the mitigating General Plan Policies CI 1.2, CI 1.6, CI 1.9, CI 1.11, CI 1.12, CI 1.17, CI 1.19, CI 1.20, CI 1.21, CI 2.1-CI 2.13, CI 2.23, and CI 2.24, and Actions CI 1a, CI 1m, CI 1n, CI 1p – CI 1r, CI 2a – CI 2d, CI 2f – CI 2h, and CI 2l – CI 2o, implementation of the General Plan would have a less than significant impact.
- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for Transportation and Circulation (Impacts 3.12-1, 3.12-2, and 3.12-3). The City findings determined that despite the significant and unavoidable impact to transportation and circulation, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

Level of Service to Vehicle Miles Traveled (SB 743)

Level of service (LOS) has historically been used as a standard measure of traffic service. Pursuant to SB 743, as of July 1, 2020, lead agencies are required to evaluate transportation impacts of a project using a Vehicle Miles Traveled (VMT) metric, which focuses on balancing the needs of congestion management with statewide goals related to infill development, promoting public health through increased active transportation facilitated by closer proximity to alternative travel modes, and reducing greenhouse gas emissions.

In December 2018, the California Governor's Office of Planning and Research (OPR) published the Technical Advisory on Evaluating Transportation Impacts in CEQA, which provides recommendations for evaluating a project's transportation impact using a VMT metric, thresholds of significance, and mitigation measures. Pursuant to Government Code Section 15064.3(b), lead agencies have discretion to select the most appropriate methodology for evaluating a project's VMT impacts.

On September 22, 2020 the City of Cotati adopted VMT guidelines for analysis of vehicle miles traveled. The guidelines identify criteria, situations, and thresholds to determine VMT impacts and their significance. The VMT guidelines identify that the City of Cotati maintains a residential VMT per capita of 19.42. For residential projects, a project would cause significant additional VMT if it exceeds existing citywide average residential VMT per capita, minus 15 percent, or 16.51 VMT. Projects which are within a half mile of an existing major transit stop or a stop along an existing high-quality transit corridor are determined not to have significant VMT impacts and therefore screen out.²⁶

Public Transit

Bus service in Cotati is provided by Sonoma County Transit, Golden Gate Transit, and Paratransit. Sonoma County Transit is the primary transit provider in Cotati and provides regularly-scheduled fixed-route service to major activity centers and transit hubs within the City limits. Golden Gate Transit Routes 74, 80, and 101 serve Cotati with stops located at either the Hub or the St. Josephs Park and Ride. Paratransit, also known as dial-a-ride or door-to-door service, is available for those that are

²⁶ City of Cotati Community Development Department. *Guidelines for Analysis of Vehicle Miles Traveled (VMT)*. City of Cotati. September 22, 2020.

unable to independently use the transit system due to a physical or mental disability. An existing bus stop is within a quarter of a mile of the Project on Old Redwood Highway.

Rail Service

Sonoma-Marín Area Rail Transit (SMART) offers passenger rail service in Sonoma and Marin counties. SMART's initial 43 miles of rail corridor includes 10 stations, from the Sonoma County Airport to Downtown San Rafael, and includes a station in Cotati. The full Project will provide 70 miles of passenger rail service and a bicycle-pedestrian pathway. The Project is approximately one and a half miles from the Cotati SMART Station.

Rail freight operation on the SMART rail corridor is overseen by the North Coast Railroad Authority. Freight service currently operates between Lombard (located in Napa County where the North Coast Railroad Authority interfaces with the national rail system) and Petaluma. Several round-trip freight trains per week are expected to pass through Cotati over the next several years as freight service expands.

Bike and Pedestrian Facilities

Existing and planned bicycle and pedestrian facilities in Cotati are shown in the Cotati Bicycle and Pedestrian Master Plan, adopted in December 2008 and updated April 2014. The Plan identifies two Pedestrian Districts in Cotati (areas of high activity where pedestrian improvements should be prioritized) including downtown/Old Redwood Highway between SR 116 and Henry Street, and the area immediately surrounding Thomas Page Elementary School. Bicycle circulation in Cotati is supported by an existing network of multi-use paths, on-street bike lanes, and bicycle routes. Notable facilities include a segment of the Laguna de Santa Rosa bike path between Commerce Boulevard (in Rohnert Park) and the southern City limits (with one small gap just south of East Cotati Avenue), and on-street bicycle lanes within the City limits on West Sierra Avenue and East Cotati Avenue. The plan goals include establishing and maintaining continuous clearly identifiable bicycle routes and facilities on Old Redwood Highway, East Cotati Avenue, Gravenstein Highway, and West Sierra Avenue. The plan also calls for walkways and sidewalks along arterial and collector streets.

Sonoma County Comprehensive Transportation Plan

Moving Forward 2040, Sonoma County's Comprehensive Transportation Plan (CTP), is a 25-year plan that serves as the vision for transportation throughout Sonoma County, with goals for the transportation system and the well-being of the communities. Moving Forward 2040 establishes five goals: maintain the existing public transportation system; relieve traffic congestion; meet targets to reduce greenhouse gas emissions in the transportation sector; increase safety and emphasize health aspects of transportation planning strategies; and reduce travel time and cost and increase mobility in communities of concern. Major roadway projects identified in Moving Forward 2040 relative to Cotati include: updating the US 101 and Railroad Avenue Interchange; widening and rehabilitation of SR 116 between Sebastopol and Cotati; constructing sidewalks along west Cotati Avenue; US 101/SR 116 north bound on-ramp improvements; US 101/West Sierra Avenue south bound off-ramp improvements; and Old Redwood Highway pavement rehabilitation from La Plaza to Gravenstein Highway.

Project Consistency with the 2013 General Plan EIR

The Project will result in the creation of 35 homes that will generate an estimated 302 daily trips. The Project includes frontage improvements along Old Redwood Highway to add a sidewalk that will be contiguous with the interior Project sidewalks. There is an existing bicycle lane along the Project frontage along Old Redwood Highway that will be preserved and a center turning lane will be added to Old Redwood Highway for the length of the project. A traffic study was prepared for the Project by Transpedia Consulting Engineers on January 13, 2022 (**Appendix H**).

5.17(a) (Conflicts with Plans, Policies, Ordinances) – No Substantial Change Relative to the General Plan EIR

Construction activities from development of the Project would temporarily generate a negligible amount of additional traffic along roadways in the vicinity of the Project site caused by construction workers and material deliveries. The increase in vehicle trips during construction is considered minimal and local street capacity would not be significantly affected. Traffic impacts at operation are described below.

The major roadways in the Project area are listed in Table 5.17.1 below.

Table 5.17-1: Major Roadways in the Project Area²⁷

Roadway	Type	Speed Limit (mph)
Old Redwood Highway	North-South Arterial	35
Myrtle Avenue	East-West Collector	25
Valparaiso Avenue	East-West Collector	25
Eucalyptus Avenue	Local Road	No posted limit

Source: Transpedia Consulting Traffic Impact Analysis,

The General Plan Circulation Element Policy CI 1.3 calls for a minimum level of service (LOS) standard of D at intersections. To determine consistency with this policy, the Traffic Impact Analysis (TIA) included three study intersections that were evaluated to determine the level of service under the existing conditions, the existing conditions plus the Project, the Cumulative 2040 conditions, and Cumulative 2040 plus Project conditions at weekday morning peak hour and weekday afternoon peak hour. The results are summarized in Table 5.17.2 and Table 5.17.3.²⁸

Table 5.17-2: Existing Level of Service (Plus Project)

Intersection	Control	Existing		Existing + Project	
		LOS	Delay	LOS	Delay
Weekday AM Peak Hour					
Old Redwood Hwy/Myrtle Ave/ Valparaiso Ave	Signal	B	16.8	B	17.0
Old Redwood Hwy/Project Access Street	1-way stop	A	0.1	A	0.9

²⁷ Transpedia Consulting Engineers, *Traffic Impact Analysis for Flahaven Estates Project*. January 13, 2022

²⁸ Ibid.

