

RESOLUTION NO. 2014-155

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ROHNERT PARK, CALIFORNIA, CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT, ADOPTING STATEMENT OF OVERRIDING
CONSIDERATIONS, AND ADOPTING MITIGATION MONITORING AND
REPORTING PROGRAM FOR THE NORTHWEST SPECIFIC PLAN, GENERAL
PLAN AMENDMENTS, PREZONING, AND ANNEXATION FOR THE NORTHWEST
SPECIFIC PLAN AREA LOCATED SOUTH OF MILLBRAE AVENUE, WEST OF
DOWDELL AVENUE, NORTH OF BUSINESS PARK DRIVE, AND EAST OF
LANGNER AVENUE IN SONOMA COUNTY, CA**

WHEREAS, the applicant, the City of Rohnert Park, filed Planning Applications proposing a General Plan Amendment (PLGP2014-0006), Specific Plan (PLSP2014-0004), Prezoning (PLRZ2014-0003), Annexation (PLAX2014-0001), and certification of the Final Environmental Impact Report ("EIR") (PLEN2014-0004), in connection with the proposed Northwest Specific Plan ("Project"), in accordance with the City of Rohnert Park Municipal Code ("RPMC"); and

WHEREAS, the City retained PlaceWorks to prepare the EIR pursuant to the California Environmental Quality Act ("CEQA") for the proposed Project; and

WHEREAS, the City of Rohnert Park, acting as the Lead Agency under CEQA, published a Notice of Preparation ("NOP") of a Draft EIR for the proposed Project on June 7, 2013. The NOP was distributed for a 30-day comment period beginning on June 7, 2013. The City then initiated work on a Draft EIR for the Project; and

WHEREAS, the City completed the Draft EIR on June 20, 2014 and circulated it to affected public agencies and interested members of the public for the required 45-day public comment period, from June 20, 2014 to August 4, 2014; and

WHEREAS, the City of Rohnert Park duly noticed and conducted a public hearing on July 14, 2014 in order to receive comments on the Draft EIR; and

WHEREAS, on September 8, 2014, the City published the Final EIR for the Project, **Exhibit A** of this Resolution, which incorporates: 1) the Draft EIR; 2) comments received about the Draft EIR and responses to those comments; 3) changes, clarifications and corrections to the Draft EIR; and 4) appendices; and

WHEREAS, Section 21000, *et. seq.*, of the Public Resources Code and Section 15000, *et. seq.*, of Title 14 of the California Code of Regulations (the "CEQA Guidelines"), which govern the preparation, content, and processing of environmental impact reports, have been fully implemented in the preparation of the EIR.

WHEREAS, pursuant to California State Law and the RPMC, public hearing notices were mailed to all property owners within an area exceeding a three hundred foot radius of the

Specific Plan area and a public hearing was published for a minimum of 10 days prior to the first public hearing in the Community Voice; and

WHEREAS, on September 11, 2014, the Planning Commission held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to the Final EIR and the Planning Commission recommended its approval by the City Council; and

WHEREAS, subsequent to the September 11, 2014 Planning Commission hearing, the City made revisions, for clarification purposes, to the text of Mitigation Measures BIO-1a, 1f, 2a, 2b, and 2d of the EIR. Said revisions are provided at **Exhibit C**, which is attached hereto, and shall be incorporated into Chapter 3 of the Final EIR; and

WHEREAS, on November 25, 2014, the City Council held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to the Final EIR attached hereto as **Exhibit A** and incorporated herein .

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rohnert Park ("Council") makes the following findings, determinations and recommendations with respect to the Final EIR for the proposed Project:

1. The above recitations are true and correct and material to this Resolution.
2. The Council has independently reviewed, analyzed and considered the Final EIR and all written documentation and public comments prior to making recommendations on the proposed Project; and
3. The Final EIR was prepared, publicized, circulated, and reviewed in compliance with the provisions of CEQA and the CEQA Guidelines; and
4. That the Final EIR constitutes an adequate, accurate, objective, and complete EIR in compliance with all legal standards; and
5. The information and analysis contained in the Final EIR reflects the City's independent judgment as to the environmental consequences of the proposed Project; and
6. The documents and other materials, including without limitation staff reports, memoranda, maps, letters and minutes of all relevant meetings, which constitute the administrative record of proceedings upon which the Council's resolution is based are located at the City of Rohnert Park, City Clerk, 130 Avram Ave., Rohnert Park, CA 94928. The custodian of records is the City Clerk.

BE IT FURTHER RESOLVED that on the basis of the evidence contained in the administrative record of the Final EIR, the Council finds that the revisions to the Draft EIR made through the Final EIR and revisions made to the language of the Final EIR after its publication provide clarification to the information contained in the Draft EIR and do not describe 1) a new substantial environmental impact resulting from the project or from new mitigation measures; 2)

a substantial increase in an environmental impact; or 3) a feasible project alternative or mitigation measure that clearly would lessen the environmental impacts of the project that has not been adopted. The new information provided in the Final EIR and the revisions to the Final EIR after its publication do not constitute “significant new information” within the meaning of CEQA so as to require recirculation of the Final EIR. (CEQA Guidelines Section 15088.5) and such information does not change the analysis or determinations of significance of potential impacts. The responses to comments demonstrate the Draft EIR contains sufficient mitigation measures to minimize or reduce impacts to a less than significant level; and revised language provided in the Final EIR are intended to clarify the required action and intent of the measures to ensure compliance.

BE IT FURTHER RESOLVED by the City Council of the City of Rohnert Park that it does hereby certify the Final EIR attached as **Exhibit A**, incorporating the mitigation measure revisions as provided at **Exhibit C**, and directs the filing of a Notice of Determination with the County Clerk.

BE IT FURTHER RESOLVED that after considering the Final EIR and in conjunction with making these findings, the City Council hereby finds that pursuant to Section 15092 of the CEQA Guidelines, approval of the Project will result in significant effects on the environment; however, the City eliminated or substantially lessened these significant effects where feasible, and has determined that the remaining significant effects are found to be unavoidable under Section 15091 and acceptable under Section 15093; and

BE IT FURTHER RESOLVED that **Exhibit B** (CEQA Findings and Statement of Overriding Considerations) and **Exhibit C** (Mitigation Monitoring and Reporting Program) of this Resolution provide findings required under Section 15091 of the CEQA Guidelines for significant effects of the Project; and

BE IT FURTHER RESOLVED that **Exhibit B** of this Resolution provides the findings required under Section 15093 of the CEQA Guidelines relating to accepting adverse impacts of the Project due to overriding considerations. The City has balanced the economic, legal, social, technological, and other benefits of the Project against the unavoidable environmental risks that may result, and finds that the specific economic, legal, social, technological, and other benefits outweigh the unavoidable adverse environmental effects. The City Council hereby adopts the CEQA Findings and the Statement of Overriding Considerations attached hereto as **Exhibit B**; and

BE IT FURTHER RESOLVED that, pursuant to Public Resources Code Section 21081.6, the City Council hereby approves the Mitigation Monitoring and Reporting Program attached as **Exhibit C** to this Resolution and require the Project to comply with the mitigation measures contained therein; and

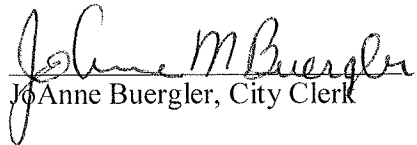
DULY AND REGULARLY ADOPTED on this 25th day of November, 2014.



