City of Santa Rosa
Community Development

Elm Tree Station

874 North Wright Road, Santa Rosa, CA (Sonoma County)
Assessor's Parcel No. 035-063-001

Initial Study/Mitigated Negative Declaration

Lead Agency:

City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Rm. 3
Santa Rosa, CA 95404

Contact: Jessica Jones, Senior Planner

Date: August 26, 2013

City of Santa Rosa
Community Development

DATE: August 26, 2013

TO: Public Agencies, Organizations and Interested Parties

FROM: Jessica Jones, Senior Planner

SUBJECT: **NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Department of Community Development of the City of Santa Rosa has prepared an Initial Study on the following project:

Project Name:

Elm Tree Station

Location:

874 North Wright Road, Santa Rosa, Sonoma County, California, APN: 035-063-001.

Property Description:

The currently undeveloped project area is comprised of a single parcel totaling approximately 0.98 acres. The site is bordered to the north by the Joe Rodota Trail and Highway 12, to the south by a propane distribution business, to the west by North Wright Road and a construction product and equipment supplier, and to the east by undeveloped residential land.

Topography of the project site varies from previously graded level areas to nearly level undulating terrain, bisected by a man-made ditch that appears to dip to a lower elevation at the southeast corner of the project site. Elevations range from 89.76 to 94.57 feet above sea level, with the highest point occurring at the site of a former home at the northwestern corner of the project site, and the lowest point at the centerline of the man-made ditch.

Two topographic depressions on the east side of the project site and the man-made ditch all support seasonal wetlands. Vegetation on the site consists primarily of a mix of non-native annual grassland, seasonal wetland vegetation and ruderal (weedy) vegetation and ornamental plants. There are ten trees on site including Chinese Elm, Valley Oak, Oregon Ash, Mayten, Monterey Pine and White Poplar. The project site is located within the potential range of the California Tiger Salamander, and also provides suitable nesting habitats for the Red Shouldered and Red-Tailed Hawks, as well as the White-Tailed Kite.

The project site is designated as Retail and Business Services by the General Plan, and is zoned Planned Development (PD-0435: Wright-Sebastopol Commercial District).

Project Description:

Overall Site Improvements

The proposed project includes a request to subdivide the 0.98 acre site into two parcels. Parcel 1 is proposed at 31,143 square-feet in size and would be developed with a gasoline and electric charge fueling station and a neighborhood market with a 1-bedroom apartment above. Parcel 2 is proposed at 11,600 square-feet and would be developed with a small retail building and park amenities, including a patio/trellis area, benches and picnic area and bike path.

The proposed neighborhood market would be approximately 3,448 square-feet in size, and will include outdoor patio seating. The upper floor of the market is proposed as an 806-square-foot, one-bedroom apartment, which the applicant has stated would potentially be used by staff of the market and gas station.

The fueling station includes six pumps and four electric charging stations. The canopy over the fueling pumps will include photovoltaic panels, as will the covered parking area at the east side of Parcel 1.

The small retail building on proposed Parcel 2 would be 432 square-feet in size, and, while the intended use is has not yet been determined, would potentially be used for a food service use. Parcel 2 also would include park-like amenities, as noted above, including a bike path that would traverse the eastern and southern boundaries of the project site from the Joe Rodota Trail to North Wright Road.

Two existing trees, a Valley Oak and a Chinese Elm, will be retained, and new landscaping will be added along the perimeter of the site, as well as throughout proposed Parcel 2. Proposed landscaping includes a variety of, primarily low water usage, trees, shrubs, groundcover, vines, perennials and grasses. The site will also include a new split-rail fence along the northern property line, adjacent to the Joe Rodota Trail, as well as a 4-foot tall screen panel fence along the eastern property line.

There are two proposed driveways to the site off of North Wright Road. The southerly driveway will provide both ingress and egress, while the northerly driveway will provide egress only. The proposal provides for clear circulation for vehicles and fueling trucks, as well as vehicle clearance with the presence of a truck during fueling operations. Eighteen parking spaces are proposed, three of which will be covered, which meets the Zoning Code requirements for the project. The project also proposes eight bicycle parking spaces, including traditional bike racks and one bike locker, which is consistent with Zoning Code requirements.

Site lighting includes twelve LED can lights under the fueling canopy, and two under the covered parking area. Decorative wall mounted lights and recessed can down-lights will illuminate the front and eastern side of the market building, while landscaping up-lights will illuminate the back market walls that face the Joe Rodota Trail and the proposed monument sign adjacent to North Wright Road. Ten-foot tall cut-off pole lights will be located along the proposed bike path, and 42-inch tall bollard lights will be located on either side of the proposed outdoor dining area on the eastern side of the proposed market. All lighting will be designed and located to prevent light and glare on neighboring properties.

The project has been designed to incorporate temporary, pollution prevention and permanent storm water Best Management Practices to minimize the introduction of pollutants in downstream water bodies. Bioretention areas are proposed along the parking areas, and a pervious concrete gutter pan along the head of the parking areas and some drive aisles will allow storm water to filter into the bioretntion areas and interact with the plants in the landscape strip. Building roof-top water will be collected, conveyed in pipes and allowed to enter the bioretntion areas. In large storm events, when the bioretention areas are at capacity, water will run down the building gutters, collect in catch basins and then be piped to the City of Santa Rosa storm drain system.

Santa Rosa Climate Action Plan Compliance (CAP)

The Elm Tree Station project incorporates all of the following policy measures contained in the CAP (listed by CAP policy), these include the following:

Policy 1.1.1 – Comply with CAL Green Tier 1 Standards: Construction documents will be designed to comply with State Energy requirements for Title 24, City of Santa Rosa's Cal Green requirements and CAL Green Tier 1 Standards.

Policy 1.3.1 – Install real-time energy monitors to track energy use: The project will install a "Smart Meter" system to provide real-time monitoring of energy usage.

Policy 1.4.2 – Comply with the City's Tree Preservation Ordinance (Santa Rosa Code Section 17-24.020): Existing trees have been preserved to the greatest extent possible and mitigation trees are proposed on site for those trees that are proposed for removal.

Policy 1.4.3 – Provide public and private trees incompliance with the Zoning Code: New trees and plantings associated with development of the Elm Tree Station project shown on the Conceptual Landscape Plan will be installed in compliance with the Santa Rosa Zoning Code and Santa Rosa Design Review Landscape Standards for planting private and public trees.

Policy 1.5 – Install new sidewalks and paving with high solar reflectivity materials: The project includes light colored concrete and light colored paving seal coat.

Policy 2.1.3 – Pre-wire and pre-plumb for solar thermal or PV systems: The project will include both a photovoltaic system and pre-wiring for potential future additional PV system(s).

Policy 3.2.2 – Improve non-vehicular network to promote walking, biking: The project includes a bicycle and pedestrian path that ties into the Joe Rodota Trail. In addition, the project also includes seating and bicycle racks to serve and support Joe Rodota Trail users.

Policy 3.2.3 – Support mixed-use, higher-density development near services: The project is mixed use in nature (it combines a retail market, a residential unit and automobile/pedestrian/bicycle uses).

Policy 3.6.1 – Install calming features to improve ped/bike experience: The project has seating areas, patios and a market that improve the pedestrian/bicyclist experience.

Policy 4.1.1 – Implement the Bicycle and Pedestrian Master Plan: The project's pedestrian/bicycle path and amenities for users (see Policy 3.6.1 above) support the Bicycle and Pedestrian Master Plan.

Policy 4.1.2 – Install bicycle parking consistent with regulations: Proposed Parcels 1 and 2 both have bicycle parking for the two buildings and the Joe Rodota Trail users, consistent with the Zoning Code requirements.

Policy 4.5.1 – Include facilities for employees that promote telecommuting: The proposed residential unit is intended to be occupied by an employee of the market.

Policy 5.1.2 – Install electric vehicle charging equipment: The service station on proposed Parcel 1 includes four electrical vehicle charging stations, two of which are covered and dedicated to electric vehicle use only.

Policy 6.1.3 – Increase diversion of construction waste: A construction waste management plan will be created in compliance with CalGreen Tier 1 Standards.

Policy 7.1.1 – Reduce potable water for outdoor landscaping: As shown on the landscape plan, lower water usage landscaping will be installed to reduce potable water usage.

Policy 7.1.3 – Use water meters which track real-time water use: The project will have water meters with real-time usage tracking, assuming that the City of Santa Rosa has this capacity at the time of construction.

Policy 9.1.3 – Install low water use landscapes: Low water use native plants will be used to landscape the site. Plant materials and locations are shown on the project landscape plans.

Policy 9.2.1 – Minimize construction equipment idling time to 5 minutes or less: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.2 – Maintain construction equipment per manufacturer's specifications: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.3 – Limit Green House Gas (GHG) construction equipment by using electrified equipment or alternate fuels: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Required Entitlements/Permits

In addition to the requisite building and/or encroachment permits, Tentative Map, Conditional Use Permit and Design Review approvals are required for the proposed project.

Environmental Issues:

The proposed project would not result in potentially significant impacts. The Initial Study/Mitigated Negative Declaration document has been prepared in consultation with local, and state responsible and trustee agencies and in accordance with Section 15063 of the California Environmental Quality Act (CEQA). Furthermore, the Initial Study/Mitigated Negative Declaration will serve as the environmental compliance document required under CEQA for any subsequent phases of the project and for permits/approvals required by a responsible agency.

A thirty-day (30-day) public review period shall commence on **September 9, 2013**. Written comments must be sent to the City of Santa Rosa, Community Development Department, Planning Division, 100 Santa Rosa Avenue, Room 3, Santa Rosa CA 95404 **by October 8, 2013.** The City of Santa Rosa Planning Commission will hold a public hearing on the Initial Study/Mitigated Negative Declaration and project merits on **October 10, 2013 in the Santa Rosa City Council Chambers at City Hall (address listed above). Correspondence and comments can be delivered to Jessica Jones, project planner, phone: (707) 543-3410, email: jjones@srcity.org**

ENVIRONMENTAL CHECKLIST

1. Project Title:	Elm Tree Station
2. Lead Agency Name & Address:	City of Santa Rosa Community Development Department Planning Division 100 Santa Rosa Avenue Santa Rosa, California 95404
3. Contact Person & Phone Number:	Jessica Jones, Senior Planner Phone number: (707) 543-3410 Email: jjones@srcity.org
4. Project Location:	The site is located in the City of Santa Rosa, Sonoma County, California at 874 North Wright Road, Assessor's Parcel Nos. 035-063-001.
5. Project Sponsor's Name & Address:	Project Sponsor Mangal Dhilon 2743 Yulupa Avenue Santa Rosa, CA 95405 Sponsor's Representative Jean Kapolchok J. Kapolchok & Associates 843 2nd Street Santa Rosa, CA 95404
6. General Plan Designation:	Retail and Business Services
7. Zoning:	Planned Development (PD-0435: Wright-Sebastopol Commercial District)

8. Description of Project: (Describe the whole action involved, included but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach separate sheets if necessary.)

Overall Site Improvements

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Required Entitlements/Permits

In addition to the requisite building and/or encroachment permits, Tentative Map, Conditional Use Permit and Design Review approvals are required for the proposed project.

9. Surrounding Land Uses and Setting: (Briefly describe the projects surroundings)

The currently undeveloped project area is comprised of a single parcel totaling approximately 0.98 acres. The site is bordered to the north by the Joe Rodota Trail and Highway 12, to the south by a propane distribution business, to the west by North Wright Road and a construction product and equipment supplier, and to the east by undeveloped residential land.