<i>Eastbound Left/Right Turn</i>		(D)	(34.2)	(F) ²⁹	(51.1)
Old Redwood Hwy/Eucalyptus Ave	1-way stop	A	0.9	A	0.9
<i>Westbound Left/Right Turn</i>		(c)	(18.0)	(c)	(18.2)
Weekday PM Peak Hour					
Old Redwood Hwy/Myrtle Ave/ Valparaiso Ave	Signal	B	13.5	B	13.6
Old Redwood Hwy/Project Access Street	1-way stop	A	0.0	A	0.3
<i>Eastbound Left/Right Turn</i>		(B)	(10.9)	(c)	(16.9)
Old Redwood Hwy/Eucalyptus Ave	1-way stop	A	0.9	A	0.9
<i>Westbound Left/Right Turn</i>		(B)	14.1	(B)	(14.2)

Note: Delay is average delay in seconds per vehicle; LOS = Level of Service, (X) = Minor Street LOS; (X.X) = Minor Street delay. Source: Transpedia Consulting Engineers, 2021.

Table 5.17-3: Cumulative 2040 LOS (plus Project)

Intersection	Control	Cumulative 2040		Cumulative 2040 + Project	
		LOS	Delay	LOS	Delay
Weekday AM Peak Hour					
Old Redwood Hwy/Myrtle Ave/ Valparaiso Ave	Signal	C	28.9	C	29.1
Old Redwood Hwy/Project Access Street	1-way stop	A	0.2	A	5.1
Eastbound Left/Right Turn		(F)	(108.4)	(F)	(384.6)
Old Redwood Hwy/Eucalyptus Ave	1-way stop	A	1.4	A	1.4
Westbound Left/Right Turn		(D)	(29.1)	(D)	(29.9)
Weekday PM Peak Hour					
Old Redwood Hwy/Myrtle Ave/ Valparaiso Ave	Signal	B	16.6	B	16.7
Old Redwood Hwy/Project Access Street	1-way stop	A	0.0	A	0.4
Eastbound Left/Right Turn		(B)	(11.6)	(c)	(22.2)
Old Redwood Hwy/Eucalyptus Ave	1-way stop	A	1.1	A	1.1
Westbound Left/Right Turn		(c)	(16.9)	(c)	(17.0)

Source: Transpedia Consulting Traffic Impact Analysis, January 13, 2022

As demonstrated in Table 5.17.2 the Project would not substantially change intersection traffic delays (0.8 seconds per vehicle delay increase in the worst-case scenario) based on the current scenario and intersections are expected to operate at acceptable levels of service during am and pm peak hours. Under Cumulative Scenario, turn lane storages are expected to be capable of handling 95th percentile traffic queues during am and pm peak hours, except for westbound left-turn movements during morning peak hour and southbound left-turn movements during afternoon peak hour at the intersection of Old Redwood Highway/Myrtle Avenue/Valparaiso Avenue; and westbound right-turn movements during morning peak hour at Old Redwood Highway/Eucalyptus Avenue intersection.

²⁹ Controlled movements operating at LOS E or LOS F are allowable if 1) the intersection is projected to operate at LOS C or better overall, and 2) the projected traffic volume on the controlled movement is 30 vehicles or less per hour on approaches with single lanes, or on multi-lane approaches, 30 vehicles or less per hour on lanes serving left turns and through movements.

General Plan Policy CI 1.3 considers that at unsignalized intersections, level of service shall be determined for both controlled movements and for the overall intersection. Controlled movements operating at LOS E or LOS F are allowable if 1) the intersection is projected to operate at LOS C or better overall, and 2) the projected traffic volume on the controlled movement is 30 vehicles or less per hour on approaches with single lanes, or on multi-lane approaches, 30 vehicles or less per hour on lanes serving left turns and through movements. Further, the Project will restripe Old Redwood Highway along the Project frontage to include a center turn lane. The Traffic Study notes that this will improve the overall traffic flow even though it does not exceed the threshold. Therefore, the cumulative plus Project scenario is consistent with General Plan Policy CI 1.3.

Additionally, the Project includes proposed sidewalk improvements and preservation of existing bike lanes which is consistent with the Bike and Pedestrian Master Plan.

The Sonoma County Transit provides weekday and weekend service in the vicinity of the Project. Development of the 35 homes would not result in an increase in ridership that will have an effect on a transit plan.

As discussed and conditioned in 5.17(b-d), the Project does not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. As such, it will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.17(b) (Conflict with 15064.3(b) VMT) – No Change Relative to the General Plan EIR

The Traffic Impact Analysis (TIA) prepared by Transpédia Consulting Engineers analyzed the effects of Vehicle Miles Traveled (VMT) introduced by the Project. The City uses the State of California Office of Planning and Research recommended VMT threshold of fifteen percent (15%) below the existing baseline city residential VMT/capita. These limits are based on the Sonoma County Transportation Authority's Sonoma County Travel model and identifies the VMT threshold as 19.42 VMT per capita minus 15%. The Project is in Traffic Analysis Zone (TAZ) 436 which had a home-based VMT per capita of 11.56 VMT per capita in 2015 and a projected cumulative VMT of 6.67 VMT per capita in 2040. The Project's VMT is projected to be 40.47% below the citywide VMT baseline based on 2021 being the same as 2015 and 65.65% below the cumulative 2040 VMT baseline. Therefore, the Project would not exceed the allowable 19.42 VMT per capita minus 15% and the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to Vehicle Miles Traveled (VMT) relative to the 2013 General Plan EIR.

5.17(c) (Geometric Design Feature Hazard) – No Substantial Change Relative to the General Plan EIR

Project site access and internal circulation would be provided through a two-way access street off Old Redwood Highway. The internal Project roadways are typical of a residential development and consistent with the City's Municipal Code Section 17.26.030- Street and Streetscape Standards. Sight distance at the proposed access street when looking to the north or south (approximately 850 feet) exceeds Caltrans minimum stopping sight distance requirements (250 feet at a design speed of 35-mph). Further, Section 17.30.040(c)(2) identifies the traffic safety visibility area and requires that any structure, sign, or landscape element placed in this area be less than thirty-six inches. In order to ensure that the Project complies with this Section, **COA TRA-1** requires that final design and landscaping plans demonstrating compliance with this standard are submitted prior to issuance of the building permit. As conditioned, the Project will not result in a new significant impact or

substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.17(d) (Emergency Access) – No Substantial Change Relative to the General Plan EIR

The access drive is proposed to be 30 feet wide with three fire hydrants throughout the Project site. Rancho Adobe Fire Protection District has reviewed the Project and provided a letter with requirements. This includes requirements for adequate emergency access facilities. Compliance with the requirements from RAFD are included in **COA WF-2**. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to emergency access relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy CI 1.3: Establish a minimum motor vehicle Level of Service (LOS) standard of LOS D at intersections. The following shall be taken into consideration in applying LOS standards: (see General Plan Page 2-5 for full list of considerations)

Status: As discussed under Impact 5.17(a) above, the Project is consistent with CI 1.3 because the Project will operate at acceptable levels as described in the Transportation Impact Analysis (**Appendix H**) and the Project complies with this policy.

Policy CI 1.18: Intersections shall be designed to provide adequate and safe access for all users including pedestrians, bicyclists, and motorists of all ages and abilities.

Status: The Project will create a new intersection at the access road and Old Redwood Highway. **COA TRA-1** requires the maintenance of site distances. Furthermore, the Project will install sidewalks and maintain infrastructure dedicated to the existing bike lanes. As conditioned, the Project complies with this policy.

Policy CI 1.20: Require new development to contribute its fair share cost of circulation improvements necessary to address cumulative transportation impacts on roadways throughout the City as well as the bicycle and pedestrian network.

Action CI 1e: As part of the development review and planning process, review general plan amendments, zone change requests, specific plans, and development projects to ensure that adequate circulation improvements are included, that the project addresses its proportional share of impacts to the City's circulation network, and that the project provides for complete streets to the extent feasible.

Action CI 1r: As part of the development review process, ensure that new development facilitates walking, biking, and transit modes; incorporates streets that are designed to maintain safe and efficient traffic flow; constructs or (if deemed appropriate by the City Engineer) contributes funds toward construction of off-site improvements necessary to mitigate traffic impacts; provides adequate emergency vehicle access; and pays development impact fees that contribute to cumulative circulation improvements.

Status: The Project will contribute to an increase in traffic, and per Municipal Code Chapter 4.10 Traffic Impact Fee. As noted in the Traffic Impact Analysis (**Appendix H**), the Project is within the scope of the

General Plan, therefore no mitigation is required. Additionally, the traffic study recommends that a stop sign and crosswalk be installed at the intersection of the new access road and Old Redwood Highway. **COA TRAN-3** requires the installation of the crosswalk and stop sign which will improve pedestrian safety at the intersection. As conditioned, the Project complies with these actions.

Action CI 1l: Require developers to design local roadways (i.e., streets other than arterials and collectors) for speeds of 25 miles per hour or less.