CITY OF ROHNERT PARK


Joseph T. Callinan, Mayor

ATTEST:


JoAnne Buergler, City Clerk

Attachment: Exhibit A, Exhibit B and Exhibit C

BELFORTE: ABSENT MACKENZIE: Aye STAFFORD: Aye AHANOTU: Aye CALLINAN: Aye
AYES: (14) NOES: (0) ABSENT: (1) ABSTAIN: (0)

City of Rohnert Park ***NORTHWEST SPECIFIC PLAN***

Environmental Impact Report



State Clearinghouse No. 2013062005

Final | Certified November 25, 2014





City of Rohnert Park ***NORTHWEST SPECIFIC PLAN***

Environmental Impact Report

Final | Certified November 25, 2014
State Clearinghouse No. 2013062005

This document was prepared by:

PlaceWorks

Table of Contents

1.	INTRODUCTION	1-1
1.1	PURPOSE OF THE FINAL ENVIRONMENTAL IMPACT REPORT	1-1
1.2	ENVIRONMENTAL REVIEW PROCESS	1-1
1.3	REPORT ORGANIZATION.....	1-2
2.	EXECUTIVE SUMMARY	2-1
2.1	ENVIRONMENTAL PROCEDURES.....	2-1
2.2	SUMMARY OF PROPOSED PROJECT	2-4
2.3	SUMMARY OF ALTERNATIVES TO THE PROPOSED PROJECT	2-4
2.4	ISSUES TO BE RESOLVED	2-5
2.5	AREAS OF CONTROVERSY.....	2-5
2.6	SIGNIFICANT IMPACTS AND MITIGATION MEASURES.....	2-6
3.	REVISIONS TO THE DRAFT EIR	3-1
3.1	REVISIONS TO CHAPTER 2, INTRODUCTION.....	3-1
3.2	REVISIONS TO CHAPTER 3, PROJECT DESCRIPTION.....	3-1
3.3	REVISIONS TO CHAPTER 4.3, AIR QUALITY	3-14
3.4	REVISIONS TO CHAPTER 4.4, BIOLOGICAL RESOURCES.....	3-15
3.5	REVISIONS TO CHAPTER 4.5, CULTURAL RESOURCES.....	3-18
3.6	REVISIONS TO CHAPTER 4.14, TRANSPORTATION AND TRAFFIC	3-19
4.	LIST OF COMMENTERS	4-1
4.1	AGENCIES AND SERVICE PROVIDERS.....	4-1
4.2	PRIVATE INDIVIDUALS AND ORANGIZATIONS	4-1
5.	COMMENTS AND RESPONSES.....	5-1

TABLE OF CONTENTS

LIST OF TABLES

Table 2-1 Summary of Impacts and Mitigation Measures.....2-7

Table 3-1.1 Commercial-R Permitted Land Uses3-2

Table 3-1.2 Industrial Permitted Land Uses3-6

Table 3-1.3 Mixed-Use Permitted Land Uses.....3-10

Table 5-1 Response to Comments.....5-2

1. Introduction

1.1 PURPOSE OF THE FINAL ENVIRONMENTAL IMPACT REPORT

This document provides responses to comments received on the Draft Environmental Impact Report (Draft EIR) for the adoption and implementation of the Northwest Specific Plan, herein referred to as the “proposed Project” or “Specific Plan.” The Draft EIR identified significant impacts associated with the proposed Project, and examined alternatives and recommended mitigation measures that could avoid or reduce potential impacts.

This Final Environmental Impact Report (Final EIR), together with the Draft EIR, will constitute the Final EIR if the Rohnert Park City Council certifies it as complete and adequate under the California Environmental Quality Act (CEQA). Because of its length, the Draft EIR is not reprinted here. However, it is included by reference as part of this Final EIR.

1.2 ENVIRONMENTAL REVIEW PROCESS

According to CEQA, a lead agency is required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public with an opportunity to comment on the Draft EIR. This Final EIR has been prepared to respond to comments received on the Draft EIR. The City issued a Notice of Preparation of an EIR on June 7, 2013. A Scoping Meeting was held on Thursday, June 20, 2013 from 4:00 to 6:00 pm at the Rohnert Park City Council Chambers, 130 Avram Avenue, Rohnert Park, CA 94928. The City made the Draft EIR available for public review from June 20, 2014 through August 4, 2014 by distributing it to local, regional, and State agencies and advising the general public of the availability of the Draft EIR. The City made copies of the Draft EIR available for public review by interested parties at:

- Rohnert Park Public Library at 6250 Lynne Conde Way, Rohnert Park, CA 94928
- City of Rohnert Park, Development Services Department at 130 Avram Avenue, Rohnert Park, CA 94928
- The City’s website at www.rpcity.org

The 45-day public comment period ended on August 4, 2014 at 5:00 p.m. Copies of all written comments received on the Draft EIR are contained in this document. These comments and responses to these comments are laid out in Chapter 5, Comments and Responses, of this Final EIR.

This Final EIR and the Specific Plan will be presented at a Planning Commission hearing at which the Commission will consider whether to recommend that the City Council certify the Final EIR as a full disclosure of potential impacts, mitigation measures, and alternatives. The City Council will consider the Planning Commission’s recommendations on the Final EIR and the Specific Plan during a noticed public hearing, and will make the final action with regard to certification of the Final EIR.

INTRODUCTION

1.3 REPORT ORGANIZATION

This document is organized into the following chapters:

- **Chapter 1: Introduction.** This chapter discusses the use and organization of this Final EIR.
- **Chapter 2: Executive Summary.** This chapter is a summary of the findings of the Draft and the Final EIR.
- **Chapter 3: Revisions to the Draft EIR.** Revisions to the text and graphics of the Draft EIR are contained in this chapter. Underline text represents language that has been added; text with ~~strikethrough~~ has been deleted.
- **Chapter 4: List of Commenters.** Names of agencies and individuals who commented on the Draft EIR are included in this chapter.
- **Chapter 5: Comments and Responses.** This chapter lists the comments received from agencies and the public on the Draft EIR, and provides responses to those comments.

2. *Executive Summary*

This chapter presents a summary of the findings of the Draft and Final EIRs, and presents an overview of the proposed Northwest Specific Plan, herein referred to as “proposed Project” or “Specific Plan.” This executive summary provides a summary of the alternatives to the proposed Project, identifies issues to be resolved, areas of controversy, and conclusions of the analysis contained in Chapters 4.0 through 4.15 of the Draft Environmental Impact Report (Draft EIR). For a complete description of the Specific Plan, please see Chapter 3, Project Description, of the Draft EIR. For a discussion of Specific Plan alternatives, please see Chapter 6, Alternatives to the Proposed Project, of the Draft EIR.

The Draft EIR addresses the environmental effects associated with the implementation of the proposed Specific Plan. The California Environmental Quality Act (CEQA) requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An Environmental Impact Report is a public document designed to provide the public and local and State governmental agency decision-makers with an analysis of potential environmental consequences to support informed decision-making.

The Draft EIR has been prepared pursuant to the requirements of CEQA (California Public Resources Code, Division 13, Section 21000, et seq.) and the State CEQA Guidelines (Title 14 of the California Code of Regulations, Division 6, Chapter 3, Section 15000, et seq.) to determine if approval of the identified discretionary actions and related subsequent development could have a significant impact on the environment. The City of Rohnert Park, as the Lead Agency, has reviewed and revised as necessary all submitted drafts, technical studies, and reports to reflect its own independent judgment, including reliance on applicable City technical personnel and review of all technical subconsultant reports. Information for the Draft EIR was obtained from on-site field observations; discussions with affected agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g. air quality, hazards and hazardous materials, hydrology and water quality, noise, and transportation and traffic).

2.1 ENVIRONMENTAL PROCEDURES

The Draft EIR has been prepared pursuant to CEQA to assess the environmental effects associated with implementation of the proposed Specific Plan, as well as anticipated future discretionary actions and approvals. The six main objectives of this document as established by CEQA are:

- To disclose to decision-makers and the public the significant environmental impacts of proposed activities.
- To identify ways to avoid or reduce environmental impact.
- To prevent environmental impact by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public reasons for agency approval of projects with significant environmental impacts.

EXECUTIVE SUMMARY

- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation identified in the statutes and in the CEQA Guidelines. It provides the information needed to assess the environmental consequences of a proposed project, to the extent feasible. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant adverse environmental impacts. An EIR is also one of various decision-making tools that may be used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Prior to approving a proposed project, the lead agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in accordance with CEQA and the CEQA Guidelines, determine that it reflects the independent judgment of the lead agency, and adopt findings concerning the project's significant environmental impacts and alternatives. The lead agency may adopt a Statement of Overriding Considerations if the proposed project would result in significant impacts that cannot be avoided, but the benefits of the project may warrant approval.