Topography of the project site varies from previously graded level areas to nearly level undulating terrain, bisected by a man-made ditch that appears to dip to a lower elevation at the southeast corner of the project site. Elevations range from 89.76 to 94.57 feet above sea level, with the highest point occurring at the site of a former home at the northwestern corner of the project site, and the lowest point at the centerline of the man-made ditch.

Two topographic depressions on the east side of the project site and the man-made ditch all support seasonal wetlands. Vegetation on the site consists primarily of a mix of non-native annual grassland, seasonal wetland vegetation and ruderal (weedy) vegetation and ornamental plants. There are ten trees on site including Chinese Elm, Valley Oak, Oregon Ash, Mayten, Monterey Pine and White Poplar. The project site is located within the potential range of the California Tiger Salamander, and also provides suitable nesting habitats for the Red Shouldered and Red-Tailed Hawks, as well as the White-Tailed Kite.

The project site is designated as Retail and Business Services by the General Plan, and is zoned Planned Development (PD-0435: Wright-Sebastopol Commercial District).

10. Other Public Agencies Whose Approval Is Required: (e.g., permits, financing approval, or participation agreement.)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

On the basis of this initial evaluation:

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

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

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

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

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

_____ _____

Signature Date

Jessica Jones, Senior Planner

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

Discussion:

I.(a) No Impact.

The site is not located on a street that is designated as a Scenic Road in the Santa Rosa 2020 General Plan. Because the subject site is relatively flat, surrounded by light industrial and commercial uses to the south and west, Highway 12 to the north and a vacant residential site to the east that will likely be developed with multi-family residential, and is not on a main street, there will be no impact to scenic vistas.

I.(b) No Impact.

There are no waterways, or historic buildings located on the site, therefore there will be no impact to existing scenic resources.

I.(c) Less-Than-Significant Impact.

The proposed project meets the objectives of the City's Design Review Guidelines. The project, as described herein, is not anticipated to substantially degrade the existing visual character or quality of the site and its surroundings as it will introduce a commercial fueling station, market, with an apartment unit for a potential employee, and small retail building that is in keeping with the generally with the mixed commercial/industrial and residential nature of the surroundings. The proposal offers a sensitive interface with the Joe Rodota Trail at the north of the property, and is designed to preserve a two of the more significant existing heritage trees on site.

I.(d) Less-Than-Significant Impact.

The City of Santa Rosa Design Guidelines for Retail Centers and Commercial Districts require that all outdoor lighting fixtures be limited to a maximum height of 16 feet in parking lots. In addition, the City of Santa Rosa Zoning Code (Code) Section 20-30.080 requires that lighting fixtures be shielded or recessed to reduce light bleed to adjoining properties, and that each light fixture be directed downward and away from adjoining properties and public rights-of-way, so that no on-site light fixture directly illuminates an area off the site. With these requirements in place, the proposed project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Standard Measures:

- Design Review is required for the project. Design Review will be obtained prior to issuance of a building permit.
- A standard condition of approval regarding exterior lighting requirements will be placed on the project.
- Conformance review shall occur at the building permit stage.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa Design Guidelines, September 2002
- City of Santa Rosa Zoning Code, 2006

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

II. AGRICULTURE AND FOREST RESOURCES

(In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) Would the project:

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
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?	☐	☐	☐	☒

Discussion:

II.(a-e) No Impact.

There are no important Federal or State farmlands identified within the City limits of the City of Santa Rosa. The project site is not under a Williamson Act contract, nor would the project create a conflict to agricultural uses since none occur in the area. The Santa Rosa 2035 General Plan does not identify any Agricultural land within the Urban Growth Boundary (UGB). This project is within the UGB and therefore will cause no impact to conversion of agricultural lands or result in the loss of forest land.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa's Geographic Information System Database
- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

III. AIR QUALITY

Would the project: (*Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.)*

a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c. Result in a cumulatively considerable net increase any criteria pollutant for which the project region is non – attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☒	☐	☐

Discussion:

III.(a-e). Less than Significant with Mitigation Incorporation.

Vehicle Trips

A Traffic Impact Study, dated July 26, 2013, was prepared by Whitlock & Weinberger Transportation, Inc. (W-Trans). The report indicates that the proposed Elm Tree Station project is anticipated to generate an average of 1,506 vehicle trips per day. This includes 73 vehicle trips during the a.m. peak hour and 91 vehicle trips during the p.m. peak hour. Some portion of traffic associated with the commercial uses would be drawn from existing traffic on nearby streets. These vehicle trips are not considered "new", but are instead comprised of drivers who are already driving on the adjacent street and choose to make an interim stop. These trips are referred to as "pass-by". The percentage of these pass-by trips was based on information provided by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual*, 9th Edition, 2012. The pass-by data presented by ITE is in the range of 48 to 87 percent of total trips. To ensure a conservative analysis, a pass-by rate at the lower end of the range of published data of 50 percent was applied to this analysis.

Based on the Bay Area Air Quality Management District's thresholds of significance, projects that generate fewer than 2,000 vehicle trips per day are not considered major air pollutant contributors and do not require a technical air quality study. As such, the project is expected to have a less-than-significant impact relative to air quality impacts related to vehicle usage.

Construction Impacts

The project would generate temporary air pollutant emissions during construction activities. The short-term air quality impacts during construction would be associated primarily with an increase in suspended particulates (dust). Construction activities, including site clearing and soil disturbance, could generate dust emissions and locally elevated levels of particulates (i.e., PM10) downwind of construction activities. This increase in dust could result in potentially significant short-term impacts on nearby residential uses. The BAAQMD provides feasible control measures for construction emissions of PM10. The potentially significant air quality impacts would be reduced to a less-than-significant level with the mitigation presented below.

This project would use typical construction equipment such as trucks and bulldozers. This type of equipment can generate temporary emissions of ozone precursors (i.e., nitrogen oxides and volatile organic compounds). These emissions are accommodated in the emission inventory of the state and federally required air plans and would not have a significant impact on the attainment and maintenance of ozone standards. In addition, toxic air contaminants (TACs), such as diesel exhaust, are emitted from various construction vehicles and equipment. The project would require limited construction activities and would not emit substantial TACs.

Standard Measures:

None.

Recommended Mitigation Measures:

AQ-1 The Applicant shall implement air quality protection measures recommended by the BAAQMD, including but not limited to those listed below, to reduce diesel particulate matter and $PM_{2.5}$ from construction operations to ensure that short-term health impacts are avoided:

a. Water all active construction grading areas at least twice daily and more often during windy periods.

b. Cover all hauling trucks or maintain at least two feet of freeboard.

c. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.

d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas. Sweep streets daily (with water sweepers) if visible soil material is deposited onto adjacent roads.

e. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.

f. Limit traffic speeds on any unpaved roads to 15 mph.

g. Suspend construction activities that cause visible dust plumes that extend beyond the construction site.

h. A Disturbance Coordinator will be assigned to the Project at least for the full duration of demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues (e.g., dust and odors) in a timely manner. The contact information for this Coordinator will be posted in plain view at the

Project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.

i. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke 3 minutes after start up is in violation of this measure.

j. Properly tune and maintain equipment in accordance with manufacturer specifications.

k. Reduce combustion emissions during construction as required in the California Air Resources Board Off-Road Diesel Rule. The "no idling" rule for in-use off-road diesel-fueled vehicles limits idling for such vehicles to no more than five minutes. Signs shall be clearly posted at the construction sites indicating the idle times for construction-related equipment shall be minimized and noting that no diesel equipment shall idle for more than five minutes. Idling necessary to accomplish work for which a vehicle was designed (such as operating a crane) are exempt from the rule (see rule for additional exemptions).

l. During renovation and demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations or other regulatory requirements.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and 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 Game or US Fish and Wildlife Service?	☐	☒	☐	☐

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established 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?	☐	☒	☐	☐

Discussion:

IV.(a, b, d, f) Less than Significant with Mitigation Incorporation.

The 0.98 acre site, which is currently undeveloped, at one time was the site of a former residential home, and now includes ornamental trees, shrubs and a pit in the location of a removed septic tank. A man-made ditch starts in the central eastern portion of the project site, runs diagonally through the site, and terminates at a stormdrain inlet structure on the west side, alongside North Wright Road. Project site vegetation is characterized as ruderal (weedy) and ornamental vegetation, non-native annual grassland and seasonal wetland.

A Biological Resources Analysis (Analysis), dated November 6, 2012, was prepared for the project by Monk & Associates, Inc. The Analysis provides a description of existing biological resources on the project site and identifies potentially significant impacts that could occur to sensitive biological resources, including common plant and animal species, special-status plants and animals and waters of the United States, from the development of the proposed project.

Potential Special-Status Plants on the Project Site:

According to the California Native Plant Society Inventory and the California Department of Fish and Game's Natural Diversity Database, a total of 62 special-status plant species are known to occur in the region of the project site. However, as discussed in the Analysis, the project site's ruderal and non-native, annual grassland with two small seasonal wetlands provides suitable habitat for only 14 of these 62 special-status plant species. None of the 14 special-status plant species were found on the site by Monk & Associates, Inc. during their investigation. However, the Analysis identified three species, including Sonoma Sunshine, Burke's Goldfields

and Sebastopol Meadowfoam, that could be potentially impacts. Specifically, although none of the aforementioned species were observed on the site after two years of appropriately timed surveys, according to the U.S. Fish and Wildlife Service's Santa Rosa Plain Conservation Strategy, any impact to potentially suitable seasonal wetland habitat for all three species would be significant. The mitigation measures identified below address these impacts.

Potential Special-Status Animals on the Project Site:

According to the Analysis, no special-status animals have ever been mapped on the project site. Field surveys, including aquatic dip-netting surveys, were conducted by Monk & Associates, Inc. in March, April, May and June of 2010 and 2011. No special-status animal species were observed on the project site during those studies. However, according to the California Department of Fish and Game's Natural Diversity Database, a total of six special-status animal species are known to occur within five miles of the project site. Of the six species, due to habitat requirements, only one, the California Tiger Salamander, has the potential to occur on the project site.

The project site is within the boundaries of the U.S. Fish and Wildlife Services' designated Critical Habitat of the Sonoma County "Distinct Population Segment" of the California Tiger Salamander (CTS). According to the Analysis, there are 20 reported occurrences of CTS within two miles of the project site, and six separate breeding areas are located within 1.5 miles of the project site. However, the closest breeding site occurs north of Highway 12, a major geographic barrier to CTS movements. The nearest recorded CTS occurrence to the project site that is not separated by physical barriers is approximately 2,000 feet east of the project site, in what was native grassland containing swales, but that is now partially developed.

During Monk & Associates, Inc.'s 2011 spring larval surveys, no CTS were found on the project site. According to the Analysis, the project site does not provide suitable breeding habitat for CTS, hence, no impacts to breeding or larval development habitat are expected from the proposed project. Accordingly, no salvage of CTS will be necessary prior to development of the project site.

According to the Analysis, no adult CTS occurrences have been documented within 500 feet of the project site. However, in accordance with the "Programmatic Biological Opinion of U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain (1998)", for projects that are greater than 500 feet and within 2,200 feet of a known breeding site, CTS are required to be mitigated at a 2:1 ratio. Because there are no existing improvements on site, the entire 0.98 acre parcel is considered to provide upland over-summering habitat for CTS. Finally, the Analysis discusses that the project site is located in an area of the Santa Rosa Plain that has been designated in the Final Santa Rosa Plain Conservation Strategy as "potential for presence of CTS and listed plants". As a result, impacts to the CTS from the proposed development are considered potentially significant. However, following a meeting between Monk & Associates, Inc., the U.S. Fish and Wildlife Service and California Department of Fish and Game, the applicant has agreed to purchase 1.96 acres of mitigation credits from a U.S. Fish and Wildlife Service approved mitigation bank. The mitigation measures identified below address the aforementioned impacts.