Status: The construction of the proposed neighborhood street shall comply with the uniformly applied standards in Municipal Code Section 17.26.030 Street and Streetscape Standards. Section E requires a maximum speed limit of 20 miles per hour. Through the application of this standard, the Project complies with this policy.

Action CI 1q: As part of the development review process, require new development to mitigate circulation impacts by making improvements to the motorized and non-motorized circulation networks as necessary, and in a fair manner with an established nexus between the level of impact and required improvements and/or contributions.

Status: The Project will connect to Old Redwood Highway via a new access road and will provide for internal and frontage sidewalks that can connect to existing and future development. There is an existing bike lane on Old Redwood Highway that will be preserved, and through Action CI 1e, **COA TRA-2** requires impact fees be paid and **TRA-3** requires installation pedestrian safety features. As conditioned, the Project complies with this policy.

Conclusion and Environmental Conditions of Approval:

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to transportation relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies:

- TRA-1:** Final design and landscaping plans shall be submitted and show compliance with Municipal Code Section 17.30.040(c)(2). Final landscaping plans shall include the specific plants that will be placed in the traffic safety visibility area and their maximum projected height which shall be no taller than 36 inches except for trees with their canopy trimmed to a minimum of eight feet above grade.
- TRA-2:** Prior to issuance of the building permit, the applicant shall pay a traffic impact fee to be calculated by the City Engineer in compliance with Municipal Code Chapter 4.10.020.
- TRA-3:** Prior to issuance of a building permit, the applicant shall provide a final civil improvements plan that includes the striping of a crosswalk and installation of a stop sign at the intersection of the access road (Viking Way) and Old Redwood Highway.

5.18. TRIBAL CULTURAL RESOURCES

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
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:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Cultural Resources Evaluation prepared by Archaeological Resource Service July 16, 2016; and AB 52 Notification Memo issued by the City of Cotati to Lytton Rancheria, and the Federated Indians of Graton Rancheria, January 25, 2021.

According to Public Resources Code (PRC) Section 21074, tribal cultural resources are defined as follows:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - i. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
 - ii. Included in a local register of historical resources as defined in PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying the criteria set forth in PRC Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.
3. A cultural landscape that meets the criteria of PRC Section 21074(a) to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
4. A historical resource described in PRC Section 21084.1, a unique archaeological resource as defined in PRC Section 21083.2(g), or a “non-unique archaeological resource” as defined in PRC Section 21083.2(h), if it conforms with the criteria of PRC Section 21074(a).

2013 General Plan EIR Findings

As stated in Section 3.4 Cultural Resources, the 2013 General Plan EIR determined that General Plan implementation could result in a substantial adverse change in the significance of an historical or archaeological resource, including tribal cultural resources. Through the implementation of mitigating General Plan Policies CON 4.1, CON 4.3 – CON 4.6, and mitigating actions CON 4a – CON 4c, and CON 4f, implementation of the General Plan would have a less than significant impact.

Additionally, implementation of the General Plan could result in the disturbance of human remains. Through the implementation of General Plan Policies CON 4.2 and Action CON 4c and compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98, the implementation of the General Plan would have a less than significant impact.

Project Consistency with the 2013 General Plan EIR

A Cultural Resources Evaluation was prepared by Archaeological Resource Service on July 16, 2016. The process included both a records search and surface examination on the Project site. In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to the tribes below on August 16, 2022, which included a brief description of the Project and its location, the City of Cotati contact information, and a notification that the Tribes have 30 days to request consultation. Notified tribal organizations include the Federated Indians of Graton Rancheria (FIGR).

5.8(a.i.) (Listed or Eligible for Listing) – No Change Relative to the General Plan EIR

As documented in the Cultural Resources Evaluation prepared by Archaeological Resource Service in 2016, no evidence of prehistoric or historic archaeological material, including tribal resources, was observed during the surface inspection. However, unknown buried cultural artifacts or features may be encountered during earth disturbing activities. Through implementation of **COA CUL-1** which addresses the discovery of significant archaeological and historic resources, including tribal resources, during construction, potential impacts would be avoided. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.8(a.ii) (Significant Tribal Resources) – No Change Relative to the General Plan EIR

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File was completed for the area of potential Project effect with negative results.³⁰

In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to the tribes below on August 16, 2022, which included a brief description of the Project and its location, the City of Cotati contact information, and a notification that the Tribes have 30 days to request consultation. Notified tribal organizations include the Federated Indians of Graton Rancheria (FIGR).

FIGR requested consultation on August 25, 2022, and the City of Cotati responded via email on September 1, 2022 providing a summary of the Project, potential effects, recommended mitigations, a Soil Investigation Report prepared by Reese and Associates October 21, 2014, a Soil Investigation Update prepared by Reese and Associates February 4, 2022, and a Cultural Resources Evaluation prepared by Archaeological Resource Service July 16, 2016. A follow up communication was sent by the City on November 15, 2022. No response was received, and another follow up communication was sent by the City on September 20, 2023. No response was received.

2013 General Plan EIR Mitigating Policies and Actions

Policy CON 4.3: Work with Native American representatives to identify and appropriately address, through avoidance or mitigation, impacts to Native American cultural resources and sacred sites during the development review process.

Policy CON 4.4: Consistent with State local and tribal intergovernmental consultation requirements such as SB18, the City shall consult with Native American tribes that may be interested in proposed new development and land use policy changes.

Action CON 4a: Work with the Federated Indians of the Graton Rancheria to prepare a narrative description of the Native American background of the Cotati area and request the Federated Indians of the Graton Rancheria provide pictorial examples of the types of Native American resources present in the vicinity. Place this description on the City's website as a link under the History of Cotati section.

Status: In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to tribes on August 16, 2022, which included a brief description of the Project and its location, the City of Cotati contact information, and a notification that the Tribes have 30 days to request consultation. Notified tribal organizations include the Federated Indians of Graton Rancheria. As such, the Project complies with these policies. FIGR requested consultation on August 25, 2022, and the City of Cotati responded via email on September 1, 2022, providing a summary of the Project, potential effects, recommended mitigations, a Soil Investigation Report prepared by Reese and Associates October 21, 2014, a Soil Investigation Update prepared by Reese and Associates February 4, 2022, and a Cultural Resources Evaluation prepared by Archaeological Resource Service July 16, 2016. No response was received, and a follow up communication was sent by the City on November 15, 2022. No response was received, and a follow up communication was sent by the City on September 20, 2023. No response was received.

³⁰ Roop, William Archaeological Resource Service. A Cultural Resources Evaluation of 8841 Old Redwood Highway. July 16, 2016,

Action CON 4c: Require all development, infrastructure, and other ground---disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains: (see Cultural Resources for full list)

Status: The Project is subject to COA CUL-1, which requires the implementation of the required protocol in Action CON 4c. As such, the Project complies with this policy.

Conclusion and Environmental Conditions of Approval:

The Project is within the scope of development projected under the General Plan and will not result in any substantial new or more severe impacts to tribal cultural resources relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The implementation of **COA CUL-1** (see Cultural Resources section) is required to implement the 2013 General Plan EIR mitigating policy.

5.19. UTILITIES AND SERVICE SYSTEMS

Would The Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Sonoma County Water Agency 2020 Urban Water Management Plan, prepared by Brown and Caldwell, June 2021; Water and Wastewater Analysis Report prepared by Carollo, November 10, 2023; and City of Cotati Municipal Code.

2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts to Utilities and Service Systems. Specifically, the impacts of implementation of the 2013 General Plan on water, wastewater, and solid waste systems and determined the following:

- Impact 3.13-1: General Plan implementation has the potential to result in an increased

demand for water supplies. However, through implementation of mitigating General Plan Policies CSF 1.1-1.6, CSF 2.1- CSF 2.1 and Actions CSF 1a, CSF 1b, CSF 2b- CSF 2g, implementation of the General Plan would have a less than significant impact.