2.1.1 REPORT ORGANIZATION

The Draft EIR is organized into the following chapters:

- **Chapter 1: Executive Summary.** Summarizes environmental consequences that would result from implementation of the Plan, describes recommended mitigation measures, and indicates the level of significance of environmental impacts before and after mitigation.
- **Chapter 2: Introduction.** Provides an overview describing the Draft EIR document.
- **Chapter 3: Project Description.** Describes the Specific Plan in detail, including the site location and characteristics, objectives, and the structural and technical elements of the proposed action.
- **Chapter 4: Environmental Evaluation.** Organized into 15 sub-chapters corresponding to the environmental resource categories identified in Appendix G of the CEQA Guidelines, this section provides a description of the physical environmental conditions in the vicinity of the proposed Project as they existed at the time the Notice of Preparation was published, from both a local and regional perspective, as well as an analysis of the potential environmental impacts of the proposed Specific Plan, and recommended mitigation measures, if required, to reduce their significance. The environmental setting included in each sub chapter provides baseline physical conditions from which the Lead Agency determines the significance of environmental impacts resulting from the proposed Specific Plan. Each sub-chapter also includes a description of the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the Specific Plan; and the potential cumulative impacts associated with the proposed Specific Plan.
- **Chapter 5: Significant Unavoidable Adverse Impacts.** Describes the significant unavoidable adverse impacts of the proposed Specific Plan.

EXECUTIVE SUMMARY

- **Chapter 6: Alternatives to the Proposed Project.** Considers three alternatives to the Specific Plan, including the CEQA-required “No Project” – 2020 General Plan Alternative, the Mixed-Use Only Alternative, and the Reduced Density Alternative.
- **Chapter 7: CEQA-Mandated Sections.** Discusses growth inducement, cumulative impacts, unavoidable significant effects, and significant irreversible changes as a result of the proposed Specific Plan. Additionally, this chapter identifies environmental issues scoped out pursuant to CEQA Guidelines Section 15128.
- **Chapter 8: Organizations and Persons Consulted.** Lists the people and organizations that were contacted during the preparation of this EIR for the proposed Specific Plan.
- **Appendices:** The appendices for this document (presented in PDF format on a CD attached to the back cover) contain the following supporting documents:
 - Appendix A: Notice of Preparation Comment Letters
 - Appendix B: Air Quality and Greenhouse Gas Data and Calculation Sheet
 - Appendix C: Biological Resources Data
 - Appendix D: Cultural Resources Data
 - Appendix E: Hydrology and Water Quality Data
 - Appendix F: Noise Data
 - Appendix G: Public Services Data
 - Appendix H: Transportation and Traffic Data
 - Appendix I: Utilities and Service System Data

2.1.2 TYPE AND PURPOSE OF THE DRAFT EIR

According to Section 15121(a) of the CEQA Guidelines, the purpose of an EIR is to:

Inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

Given the long-term horizon of the proposed Specific Plan and the permitting, planning, and development actions that are related both geographically and as logical parts in the chain of contemplated actions for implementation, the Draft EIR has been prepared as a Program EIR for the Northwest Specific Plan, pursuant to Section 15168 of the CEQA Guidelines. As a Program EIR, it is not project-specific, and does not evaluate the impacts of specific projects that may be proposed under the Specific Plan. Such subsequent projects will require a separate environmental review to secure the necessary development permits. While subsequent environmental review may be tiered off this EIR, this EIR is not intended to address impacts of individual projects.

Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether additional CEQA documentation needs to be prepared. However, if the Program EIR addresses the program’s effects as specifically and comprehensively as is reasonably possible, many subsequent activities could be found to be within the Program EIR scope, and additional environmental documents may not be required (CEQA Guidelines Section 15168[c] and CEQA streamlining provisions). When a Program EIR is relied on for

EXECUTIVE SUMMARY

a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects not within the scope of the Program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, Mitigated Negative Declaration, or an EIR unless the activity qualifies for an exemption. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The Program EIR can also serve to streamline future environmental review of subsequent projects.

2.2 SUMMARY OF PROPOSED PROJECT

The Draft EIR provides an assessment of the potential environmental impacts of implementing the Specific Plan. PlaceWorks is preparing the Northwest Specific Plan, which is expected to be completed in summer 2014, to guide future development on the approximately 100-acre Specific Plan area bounded by Millbrae Avenue to the north, Dowdell Avenue to the east, Business Park Drive to the south, and Langner Avenue to the west.

The Specific Plan envisions a primarily mixed-use development with regional commercial and industrial uses. The Specific Plan includes open space and park components as part of the Conceptual Land Use Plan. In addition to describing the proposed building form and development standards, the Specific Plan also contains goals, policies, and programs relating to land use and urban design; traffic and circulation; utilities and public services; biological resources; and housing. The Specific Plan also contains recommended implementation strategy to guide the next steps. It is assumed that this development under the Specific Plan would occur through 2035, which is considered the Specific Plan Horizon.

The primary components of the Specific Plan are a development agreement, a General Plan Amendment, a Zoning Amendment, and a tentative subdivision map application.

2.3 SUMMARY OF ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR analyzes alternatives to the Specific Plan that are designed to reduce the significant environmental impacts of the proposed Project and feasibly attain some of the proposed Project objectives. There is no set methodology for comparing the alternatives or determining the environmentally superior alternative under CEQA. Identification of the environmentally superior alternative involves weighing and balancing all of the environmental resource areas by the City. The following three alternatives to the Specific Plan were considered and analyzed in detail:

- No Project – 2020 General Plan Alternative
- Mixed-Use Only Alternative
- Reduced Density

Chapter 5, Alternatives to the proposed Project, of the Draft EIR, includes a complete discussion of these alternatives and of alternatives that were considered but not carried forward for detailed analysis.

2.4 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR identify issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed Specific Plan, the major issues to be resolved include decisions by the City of Rohnert Park, as Lead Agency, related to:

- Whether the Draft EIR adequately describes the environmental impacts of the Specific Plan.
- Whether the benefits of the Specific Plan override those environmental impacts that cannot be feasibly avoided or mitigated to a level of insignificance.
- Whether the proposed land use changes are compatible with the character of the existing area.
- Whether the identified goals, policies, or mitigation measures should be adopted or modified.
- Whether there are other mitigation measures that should be applied to the Specific Plan besides those Mitigation Measures identified in the Draft EIR.
- Whether there are any alternatives to the Specific Plan that would substantially lessen any of the significant impacts of the proposed Specific Plan and achieve most of the basic objectives.

2.5 AREAS OF CONTROVERSY

The City issued a Notice of Preparation (NOP) on June 7, 2013, and held a scoping meeting on June 20, 2013. The scoping period for the Draft EIR was between June 7 and July 8, 2013, during which interested agencies and the public could submit comments about the Specific Plan. The following is a discussion of issues that are likely to be of particular concern to agencies and interested members of the public during the environmental review process. While every concern applicable to the CEQA process is addressed in the Draft EIR, this list is not necessarily exhaustive, but rather attempts to capture those concerns that are likely to generate the greatest interest based on the input received during the scoping process.

- Water Supply
- Fill of Jurisdictional Wetlands
- Biological Resources
- Air Quality from Construction
- Vehicular Circulation
- Drainage
- Flooding

EXECUTIVE SUMMARY

2.6 SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Specific Plan, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

The proposed Specific Plan has the potential to generate significant environmental impacts in a number of areas. As shown in Table 2-1, some significant impacts would be reduced to a less-than-significant level if the mitigation measures recommended in the Draft EIR are implemented. However, pursuant to Section 15126.2(b) of the CEQA Guidelines, which requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures, as shown in Table 2-1, significant unavoidable impacts were identified in the areas of Air Quality, Biological Resources, Greenhouse Gas Emissions, Noise, and Transportation and Traffic. For a complete summary of the significant and unavoidable impacts, please see Chapter 5.0, Significant Unavoidable Adverse Impacts, of the Draft EIR.

As described in detail in Chapter 7.0, CEQA Mandated Sections, of the Draft EIR, the Specific Plan would have no significant impact on mineral resources due to existing conditions in the Specific Plan site and surrounding areas. This issue has therefore not been analyzed further in the Draft EIR.

Table 2-1 summarizes the conclusions of the environmental analysis contained in the Draft EIR and the revisions as presented in Chapter 3 of the Final EIR and presents a summary of impacts and mitigation measures identified. It is organized to correspond with the environmental issues discussed in Section 4, Chapter 4.0 through 4.15. The table is arranged in four columns: 1) environmental impacts; 2) significance prior to mitigation; 3) mitigation measures; and 4) significance after mitigation. For a complete description of potential impacts, please refer to the specific discussions in Section 4, Chapter 4.0 through 4.15 of the Draft EIR.