Additionally, based on Monk & Associates, Inc.'s experience, it is expected that raptors (birds of prey) and passerine (perching birds) could nest in the mature ornamental and native trees on or adjacent to the project site, those species include the Red Shouldered Hawk, Red-Tailed Hawk and White-Tailed Kite. The project site also provides suitable foraging habitat for these particular species. As a result, until nesting surveys are conducted that confirm or negate these species' presence on the project site, nesting impacts from the proposed project are considered potentially significant. Per the Analysis, preconstruction nesting surveys will be conducted before tree removal and earth-moving activities commence on the project site. If nesting of any of the aforementioned species are found on or adjacent to the project site, a buffer will be established until the young have fledged. The mitigation measures identified below address these impacts.

IV.(c) Less than Significant with Mitigation Incorporation.

According to the Biological Resources Analysis (Analysis), dated November 6, 2012, prepared by Monk & Associates, Inc., a preliminary wetland delineation was conducted on the project site on March 16, 2010, using the U.S. Army Corps of Engineers' (Corps) 1 987 "Wetlands Delineation Manual" in conjunction with the regional supplement for the Arid West Region. Subsequently, on September 22, 2010, the Corps field verified the extent of their jurisdiction on the project site pursuant to Section 404 of the Clean Water Act. The Corps confirmed a total of 0.22 acres of waters of the U.S. on the project site. The Analysis identifies that the waters of the U.S. on the site consist of low-quality seasonal wetlands within a man-made ditch, two topographical depressions and a channel leading to a culvert on the southwestern corner of the project site. Construction of the proposed project will result in impacts to all Corps jurisdictional areas.

As stated in the Analysis, The Corps' mapped jurisdictional area would be regulated by the Regional Water Quality Control Board (RWQCB) pursuant to the Porter-Cologne Water Quality Control Act. Since any "threat" to water quality could conceivably be regulated pursuant to the Porter-Cologne Water Quality Control Act, care will be required when constructing the proposed project to be sure that adequate pre- and post-construction Best Management Practices are incorporated into the project implementation plans.

Pursuant to the Analysis, on February 17, 2011, Monk & Associates, Inc. met with the RWQCB's North Coast office and with the Corps to discuss the project. Both the RWQCB and the Corps agreed that impacts to waters of the U.S. and State could be mitigated using a Corps and RWQCB approved wetland conservation bank. The applicant has agreed to purchase 0.45 acres of mitigation credits from the Horn Avenue Mitigation Bank. The mitigation measures identified below address the aforementioned impacts.

IV.(e) Less than Significant with Mitigation Incorporation.

A total of ten trees were evaluated by Horticultural Associates based on their trunk diameter and location in relation to the proposed construction. The ten trees include two Valley Oaks, a Chinese Elm, three White Poplars, an Oregon Ash, a Mayten, and a Monterey Pine. Of the trees evaluated, eight are proposed for removal, four of which are protected trees and four of which are exempt pursuant to the Santa Rosa Tree Ordinance. According to the Tree Preservation and Mitigation Report prepared by Horticultural Associates, dated June 21, 2007, and a follow-up letter from Horticultural Associates, dated October 7, 2012, the project is proposing to preserve and protect the two most significant trees on site, a 17.5-inch Valley Oak and a Chinese Elm, which has trunk diameters of 21.5-inches and 24-inches. The four protected trees that are proposed for removal are a 9.5-inch Oregon Ash, a 7.5-inch Mayten, an 11-inch + 10.5-inch + 13-inch + 12.5-inch + 11-inch Chinese Elm, and a 4-inch + 3.5-inch + 5-inch + 5-inch + 6-inch + 4.5-inch Valley Oak. The mitigation measures identified below address these impacts.

Standard Measures:

None.

Recommended Mitigation Measures:

BR-1 **Nesting Raptors** – In order to avoid impacts to nesting raptors, a nesting survey shall be conducted 30 days prior to commencing with tree removal or construction work if this work would commence between February 1st and August 31st. The raptor nesting surveys shall include examination of all trees within 300 feet of the entire project site (if access is readily available to offsite areas), not just trees slated for removal.

If nesting raptors are identified during the surveys, the dripline of the nest tree must be fenced with orange construction fencing (provided the tree is on the project site), and a 300-foot radius around the

nest tree must be staked with bright orange lath or other suitable staking. If the tree is adjacent to the project site, then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1st. This date may be earlier than August 1st, or later, and would have to be determined by a qualified raptor biologist.

BR-2 **Nesting Passerine Birds** – If tree removal or site disturbance would occur between February 1st and August 31st, a nesting survey shall be conducted on the project site prior to the disturbance. The nesting surveys should be completed 15 days prior to commencing with the work. If nesting passerine birds are identified nesting on or near the project site, a 75-foot radius around the nest must be staked with bright orange spray painted lath or construction fencing. If an active nest is found offsite, the portion of the buffer that is onsite must be staked. No construction or earth-moving activity shall occur within this 75-foot staked buffer until it is determined by a qualified ornithologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones.

Typically, most birds in the region of the project site area expected to complete nesting by August 1st. However, in the region many species can complete nesting by mid-June to mid-July. Regardless, nesting buffers should be maintained until August 1st unless a qualified ornithologist determines that young have fledged and are independent of their nests at an earlier date. If buffers are removed prior to August 1st, the qualified biologist conducting the nesting surveys shall prepare a report that provides details about the nesting outcome and the removal of buffers. This report shall be submitted to the City of Santa Rosa Community Development Department prior to the time that buffers are removed if the date is before August 1st.

BR-3 **Waters of the United States and/or State** – The applicant is proposing to mitigate impacts to 0.22 acres (9,623 square-feet) of U.S. Army Corps of Engineers and Regional Water Quality Control Board jurisdictional seasonal wetlands via purchase of mitigation credits from the Horn Avenue Mitigation Bank. Wetlands on the project were mostly created by the former resident as a "sink" collecting surface runoff from the surface area for the private residence relatively recently removed from the site. Wetland vegetation does not consist of vernal pool species, rather is mostly comprised of low value, non-native wetland plant species. As such the proposed impacted wetlands have low functions and services (i.e., they are low quality wetlands). Thus mitigation at a 2:1 ratio (i.e., for each tenth of an acre of impact, compensation shall consist of 2tenths of an acre of mitigation credits) from a qualified mitigation bank is appropriate. Since mitigation credits must be purchased at a minimum of 0.05-acre increments, and since the project will impact 0.22 acres of seasonal wetland, 0.45 acres of mitigation credits shall be purchased from the Horn Mitigation Bank, a qualified wetlands mitigation bank. An agreement with the Horn Mitigation Bank to purchase theses mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the California Department of Fish and Game.

BR-4 **California Tiger Salamander** – In accordance with the "Programmatic Biological Opinion of U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plan Species on the Santa Rosa Plain (Programmatic BO)", the applicant will mitigate impacts to 0.98 acres of California Tiger Salamander habitat with the purchase of 1.96 acres of

mitigation credits from a U.S. Fish and Wildlife Service approved mitigation bank. To meet this mitigation requirement, the applicant has agreed to purchase 0.33 acres of combined Sebastopol Meadowfoam (*Limnanthes vinculans*) and California Tiger Salamander (CTS) mitigation credit from the Swift/Turner Conservation Bank. The remaining 1.63 acres of CTS mitigation credits have been purchased from Hale Wetland mitigation and the Hazel Mitigation Bank. An agreement with the Hale and Hazel Mitigation Banks and the Swift/Turner Conservation Bank to purchase these mitigation credits was signed by the applicant on March 12, 2012. CTS and rare plant mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.

BR-5 **Suitable Habitat for Special-Status Plants** – Prior to issuance of a building permit, impacts to suitable habitat for Sonoma sunshine, Burke's goldfields and Sebastopol meadowfoam are required to be mitigated with 1:1 occupied or established habitat (any combination) and 0.5:1 of established habitat. The mitigation land is to be preserved and managed in perpetuity. The proposed project would result in impacts to 0.22 acres of seasonal wetland. Per the Programmatic Biological Opinion, it would be considered "suitable habitat" for listed vernal pool plant species. Thus, the applicant shall mitigate impacts to 0.22 acres of seasonal wetland/endangered plant habitat by purchasing 0.33 acres of credit from a U.S. Fish and Wildlife Services approved mitigation bank (1.5:1 ratio). An agreement with the Swift/Turner Conservation Bank to purchase 0.33 acres of Sebastopol meadowfoam mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.

BR-6 **Loss of Protected or Heritage Trees** – In accordance with Santa Rosa City Code, Chapter 17-24, the alteration, removal or relocation, of heritage, protected, or street trees and shall comply with the mitigation ratio requirements for tree removal mandated by the City Code. The total trunk diameter of heritage trees to be removed is 103 inches. Per the requirements of the City Code, the total trunk diameter is divided by 6 and multiplied by 2 to determine the total number of trees required as mitigation. A total of 35 trees are therefore required to be planted as mitigation. A fee of $100 per replacement tree may be paid to the City of Santa Rosa's Tree Mitigation Fund prior to the removal of the trees in-lieu of planting replacement trees onsite.

The project developer shall comply with all grading, landscaping and pruning provisions contained in the Tree Preservation and Mitigation Report prepared by Horticultural Associates, dated June 21, 2007, consistent with requirements of the City's Tree Ordinance. This shall include, but not be limited to the following:

a. Install temporary protective fencing at the edge of illustrated dripline or the edge of approved construction prior to grading on the site. Maintain fencing in place for duration of construction.

b. Maintain existing grade within the fenced portion of the dripline. Route drainage swales and underground work outside the dripline where possible.

c. Place a 4-inch layer of chipped bark mulch over the soil surface within the fenced dripline prior to installing temporary fencing. Suitable bark must contain bark "fines". Maintain this layer of mulch throughout construction.

d. Prune to clean and raise the canopy, and reduce end weight, per International Society of Arboriculture pruning standards.

Sources:

- Biological Resources Analysis – Elm Tree Station, prepared by Monk & Associates, Inc., dated November 6, 2012
- California Tiger Salamander Larval Survey Request – 874 North Wright Road, letter to U.S. Fish and Wildlife Service, prepared by Monk & Associates, Inc., dated February 21, 2011
- Request for Jurisdictional Determination – 874 North Wright Road, letter to U.S. Army Corps of Engineers, prepared by Monk & Associates, Inc., dated July 15, 2010
- Tree Preservation and Mitigation Report – 874 North Wright Road, prepared by Horticultural Associates, dated June 21, 2007
- Review of Elm Station Tree Preservation, letter to MacNair Landscape Architecture, prepared by Horticultural Associates, dated October 7, 2012

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
V. CULTURAL RESOURCES				
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
e. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒

Discussion:

V.(a-e) Less than Significant Impact.

A Cultural Resources Evaluation of the subject property was prepared by Archeological Resource Service, dated April 23, 2013. The evaluation concludes that there is no evidence of prehistoric cultural material during surface inspection and the previous buildings, which have been removed, was likely constructed sometime between 1954 and 1968. While the structures would have been greater than 45 years of age, they did not appear to be potentially significant historic resources under the California Register of Historic Resources criteria. Because no potentially significant cultural resources were identified within the project area, no specific mitigation is warranted at this time. However, standard measures are provided in the unlikely event that any buried archeological resources are discovered during excavation.