- Impact 3.13-2: General Plan implementation would not result in the construction of a new water treatment facility or expansion of existing facilities, which could cause significant environmental effects because the projected 2035 water supplies are adequate to meet demand that would be generated by buildout of the 2013 General Plan.
- Impact 3.13-3: General Plan implementation has the potential to exceed wastewater capacity or the requirements of the RWQCB. Upon full buildout of the 2013 General Plan within the City limits, total ADWF is projected to be 0.74 mgd. Within the entire Planning Area, the ADWF would be 0.83 mgd upon full buildout of the General Plan. These ADWF projections exceed the projections used in the 2011 Sewer Collection System Master Plan. Even with mitigating General Plan Policies CSF 1.1-CSF 1.6 and CSF 2.16 – CSF2.27 and Actions CSF 1a, CSF 1b, CSF 2h-2n, implementation of the General Plan would result in a cumulatively considerable significant and unavoidable impacts.
- Impact 3.13-4: General Plan implementation has the potential to require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Through the implementation of mitigating Policies CSF 2.20, CSF 2.22, and CSF 2.24 implementation of the 2013 General Plan would have a less than significant impact.
- Impact 3.13-5: General Plan implementation would be served by a landfill for solid waste disposal needs and will require compliance with various laws and regulations. Through implementation of the mitigating General Plan Policies CSF 3.1-CSF 3.8 and Actions CSF 3a-CSF 3e, implementation of the 2013 General Plan would have a less than significant impact.
- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for utilities and service systems (Impact 3.13-3). The City findings determined that despite the significant and unavoidable impact to utilities and service systems, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

Project Consistency with the 2013 General Plan EIR

The Project proposes to connect thirty-five new dwelling units to the existing water under Old Redwood Highway via a new 8-inch waterline that will run under the proposed access road and stub roads to serve each lot. Wastewater will be accommodated by a new 8-inch sanitary sewer line, also under the access road and will convey waste to the existing 8-inch sewer line under Old Redwood Highway. Additionally, the Project will receive solid waste (including recycling, and compost) services

from Recology Sonoma Marin on a weekly basis. Additional utilities include stormwater drainage services which are discussed in Hydrology.

5.19(a) (Relocation or Expansion of Utilities) – No Change Relative to the General Plan EIR

As stated in Section 5.14 Population and Housing, the Project is not anticipated to induce substantial growth in the area, either directly or indirectly. However, the increase in residents, which is estimated to be 86 new residents, will incrementally increase the demand for water supplies, wastewater treatment, and solid waste disposal.

The Project site is located within City limits and is currently served by existing utilities and service systems, a private well, and private septic. The existing water and septic systems will be removed, and new service connections will be required to tie into the existing facilities, which are located under Old Redwood Highway. The new service connection is not expected to require substantial infrastructure improvements or enhancements in order to adequately serve the Project and a per-unit connection fee is applied to all new construction in the City. Demand for utilities and service systems generated by the Project is anticipated by the 2013 General Plan EIR and does not require the relocation or expansion of infrastructure. Further, the connection fees required will cover the costs of additional users. The Project will not result in the relocation, construction, or expansion of utilities, and as such will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.19(b) (Sufficient Water Supplies) – No Substantial Change Relative to the General Plan EIR

A water analysis was conducted in November 10, 2023 by Carollo (**Appendix I**). The report concluded that the existing water system may have deficiencies related to low pressures, but the Project would not exacerbate the issue nor would it introduce any additional deficiency into the system. The Project is required to adhere to the Water Conservation Ordinance contained in Chapter 13.30.060 of the City of Cotati Municipal Code and will install ultra-low water use plumbing fixtures and appliances. Additionally, the Project is subject to Municipal Code Chapter 17.34 Water Efficient Landscaping Standards. A preliminary landscaping plan was submitted that complies with the Municipal Code and **COA UTI-1** requires that the final planting plan is confirmed for compliance with water efficient landscaping standards. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.19(c) (Wastewater Capacity) – No Change Relative to the General Plan EIR

The 2013 General Plan EIR concluded that even with implementation of the policies and action items in the General Plan, an increase in permitted capacity at the Laguna Wastewater Treatment Plant cannot be guaranteed, and impacts were considered cumulatively considerable, and significant and unavoidable.

A Sewer Analysis prepared by TDG Consulting Civil Engineers, Inc on May, 26, 2022 conservatively estimates that there will be 3.25 persons per household and each person would generate 125 gallons of wastewater discharge. For 35 residences, this is a total of 14,219 gallons of wastewater per day. A Water and Wastewater Analysis for the Project was performed by Carollo on behalf of the City of Cotati in November 10, 2023 (**Appendix I**). The study concluded that flows in the existing 6-inch gravity pipeline along Old Redwood Highway and downstream have sufficient capacity to convey existing peak wet weather flow (PWWF) and that the additional flow from the Project would not impact the

collection system under existing PWWF conditions. As such, the capacity of the City's wastewater conveyance and treatment relative to the demand generated by the Project is sufficient and within the range anticipated by the 2013 General Plan EIR.

Further, as part of the development review process, the City Engineer of the City of Cotati determined compliance of the Project with the City's sewer system requirements and with the City of Cotati Sewer Collection System Master Plan, Urban Water Management Plan, and Water Distribution System Master Plan. Other than onsite and frontage improvement, the Project does not require the relocation or expansion of infrastructure. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.19(d-e) (Solid Waste Generation and Compliance with Solid Waste Management) – No Change Relative to the General Plan EIR

The City of Cotati's solid waste system utilizes Sonoma County's own system of five transfer stations throughout the county. The majority of the waste collected is disposed of at the Central Disposal Site.³¹ However, recycling and organic waste composting are also provided.

During construction, the Project would generate solid waste from concrete and asphalt from the removal of existing improvements and vegetation waste from tree removal. In compliance with the 2022 Cal Green Tier 1 Mandatory Measures, the applicant will be required to recycle or salvage at least 65 percent of nonhazardous construction and demolition waste and prepare a Construction Waste Management Plan that documents the diversion of materials as required by CalGreen.³² At operation, the Project will generate household waste from approximately 35 residences. The Project will be required to comply with Cotati Municipal Code Section 17.39.030.G.5, which requires coordination with refuse pickup providers to determine the adequate size and number of containers required to accommodate and separate all waste streams (landfill, recycling, and composting). Although the waste stream generated by the project is expected to increase during construction and operation, it is not expected to exceed landfill capacity and is not expected to result in violations of federal, state, or local statutes and regulations related to solid waste. Therefore, the Project is within the scope of development analyzed and will not result in new or more severe impacts relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy CSF 1.1: Require all development projects to demonstrate, to the satisfaction of the City Engineer, that the City's public services and utilities can accommodate the increased demand for services associated with the project.

Status: As part of the development review process, the City contracted with Carollo to conduct a Water and Wastewater Analysis which concluded that the City's systems can accommodate the project. Additionally, the City Engineer has reviewed the Project, including a water impact and wastewater impact study. The engineer determined that the City's Facilities are adequate to serve the Project. As such, the Project complies with this policy.

³¹ SCS Engineers. Sonoma County Waste Characterization Study 2022. July 15, 2022.

³² California Green Building Standards Code (2016), Effective January 2, 2017.

Policy CSF 1.2: Require new development to offset or mitigate impacts to public services and facilities to ensure that service levels for existing users are not degraded or impaired by new development, to the satisfaction of the City Engineer.

Policy CSF 1.6: Require development, infrastructure, and long-term planning projects to be consistent with all applicable City plans and programs related to public services and facilities, including but not limited to the Water Master Plan, the Sanitary Sewer Master Plan and the Capital Improvement Plan. New projects shall assist with the implementation of these plans through the provision of fair-share payments, construction of improvements, or other means identified as appropriate by the City Engineer.

Policy CSF 2.2: Prior to the approval of development, infrastructure, Specific Plans, or other projects that would result in increased demand for public water production, conveyance, treatment or storage, project proponents must demonstrate proof of adequate water supply (e.g., that existing services are adequate to accommodate the increased demand, or improvements to the capacity of the system to meet increased demand will be made prior to project implementation) and that potential cumulative impacts to water users and the environment will be addressed.

Action CSF 2a: As part of the development review process, determine the potential impacts of development and infrastructure projects on the water system and ensure that new development contributes its fair share toward necessary water infrastructure and supply. The Planning Department and the City Engineer shall be responsible for ensuring that the assessments are made.

Status: Through the building permit review process, the Project will be required to pay water and sewer connection fees that are intended to cover the additional demands to public services and generated by the Project. While the Project's water and wastewater demands are within the planned capacities, the fees are used to cover incremental expansions and upgrades as anticipated by the General Plan due to cumulative buildout. Additionally, the City requires that the Project enter into a Subdivision Improvement Agreement (SIA). The City also requires that the site be annexed into the Community Facilities District (CFD) and **COA UTI-2** is imposed to implement this requirement. As conditioned and through implementation of the uniformly applied development standards including those specified in the Municipal Code, the Project complies with these General Plan policies and action.