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

	Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
AESTHETICS				
AES-1:	The proposed Project would not have a substantial adverse effect on a scenic vista.	LTS	N/A	
AES-2:	The proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings.	LTS	N/A	
AES-3:	The proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings.	LTS	N/A	
AES-4:	The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	LTS	N/A	
AES-5:	The proposed Project, in combination with past, present and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to aesthetics.	LTS	N/A	
AGRICULTURE AND FORESTRY RESOURCES				
AGF-1:	The proposed Project would not 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.	No Impact	N/A	
AGF-2:	The proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.	No Impact	N/A	
AGF-3:	The proposed Project would not conflict with existing zoning for, or cause rezoning of, forestland (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)).	No Impact	N/A	
AGF-4:	The proposed Project would not result in the loss of forestland or conversion of forestland to non-forest use.	No Impact	N/A	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
AGF-5: The proposed Project would involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use but will not result in conversion of forestland to non-forest use.	LTS	N/A	
AGF-6: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to agricultural resources.	LTS	N/A	
AIR QUALITY			
AIR-1: The proposed Project would support the primary goals of the 2010 Bay Area Clean Air Plan, but buildout of the proposed Project would conflict with the requirements for community-wide vehicle miles travelled (VMT) increase in the Clean Air Plan.	S	Mitigation Measure AIR-1: There are no mitigation measures available to mitigate this impact. (see discussion in Chapter 4.13 of the Draft EIR)	SU
AIR-2: The proposed Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation in Rohnert Park.	LTS	Construction Phase Mitigation Measure AIR-2a: Applicants for future construction activities within the Specific Plan Area shall require their construction contractor to comply with the following Bay Area Air Quality Management District (BAAQMD) Basic Control Measures for reducing fugitive dust emissions during construction: - Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 mph. Reclaimed water should be used whenever possible. - Pave, apply water twice daily or as often as necessary, to control dust, or apply (non-toxic) soil stabilizers to all exposed surfaces (access roads, parking areas, staging areas, soil piles, and graded areas) at construction sites. - Cover all trucks hauling soil, sand, and other loose materials. - Sweep daily (with water sweepers using reclaimed water if possible or with vacuum street sweepers), or as often as needed, with water	SU

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		sweepers all paved access roads, paved parking areas and paved staging areas at the construction site to control dust. Dry power sweeping is prohibited.	
		■ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.	
		■ Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.	
		■ Limit vehicle traffic speeds on unpaved roads to 15 mph.	
		■ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.	
		■ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	
		■ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation.	
		■ Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.	
		These measures shall be verified during regular construction site inspections by the City of Rohnert Park's Building Division.	
		Mitigation Measure AIR-2b: Applicants for future development under the Specific Plan that could generate emissions in excess of the BAAQMD significance thresholds during construction, as determined by project-level	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		environmental review, shall implement the "Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold" presented in Table 8-3 of the BAAQMD CEQA Guidelines:	
		■ All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. ■ All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. ■ Wind breaks (e.g. trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. ■ Vegetative ground cover (e.g. fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. ■ The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. ■ All trucks and equipment, including their tires, shall be washed off prior to leaving the site. ■ Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. ■ Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent. ■ Idling time of diesel powered construction equipment shall be limited to two consecutive minutes. ■ The Project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation		Significance With Mitigation	
			Mitigation Measures	
			project (i.e. owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. ■ Use low volatile organic compound (VOC, i.e. reactive organic gas (ROG)) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings). ■ Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NO_x and PM. ■ Require all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.	
Operational Phase				
See Mitigation Measures GHG-1a through GHG-1d.				
AIR-3: Criteria air pollutant emissions associated with buildout of the Specific Plan would cumulatively contribute to air quality impacts in the San Francisco Bay Area Air Basin..	S		Mitigation Measure AIR-3: There are no mitigation measures available to mitigate this impact. (see discussion in Chapter 4.3 of the Draft EIR)	SU
AIR-4: The Specific Plan could result in the placement of sensitive receptors proximate to major sources of air pollution or the siting of new sources of air pollution proximate to sensitive receptors in the City.	LTS		Mitigation Measure AIR-4a: Applicants for future warehousing and other industrial land uses within the Specific Plan that that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered TRUs, and 2) are located within 1,000 feet of a sensitive land use (e.g. residential, schools, hospitals, nursing homes), as measured from the property line of the proposed Project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Bay Area Air Quality Management District. If the HRA shows that the incremental	LTS

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		cancer risk exceeds ten in one million (10E-06), $PM_{2.5}$ concentrations exceed $0.3 \mu\text{g}/\text{m}^3$, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to: ■ Restricting idling on-site. ■ Electrifying warehousing docks. ■ Requiring use of newer equipment and/or vehicles. ■ Restricting offsite truck travel through the creation of truck routes. In addition, diesel generators shall meet the California Air Resources Board's Tier 4 emissions standards. T-BACTs and Tier 4 generators identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project.	
		Mitigation Measure AIR-4b: Applicants for residential and other sensitive land use projects (e.g. hospitals, nursing homes, day care centers) within the Specific Plan within 1,000 feet of a major source of TACs (e.g. warehouses, industrial, or roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHA) and the Bay Area Air Quality Management District. The latest OEHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), $PM_{2.5}$ concentrations exceed $0.3 \mu\text{g}/\text{m}^3$, or the	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e. below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to: ■ Air intakes located away from high volume roadways and/or truck loading zones. ■ Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters. Place residents as far away from truck activities, including loading docks and delivery areas, as feasible. Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Development Services Department.	
AIR-5: The Specific Plan would create objectionable odors affecting a substantial number of people..	S	Mitigation Measure AIR-5: Applicants of future development projects under the Specific Plan for any of the land uses listed below shall prepare an Odor Management Plan and submit the plan prior to the City prior to project approval to ensure compliance with Bay Area Air Quality Management District Regulation 7, Odorous Substances. ■ Wastewater Pumping Facilities within 1 mile of sensitive land uses. ■ Transfer Station within 1 mile of sensitive land uses. ■ Composting Facility within 1 mile of sensitive land uses. ■ Asphalt Batch Plan within 2 miles of sensitive land uses. ■ Chemical Manufacturing within 2 miles of sensitive land uses. ■ Fiberglass Manufacturing within 1 mile of sensitive land uses.	LTS

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		■ Painting/Coating Operations within 1 mile of sensitive land uses. ■ Coffee Roaster within 1 mile of sensitive land uses. ■ Food Processing Facility within 1 mile of sensitive land uses. ■ Green Waste and Recycling Operations within 1 mile of sensitive land uses. ■ Metal Smelting Plans within 2 miles of sensitive land uses. The Odor Management Plan shall identify the Best Available Control Technologies for Toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (e.g., air pollution control devices) at an industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.	
AIR-6: The Specific Plan, in combination with past, present, and reasonably foreseeable projects, would cumulatively contribute to air quality impacts in the San Francisco Bay Area Air Basin.	S	Mitigation Measure AIR-3: There are no mitigation measures available to mitigate this impact.	SU
BIOLOGICAL RESOURCES			
BIO-1: The Project would have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.	S	Mitigation Measure BIO-1a: Prior to individual project approval under the Specific Plan, the City shall require the preparation and submittal of a protocol-level survey conducted by a qualified biologist to the Rohnert Park Development Services Department as required by the California Endangered Species Act and the Federal Endangered Species Act. The protocol-level survey shall determine the potential for special-status plant and/or wildlife species, including nesting birds and birds protected under the Migratory Bird Treaty Act, to occur within or adjacent to the proposed development Specific Plan Area. The survey should be conducted within the blooming period of all special-status plant species identified in Table 4.4-4 that have the potential to occur on the specific development project site. If a special-status species are observed during the survey, then appropriate alternative measures should be executed as follows: 1) The City shall require pre-construction surveys within 30 days prior to	SU