There are no known unique geological or paleontological features on the project site.

Standard Measures:

- If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease and a qualified archaeologist and representatives of the appropriate tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation of any impacts to those resources.

- If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

- If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- A Cultural Resources Evaluation of the Elm Tree Station Project, prepared by Archaeological Resource Service, dated April 23, 2013

	Potentially Significant Impact	**Less-Than-Significant With Mitigation Incorporation**	**Less-Than-Significant Impact**	**No Impact**

VI. GEOLOGY AND SOILS

Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☒	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion:

VI.(a-c) Less-than-Significant Impact.

Santa Rosa is located within a seismically active area of California. The City is subject to geological hazards primarily related to earthquakes due to the presence of active faults. Most notably the City has a designated Alquist Priolo Fault Zone extending through the City's downtown area, the fault zone is designated over the faults known as Roger's Creek Fault and the Healdsburg Fault. The City is also susceptible to the movement of the Bay Area's other active faults including the San Andreas Fault.

The Geotechnical Investigation Report, prepared by Bauer Associates, dated October 16, 2012, states that the published geologic maps do not indicate active faults on the site, therefore the risk of fault rupture during earthquakes is considered to be low. Further, Bauer Associates did not observe soils considered prone to liquefaction or densification below the weak surface soils.

Although the project site is not located within the Alquist Priolo Fault Zone, or within the limits of the Rodgers Creek Fault, any development will require the application of City and California Building code (CBC) construction standards to address all potential impacts related to possible area seismic activity, making impacts from geologic hazards less than significant. The CBC requires earthquake resistant design and construction which reduces earthquake damages and loses.

Application of City standards and Title 24/California Code of Regulations in effect at the time of a development application will address potential impacts related to possible area seismic activity.

VI.(d) Less than Significant with Mitigation Incorporation.

According to the Geotechnical Investigation Report, prepared by Bauer Associates, dated October 16, 2012, the primary geotechnical concerns related to the property and the proposed project are the presence of variable density old fills and weak surface soils, and the presence of highly expansive soils. The Report concludes that the existing surface materials are unsuitable for support of fills, foundations and concrete slabs in their present condition.

The Report explains that suitable foundation support can be achieved by upgrading weak/porous surface soils in building areas by removal and recompaction for their full depth. Further, the risk of future structural damage by shrinking and swelling of the expansive clays should be mitigated by covering the expansive soils with a 30-inch thick confining and moisture protecting blanket of non-expansive fill (where expansive soils are encountered within 30 inches of subgrade). The mitigation measure identified below address these impacts.

VI.(e) No Impact.

The project would connect to the existing wastewater system and would not need septic tanks or an alternative wastewater disposal system.

Standard Measures:

None.

Recommended Mitigation Measures:

GS-1 All recommendations outlined in the Geotechnical Investigation Report for Elm Tree Station Retail Market and Fuel Facility, prepared by Bauer Associates, dated October 16, 2012, shall be adhered to.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Geotechnical Investigation Report – Elm Tree Station, prepared by Bauer Associates, dated October 16, 2012

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS				
Would the project:				
a. Generate Greenhouse Gas Emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion:

VII.(a-b). Less-than-Significant Impact.

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of Greenhouse Gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated with global warming. State law defines GHG to include the following: carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (Health and Safety Code, section 38505(g).) The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, recognizes that California is the source of substantial amounts of GHG emissions. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems. In order to avert these consequences, AB 32 establishes a state goal of reducing GHG emissions to 1990 levels by the year 2035 (a reduction of approximately 25 percent from forecast emission levels) with further reductions to follow.

On December 4, 2001, the Santa Rosa City Council adopted a resolution to become a member of Cities for Climate Protection (CCP), a project of the International Council on Local Environmental Initiatives. On August 2, 2005 the City adopted Resolution 26341 which committed the City of Santa Rosa (City) to reduce the City's municipal (i.e., city government) greenhouse gas emissions by 20 percent below 2000 levels by 2010 and committed to help facilitate the community-wide greenhouse gas reduction target of 25% from 1990 levels by 2015 (City of Santa Rosa 2005). In October 2008, the nine Sonoma County cities and the County with the help of the Climate Protection Campaign (CPC) incorporated the greenhouse gas reduction goals into the Sonoma County Community Climate Action Plan (CAP).

In June 2008 the City prepared a report, *Greenhouse Gas Emissions Related to Water and Wastewater Services: Baseline, Reduction Strategies, and Recommendations*. This report investigates various greenhouse gas reduction strategies that the Utilities Department could implement in support of the City's municipal greenhouse gas reduction target. Of Santa Rosa's greenhouse gas emissions, the Utilities Department operations represent the largest share (46%). For the year 2005, greenhouse gas emissions from the entire wastewater sector was estimated at 9,513 tons of CO_2 equivalent per year. Of which, the pumping of wastewater (i.e. lift stations) was estimated at 60 tons of CO_2 equivalent per year or less than 1% of all emissions from wastewater. One strategy from the report to reduce these emissions is to improve pump efficiency.1

In June 2012 the City approved the Santa Rosa Climate Action Plan (SRCAP) The SRCAP identifies a need to reduce emissions by a total of 558,090 tons (or 25%) below business-as-usual levels projected for 2020 to meet the established greenhouse gas reduction goals. The SRCAP includes recommendations for reducing emissions in the building, transportation, agriculture, forestry, and solid waste sectors and includes recommendations to reduce the City's reliance on the electrical grid by implementing renewable energy projects. The SRCAP measures, policies and projects to reduce community wide GHGs are aligned with the goals and policies of the Santa Rosa General Plan Open Space and Conservation Element.

To ensure that new development complies with the City's GHG reduction program, the SRCAP contains a "New Development Checklist". The Checklist contains policies allowing new development to incorporate measures for SRCAP compliance and to reduce potential GHG impacts to less than significant levels. The Checklist denotes 15 mandatory measures. If a project cannot meet one or more the mandatory measures, substitution of other measures described in the Checklist is permitted.

The Elm Tree Station project incorporates 14 of the mandatory measures, plus six additional measures, contained the SRCAP. These include the following:

> **Policy 1.1.1** – Comply with CAL Green Tier 1 Standards: Construction documents will be designed to comply with State Energy requirements for Title 24, City of Santa Rosa's Cal Green requirements and CAL Green Tier 1 Standards.
>
> **Policy 1.3.1** – Install real-time energy monitors to track energy use: The project will install a "Smart Meter" system to provide real-time monitoring of energy usage.
>
> **Policy 1.4.2** – Comply with the City's Tree Preservation Ordinance (Santa Rosa Code Section 17-24.020): Existing trees have been preserved to the greatest extent possible and mitigation trees are proposed on site for those trees that are proposed for removal.
>
> **Policy 1.4.3** – Provide public and private trees incompliance with the Zoning Code: New trees and plantings associated with development of the Elm Tree Station project shown on the Conceptual Landscape Plan will be installed in compliance with the Santa Rosa Zoning Code and Santa Rosa Design Review Landscape Standards for planting private and public trees.
>
> **Policy 1.5** – Install new sidewalks and paving with high solar reflectivity materials: The project includes light colored concrete and light colored paving seal coat.
>
> **Policy 2.1.3** – Pre-wire and pre-plumb for solar thermal or PV systems: The project will include both a photovoltaic system and pre-wiring for potential future additional PV system(s).

1 Climate Protection Campaign. *Greenhouse Gas Emissions Related to Water and Wastewater Services: Baseline, Reduction Strategies, and Recommendations,* June 2008, http://coolplan.org/ccap-report/source-material/4%20Wastewater.pdf, Section 3.1.2.

Policy 3.2.2 – Improve non-vehicular network to promote walking, biking: The project includes a bicycle and pedestrian path that ties into the Joe Rodota Trail. In addition, the project also includes seating and bicycle racks to serve and support Joe Rodota Trail users.

Policy 3.2.3 – Support mixed-use, higher-density development near services: The project is mixed use in nature (it combines a retail market, a residential unit and automobile/pedestrian/bicycle uses).

Policy 3.6.1 – Install calming features to improve ped/bike experience: The project has seating areas, patios and a market that improve the pedestrian/bicyclist experience.

Policy 4.1.1 – Implement the Bicycle and Pedestrian Master Plan: The project's pedestrian/bicycle path and amenities for users (see Policy 3.6.1 above) support the Bicycle and Pedestrian Master Plan.

Policy 4.1.2 – Install bicycle parking consistent with regulations: Proposed Parcels 1 and 2 both have bicycle parking for the two buildings and the Joe Rodota Trail users, consistent with the Zoning Code requirements.

Policy 4.5.1 – Include facilities for employees that promote telecommuting: The proposed residential unit is intended to be occupied by an employee of the market.

Policy 5.1.2 – Install electric vehicle charging equipment: The service station on proposed Parcel 1 includes four electrical vehicle charging stations, two of which are covered and dedicated to electric vehicle use only.

Policy 6.1.3 – Increase diversion of construction waste: A construction waste management plan will be created in compliance with CalGreen Tier 1 Standards.

Policy 7.1.1 – Reduce potable water for outdoor landscaping: As shown on the landscape plan, lower water usage landscaping will be installed to reduce potable water usage.

Policy 7.1.3 – Use water meters which track real-time water use: The project will have water meters with real-time usage tracking, assuming that the City of Santa Rosa has this capacity at the time of construction.

Policy 9.1.3 – Install low water use landscapes: Low water use native plants will be used to landscape the site. Plant materials and locations are shown on the project landscape plans.

Policy 9.2.1 – Minimize construction equipment idling time to 5 minutes or less: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.2 – Maintain construction equipment per manufacturer's specifications: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Policy 9.2.3 – Limit Green House Gas (GHG) construction equipment by using electrified equipment or alternate fuels: Construction procedures complying with the Climate Action Plan new development checklist will be noted in the project specifications and construction documents.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Santa Rosa Climate Action Plan New Development Checklist (Appendix E), and Elm Tree Station Climate Action Plan New Development Checklist Compliance Explanation, prepared by Tierney/Figueiredo Architects, dated June 20, 2013

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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 which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or	☐	☐	☐	☒

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
working in the project area?				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion:

VII.(a-d) Less than Significant Impact.

The proposed project would be required to comply with relevant Fire, Building and Health and Safety Codes which would reduce the risk of upset. According to the State of California EnviroStor Database of Hazardous Material Cleanup Sites the site is not in or near any Federal or State Superfund sites.

The project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school. Water for the site would be provided by the City of Santa Rosa. Accordingly, the project is not anticipated to create a significant risk of upset or hazard to human health and safety.

VII.(e, f) No Impact.

The project site is located approximately six miles from the Sonoma County Airport, and is outside of the Airport Land Use Plan planning area. The project site is not within the vicinity of a private airstrip.

VII.(g) Less than Significant Impact.

The City of Santa Rosa is under the County of Sonoma's jurisdiction for the Department of Emergency Services. The Division of Emergency Management in the Department of Emergency Services is the lead agency for the Sonoma Operational Area. The Sonoma Operational Area consists of nine incorporated cities (Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, and the Town of Windsor), Sonoma State University, the Sonoma County Junior College District, and other special districts within the county's geographical boundary. Construction at the project site would not interfere with an adopted emergency response or evacuation plan. However, there may be brief and intermittent disruptions to traffic during construction at the site. These minor disruptions would be monitored by flaggers who would clear the road for on-coming emergency vehicles.