Policy CSF 1.3: Limit approvals of new development to areas where adequate infrastructure and services are available or will be provided by the development.

Status: The Project site is located within City limits and is currently served by existing utilities and service systems. New service connections will be required that tie into the existing facilities, which are located within Old Redwood Highway. The connection of new services is not expected to require substantial infrastructure improvements or enhancements to adequately serve the Project. As such the Project complies with this policy.

Policy CSF 3.8: Require new or significantly remodeled residential and all non-residential development to incorporate sufficient, attractive, and convenient interior and exterior storage areas for recyclables and green waste.

Status: The Project architectural plans for all designs include garages and side yards with six-foot tall fencing and gates that could be used for storage of waste containers. As such, the Project design complies with this policy.

Action CSF 2f: Through the planning process and the Conservation Guide discussed in the Conservation Element, the City shall implement its water waste and water conservation requirements established in Chapter 13.30 of the Municipal Code.

Status: As noted above, prior to issuance of the building permit, the City Engineer will confirm that the final Project plans comply with the uniformly applied standards in the Municipal Code. As such, the Project complies with this policy.

Conclusion and Environmental Conditions of Approval:

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to utilities relative to what was identified in the 2013 General Plan EIR. As conditioned and through the implementation of the uniformly applied standards of the Municipal Code, the Project complies with the applicable policies and actions of the General Plan and as such, will not result in a new significant impact or substantially increase the severity of a previously identified significant impacts relative to the 2013 General Plan EIR.

Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval is required to implement the 2013 General Plan EIR mitigating policies:

- UTI-1:** The applicant shall provide a final landscaping plan that includes the installation of drought tolerant native vegetation that will be planted in compliance with the Water Efficient Landscaping Ordinance.
- UTI -2:** The applicant shall prepare a draft Subdivision Improvement Agreement (SIA) and Subdivision Improvement Plan (SIP) that shall be approved by the City Engineer and a final SIA and SIP shall be signed prior to issuance of the Building Permit. Additionally, the applicant shall submit an application to request that the site be annexed into the Community Facilities District (CFD) and shall receive approval prior to commencing construction.

5.20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; and Sonoma County Community Wildfire Protection Plan 2023 Update, February 6, 2023. Sonoma County Multi-Jurisdictional Hazard Mitigation Plan, December 7, 2021; and Sonoma County Wildfire Risk Index, November 17, 2022.

2013 General Plan EIR Findings

The 2013 General Plan EIR addressed impacts related to wildfire hazards in Chapter 3.7 – Hazards. The following impact related to wildfires was considered under the 2013 General Plan EIR:

- Impact 3.7-6: The General Plan does not have the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are

adjacent to urbanized areas or where residences are intermixed with wildlands. Through the implementation of mitigating General Plan Policies CSF 2.28-CSG 2.32, CSF 2.36, and SA 1.1 - SA 1.7 and Actions CSF 2o, CSF 2p, CSF SA 1a, and SA 1d, implementation of the 2013 General Plan would have a less than significant impact.

Mitigating policies and actions provided in the General Plan are included in the 2013 General Plan EIR to ensure public facilities are able to respond to wildfire emergencies, effective coordination between fire districts, and maintenance of emergency response facilities and infrastructure. Individual projects are directed to be reviewed by the City and the Rancho Adobe Fire Protection District for code compliance. The California Department of Forestry and Fire Protection (CalFire) has designated property within the City of Cotati to be outside of the Very High Fire Hazard Severity Zone (VHFHSZ).

In October 2017, the Tubbs Fire (Central LNU Complex) burned approximately 36,807 acres in Sonoma County. Residents were exposed to direct effects of the wildfire, such as the loss of structures, and to the secondary effects of the wildfire, such as smoke and air pollution. Smoke generated by wildfire consists of visible and invisible emissions that contain particulate matter (soot, tar, water vapor, and minerals) and gases (carbon monoxide, carbon dioxide, nitrogen oxides). Public health impacts associated with wildfire include difficulty in breathing, odor, and reduced visibility.

SONOMA COUNTY HAZARD MITIGATION PLAN

On September 28, 2021, the Cotati City Council adopted the Sonoma County Multijurisdictional Hazard Mitigation Plan (HMGP) to guide pre- and post-disaster mitigation of identified hazards. The plan includes actions to mitigate current risk from hazards and changes in hazard impacts resulting from climate change, including wildfires. The plan includes Best Management Practices to Mitigate the Wildfire Hazard. These practices include what are called “personal scale” alternatives such as:

- Clear overgrown underbrush and diseased trees;
- Create and maintain defensible space around structures;
- Regular mowing/landscape maintenance;
- Use of fire-resistant building materials;
- Employ techniques from the Firewise USA Program; and
- Installing or replacing roofing with non-combustible materials.

Sonoma County Community Wildfire Protection Plan

In June 2023, the County Community Wildfire Protection Plan (CWPP) was incorporated by reference into the Sonoma County Annex of the Multi-Jurisdiction Hazard Mitigation Plan (MJHMP). Part of this plan includes the Sonoma County Wildfire Risk Index (WRI). Published on November 17, 2022, the WRI predicts relative wildfire risk. The Wildfire Risk Analysis divides the county's landmass into 100-acre hexagons which are assigned a risk level. While each hexagon is assigned an overall risk level, conditions may vary significantly within the shape. It is entirely possible that areas of relatively low risk could exist within a polygon whose overall risk is high. The purpose of the CWPP and WRI is to inform planning to improve wildfire resiliency.

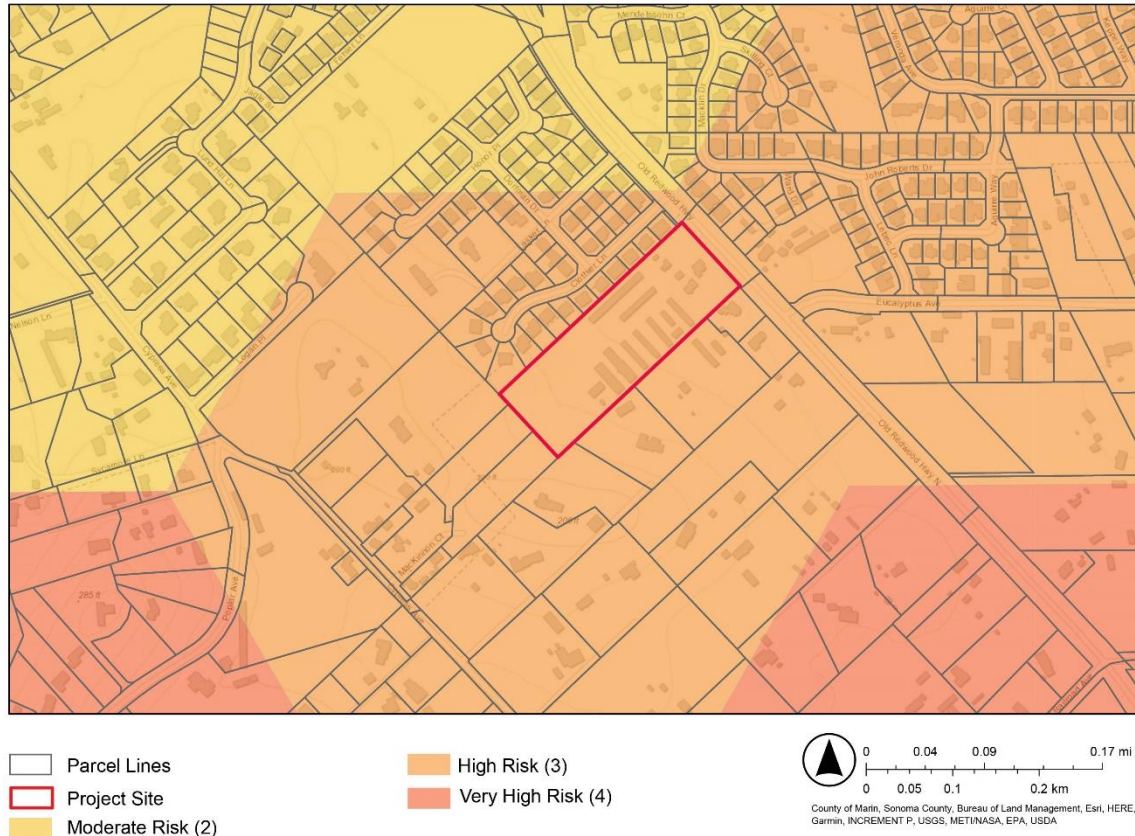
Project Consistency with the 2013 General Plan EIR

The Project is within a hexagon with a WRI rating of level 3/High (**see Figure 6**). The Project proposes to install three fire hydrants that will be connected to the 8-inch water main. Additionally, all houses constructed on site are subject to the California Building Code, the California Fire Code, and the City of Cotati Municipal which require the incorporation of fire prevention and protection measures

including fire sprinklers and fire-resistant exterior materials for all new dwelling units. The proposed access road and stub road will be 30 ft. wide and are designed to accommodate emergency vehicles.