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		the commencement of grading and/or construction activities.	
	2)	As appropriate based on the results of the pre-construction surveys, construction limits shall be clearly flagged as directed by the biologist to ensure that impacts to sensitive biological resources are avoided or minimized to the extent feasible.	
	3)	All plants within the construction footprint (including staging areas) shall be transplanted to a mitigation site approved by the United States Fish and Wildlife Services (USFWS) and the California Department of Fish and Wildlife (CDFW). Lost plant habitat that is occupied by special status plants shall be replaced at a ratio of two acres of replacement habitat for each acre of special-status plant habitat lost. The success of the transplantation program shall be evaluated to have been achieved if 80 percent or more of the transplanted plants have survived five years after transplantation. Mitigation projects will be monitored annually for five years using success criteria developed in coordination with the CDFW and USFWS.	
	4)	If special-status species identified in the Santa Rosa Plain Conservation Strategy (SRPCS) are found to be present on site, the project applicant shall follow the standards prescribed in the SRPCS, which requires that three surveys per year shall be conducted and a minimum of two years of negative results be reported to accurately state that each of the above mentioned species is not present. Impacts to habitat could require mitigation in the form of preservation of the same habitat at a 2:1 ratio. If no special-status plant species are observed but habitat for them is present, mitigation in the form of preservation of the same habitat at a 1:1 ratio could be required.	
	5)	As appropriate based on the results of the preconstruction surveys, the City shall require: ■ Development and implementation of contractor training to educate project contractors on the sensitive biological resources within and adjacent to the project site and the measures being implemented to avoid and minimize impacts ■ That a qualified biological monitor be present during a portion or all	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		of the construction activities to ensure impacts to the sensitive biological resources are avoided or minimized to the extent feasible; ▪ That project applicants obtain written authorization from the USFWS that the grading or construction activity complies with regulations on the "take" of the listed species, ▪ That any mitigation requirements set forth by such agencies be incorporated into the project's final design plans.	
		Mitigation Measure BIO-1b: The City and the developer should establish an ongoing and aggressive weed abatement program to prevent the spread and establishment of exotic weeds along established habitat on the site or habitat subject to further invasion of seed stock resulting from grading and development activities.	
		Mitigation Measure BIO-1c: If activity is to occur during the nesting/breeding bird season, February 1st through August 31st, the City shall require the applicant to retain a qualified biologist to conduct nest surveys on the site proposed for development and within 200 feet of its borders prior to construction or site preparation activities. The surveys shall be conducted no earlier than 30 days prior to commencement of construction activities.	
		Mitigation Measure BIO-1d: If active nests are present in the construction zone or within 200 feet of these areas, a fence shall be erected at a minimum of 50 feet around the nest site. The temporary buffer setback may be greater depending on the identification of the bird species and construction activity elements, as determined by the biologist.	
		Mitigation Measure BIO-1e: If an active nest is located on or adjacent to the project site, tree removal, grading, and other project-related disturbances shall be prohibited within 200 feet of the active raptor nest until the young have fledged. Prior to disturbance within 200 feet of an active nest, the project developer shall retain a qualified biologist or ornithologist to	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		confirm that the young have fledged. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure the safety of the nesting bird.	
		Mitigation Measure BIO-1f: If the California tiger salamander (CTS) habitat is determined to be on-site based on protocol surveys performed in accordance with the USFWS CTS survey protocol guidelines, then a formal consultation with USFWS shall be initiated. Based on the ensuing Biological Opinion provided by the USFWS as part of the consultation, further measures may be necessary including a CTS pre-construction survey before initiation of any grading and construction activities would be permitted to begin. Compensation of CTS habitat loss might be required at a mitigation ratio to be determined during the consultation process. The Santa Rosa Plains Conservation Strategy and the Programmatic Biological Opinion shall govern the applicable mitigation ratios for effects on CTS for future activities.	
BIO-2: The proposed Project would have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Wildlife and Game, or U.S. Fish and Wildlife Service.	S	Mitigation Measure BIO-2a: The City shall require the applicant of a development proposal permitted under the Specific Plan where wetlands may be present to conduct a wetland delineation according to the current U.S. Army Corps of Engineers (USACE) standards (e.g., 1987 USACE Wetland Delineation Manual and the 2008 Regional Supplement to the USACE Wetland Delineation Manual: Coast Region). The developer shall submit the delineation to the USACE and the City as part of the entitlement application for a specific development project. Verification of the wetland delineation shall be conducted by the USACE as part of the Section 404 permit process prior to issuance of a grading permit.	SU
		Mitigation Measure BIO-2b: If a wetland delineation map is required per Mitigation Measure BIO-2a, the applicant of a development proposal permitted under the Specific Plan shall design the project so that avoidance or minimization of wetland impacts occurs on the site through the use of Best Management Practices (BMPs) to protect waters of the United States/State and to ensure that water quality standards are not	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		compromised. These practices can include installing construction fencing buffers, straw wattles to keep fill from entering preserved/avoided wetlands and other waters, and other protective measures; and requiring a biological monitor be on-site during project construction to monitor the integrity of any preserved wetlands and other waters during mass grading or filling of the project site. In accordance with the federal Clean Water Act Section 404(b)(1) guidelines, avoidance and then minimization must be given first consideration in the sequence for mitigating wetlands impacts. Mitigation Measure BIO-2c: At the time permits are issued for any portion or all of the documented wetland habitat that is not avoided, the City shall require mitigation standards mandated by the USFWS and the CDFW, and USACE for fill of wetlands and Waters of the United States/State that involves either the restoration of wetlands at a ratio of 1.5:1 or the creation of new wetlands at a ratio of 2:1. If up-front mitigation is provided (wetlands are restored or created prior to the fill of project site wetlands), a 1:1 mitigation ratio is accepted. Mitigation Measure BIO-2d: As a condition of project approval, the City shall require that the project developer mitigate for impacts to wetlands to achieve a no net loss of wetland habitat. In accordance with the 2008 USACE/U.S. EPA Compensatory Mitigation Rule, wetlands mitigation may consist of (1) the purchase of wetland mitigation credits from established USFWS/ CDFW/ USACE-approved mitigation bank; (2) on-site or off-site permittee-responsible mitigation; or (3) participation in an approved in-lieu fee mitigation program. Mitigation shall be provided in perpetuity at the applicable restoration, creation, enhancement, and/or preservation ratios established in accordance with state and federal laws. Current restoration/creation ratios are 1:1 for wetland habitat creation and 2:1 for wetland habitat preservation for each acre of wetland habitat impacted. A final determination of these mitigation ratio totals shall be established in consultation with the USFWS, CDFW and/or USACE.	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
BIO-3: The proposed Project would 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.	S	Implement Mitigation Measures BIO-1a through BIO-1f and BIO-2a through BIO-2d.	SU
BIO-4: The proposed Project would 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.	S	Implement Mitigation Measures BIO-1a through BIO-1f and BIO-2a through BIO-2d.	SU
BIO-5: The proposed Project would not conflict with any local policies or ordinances protecting biological resources.	LTS	N/A	
BIO-6: The proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.	LTS	N/A	
BIO-7: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to biological resources.	S	Implement Mitigation Measures BIO-1a through BIO-1f and BIO-2a through BIO-2d.	SU
CULTURAL RESOURCES			
CULT-1: The proposed Project would have the potential to cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.	S	Mitigation Measure CULT-1: Future development projects permitted under the Specific Plan shall be required to include a project-specific review to determine their potential to affect archaeological deposits. If deemed necessary by this review, a pedestrian survey shall be conducted by a professional archaeologist. If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to the California Environmental Quality Act (CEQA) Guidelines Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate	LTS

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations.	
		If avoidance is infeasible, other appropriate measures (e.g. data recovery) shall be instituted. Work may proceed on other parts of the Specific Plan Area while mitigation for historical resources or unique archaeological resources is being carried out.	
CULT-2: The proposed Project would have the potential to cause substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.	S	Implement Mitigation Measure CULT-1.	LTS
CULT-3: The proposed Project would have the potential to directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature.	S	Mitigation Measure CULT-3: In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval and the project proponent shall implement the approval plan.	LTS
CULT-4: The proposed Project would have the potential to disturb any human remains, including those interred outside of	S	Mitigation Measure CULT-4: If human skeletal remains are uncovered during construction, the contractor (depending on the project component)	LTS

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
formal cemeteries.		shall immediately halt work within 50 feet of the find, contact the Sonoma County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the CEQA Guidelines. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours, who will, in turn, notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains (Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 [as amended by AB 2641]). Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery.	
		Per Public Resources Code 5097.98, the contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the human remains are located, is not damaged or disturbed by further development activity until the contractor has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98), with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reenter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendant may request mediation by the NAHC.	
CULT-5: The proposed Project, in combination with past, present and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to cultural resources.	LTS		N/A