VII.(h) No Impact.

According to General Plan Section 12-7, the project site is not located in an area designated for Wildland Fire. Since the project is not located in one of the indicated areas, the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

Standard Measures:

- Two copies of a Phase 1 Environmental Site Assessment shall be required with submittal of the first Engineering plan check. One copy shall be submitted directly to the Fire Department and review fee paid; a copy of the receipt will be submitted with the remaining copy to the Engineering Department. Grading, demolition or construction permits will not be issued until the Fire Department has reviewed and approved the Phase 1 study.

  a. Obtain authorization from the Santa Rosa Fire Department – Hazardous Materials Division (CUPA) for construction to commence.

  b. Provide a copy of no further action letter from the Regional Water Quality Control Board to the Fire Department.

  c. Both authorizations above are to ensure that no additional remediation is necessary and that construction will not entomb contaminated materials which will not be able to be remediated once a building is atop same.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa's Geographic Information System Database
- State of California EnviroStor Database of Hazardous Material Cleanup Sites (http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm)

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY				
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells	☐	☐	☒	☐

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	☐	☐	☒	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

Discussion:

IX.(a-j) Less than Significant Impact.

Water Supply/Conservation

To determine the water supply needs of the City's current General Plan, the Utilities Department has calculated water demand and water supply projections. These projections are included in the City's 2005 Urban Water Management Plan and the Water Supply Assessment for the Santa Rosa General Plan 2035. To meet the current water supply needs, the City has an agreement for water supply with the Sonoma County Water Agency to receive up to 29,100 acre-feet per year of water. In addition, the City has two groundwater wells that can produce up to 2,300 acre-feet per year and the City is the owner and operator of the Subregional System, which produces recycled water for irrigation. To meet the needs of the City's General Plan growth projections, additional water sources beyond what the City has currently developed could be needed as early as 2015. To augment currently developed supply, the City will use water conservation, recycled water, additional groundwater (wells), and possibly additional supply from the Sonoma County Water Agency. At this time, there is adequate reliable water supply during most hydrologic conditions for both current users and future users as dictated by the City's growth management regulations.

The City has had a long-standing commitment to water conservation, resulting in savings of over 3,900 acre-feet per year. In 1976-77, the City began its water conservation program and over the years has implemented many innovative water conservation incentives, such as the Go Low Flow program (replaced over 47,000 high flow toilets, showerheads and faucet aerators with ultra-low flow versions), washing machine rebate programs, landscape irrigation rebate programs, and other residential and commercial programs. Development fees fund the City's Water Conservation Program. In addition, new development is required to install ultra-low flush toilets and low flow showerheads and faucet aerators, as well as water efficient landscapes.

To deal with water supply shortages, the City has an adopted Urban Water Shortage Contingency Plan (Shortage Plan), which outlines how the City will respond to a reduction in water supply and which addresses the effect on new development when a cutback of 35% or greater is required. The Shortage Plan was updated in 2006 and adopted by City Council on June 27, 2006. Water supply shortages of 35% and greater require development to offset the water demand from their projects by conserving 2 times and 3 times the amount, depending on the level of the water supply shortage.

The Sonoma County Water Agency has not declared a water shortage to date. Should the Water Agency declare a water shortage and allocate water per the Water Shortage Allocation Methodology as outlined in the Restructured Agreement for water supply, the City will enact the appropriate stage of our Shortage Plan. Depending on when the project is developed, the appropriate demand offset will be required if needed.

Water Quality

Storm water, or runoff generated from rain, that is not absorbed into the ground accumulates debris, chemicals and other polluting substances harmful to water quality. Polluted stormwater entering creeks is a huge concern because of its threat to public health and the plant and animal life that inhabit waterways. Additionally, rain runoff from developments may increase flow rates and durations that cause hydromodification in creeks contributing to loss of habitat and decreased aquatic biological diversity. In areas with known groundwater pollution, infiltration of stormwater may need to be avoided as it could contribute to the movement or dispersion of groundwater contamination.

The project was required to provide a Preliminary Stormwater Treatment Plan for the project. The plan was reviewed by the City's Public Works - Engineering Development Services Division for compliance with Low

Impact Development stormwater management standards and found to be consistent with the requirements. The plan is attached to this report.

Flooding

The project site is not located within a flood zone (Santa Rosa General Plan 2035 Figure 12-4). As such, the proposed project is not anticipated to expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, nor is the site expected to be impacted by inundation by seiche, tsunami or mudflow. Impacts are expected to be less than significant.

Standard Measures:

- Developer's engineer shall comply with all requirements of the City Standard Storm Water Mitigation Plan Guidelines using Low Impact Development (LID) Best Management Practices (BMPs). Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.

- Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 27518, on November 17, 2009. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance (Appendix A) and Hydrozone Table (Appendix B).

- A Final Standard Urban Storm Water Mitigation Plan (SUSMP) using Low Impact Development (LID) Best Management Practices (BMP) is to be included with the Building Permit application. All private SUSMP structures are to be located outside of Public Right of Way and Public Utility Easements. All SUSMP details and improvements are to be included in the Building Permit Site Plans. This site is currently under a Toxic Remediation Order, review and approval of infiltration through on site retention will be required by the Regional Water Quality Control Board before submittal of the Final SUSMP for review and approval by the City. Recommendations received by the Board are to be incorporated into the Final SUSMP submitted to the City for review and approval.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Standard Urban Storm Water Management Plan for Elm Tree Station, prepared by BKF Engineers, dated August 2012, revised February 2013 and July 29, 2013

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
X. LAND USE AND PLANNING				
Would the project:				
a. Physically divide an established community?	☐	☐	☒	☐
b. Conflict with any applicable land use plan,	☐	☐	☒	☐

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

Discussion:

IX.(a-c) Less than Significant.

The subject sites Retail and Business Services General Plan land use designation allows retail and service enterprises, offices, and restaurants.

The project area is comprised of a single parcel totaling approximately 0.98 acres. The site is bordered to the north by the Joe Rodota Trail and Highway 12, to the south by a propane distribution business, to the west by North Wright Road and a construction product and equipment supplier, and to the east by undeveloped residential land. Given the types of development allowed under the Retail and Business Services General Plan designation and the Planned Development (PD-0435: Wright-Sebastopol Commercial District) zoning classification, the proposed project is not anticipated to divide an existing community or conflict with a habitat conservation plan.

The proposed project is consistent with the Santa Rosa General Plan. In addition, project is not expected to translate into comprehensive environmental impacts with respect to the current General Plan designation and Zoning classification.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

XI. MINERAL RESOURCES

Would the project:				
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?	☐	☐	☐	☐

Discussion:

X.(a-b) No Impact.

The project site does not contain any locally or regionally significant mineral resources. The proposed development of the project site will not create an adverse impact upon locally or regionally significant resources since there are no such resources located on the project site.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

XII. NOISE

Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☐
b. Exposure of persons to or generation of excessive ground borne vibration or ground	☐	☐	☐	☐

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
borne noise levels?				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐

Discussion:

XI.(a-f) Less than Significant with Mitigation.

The Noise Element of the City of Santa Rosa's General Plan identifies policies that are intended to guide the development of new projects with regard to exposure to or generation of noise. The policies support the City's goal of maintaining an acceptable community noise level. The following policies are applicable to the proposed project:

NS-B-1 Do not locate noise-sensitive uses in proximity to major noise sources.

NS-B-2 Encourage residential developers to provide buffers other than sound walls, where practical. Allow sound walls only when projected noise levels at a site exceed land use compatibility standards in Figure 12-1 (of the Santa Rosa General Plan 2035).

NS-B-3 Prevent new stationary and transportation noise sources from creating a nuisance in existing developed areas. Use a comprehensive program of noise prevention through planning and mitigation, and consider noise impacts as a crucial factor in project approval.

NS-B-4 Require new projects in the following categories to submit an acoustical study, prepared by a qualified acoustical consultant:

- All new projects that could generate noise whose impacts on other existing uses would be greater than those normally acceptable.

NS-B-5 Pursue measures to reduce noise impacts primarily through site planning. Engineering solutions for noise mitigation, such as sound walls, are the least desirable alternatives.

NS-B-6 Do not permit existing uses to generate new noises exceeding normally acceptable levels unless:

- Those noises are mitigated to acceptable levels; or
- The activities are specifically exempted by the City Council on the basis of community health, safety and welfare.

NS-B-14 Discourage new projects that have potential to create ambient noise levels more than 5 dBALdn above existing background, within 250 feet of sensitive receptors.

The City of Santa Rosa has adopted a quantitative noise ordinance in Chapter 17-16 of the Municipal Code. Section 17-16.120 regulates noise from machinery and equipment: "It is unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient base noise level by more than 5 decibels. Ambient base noise levels for residential office, commercial, and industrial areas are established in Section 17-16.030. The applicable ambient noise level criteria are shown in Table 1, below:

TABLE 1:City of Santa Rosa Municipal Code Ambient Base Noise Levels (dBA)

Land Use Zone	Daytime Level	Evening Level	Nighttime Level
Single-Family Residential	55	50	45
Multi-Family Residential	55	55	50
Office and Commercial	60	60	55
Intensive Commercial	65	65	55
Industrial	70	70	70

Source: City of Santa Rosa, City of Santa Rosa Municipal Code 17-16.030

The Noise Ordinance defines ambient noise as follows: "Ambient noise is the all-encompassing noise associated with a given environment usually a composite of sounds from many sources near and far. For the purpose of this chapter, ambient noise level is the level obtained when the noise level is averaged over a period of 15 minutes without inclusion of noise from isolated identifiable sources at the location and time of day near that at which a comparison is to be made." The noise descriptor, Leq, is used in the noise report for the purposes of determining noise with respect to these limits.

Based on the results of the Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013, it was determined that the following project activities could exceed the site-specific allowable noise levels at adjacent residential uses:

- Nighttime market/retail deliveries; and
- Daytime, evening or nighttime fuel deliveries.

The mitigation measures listed below will reduce these potential project noise impacts and allow project compliance with the City's Noise Ordinance limits.

Standard Measures:

- Standard City conditions of project approval limit the hours of construction to 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays and holidays.

Recommended Mitigation Measures:

N-1 To mitigate the potential project noise impacts and allow daytime fuel deliveries and daytime, evening and nighttime market deliveries to comply with the City's Noise Ordinance limits, prior to the occupancy of future residences on the adjacent to property to the east, a sound wall with a minimum height of ten (10) feet above parking lot grade shall be constructed. The sound wall shall be located on the eastern property line from the northern edge of the proposed southeast corner pedestrian access point, northward for approximately 160 feet to a point approximately 30 feet north of the southernmost edge of the market footprint (as illustrated in Figure 2 in the Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013).

To be effective as a noise barrier, the wall shall be built without cracks or gaps in the face or large or continuous gaps at the base and have a minimum surface weight of 3.0 pounds per square-foot.

N-1 To mitigate potential impacts to future residential uses from heavy (semi-trailer type) truck fuel deliveries, fuel deliveries shall be during the hours of 7 a.m. to 7 p.m. only.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006
- Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
XIII. POPULATION AND HOUSING				
Would the project:				
a. Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Discussion:

XII. (a-c) Less than Significant Impact.

The Retail and Business Services General Plan category allows retail and service enterprises, offices, and restaurants. Self-storage facilities are permitted under the existing CG (General Commercial) zoning with a Minor Use Permit (MUP).