Figure 6: Sonoma County Wildfire Risk Index

Sonoma County Wildfire Risk Index - Pink Viking Subdivision



5.20(a) (Impair Emergency Plans) – No Substantial Change Relative to the General Plan EIR

The Project has a residential land use designation in the General Plan and on the City's Zoning Map. As such, the Project is intended for development and would not conflict with an emergency plan in that the General Plan accounts for the impacts of the planned development and as noted in the 2013 General Plan EIR, mitigating policies reduce the risk to less than significant. Additionally, the Project falls under the jurisdiction of the Rancho Adobe Fire Protection District (RAFD) and the Sonoma County Multi-Jurisdiction Hazard Mitigation Plan. On June 22, 2023, RAFD provided a memorandum which includes conditions of approval for the Project with an exception to CFC Section D107.1. and through the project review process, the project will be required to comply with the conditions of RAFD. Additionally, **COA WF-1** requires implementation of best management practices for fire control and suppression in the construction and maintenance of the Project as indicated in the Sonoma County Multi-Jurisdiction Hazard Mitigation Plan. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

5.20(b-d) (Exacerbate Wildfire Risks, Require Installation of Infrastructure, Exposure to Risks) – No Substantial Change Relative to the General Plan EIR

The Project site is not located in the VHFHSZ as provided by Calfire and is not within a watercourse or significant slope that may become unstable following a wildfire. As noted above, the Project is located in a zone designated as high fire risk. However, the Project includes installation of three fire hydrants, compliance with Building and Fire Code standards, and through the review process, is required to comply with RAFD conditions. Further, **COA WF-1** requires implementation of Best Management Practices to ensure that the Project does not exacerbate wildfire risks or exposure to wildfire-related risks. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

2013 General Plan EIR Mitigating Policies and Actions

Policy CSF 2.30: Design and maintain City streets in such a way so as to maintain acceptable emergency vehicle response times.

Status: The Project is designed in compliance with the road standards in the City's Municipal Code Chapter 17.26.030 which requires roads to be 30 feet wide to accommodate emergency vehicles. The width of the road and the cul de sac at the end of the road will provide sufficient access and turning movement for emergency vehicles and the Project complies with this policy.

Action CSF 2o: Continue to enforce the California Building Code and the California Fire Code to ensure that all construction implements fire-safe techniques, including fire resistant materials, where required.

Status: The proposed plans were reviewed by the Adobe Fire Protection District and final building plans will undergo review for compliance with the uniform standards of the California Building Code and the California Fire Code by the City of Cotati Building Department during the building permit review process. As such, the Project complies with this policy.

Action CSF 2p: As part of the development review process for new projects, the City will continue to refer applications to the Rancho Adobe Fire Protection District for determination of the project's potential impacts on fire protection services. Requirements will be added as Conditions of Approval to project's approving resolutions.

Status: The application for the Project was referred to Adobe Fire Protection District and a response was provided on June 22, 2023 with specific conditions of approval. These conditions are imposed on the Project. As such, the Project complies with this policy.

Conclusion

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to wildfire relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval is required to implement the 2013 General Plan EIR mitigating policies:

WF-1: The applicant shall implement the following Best Management Practices identified by the Sonoma County Multijurisdictional Hazard Mitigation Plan or as otherwise accepted by the Building Official/RAFPD:

1. Contractor(s) shall use fire-resistant building materials not limited to Class A Fire Resistant Roofing.
2. Applicant shall provide a long-term fire safety maintenance plan that shall be reviewed and approved by the Rancho Adobe Fire Protection District prior to issuance of a building permit. Once approved, the required actions shall be recorded on the deed of each property. Actions may include:
 - a. Homeowners shall maintain landscaping for fire safety including the clearing of overgrown brush and/or dead brush prior to the start of fire season.
 - b. Homeowners shall maintain adequate defensible space around structures.

5.21. MANDATORY FINDINGS OF SIGNIFICANCE

	New Significant Impact Relative to 2013 General Plan EIR	More Severe Impact Relative to 2013 General Plan EIR	No Substantial Change Relative to 2013 General Plan EIR	No Change Relative to 2013 General Plan EIR
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?	☐	☐	☒	☐

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015.

2013 General Plan EIR Findings

Under the requirements of CEQA, an EIR is required to discuss cumulative impacts to which the project would contribute. A cumulative impact is defined as an impact resulting from the combined effects of past, present, and reasonably foreseeable future projects or activities. The 2013 General Plan EIR concluded that implementation of the General Plan, including development considered therein would result in less than significant cumulative impacts to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gasses and Climate Change, Hazards, Hydrology and Water Quality, Land Use and Population, Agriculture, Public Services, and Recreation.

The 2013 General Plan EIR determined that the implementation of the General Plan would result in the following Cumulative impacts:

- Impact 3.10---7: Cumulative Noise Impacts (Significant and Unavoidable)
- Impact 3.13---3: Potential to exceed wastewater treatment capacity or the requirements of the RWQCB (Cumulatively Considerable and Significant and Unavoidable)
- Impact 4.1: Cumulative Degradation of the Existing Visual Character of the Region (Considerable Contribution and Significant and Unavoidable)
- Impact 4.11: Cumulative Exposure of Noise---Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise (Considerable Contribution and Significant and Unavoidable)
- Impact 4.13: Cumulative Impact on the Transportation Network (Considerable Contribution and Significant and Unavoidable)
- Impact 4.14: Cumulative Impact on Utilities (Considerable Contribution and Significant and Unavoidable)
- Impact 4.15: Irreversible Effects (Significant and Unavoidable)

Project Consistency with the 2013 General Plan EIR

5.21(a-c) (Threaten to eliminate a biological resource or cultural resource, cumulatively considerable, substantial adverse effects) – No Substantial Change Relative to the General Plan EIR

The Project is consistent with both the General Plan Land Use Designation of Low/Medium Density Residential (LMDR) and Neighborhood, Low Density (NL) Zoning. The Project Conditions of Approval ensure that the Project complies with the policies and actions of the 2013 General Plan. Additionally, and as noted throughout this document, the Project shall comply with the federal, state, and local regulations including the uniformly applied standards of the City of Cotati Municipal Code.

The Project is within the scope of development projected under the General Plan and is conditioned as such that it would not result in any substantial new or more severe impacts relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The environmental conditions of approval that implement the 2013 General Plan EIR mitigating policies are listed in section 7.

6. REFERENCE DOCUMENTS

The following reference documents are hereby incorporated by reference and are available for review at the Community Development Department, 201 West Sierra Avenue, Cotati, California 94931, during normal business hours and online at <https://www.cotaticity.org/>.

6.1. TECHNICAL APPENDICES

- A. *Air Quality Analysis and Health Risk Assessment* prepared by Integral Consulting, Inc. October 4, 2023.
- B. *Biological Resources Report*, prepared by Sol Ecology, May 23, 2022
- B-2. *California Tiger Salamander Assessment*, prepared by Sol Ecology, January 28, 2022
- B-3. *Preliminary Jurisdictional Determination*, issued by Army Corps of Engineers, December 22, 2021
- C. *Tree Inventory Report*, prepared by Horticultural Associates, December 10, 2021
- D. *Soil Investigation Report*, prepared by Reese & Associates, October 21, 2014, affirmed February 4, 2022
- D-2. *Soil Investigation Affirmation Letter*, prepared by Reese and Associates February 4, 2022
- E. *Phase I Environmental Site Assessment*, prepared by Trans Tech Consultants June 19, 2014
- F. *Flahaven Estates Hydrology Analysis*, prepared by TDG Consulting Civil Engineers inc. November 13, 2022.
- G. *Environmental Noise Study for 8841 Old Redwood Highway, Cotati, California*, prepared by RGD Acoustics January 28, 2022
- H. *Traffic Impact Analysis for Flahaven Estates Project*, prepared by Transpedia Consulting Engineers, January 13, 2022.
- I. *Water and Wastewater Analysis Report*, prepared by Carollo, November 10, 2023.