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
GEOLOGY, SOILS, AND SEISICITY			
GEO-1: The proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving surface rupture along a known active fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and landslides.	LTS	N/A	
GEO-2: Implementation of the Specific Plan would not result in substantial soil erosion or the loss of topsoil.	LTS	N/A	
GEO-3: Development under the Specific Plan would not result in a significant impact related to development on unstable geologic units and soils or result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	LTS	N/A	
GEO-4: Development under the proposed Project would not create substantial risks to life or property as a result of its location on expansive soil, as defined Section 1803.5.3 of the California Building Code, creating substantial risks to life or property.	LTS	N/A	
GEO-5: Implementation of the proposed Project would not result in impacts associated with the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	No Impact	N/A	
GEO-6: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to geology and soils.	LTS	N/A	
GREENHOUSE GAS EMISSIONS			
GHG-1: The proposed Project would generate GHG emissions that would either directly or indirectly have a significant impact on the environment.	S	Mitigation Measure GHG-1a: Applicants for future projects within the Specific Plan shall implement one of the following: ▪ Design individual habitable residential and non-residential structures to be 15 percent more energy efficient than the current Building and Energy Efficiency Standards; or	<u>SU</u>

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

TABLE 2-1	SUMMARY OF IMPACTS AND MITIGATION MEASURES	Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
			■ Provide a 15-percent offset in building envelope energy use through use of renewable energy (e.g. photovoltaic, wind); or ■ Provide a combination of energy reductions and renewable energy offsets to meet the overall 15-percent reduction in building energy use.	The 15-percent reduction in building envelope energy use shall be based on the current Building and Energy Efficiency Standards (Title 24, Part 6, of the California Building Code) that is in place at the time building permits are submitted to the City. Architectural plans submitted to the City Building Division shall identify the requirement to reduce building energy use by 15 percent and/or provide renewable energy to meet this requirement. Mitigation Measure GHG-1b: Applicant-provided appliances shall be Energy Star appliances (dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star appliances shall be verified by the Building Division during plan check. Mitigation Measure GHG-1c: Applicants for future residential developments that include garage parking shall accommodate level 2 electric vehicle charging. The location of the electrical outlets shall be specified on building plans and proper installation shall be verified by the Building Division prior to issuance of a Certificate of Occupancy. Mitigation Measure GHG-1d: Applicants for future non-residential developments that develop more than 50,000 gross square feet of building space shall provide level 2 electric vehicle charging in parking lots/structure. The location of the electrical outlets shall be specified on building plans, and proper installation shall be verified by the Building Division prior to issuance of a Certificate of Occupancy. Mitigation Measure GHG-1e: Applicants for non-residential projects within the Specific Plan or applicable designee (e.g., building manager) that employ 20 or more people—which is equivalent to 12,000 square feet of	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		retail space, 6,000 square feet of office space, 20,000 square feet of industrial space, or 22 hotel rooms—shall implement an employee commute trip reduction (CTR) program. The CTR program shall identify alternative modes of transportation to the project, including transit schedules, bike and pedestrian routes, and carpool/vanpool availability. Information regarding these programs shall be readily available to employees and clients. The project applicant or designee shall implement at least one of the following incentives for commuters as part of the CTR program, or another equally effective incentive: ■ Ride-matching assistance (e.g. subsidized public transit passes) ■ Vanpool assistance or employer-provided vanpool/shuttle ■ Car-sharing program (e.g. Zipcar) ■ Bicycle end-trip facilities, including bike parking, lockers, and showers. Implement Mitigation Measures GHG-1a through GHG-1e.	SU
GHG-2: The Specific Plan would potentially conflict with an applicable plan, policy, or regulation for the purpose of reducing the emissions of GHGs.	S		SU
GHG-3: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in a significant cumulative impact with respect to GHG emissions.	S	Implement Mitigation Measures GHG-1a through GHG-1e.	SU
HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1: The proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	LTS	N/A	
HAZ-2: The proposed Project would 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.	S	Mitigation Measure HAZ-2: The project sponsor shall perform pesticide screening analyses of soil on properties within the Specific Plan Area currently or historically cultivated for agricultural purpose. Soils which exceed pesticide levels established by the United States Environmental Protection Agency (EPA) preliminary remediation goals for residential use shall not be reused on site, and off-site reuse shall be subject to oversight by the Sonoma County Environmental Health Agency. Stockpiling of any contaminated soils prior to off-hauling and disposal shall comply with the	LTS

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
HAZ-3: The proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.	No Impact	California Health and Safety Code. If pesticide concentrations exceed EPA preliminary remediation goals for commercial uses, the soil shall be disposed of in an appropriate facility in accordance with federal and State regulations.	
Implement Mitigation Measure AIR-2a.			
HAZ-4: The proposed Project would not 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, create a significant hazard to the public or the environment.	LTS	N/A	
HAZ-5: The proposed Project would not be 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, result in a safety hazard for people residing or working in the Specific Plan Area.	No Impact	N/A	
HAZ-6: The proposed Project would not be within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the Specific Plan Area.	No Impact	N/A	
HAZ-7: The proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	LTS	N/A	
HAZ-8: The proposed Project would not 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.	LTS	N/A	
HAZ-9: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to hazards	LTS	N/A	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
and hazardous materials.			
HYDROLOGY AND WATER QUALITY			
HYDRO-1: The proposed Project would not violate any water quality standards or waste discharge requirements.	LTS	N/A	
HYDRO-2 : The proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).	LTS	N/A	
HYDRO-3 : The proposed Project would not 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, siltation, or flooding on- or off-site.	LTS	N/A	
HYDRO-4 : The proposed Project would not 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.	LTS	N/A	
HYDRO-5 : The proposed Project would not otherwise substantially degrade water quality.	LTS	N/A	
HYDRO-6: The proposed Project would not 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, or place within a 100-year flood hazard area structures which would impede or redirect flood flows.	No Impact	N/A	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-7: The proposed Project would not 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.	No Impact	N/A	
HYDRO-8 : The proposed Project would not inundation by seiche, tsunami, or mudflow.	No Impact	N/A	
HYDRO-9 : The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to water quality.	LTS	N/A	
LAND USE AND PLANNING			
LU-1: The proposed Project would not physically divide an established community.	LTS	N/A	
LU-2: The proposed Project would not conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	LTS	N/A	
LU-3: The proposed Project would not conflict with an applicable habitat conservation plan or natural community conservation plan.	LTS	N/A	
LU-4: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to land use and planning.	LTS	N/A	
NOISE			
NOISE-1: The proposed Project would not expose people to or generate noise levels in excess of standards established in the General Plan or the Municipal Code, and/or the applicable standards of other agencies.	LTS	N/A	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
NOISE-2: The proposed Project would not expose people to or result in generation of excessive groundborne vibration or groundborne noise levels.	LTS	N/A	
NOISE-3: The proposed Project would cause a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project under the existing with project scenario. Impacts under the future with project scenario would not be significant.	S	Mitigation Measure NOISE-1: No feasible mitigation measures are available to reduce this impact (see discussion in Chapter 4.11 of the Draft EIR).	
NOISE-4: The proposed Project would not cause a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project	LTS	N/A	
NOISE-5: The proposed Project would not cause exposure of people residing or working in the vicinity of the plan area to excessive aircraft noise levels, 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.	No Impact	N/A	
NOISE-6: The proposed Project would not cause the exposure of people residing or working in the Project area to excessive noise levels, for a project within the vicinity of a private airstrip.	No Impact	N/A	
NOISE-7: Implementation of the proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in additional cumulatively considerable noise, or ground-borne noise and vibration impacts.	LTS	N/A	
POPULATION AND HOUSING			
POP-1: The proposed Project would not induce substantial unexpected population growth, or growth for which inadequate planning has occurred, either directly or indirectly.	LTS	N/A	
POP-2: The proposed Project would not displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere.	LTS	N/A	
POP-3: The proposed Project would not displace substantial numbers of people, necessitating the construction of	LTS	N/A	