The subject site is bordered Sonoma Highway to the northwest, a commercial center including car wash, retail and offices to the northeast, commercial to the southeast and Santa Rosa Creek to the southwest. The proposal does not include substantial changes to the infrastructure beyond the established baseline of existing conditions. Given the types of development allowed under the Retail and Business Services General Plan designation and the scope of the proposal, the proposed project is not anticipated to induce substantial population growth in the area, nor is it expected to displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

The proposed project is not expected to translate into comprehensive environmental impacts with respect to the current General Plan designation and Zoning classification.

Standard Measures:

None

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
XIV. PUBLIC SERVICES				
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?	☐	☐	☒	☐

Discussion:

XIII.(a-e) Less than Significant. The project site is located within the City of Santa Rosa and would receive all necessary public services. Fire protection services will be provided by the City of Santa Rosa. Police protection services will be provided by the City's Police Department. The proposal is not anticipated to cause the need for new public services or facilities. Existing fire and police protection are determined to be adequate to serve the Project.

Standard Measures:

- The Fire Department has reviewed plans for the proposed project and imposed standard conditions of approval.
- Other standard conditions of approval will apply, including provision of a fire flow analysis to ensure adequate water pressure and flow rates.

Recommended Mitigation Measures:

None.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- Community Development Department's Standard Conditions of Approval dated August 27, 2008

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
XV. RECREATION				
Would the project:				
a. 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. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse	☐	☐	☒	☐

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

physical effect on the environment?

Discussion:

XIV.(a-b) Less than Significant. No on-site park or recreational facilities are proposed with the project. The project will provide an on-site connection to the Joe Rodota Trail, and will provide seating areas for bicyclists and pedestrians, although the area will not be a City park. Potential impacts to parks and recreation, relative to the proposed Elm Tree Station project, are anticipated to be less than significant.

Standard Measures:

None

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC				
Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☒	☐
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

Discussion:

XV.(a-b and d-f) Less than Significant.

A Traffic Impact Study was prepared for the proposed Elm Tree Station project by Whitlock & Weinberger Transportation, Inc. (W-Trans), dated July 26, 2013. The Study states that the proposed project is expected to generate an average of 1,506 net new daily trips after deductions are made for the pass-by component, which 73 of these trips during the morning peak hour and 91 during the evening peak hour. The study intersections of State Route (SR) 12/Fulton Road and Sebastopol Road/South Wright Road are currently operating acceptably and are expected to continue doing so upon the addition of project-generated traffic. Both study intersections are expected to operate acceptably at LOS D or better under existing plus project conditions, and both are currently experiencing collisions at a rate that is below the statewide average for similar facilities. Under future conditions, both intersections are expected to operate deficiently both without and with project traffic added. However, planned improvements in the Santa Rosa General Plan are assumed to improve both intersections to acceptable operation.

As outlined in the Study, existing facilities for non-vehicular modes of transportation are largely provided by the Joe Rodota Trail. However, connectivity between North Wright Road and the Joe Rodota Trail is generally lacking. To improve access, the project will add a pedestrian and bicycle path to connect the existing sidewalk along the project frontage to the Joe Rodota Trail. Bike racks are included as part of the project plan.

The Study further states that sight distance at the project's driveway is adequate, though landscaping should be maintained to ensure continued adequate site lines. The project will have two access driveways: the north for egress only and the south for both ingress and egress. The existing two-way left-turn lane on North Wright Road is expected to serve inbound traffic.

With regard to on-site circulation, the plans provided indicate that the AutoTURN application was used to analyze AASHTO design vehicle types P (passenger car) and WB-50 (intermediate semi-trailer). The two design vehicles were used because the site's main traffic generator is passenger vehicles and the intermediate semi-trailer will be used for delivering gas. Based on the information provided, circulation is expected to be adequate.

The proposed project is not expected to conflict with an applicable plan, ordinance or policy or conflict with an applicable congestion management program. The project is not anticipated to increase hazards due to design features nor result in inadequate emergency access. Public transit, bicycle, or pedestrian facilities in the vicinity are expected to operate acceptably with respect to the proposed project. Staff members from the City's Department of Public Works –Engineering Development Services, including the City's Traffic Engineer, have reviewed the proposal and have not identified any significant issues.

The project is anticipated to have a less-than-significant impact relative to transportation and traffic.

XV.(c) No Impact.

The project site is located approximately six miles from the Sonoma County Airport, and is outside of the Airport Land Use Plan planning area. The project site is not located near a public or private airport. The project will not impact air traffic patterns nor will it conflict with adopted policies programs supporting alternative transportation.

Standard Measures:

- The applicant shall pay traffic impact fees to help fund planned future improvements at State Route 12/Fulton Road and road widening on Sebastopol Road.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa's Geographic Information System Database
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of	☐	☐	☒	☐

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
which could cause significant environmental effects?				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion:

XVI.(a-g) Less than Significant Impact.

The proposed project is located within an urbanized area within the City limits of Santa Rosa. Utilities and services exist or are available through local City services, waste removal, Pacific Gas & Electric and other providers. The project will use some of the existing service capacity. Services and supplies are adequate to serve the project which does not result in the need for new systems or supplies, therefore the impact is considered to be less than significant.

Standard City conditions will require compliance with the Storm Water Mitigation Plan Guidelines, including implementation of conditions of approval requiring use of best management practices, and submittal of storm drainage plans to the Regional Water Quality Control Board. Adequate landfill capacity exists at County facilities to support future development.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
Would the project:				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion:

XVII (a) Less-Than-Significant with Mitigation Incorporation.

The project is not anticipated to degrade the quality of the environment or eliminate important examples of the major periods of California history or prehistory. Through implementation of Mitigation Measures BR-1 through BR-6, potential impacts to the habitat of a fish or wildlife species, as well as flora and/or fauna on site, are anticipated to be reduced to less than significant.

XVII (b and c) Less-Than-Significant.

The project does not have the potential to create impacts which are individually limited but cumulatively considerable. The environmental effects of the project are generally negligible and will be lessened through standard City construction standards and practices.

Traffic impacts are not anticipated to result in adverse cumulative conditions; the City has adopted circulation policies as part of its General Plan Transportation Element that regulates traffic movement and requires construction of project improvements to ensure traffic safety. Long-term traffic impacts related to General Plan build-out (2035 scenario) and cumulative traffic conditions will be addressed by ongoing City efforts to pursue alternative transportation modes, including increased use of public transit and other Transportation Systems Management methods.

The proposal does not present potentially significant impacts which may cause adverse impacts upon human beings, either directly or indirectly. The development project will be conditioned to make City standard improvements with respect to noise impacts, roadways and storm drainage. Building and improvement plans will be reviewed to ensure compliance with applicable building codes and standards.

Standard Measures:

None.

Recommended Mitigation Measures:

No mitigation required.

Sources:

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Zoning Code, 2006
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013
- Biological Resources Analysis – Elm Tree Station, prepared by Monk & Associates, Inc., dated November 6, 2012
- California Tiger Salamander Larval Survey Request – 874 North Wright Road, letter to U.S. Fish and Wildlife Service, prepared by Monk & Associates, Inc., dated February 21, 2011
- Request for Jurisdictional Determination – 874 North Wright Road, letter to U.S. Army Corps of Engineers, prepared by Monk & Associates, Inc., dated July 15, 2010
- Tree Preservation and Mitigation Report – 874 North Wright Road, prepared by Horticultural Associates, dated June 21, 2007
- Review of Elm Station Tree Preservation, letter to MacNair Landscape Architecture, prepared by Horticultural Associates, dated October 7, 2012
- A Cultural Resources Evaluation of the Elm Tree Station Project, prepared by Archaeological Resource Service, dated April 23, 2013
- Geotechnical Investigation Report – Elm Tree Station, prepared by Bauer Associates, dated October 16, 2012
- Santa Rosa Climate Action Plan New Development Checklist (Appendix E), and Elm Tree Station Climate Action Plan New Development Checklist Compliance Explanation, prepared by Tierney/Figueiredo Architects, dated June 20, 2013
- State of California EnviroStor Database of Hazardous Material Cleanup Sites (http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm)

- Standard Urban Storm Water Management Plan for Elm Tree Station, prepared by BKF Engineers, dated August 2012, revised February 2013 and July 29, 2013
- Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013

APPENDIX

SOURCE REFERENCES

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Santa Rosa Department of Community Development. References to Publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

- City of Santa Rosa General Plan 2035, adopted November 3, 2009, and Final EIR, certified November 3, 2009
- City of Santa Rosa Design Guidelines, September 2002
- City of Santa Rosa Zoning Code, 2006
- City of Santa Rosa's Geographic Information System Database
- Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013
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- Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013
- Community Development Department's Standard Conditions of Approval dated August 27, 2008

PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES

As the project sponsor or the authorized agent of the project sponsor, I, Jean Kapolchok, J. Kapolchok & Associates, undersigned, have reviewed the Initial Study for the Elm Tree Station project and have particularly reviewed all mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study and mitigation measures and hereby agree to modify the proposed project applications now on file with the City of Santa Rosa to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

Jean Kapolchok 8/27/13

Property Owner (authorized agent) Date

DETERMINATION FOR PROJECT

On the basis of this Initial Study and Environmental Checklist I find that the proposed project (choose the appropriate text):

☐ could not have a Potentially Significant Effect on the environment. A Negative Declaration will be prepared.

☒ could have a Potentially Significant Effect on the environment; however, the aforementioned mitigation measures to be performed by the property owner (authorized agent) will reduce the potential environmental impacts to a point where no significant effects on the environment will occur. A Mitigated Negative Declaration will be prepared.

Jessica Jones 8-26-13

Signature Date

Jessica Jones Senior Planner

Printed Name Title

REPORT AUTHORS AND CONSULTANTS
Jessica Jones, Senior Planner
City of Santa Rosa, Community Development Department.

Attachments:

1. Traffic Impact Study for the Elm Tree Station Project, prepared by Whitlock & Weinberger Transportation, Inc., dated July 26, 2013
2. Biological Resources Analysis – Elm Tree Station, prepared by Monk & Associates, Inc., dated November 6, 2012
3. California Tiger Salamander Larval Survey Request – 874 North Wright Road, letter to U.S. Fish and Wildlife Service, prepared by Monk & Associates, Inc., dated February 21, 2011
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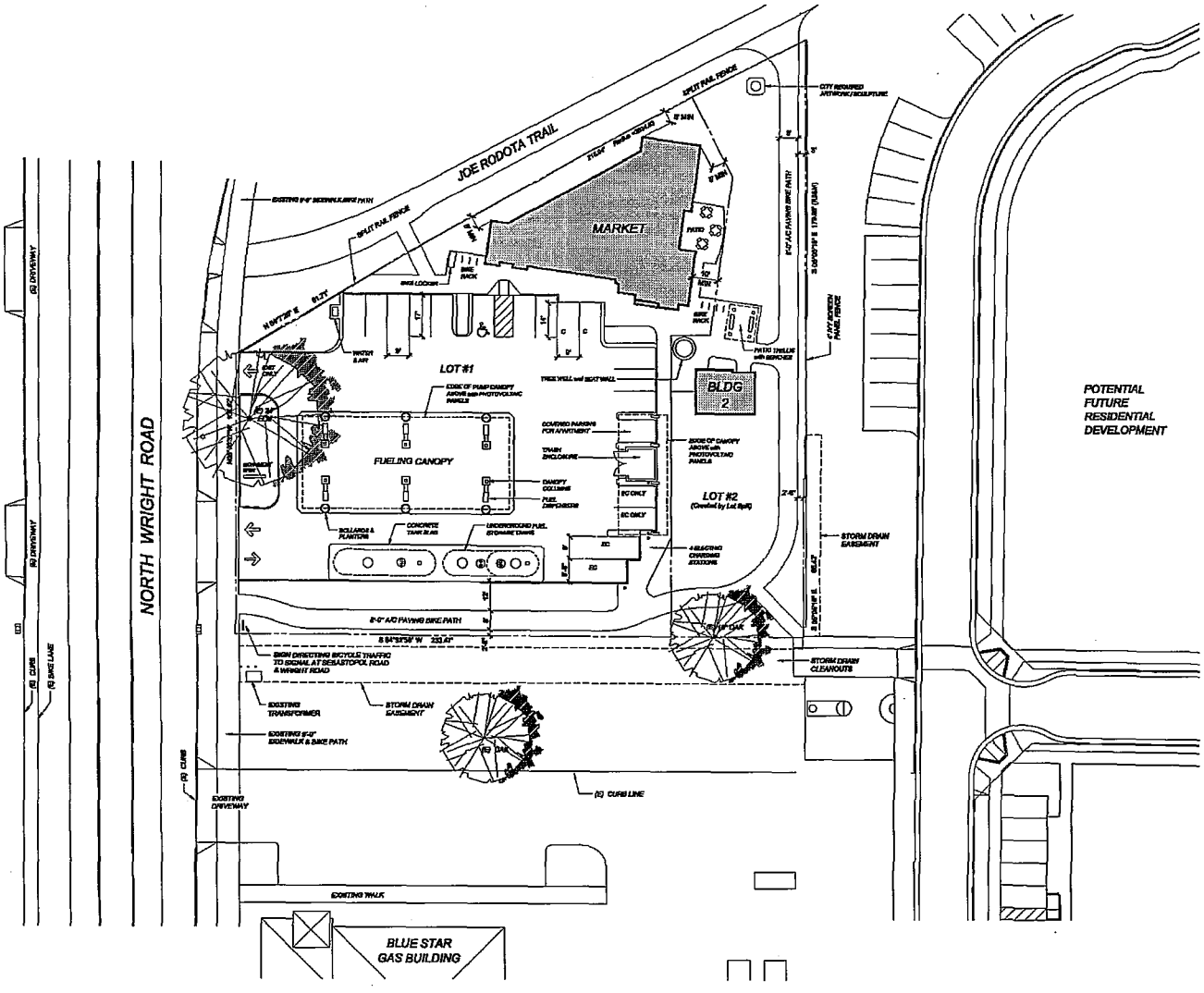


ELM TREE STATION

RETAIL MARKET and FUEL FACILITY

874 N. Wright Road Santa Rosa, California

DEVELOPMENT PLAN

SCALE: 1" = 20'-0"

0' 10' 20' 40'

NORTH

PROJECT DATA

ADDRESS:	874 NORTH WRIGHT ROAD
APN:	035-063-001
ZONING:	PD-0435
LOT SIZE:	
LOT #1:	Approx. 0.73 ACRES
LOT #2:	Approx. 0.25 ACRES
MARKET:	3,448 S.F.
APARTMENT:	806 S.F.
BUILDING 2:	432 S.F.

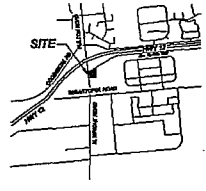
BUILDING COVERAGE (LOT #1): 24.7%

(Building, Gas Pump Canopy, Trash Encl/Carport Canopy)

PARKING REQUIRED:	
MARKET (Retail at 1:250 S.F.)	13.8
1-BEDROOM APARTMENT	1.5
BUILDING 2 (Retail at 1:250 S.F.)	1.7
	17.0
PARKING PROVIDED:	18.0

BICYCLE PARKING REQUIRED:	
MARKET	1
1-BEDROOM APARTMENT	1
BUILDING 2	1
	3
BICYCLE PARKING PROVIDED:	8

VICINITY MAP



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ARCHITECTS AIA

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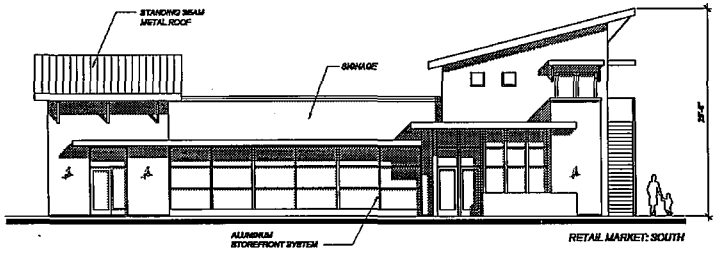

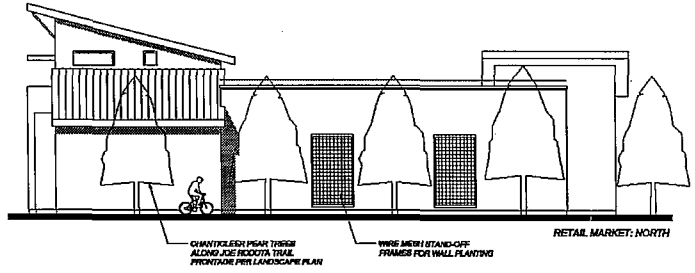

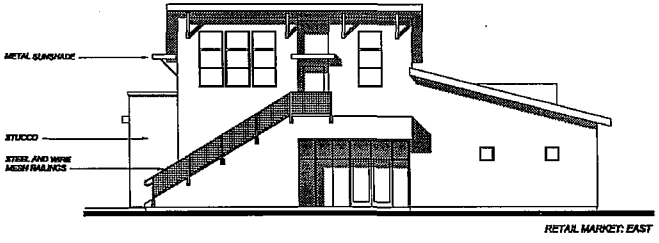

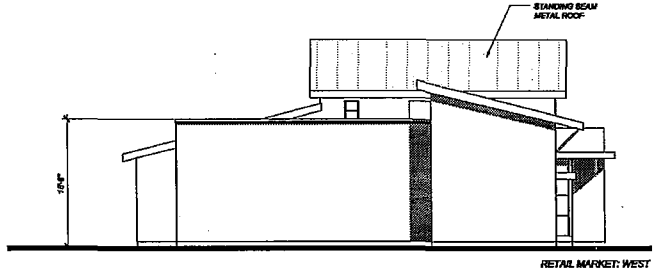

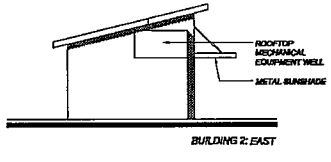

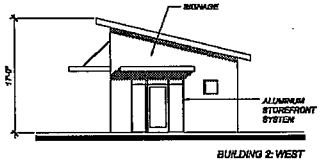

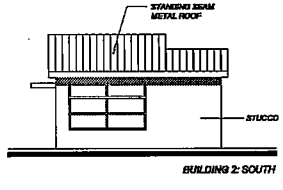

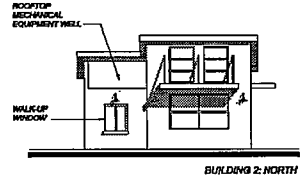

ELM TREE STATION

RETAIL MARKET and FUEL FACILITY

874 N. Wright Road Santa Rosa, CA

CONCEPTUAL ELEVATIONS
RETAIL MARKET and BUILDING 2

SCALE: 1/8" = 1'-0"

0' 8' 16'

TIERNEY/FIGUEIREDO
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ARCHITECTS AIA

ELM TREE STATION

Mitigation Monitoring and Reporting Program

August 26, 2013

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
AESTHETICS – Standard Measures					
• Design Re view is required for the project. Design Review will be obtained prior to issuance of a building permit. • A standard condition of approval regarding exterior lighting requirements will be placed on the project. • Conformance review shall occur at the building permit stage.	Design Review process (Design Review Board). Incorporate into conditions of approval. Conformance review prior to building permit issuance.	Planning Division	Prior to issuance of building permit.	Deny issuance of building permit.	
AIR QUALITY – Mitigation Measures					
AQ-1 The Applicant shall implement air quality protection measures recommended by the BAAQMD, including but not limited to those listed below, to reduce diesel particulate matter and $PM_{2.5}$ from construction operations to ensure that short-term health impacts are avoided: a. Water all active construction grading areas at least twice daily and more often during windy periods. b. Cover all hauling trucks or maintain at least	Incorporate into project conditions of approval, as well as the design and construction documents; on-site observation.	Building Division	Verification of incorporation into design and construction documents prior to issuance of building permit. Monitor during regularly scheduled inspections.	Deny issuance of building permit. Stop construction until compliance.	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
two feet of freeboard.					
c. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.					
d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas. Sweep streets daily (with water sweepers) if visible soil material is deposited onto adjacent roads.					
e. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.					
f. Limit traffic speeds on any unpaved roads to 15 mph.					
g. Suspend construction activities that cause visible dust plumes that extend beyond the construction site.					
h. A Disturbance Coordinator will be assigned to the Project at least for the full duration of demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues (e.g., dust and odors) in a timely manner. The contact information for this Coordinator will be posted in plain view					

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
at the Project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.					
i. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke 3 minutes after start up is in violation of this measure.					
j. Properly tune and maintain equipment in accordance with manufacturer specifications.					
k. Reduce combustion emissions during construction as required in the California Air Resources Board Off-Road Diesel Rule. The "no idling" rule for in-use off-road diesel-fueled vehicles limits idling for such vehicles to no more than five minutes. Signs shall be clearly posted at the construction sites indicating the idle times for construction-related equipment shall be minimized and noting that no diesel equipment shall idle for more than five minutes. Idling necessary to accomplish work for which a vehicle was designed (such as operating a crane) are					

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
exempt from the rule (see rule for additional exemptions). l. During renovation and demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations or other regulatory requirements.					
BIOLOGICAL RESOURCES – Mitigation Measures					
BR-1 **Nesting Raptors** – In order to avoid impacts to nesting raptors, a nesting survey shall be conducted 30 days prior to commencing with tree removal or construction work if this work would commence between February 1st and August 31st. The raptor nesting surveys shall include examination of all trees within 300 feet of the entire project site (if access is readily available to offsite areas), not just trees slated for removal. If nesting raptors are identified during the surveys, the dripline of the nest tree must be fenced with orange construction fencing (provided the tree is on the project site), and a 300-foot radius around the nest tree must be staked with bright orange lath or other suitable staking. If the tree is adjacent to the project site, then the buffer shall be demarcated per above where the buffer occurs on the project site. The	Incorporate into project conditions of approval. A qualified biologist to conduct at preconstruction survey if earth moving activities and construction is proposed to occur during the nesting season. If found buffer areas will be established around any nesting site.	Building Division/Planning Division	Verification of incorporation into design and construction documents prior to issuance of building permit Monitor during regularly scheduled inspections	Deny issuance of building permit Stop construction until compliance	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1st. This date may be earlier than August 1st, or later, and would have to be determined by a qualified raptor biologist.					
BR-2 **Nesting Passerine Birds** – If tree removal or site disturbance would occur between February 1st and August 31st, a nesting survey shall be conducted on the project site prior to the disturbance. The nesting surveys should be completed 15 days prior to commencing with the work. If nesting passerine birds are identified nesting on or near the project site, a 75-foot radius around the nest must be staked with bright orange spray painted lath or construction fencing. If an active nest is found offsite, the portion of the buffer that is onsite must be staked. No construction or earth-moving activity shall occur within this 75-foot staked buffer until it is	Incorporate into project conditions of approval. A qualified biologist to conduct at preconstruction survey if earth moving activities and construction is proposed to occur during the nesting season. If found buffer	Building Division/Planning Division	Verification of incorporation into design and construction documents prior to issuance of building permit Monitor during regularly scheduled inspections	Deny issuance of building permit Stop construction until compliance	