6.2. OTHER DOCUMENTS REFERENCED

- 1. *2022 California Green Building Standards Code (CalGreen)*, Effective January 1, 2023.
- 2. *BAAQMD 2022 Bay Area Clean Air Plan*, prepared by the Bay Area Air Quality Management District, April 2022.
- 3. *BAAQMD CEQA Guidelines*, April 2022.
- 4. *BAAQMD Recommended Methods for Screening and Modeling Local Risks and Hazards*, prepared by the BAAQMD, May 2011.
- 5. *California Code, Government Code Section 66477*.
- 6. *California Code, Health and Safety Code Section 25501(n)(1)*.
- 7. *California Department of Conservation Farmland Mapping and Monitoring Program*, 2021.

8. *California Environmental Quality Act Air Quality Guidelines*, prepared by the Bay Area Air Quality Management District, April, 2022.
9. *California Scenic Highway Mapping System*, Scenic Highway System Lists, 2019. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, accessed August 2022.
10. *City of Cotati Municipal Code*.
11. *Climate Action 2020 and Beyond: Sonoma County Regional Climate Action Plan*, prepared by Sonoma County Regional Climate Protection Authority, July 2016.
12. *Cotati Bicycle and Pedestrian Master Plan*, prepared by Sonoma County Transportation Authority for the City of Cotati, adopted December 2008, updated April 22, 2014.
13. *Cultural Resources Evaluation*, prepared by Archaeological Resource Service, 2016 (Confidential)
14. *EnviroStor*, managed by the Department of Toxic Substances Control, accessed September 2022.
15. *Final Santa Rosa Plain Conservation Strategy*, prepared by USFWS, 2005.
16. *Fire Hazard Maps*, Office of the State Fire Marshal, November 12, 2021.
17. *GeoTracker*, managed by the State Water Resources Control Board, accessed September 2022.
18. *Guidelines for Analysis of Vehicle Miles Traveled*, adopted by City of Cotati September 22, 2020.
19. *Lot Coverage Exhibit* prepared by TDG Consulting Civil Engineers, August 1, 2023.
20. *MTC/ABAG Hazard Viewer Map*, accessed July 27, 2022.
21. *Recovery Plan for the Santa Rosa Plain*, 2016.
22. *Slope Analysis for Flahaven Estates* prepared by TDG Consulting Civil Engineers, December 13, 2022.
23. *Slope Analysis for Lot 18*, prepared by TDG Consulting Civil Engineers, January, 2023.
24. *Sonoma County Multijurisdictional Hazard Mitigation Plan Update 2021*, prepared by Tetra Tech Consultants for Permit Sonoma, October 2021.
25. *Sonoma County Permit Sonoma GIS, Williamson Act Contracts*, 2017.
26. *Sonoma County Water Agency 2020 Urban Water Management Plan*, prepared by Brown and Caldwell, June 2021.
27. *Stormwater Mitigation Plan*, prepared by T.D.G Consulting Civil Engineers, Inc., August 28, 2023
28. *Technical Advisory on Evaluating Transportation Impact in CEQA*, prepared by the California Office of Planning and Research, December 2018.

29. *Tentative Map Slope Analysis*, prepared by TDG Engineers on December 13, 2022
30. *USGS Land Cover Classification System*.
31. *Water and Sewer Analysis* prepared by TDG Consulting Civil Engineers Inc. March 21, 2022.

7. ENVIRONMENTAL CONDITIONS OF APPROVAL

The following conditions of approval have been identified through this analysis and ensure implementation of applicable mitigation measures and policies set forth in the 2013 General Plan EIR.

AES-1: The applicant shall submit a final lighting plan in compliance with Municipal Code Section 17.30.060 for review and approval by the Community Development Director prior to issuance of a building permit.

AES-2: The applicant shall submit a final landscaping plan for review and approval by the Community Development Director prior to issuance of a building permit.

AQ-1: During any construction period ground disturbance, the following dust control and exhaust measures shall be implemented:

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

AQ-2: During construction activities, contractors shall use construction equipment that has low diesel particulate matter exhaust to minimize emissions and limit use of diesel-powered equipment. The Project shall implement a plan to reduce diesel-powered machinery (DPM) emissions by as much as possible through one or both of the following:

1. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4

emission standards for particulate matter (PM10 and PM2.5), if feasible. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).

2. Develop a Construction Operations Plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter. Such a plan shall be approved by the City prior to commencement of ground-disturbing activities and may be subject to review by an air quality expert. Elements of the plan could include a combination of some or all of the following measures:
 - Use equipment that meets EPA Tier 4 standards or alternatively fueled equipment.
 - Install electric power lines during early construction phases to avoid use of diesel generators and compressors.
 - Use electrically powered equipment.
 - Use forklifts and aerial lifts for exterior and interior building construction that are electric or propane/natural gas powered.
 - Change construction build-out plans to lengthen phases.
 - Implement building techniques that result in the use of less diesel-powered equipment.

BIO-1: To ensure that the Project does not result in the take of CTS, the following measures shall be implemented:

1. A Section 2081 Incidental Take Permit (ITP) from CDFW is required, along with avoidance measures prescribed in the 2020 Programmatic Biological Opinion (PBO) for CTS (USACE, 2020). Should Impacts to the ditch along Old Redwood Highway be necessary, formal consultation through the 2020 PBO would also be required. If no federal nexus exists, the Applicant may pursue a concurrence determination from USFWS with the 2081 ITP.
2. A USFWS and CDFW approved biological monitor shall conduct a training session for all construction workers before work begins. The biological monitor will be present on-site during excavation activity, and each morning when an open trench is uncovered to check for trapped animals or animals under equipment. The biological monitor will check all excavated steep-walled holes or trenches greater than one foot deep for any CTS.

3. In the event that CTS are found on site, construction work shall be halted immediately and the USFWS and/or CDFW contacted. Only a USFWS CTS recovery permit holder may relocate CTS. Translocation shall be performed as described in USFWS 2005 protocol to a location outside the Project Site, as directed by USFWS or CDFW.
4. Fencing to exclude CTS shall be installed between the grasslands and the construction footprint. The biological monitor shall verify that appropriate exclusion fencing is utilized and that it is installed properly and maintained throughout the duration of construction.
5. Site access routes and the number and size of staging and work areas shall be limited to the minimum necessary to achieve the project goals. Clearly mark routes and boundaries of the roadwork shall be installed prior to initiation construction/site disturbance.
6. All foods and food-related trash items shall be enclosed in sealed trash containers at the end of each day and removed completely from the site once every three days.
7. No pets shall be allowed anywhere in the Project site during construction.
8. Maintain all equipment such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.
9. Any hazardous materials such as fuels, oils, solvents, etc., shall be stored in sealable containers in a designated location that is at least 200 feet from aquatic habitats. All fueling and maintenance of vehicles and other equipment, and staging areas shall occur at least 200 feet from the seasonal wetland located along Old Redwood Highway.
10. Grading and clearing shall be conducted between June 15 and October 15, of any given year, depending on the level of rainfall and/or site conditions.
11. Project areas temporarily disturbed by construction activities shall be revegetated with native plants.

BIO-2: A Section 2081 ITP from CDFW shall be obtained and applicable avoidance measures prescribed in the 2020 PBO for CTS shall be implemented(USACE, 2020). Should impacts to the roadside ditch be necessary, formal consultation through the 2020 PBO would also be required. If no federal nexus exists, the Applicant may pursue a concurrence determination from USFWS with the 2081 ITP.

BIO-3: In order to replace the loss of 6.2 acres of CTS upland habitat the applicant shall secure suitable replacement lands at a 1:1 ratio at either an approved CDFW conservation bank or through the acquisition of CDFW approved permitted-responsible mitigation lands elsewhere on the Santa Rosa Plain.

BIO-4: To prevent impacts to nesting birds, the following avoidance and minimization measures shall be followed:

1. If construction begins between February 1 and August 31, a pre-construction nesting bird (both passerine and raptor) survey of the habitats within 500 feet of all work areas shall be performed within 7 days of groundbreaking. If no nesting birds are observed, no further action is required, and grading must occur within one week of the survey to prevent "take" of individual birds that could begin nesting after the survey. A follow-up survey is required if a stoppage in work occurs for longer than 7 days between February 1 and July 1.
2. If active bird nests (passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged or the nest has naturally failed or been predated, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, with the dimension of any required buffer zone to be determined by a qualified biologist.
3. To delineate the "no-work" buffer zone around a nesting tree, orange construction fencing must be placed at the specified radius from the base of the tree within which no construction related activity or machinery shall intrude.