S = SIGNIFICANT LTS = LESS THAN SIGNIFICANT SU = SIGNIFICANT AND UNAVOIDABLE

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
replacement housing elsewhere.			
POP-4: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to population and housing.	LTS	N/A	
PUBLIC SERVICES			
PS-1: The proposed Project would not result in the provision of or need for new or physically altered fire or police protection facilities, the construction or operation of which could cause significant environmental impacts.	LTS	N/A	
PS-2: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to fire and police protection service	LTS	N/A	
PS-3: The proposed Project would not result in the provision of or need for new or physically altered school facilities, the construction or operation of which could cause significant environmental impacts.	LTS	N/A	
PS-4: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to schools.	LTS	N/A	
PS-5: The proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks and recreational facilities, the new or physically altered parks and recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.	LTS	N/A	
PS-6: The proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the	LTS	N/A	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
facility would occur, or be accelerated.			
PS-7: The proposed Project would not include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	LTS	N/A	
PS-8: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in less than significant cumulative impacts with respect to parks and recreational facilities.	LTS	N/A	
PS-9: The proposed Project would not result in the provision of or need for new or physically altered library facilities.	LTS	N/A	
PS-10: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in less than significant cumulative impacts with respect to libraries.	LTS	N/A	
TRANSPORTATION AND TRAFFIC			
TRANS-1: The proposed Project would 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.	S	Mitigation Measure TRANS-1: See discussion below.	
TRANS-1A: The proposed Project would contribute to unacceptable operation (LOS F) at Stony Point Road/Millbrae Avenue and Stony Point Road/Wilfred Avenue in the County of Sonoma under buildout conditions.	S	Mitigation Measure TRANS-1A: No feasible mitigation measures (see discussion in Chapter 4.14 of the Draft EIR).	SU
TRANS-1B: The proposed Project would contribute to unacceptable levels of service at the intersections of Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. South Ramps in the City of Rohnert Park under buildout conditions.	S	The following mitigation measures, or alternative measures deemed by the City Engineer to result in equivalent or better operation, shall be implemented as warranted by future development and traffic growth. Mitigation Measure TRANS-1B.1: Modify the Golf Course Drive	LTS

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
		West/Redwood Drive intersection by restriping the eastbound lanes to create a left-turn lane, two through lanes, and a shared through/right-turn lane; reconfiguring the southbound approach to include dual left-turn lanes, a single through lane, and a right-turn lane; adding a right-turn pocket on the westbound approach; and adding a right turn overlap signal phase on the northbound approach.	
		Mitigation Measure TRANS-1B.2: Modify the Golf Course Drive West/U.S. 101 South Ramps intersection by restriping the lanes on the southbound approach to include a left-turn/through lane, through/right-turn lane, and right-turn lane, and making associated modifications to the signal equipment. This improvement is already included in the 2011 Rohnert Park Public Facilities Financing Plan.	
TRANS-1C: The proposed Project would contribute to unacceptable LOS F operation on the northbound U.S. 101 weaving segment between Golf Course Drive and Santa Rosa Avenue buildout conditions, increasing the freeway segment's volume-to-capacity ratio by 0.01.	S	Mitigation Measure TRANS-1C: No feasible mitigation measures (see discussion in Chapter 4.14 of the Draft EIR).	SU
TRANS-1D: The proposed Project would contribute to vehicle queues exceeding available storage on the U.S. 101 Northbound off-ramp at Commerce Boulevard.	S	Mitigation Measure TRANS-1D: Implement intersection mitigation measures TRANS-1B.1 and TRANS-1B.2.	LTS
TRANS-2 : The proposed Project would not conflict with the 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.	No Impact	N/A	
TRANS-3: The proposed Project would not 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.	No Impact	N/A	
TRANS-4: The proposed Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm	LTS	N/A	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
equipment).			
TRANS-5 : Implementation of the proposed Project would not result in inadequate emergency access.	LTS	N/A	
TRANS-6: Implementation of the proposed Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	LTS	N/A	
TRANS-7: Implementation of the proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in additional cumulatively considerable impacts.	S	Mitigation Measure TRANS-7: Implement Mitigation Measures TRANS-1a through TRANS-1d.	SU
UTILITIES AND SERVICE SYSTEMS			
UTIL-1: The proposed Project would not have insufficient water supplies available to serve the project from existing entitlements and resources, or need new or expanded entitlements	LTS	N/A	
UTIL-2: The proposed Project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.	LTS	N/A	
UTIL-3: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in less than significant cumulative impacts with respect to water supply.	LTS	N/A	
UTIL-4: The proposed Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control.	LTS	N/A	
UTIL-5: The proposed Project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	LTS	N/A	

EXECUTIVE SUMMARY

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance With Mitigation
UTIL-6: The proposed Project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	LTS	N/A	
UTIL-7: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in less than significant cumulative impacts with respect to wastewater.	LTS	N/A	
UTIL-8: The proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the proposed Project's solid waste disposal	LTS	N/A	
UTIL-9: The proposed Project would comply with federal, State, and local statutes and regulations related to solid waste.	LTS	N/A	
UTIL-10: The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to solid waste.	LTS	N/A	
UTIL-11: The proposed Project itself or in conjunction with buildout of the General Plan would not result in a substantial increase in natural gas and electrical service demands, and would not require new energy supply facilities and distribution infrastructure or capacity enhancing alterations to existing facilities.	LTS	N/A	

EXECUTIVE SUMMARY

3. *Revisions to the Draft EIR*

This chapter presents specific changes to the Draft EIR that were made in response to comments made by the public, as well as staff-directed changes including typographical corrections and clarifications. In each case, the revised page and location on the page is presented, followed by the textual, tabular, or graphical revision. Underline text represents language that has been added to the EIR; text with strikethrough has been deleted from the EIR.

None of the revisions constitute ‘significant new information’ pursuant to CEQA Guidelines Section 15088.5.¹ As such, recirculation of the Draft EIR is not required.

3.1 REVISIONS TO CHAPTER 2, INTRODUCTION

The first paragraph on page 2-1 under subheading “2.2 EIR Scope” is hereby amended as follows:

This document is a Program EIR that analyzes potential environmental impacts of the adoption of the proposed Specific Plan. As a Program EIR, it is not project-specific, and does not evaluate the impacts of specific projects that may be proposed under the Specific Plan. Such subsequent projects will require a separate environmental review to secure the necessary development permits. While subsequent environmental review may be tiered off this Program EIR, this Program EIR is not intended to address impacts of individual projects. However, if the Program EIR addresses the program’s effects as specifically and comprehensively as is reasonably possible, and later activities that are within scope of the effects examined in the Program EIR, and additional environmental review may not be required for those future projects. (See CEQA Guidelines Section 15168[c] and CEQA streamlining provisions.) When a Program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of the Program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR unless the activity qualifies for an exemption. For these subsequent environmental review documents, this Program EIR will serve as the first-tier environmental analysis. The Program EIR can also serve to streamline future environmental review of subsequent projects.

3.2 REVISIONS TO CHAPTER 3, PROJECT DESCRIPTION

The third full paragraph on page 3-9 under the subheading “3.3 description of the Proposed Specific Plan” is hereby amended as follows:

¹ 14 California Code Regulations Section 15088.5

REVISIONS TO THE DRAFT EIR

The Specific Plan assumes this development would occur through 2035, which is considered the Specific Plan Horizon. The timeframe and the rate of development within the Specific Plan Area are subject to variation based on market demands, the regional economy, and other socioeconomic factors. The buildout projections shown in Table 3-1 provide a conceptual development program for overall square footage of new development for environmental review purposes. The Specific Plan represents a development program that is conceptual and may not be built out exactly as depicted over the next 20 years. Neither the Specific Plan nor the EIR place a cap on the level of development that may occur in the future. However, potential future development in the Specific Plan Area that exceed the buildout projections analyzed in this EIR would require additional environmental review, per CEQA as determined by the City.

The first paragraph on page 3-10 under the subheading “Commercial-R” is hereby amended as follows:

As shown in Figure 3-5, Commercial – R uses are designated for parcels fronting the north side of Golf Course Drive West. This designation is intended to provide sites for retail areas containing a wide variety of businesses, including: retail stores, eating and drinking establishments, commercial recreation, ~~service stations, automobile sales and repair services,~~ financial, business and personal services, hotels and motels, and educational and social services. In order to provide for the housing anticipated in the Housing Element, and provide for internal consistency between the Land Use Element and the Housing Element, residential uses may be conditionally permitted. Maximum permitted Floor Area Ratio (FAR)⁷ is 1.5 for hotels and 0.4 for all other uses. Letter designation on the General Plan Diagram may limit the type of commercial uses in certain districts, as follows:

- R (*Regional*). Shopping centers that typically include department stores or big-box stores, which attract consumers from outside the city. Neighborhood-oriented commercial uses may be limited within this district.

Table 3-1.1 shows permitted land uses in the Commercial-R land use designation.