MITIGATION MONITORING AND REPORTING PROGRAM

Elm Tree Station Project

Impact Area/Measures	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
determined by a qualified ornithologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. Typically, most birds in the region of the project site area expected to complete nesting by August 1st. However, in the region many species can complete nesting by mid-June to mid-July. Regardless, nesting buffers should be maintained until August 1st unless a qualified ornithologist determines that young have fledged and are independent of their nests at an earlier date. If buffers are removed prior to August 1st, the qualified biologist conducting the nesting surveys shall prepare a report that provides details about the nesting outcome and the removal of buffers. This report shall be submitted to the City of Santa Rosa Community Development Department prior to the time that buffers are removed if the date is before August 1st.	areas will be established around any nesting site.				
BR-3 **Waters of the United States and/or State** – The applicant is proposing to mitigate impacts to 0.22 acres (9,623 square-feet) of U.S. Army Corps of Engineers and Regional Water Quality Control Board jurisdictional seasonal wetlands via purchase of mitigation credits from the Horn Avenue Mitigation Bank. Wetlands on the project were mostly created by the former	Incorporate into project conditions of approval. Proof of purchase of mitigation credits shall be provided to the City of Santa	Planning Division	Verification of mitigation credit purchase	Deny issuance of building permit	

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resident as a "sink" collecting surface runoff from the surface area for the private residence relatively recently removed from the site. Wetland vegetation does not consist of vernal pool species, rather is mostly comprised of low value, non-native wetland plant species. As such the proposed impacted wetlands have low functions and services (i.e., they are low quality wetlands). Thus mitigation at a 2:1 ratio (i.e., for each tenth of an acre of impact, compensation shall consist of 2tenths of an acre of mitigation credits) from a qualified mitigation bank is appropriate. Since mitigation credits must be purchased at a minimum of 0.05-acre increments, and since the project will impact 0.22 acres of seasonal wetland, 0.45 acres of mitigation credits shall be purchased from the Horn Mitigation Bank, a qualified wetlands mitigation bank. An agreement with the Horn Mitigation Bank to purchase theses mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the California Department of Fish and Game.	Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the California Department of Fish and Game.				

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BR-4 **California Tiger Salamander** – In accordance with the "Programmatic Biological Opinion of U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plan Species on the Santa Rosa Plain (Programmatic BO)", the applicant will mitigate impacts to 0.98 acres of California Tiger Salamander habitat with the purchase of 1.96 acres of mitigation credits from a U.S. Fish and Wildlife Service approved mitigation bank. To meet this mitigation requirement, the applicant has agreed to purchase 0.33 acres of combined Sebastopol Meadowfoam (Limnanthes vinculans) and California Tiger Salamander (CTS) mitigation credit from the Swift/Turner Conservation Bank. The remaining 1.63 acres of CTS mitigation credits have been purchased from Hale Wetland mitigation and the Hazel Mitigation Bank. An agreement with the Hale and Hazel Mitigation Banks and the Swift/Turner Conservation Bank to purchase these mitigation credits was signed by the applicant on March 12, 2012. CTS and rare plant mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.	Incorporate into project conditions of approval. Proof of purchase of mitigation credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.	Planning Division	Verification of mitigation credit purchase	Deny issuance of building permit	

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BR-5 **Suitable Habitat for Special-Status Plants** – Prior to issuance of a building permit, impacts to suitable habitat for Sonoma sunshine, Burke's goldfields and Sebastopol meadowfoam are required to be mitigated with 1:1 occupied or established habitat (any combination) and 0.5:1 of established habitat. The mitigation land is to be preserved and managed in perpetuity. The proposed project would result in impacts to 0.22 acres of seasonal wetland. Per the Programmatic Biological Opinion, it would be considered "suitable habitat" for listed vernal pool plant species. Thus, the applicant shall mitigate impacts to 0.22 acres of seasonal wetland/endangered plant habitat by purchasing 0.33 acres of credit from a U.S. Fish and Wildlife Services approved mitigation bank (1.5:1 ratio). An agreement with the Swift/Turner Conservation Bank to purchase 0.33 acres of Sebastopol meadowfoam mitigation credits was signed by the applicant on March 12, 2012. Mitigation credits shall be purchased prior to issuance of a building permit. Proof of purchase of the credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.	Incorporate into project conditions of approval. Proof of purchase of mitigation credits shall be provided to the City of Santa Rosa's Community Development Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Game.	Planning Division	Verification of mitigation credit purchase	Deny issuance of building permit	

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BR-6 **Loss of Protected or Heritage Trees** – In accordance with Santa Rosa City Code, Chapter 17-24, the alteration, removal or relocation, of heritage, protected, or street trees and shall comply with the mitigation ratio requirements for tree removal mandated by the City Code. The total trunk diameter of heritage trees to be removed is 103 inches. Per the requirements of the City Code, the total trunk diameter is divided by 6 and multiplied by 2 to determine the total number of trees required as mitigation. A total of 35 trees are therefore required to be planted as mitigation. A fee of $100 per replacement tree may be paid to the City of Santa Rosa's Tree Mitigation Fund prior to the removal of the trees in-lieu of planting replacement trees onsite. The project developer shall comply with all grading, landscaping and pruning provisions contained in the Tree Preservation and Mitigation Report prepared by Horticultural Associates, dated June 21, 2007, consistent with requirements of the City's Tree Ordinance. This shall include, but not be limited to the following: a. Install temporary protective fencing at the edge of illustrated dripline or the edge of approved construction prior to grading on the site. Maintain fencing in place for duration of construction.	Incorporate into project conditions of approval. Trees that are not to be removed shall be clearly marked by the construction manager in consultation with the project horticulturist and landscape architect. Temporary protective fencing shall be placed at the edge of illustrated dripline or the edge of approved construction prior to grading on the site. Replacement trees mitigating loss of removed trees shall be shown on the project landscape plans, and/or all	Building Division/Planning Division.	Verification of incorporation into design and construction documents prior to issuance of building permit Monitor during regularly scheduled inspections	Deny issuance of building permit Stop construction until compliance	

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b. Maintain existing grade within the fenced portion of the dripline. Route drainage swales and underground work outside the dripline where possible. c. Place a 4-inch layer of chipped bark mulch over the soil surface within the fenced dripline prior to installing temporary fencing. Suitable bark must contain bark "fines". Maintain this layer of mulch throughout construction. d. Prune to clean and raise the canopy, and reduce end weight, per International Society of Arboriculture pruning standards.	in-lieu fees shall be paid prior to issuance of a building permit, with documentation of payment provided to the Community Development Department.				
CULTURAL RESOURCES – Standard Measures					
• If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease and a qualified archaeologist and representatives of the appropriate tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation of any impacts to those resources. • If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until	Incorporate into conditions of approval.	Planning Division	Prior to issuance of building and/or grading permit verify that conditions are on the plans for informational purposes.		

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the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98. • If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a					

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reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.					
GEOLOGY AND SOILS – Mitigation Measures					
GS-1 All recommendations outlined in the Geotechnical Investigation Report for Elm Tree Station Retail Market and Fuel Facility, prepared by Bauer Associates, dated October 16, 2012, shall be adhered to.	Incorporate into project conditions of approval, as well as the design and construction documents.	Building Division/Planning Division	Verification of incorporation into design and construction documents prior to issuance of building permit Monitor during regularly scheduled inspections	Deny issuance of building permit Stop work	
HAZARDS AND HAZARDOUS MATERIALS – Standard Measures					
• Two copies of a Phase 1 Environmental Site Assessment shall be required with submittal of the first Engineering plan check. One copy shall be submitted directly to the Fire Department and review fee paid; a copy of the receipt will be submitted with the remaining copy to the Engineering Department. Grading, demolition or	Incorporate into conditions of approval.	Planning Division			

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construction permits will not be issued until the Fire Department has reviewed and approved the Phase 1 study. a. Obtain authorization from the Santa Rosa Fire Department – Hazardous Materials Division (CUPA) for construction to commence. b. Provide a copy of no further action letter from the Regional Water Quality Control Board to the Fire Department. c. Both authorizations above are to ensure that no additional remediation is necessary and that construction will not entomb contaminated materials which will not be able to be remediated once a building is atop same.					
HYDROLOGY AND WATER QUALITY – Standard Measures					
• Developer's engineer shall comply with all requirements of the City Standard Storm Water Mitigation Plan Guidelines using Low Impact Development (LID) Best Management Practices (BMPs). Final Plans shall address the storm water quality and quantity along with a maintenance agreement or comparable document to assure continuous maintenance of the source and treatment.	Incorporate into conditions of approval.	Planning Division			

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• Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 27518, on November 17, 2009. Plans shall be submitted with the Building Permit application. Submit the following with the above mentioned plans: Maximum Applied Water Allowance (Appendix A) and Hydrozone Table (Appendix B). • A Final Standard Urban Storm Water Mitigation Plan (SUSMP) using Low Impact Development (LID) Best Management Practices (BMP) is to be included with the Building Permit application. All private SUSMP structures are to be located outside of Public Right of Way and Public Utility Easements. All SUSMP details and improvements are to be included in the Building Permit Site Plans. This site is currently under a Toxic Remediation Order, review and approval of infiltration through on site retention will be required by the Regional Water Quality Control Board before submittal of the Final SUSMP for review and approval by the City. Recommendations received by the Board are to be incorporated into the Final SUSMP submitted to the City for review and approval.					

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NOISE – Standard Measures					
• Standard City conditions of project approval limit the hours of construction to 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays and holidays.	Incorporate into conditions of approval.	Planning Division			
NOISE – Mitigation Measures					
N-1 To mitigate the potential project noise impacts and allow daytime fuel deliveries and daytime, evening and nighttime market deliveries to comply with the City's Noise Ordinance limits, prior to the occupancy of future residences on the adjacent to property to the east, a sound wall with a minimum height of ten (10) feet above parking lot grade shall be constructed. The sound wall shall be located on the eastern property line from the northern edge of the proposed southeast corner pedestrian access point, northward for approximately 160 feet to a point approximately 30 feet north of the southernmost edge of the market footprint (as illustrated in Figure 2 in the Environmental Noise Study, Elm Tree Station, prepared by Illingworth & Rodkin, Inc., dated May 16, 2013). To be effective as a noise barrier, the wall shall be built without cracks or gaps in the face or large	Incorporate into project conditions of approval.	Planning Division			

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or continuous gaps at the base and have a minimum surface weight of 3.0 pounds per square-foot.					
N-1 To mitigate potential impacts to future residential uses from heavy (semi-trailer type) truck fuel deliveries, fuel deliveries shall be during the hours of 7 a.m. to 7 p.m. only.	Incorporate into project conditions of approval.	Planning Division			
PUBLIC SERVICES – Standard Measures					
• The Fire Department has reviewed plans for the proposed project and imposed standard conditions of approval. • Other standard conditions of approval will apply, including provision of a fire flow analysis to ensure adequate water pressure and flow rates.	Incorporate into project conditions of approval.	Planning Division			
TRANSPORTATION/TRAFFIC – Standard Measures					
• The applicant shall pay traffic impact fees to help fund planned future improvements at State Route 12/Fulton Road and road widening on Sebastopol Road.	Incorporate into project conditions of approval.	Planning Division			