BIO-5: If any work occurs between September 1 and January 31, a qualified biologist shall follow the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report) habitat assessment and survey methodology prior to Project activities occurring. The habitat assessment and surveys shall encompass a sufficient buffer zone to detect owls nearby that may be impacted. Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, including but not limited to a final survey within 24 hours prior to ground disturbance and before construction equipment mobilizes to the Project area. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. Detected burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report, unless otherwise approved in writing by CDFW, and any eviction plan shall be subject to CDFW review.

BIO-6: Prior to demolition of existing structures and trees, the biologist shall perform bat roost emergence surveys no more than 7 days prior to the start of activities outside of the hibernation period (November 1 to March 1). If bats are found, a bat exclusion plan shall be prepared and submitted to CDFW to include the following:

1. Bats shall be excluded between March 1 (once overnight low temperatures exceed 45 degrees Fahrenheit) and April 15, or between September 1 and October 15 to ensure no impact to maternity roosting occurs. Once bats have been fully excluded, the structure may be demolished or removed.
2. If a maternity roost is found, a replacement roost must be established either on-site or at a nearby off-site at a permanently protected location in consultation with CDFW.

3. Tree removal for trees greater than 16-inch dbh shall be performed using the three-step removal process. First the crown or upper 1/3 of the tree shall be removed and any limbs removed and left overnight. Next, the rest of the tree shall be felled and left overnight. On the third day, the biologist shall examine the felled tree to make sure any bats have escaped prior to chipping on-site or hauling to an off-site location for disposal.

BIO-7: Pre-construction surveys for American badger shall be performed within 10 days prior to the start of construction activities. If a potential den is found, a minimum 100-foot buffer shall be established around the potential den. The den shall be monitored using wildlife cameras or track plates to confirm the animal has left the area of its own accord. Following confirmation by the biologist the potential den is no longer active, it may be excavated by hand under the direction of the biologist and the buffer removed.

BIO-8: During construction an exclusion fence shall be placed around the seasonal wetland to avoid impacts during construction. Because the Project will likely require a small amount of fill and/or removal and replacement of the existing culvert, during road improvements, both a Clean Water Act Section 404 Nationwide permit application must be submitted to the USACE, and a Section 401 Water Quality Certification application must be submitted to the RWQCB prior to the commencement of construction.

BIO-9: Compensatory replacement for any impacts to the seasonal wetland shall be required at a minimum 1:1 ratio through purchase of wetland mitigation bank credits or through permittee-responsible mitigation either on or off-site.

BIO-10: Prior to any site preparation, grading, or construction, the applicant and contractors shall implement the conditions of the Tree Permit.

CUL-1: In the event that cultural resources or human remains are inadvertently discovered during ground disturbing activities, the following conditions shall apply:

1. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.
2. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.

3. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.
4. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.

GEO-1: All design-level recommendations from the Soil Report shall be incorporated into the Project design, construction documents and improvement plans, or as otherwise determined by the City Engineer and/or Chief Building Official. The Project's geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the soil investigation report.

GEO-2: Upon completion of grading planting shall be done as soon as practicable. Prior to issuance of a certificate of occupancy, the City shall verify that the applicant has appropriately installed all plants consistent with the approved final landscaping plan.

GHG-1: The Project shall not install any natural gas appliances or natural gas plumbing. Prior to issuance of a building permit, final engineered plans shall be submitted and reviewed for compliance.

GHG-2: Prior to issuance of a building permit, final engineered plans shall be submitted by the applicant demonstrating inclusion of electrical vehicle charging at each residence in compliance with CalGreen Tier 2 (A4.106.8) and verified for compliance by the City.

HAZ-1: To avoid potential impacts related to the release of asbestos-containing materials or lead-based paint, an asbestos survey adhering to sampling protocols outlined by the Asbestos Hazard Emergency Response Act (AHERA) a lead-based paint screening shall be conducted prior to demolition of the existing structures. In the event that such substances are found, the applicant shall be subject to requirements set forth by the Occupational Safety and Health Administration (OSHA) AHERA requirements, lead standard contained in 29 CFR 1910.1025 and 1926.62, and any other local, state, or federal regulations. Treatment, handling, and disposal of these materials shall adhere to all requirements established by OSHA and other agencies.

HAZ-2: Prior to issuance of the building permit, soil testing around the former agricultural use areas shall be tested for nitrates. If elevated levels of nitrates are found, the applicant shall prepare and submit a remediation plan for review and acceptance by the City.

Once accepted, the remediation plan shall be carried out by the applicant and remediation documentation submitted to the City upon completion and prior to issuance of occupancy.

HYD-1: The applicant shall submit a Storm Water Prevention and Pollution Plan (SWPPP) approved by the Regional Water Quality Control Board for approval by the City Engineer prior to the issuance of a building permit. The SWPPP shall include Best Management Practices for construction activities as well as accounting for any BMPs required for operational activities. The SWPPP shall incorporate the requirements of all applicable federal, state, and local regulations including the City of Cotati Municipal Code Chapter 13.68 Storm Water Ordinance and Chapter 14.36 Erosion and Sediment Control.

HYD-2: The applicant shall submit a final Stormwater Low Impact Development and Stormwater Mitigation Plan for review and approval by the City Engineer prior to issuance of the building permit.

NOI-1: Construction-related noise and vibration impacts shall be attenuated through implementation of the following best management practices (BMPs) for control of construction noise:

1. Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 7:00 pm on weekdays and 9:00 am and 5:00 pm on Saturdays. No construction shall occur on Sundays or holidays.
2. All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
3. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
4. At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.
5. Unnecessary idling of internal combustion engines shall be prohibited.
6. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
7. Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
8. The construction contractor shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

NOI-2: Prior to issuance of the building permit, the applicant shall submit final design plans that specify the noise attenuation measures along with an analysis documenting that the measures taken reduce interior and exterior noise to 65 dBA Ldn during the day

and interior noise levels of no more than 45 dBA Ldn at night (with the windows closed) for all homes proposed for construction. This may be achieved through implementation of the recommendations of the RGD Acoustics Noise Study (e.g. installation of the six-foot-tall soundwall) and/or through installation of sound-rated doors or windows as appropriate, and/or the installation of air conditioning or mechanical ventilation systems in compliance with Municipal Code Section 17.30.050(D)(5).

REC-1: The applicant shall either dedicate 0.54 acres of parkland or pay the in-lieu fee in compliance with 17.76.030(B)(1). The applicant shall pay the fee prior to issuance of the building permit.

TRA-1: Final design and landscaping plans shall be submitted and show compliance with Municipal Code Section 17.30.040(c)(2). Final landscaping plans shall include the specific plants that will be placed in the traffic safety visibility area and their maximum projected height which shall be no taller than 36 inches except for trees with their canopy trimmed to a minimum of eight feet above grade.

TRA-2: Prior to issuance of the building permit, the applicant shall pay a traffic impact fee to be calculated by the City Engineer in compliance with Municipal Code Chapter 4.10.020.

TRA-3: Prior to issuance of a building permit, the applicant shall provide a final civil improvements plan that includes the striping of a crosswalk and installation of a stop sign at the intersection of the access road (Viking Way) and Old Redwood Highway.

UTI-1: The applicant shall provide a final landscaping plan that includes the installation of drought tolerant native vegetation that will be planted in compliance with the Water Efficient Landscaping Ordinance.

UTI -2: The applicant shall prepare a draft Subdivision Improvement Agreement (SIA) and Subdivision Improvement Plan (SIP) that shall be approved by the City Engineer and a final SIA and SIP shall be signed prior to issuance of the Building Permit. Additionally, the applicant shall submit an application to request that the site be annexed into the Community Facilities District (CFD) and shall receive approval prior to commencing construction.

WF-1: The applicant shall implement the following Best Management Practices identified by the Sonoma County Multijurisdictional Hazard Mitigation Plan or as otherwise accepted by the Building Official/RAFPD:

1. Contractor(s) shall use fire-resistant building materials not limited to Class A Fire Resistant Roofing.
2. Applicant shall provide a long-term fire safety maintenance plan that shall be reviewed and approved by the Rancho Adobe Fire Protection District prior to issuance of a building permit. Once approved, the required actions shall be recorded on the deed of each property. Actions may include:

- a. Homeowners shall maintain landscaping for fire safety including the clearing of overgrown brush and/or dead brush prior to the start of fire season.
- b. Homeowners shall maintain adequate defensible space around structures.