TABLE 3-1.1 COMMERCIAL-R PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Amusement Center (e.g. miniature golf, golf driving range, bowling alley, cyber cafe) (B)</u>	
■ <u>Small (e.g., indoors: commercial shopping center)</u>	<u>A</u>
■ <u>Large (e.g., indoors or outdoors: stand-alone facility)</u>	<u>C</u>
<u>Animal Hospital/Veterinary Clinic</u>	<u>C</u>
<u>Antique Store</u>	<u>P</u>
<u>Arcade Games/Cybercafes (B)</u>	<u>P/A</u>
<u>Automobile Service Station (C)</u>	<u>C</u>
<u>Bakery (Retail Sales)</u>	<u>P</u>
<u>Bank/Savings & Loan/Credit Union (see Drive-Through Windows) (I)</u>	<u>P</u>
<u>Bar/Nightclub (R)</u>	<u>C</u>
<u>Barber/Beauty Shop/Tanning Salon</u>	<u>P</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.1 COMMERCIAL-R PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Bath House/Spa</u>	<u>C</u>
<u>Billiards Parlor (R)</u>	<u>P</u>
<u>Broadcasting Studio</u>	<u>C</u>
<u>Clubs & Lodges</u>	<u>C</u>
<u>Commercial Filming Studio</u>	<u>C</u>
<u>Communication Facility (F)</u>	<u>C/A</u>
<u>Convention Center</u>	<u>C</u>
<u>Cultural Institution (e.g. museums)</u>	<u>C</u>
<u>Day Care Center (Non-Residential)</u>	<u>C</u>
<u>Drive-Through Window (any use) (I)</u>	<u>C</u>
<u>Drive-Through Window (pharmacy) (I)</u>	<u>C</u>
<u>Dry Cleaning Outlet</u>	<u>P</u>
<u>Firearm Dealers and Firearm Ammunition Dealers (J)</u>	<u>C</u>
<u>Florist</u>	<u>P</u>
<u>Food Store</u>	
▪ <u>Convenience Store</u>	<u>C</u>
▪ <u>Supermarket</u>	<u>C</u>
<u>Furniture Store</u>	
▪ <u>Small/Custom Order</u>	<u>C</u>
▪ <u>Large</u>	<u>C</u>
<u>Health Club</u>	<u>A</u>
<u>Homeless Shelter (M)</u>	
▪ <u>Small (6 or less persons)</u>	<u>P</u>
▪ <u>Large (7 or more persons)</u>	<u>P</u>
<u>Hotel/Motel (No in-room food preparation unless applied for and approved as part of project approval or separately.)</u>	<u>P</u>
<u>Interior Decorator</u>	<u>P</u>
<u>Kennel (Commercial) (O)</u>	<u>C</u>
<u>Laboratory</u>	
▪ <u>In conjunction with a medical, dental or optical use</u>	<u>P(I)</u>
<u>Laundromat</u>	

REVISIONS TO THE DRAFT EIR

TABLE 3-1.1 COMMERCIAL-R PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Liquor Store (Off-Sale) (R)</u>	<u>C</u>
<u>Live Entertainment</u>	<u>C</u>
<u>Massage Therapy (see Chapter 9.80 of Zoning Code)</u>	<u>P</u>
<u>Microbrewery with restaurant</u>	<u>P</u>
<u>Office</u>	
▪ <u>Professional and Administrative</u>	<u>C</u>
▪ <u>Medical and Dental</u>	<u>C</u>
<u>Parking Lot (Commercial)</u>	<u>C</u>
<u>Pharmacy (see Drive-Through Window) (I) (Does not include a Medical Marijuana Dispensary, which is a prohibited use within the City.)</u>	<u>P</u>
<u>Photography Studio</u>	<u>P</u>
<u>Printing & Blueprinting</u>	
▪ <u>Small Copy Center</u>	<u>P</u>
▪ <u>Print Shop</u>	<u>P</u>
<u>Private/Public Utility Facility (F)</u>	
▪ <u>Minor</u>	<u>Z/C</u>
▪ <u>Major</u>	<u>C</u>
<u>Public Assembly</u>	<u>A</u>
<u>Public Facility-Non-city owned or proposed (see also Public Utility)</u>	<u>P</u>
<u>Public Facility-City owned or proposed (subject to Planning Commission review on referral from City Council)</u>	<u>P</u>
<u>Recovery Facility</u>	
▪ <u>Small (6 or less persons)</u>	<u>A</u>
▪ <u>Large (7 or more persons)</u>	<u>C</u>
<u>Recycling Facility (V)</u>	
▪ <u>Reverse Vending Machines</u>	<u>P</u>
▪ <u>Small Collection Facility</u>	<u>A</u>
<u>Religious Assembly</u>	<u>C</u>
<u>Residential Care Facility</u>	
▪ <u>Congregate Care/Assisted Living</u>	<u>C</u>
▪ <u>Convalescent Hospital</u>	<u>C</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.1 COMMERCIAL-R PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
■ <u>Senior Housing (Independent Living)</u>	<u>C</u>
<u>Restaurant</u>	
■ <u>General</u>	<u>P</u>
■ <u>Fast Food (see also Drive-Through Window- I)</u>	<u>C</u>
■ <u>Outdoor & Sidewalk Cafe (S)</u>	<u>A</u>
■ <u>Take Out/Delivery</u>	<u>P</u>
■ <u>With Bar & Live Entertainment (R)</u>	<u>C</u>
<u>Retail, General and Specialty</u>	<u>P</u>
■ <u>Department or Big Box Retail</u>	<u>P</u>
<u>Retail Warehouse Store (e.g., big box)</u>	<u>C</u>
<u>Sign Shop</u>	
■ <u>Small (e.g., typically located in a small office/retail space)</u>	<u>C</u>
■ <u>Large</u>	<u>C</u>
<u>Single Room Occupancy Living Unit Facility (Z)</u>	<u>A</u>
<u>Single Room Occupancy Residential Hotel (Z)</u>	<u>A</u>
<u>Studio (e.g. Dance, Martial Arts)</u>	<u>P</u>
<u>Tailor</u>	<u>P</u>
<u>Tattoo/Piercing Studio</u>	<u>P</u>
<u>Telecom Center</u>	
<u>Temporary Use/Event (EE, see also DD)</u>	
■ <u>Arts & Crafts Show</u>	<u>I</u>
■ <u>Circus/Carnival</u>	<u>I</u>
■ <u>Flea Market/Swap Meet</u>	<u>A</u>
■ <u>Live Entertainment</u>	<u>A</u>
■ <u>Outdoor Exhibit</u>	<u>I</u>
■ <u>Recreation Event</u>	<u>A</u>
■ <u>Religious Assembly</u>	<u>A</u>
■ <u>Retail Sales</u>	<u>I</u>
■ <u>Seasonal Lot/Activity (e.g. Christmas trees, pumpkins)</u>	<u>I</u>
■ <u>Trade Fair</u>	<u>I</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.1 COMMERCIAL-R PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Theater</u>	<u>C</u>
<u>Thrift Shop</u>	<u>P</u>
<u>Transit Facility</u>	<u>C</u>
<u>Upholstery Shop</u>	<u>A</u>

Uses not shown are prohibited unless determined by the Planning Director to be consistent with the Specific Plan.

P - Permitted

C - Conditionally-permitted by Planning Commission

A - Administrative Permit

Z - Certificate of Zoning Compliance

T - Temporary Conditional Permit

I - Uses Allowed as Incidental to a Primary Use

If the listed land use is followed by a letter or a section reference in parenthesis, that number or reference directs the reader to the corresponding land use footnote or special provision in Municipal Code Section 17.07.020.

The following is inserted following the second paragraph under subheading "Industrial" on page 3-10 of the Draft EIR:

Table 3-1.2 shows permitted land uses in the Industrial land use designation.

TABLE 3-1.2 INDUSTRIAL PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Agricultural Processing (includes viticulture)</u>	<u>C</u>
<u>Agricultural Services</u>	<u>A</u>
<u>Aircraft Related Industry</u>	<u>A</u>
<u>Animal Hospital/Veterinary Clinic</u>	<u>A</u>
<u>Ambulance Service</u>	<u>A</u>
<u>Appliance Repair Service</u>	<u>P</u>
<u>Auto Parts Sales & Installation</u>	<u>P</u>
<u>Automobile Service Station (C)</u>	<u>C</u>
<u>Beverage Bottling Plant</u>	<u>P</u>
<u>Boat, RV, and Outdoor Storage Facility (E)</u>	<u>C</u>
<u>Boat Building</u>	<u>P</u>
<u>Brewery/Distillery/Winery (R)</u>	<u>A</u>
<u>Broadcasting Studio</u>	<u>A</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.2 INDUSTRIAL PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Car Wash</u>	<u>P</u>
<u>Clubs & Lodges</u>	<u>C</u>
<u>Commercial Filming Studio</u>	<u>P</u>
<u>Communication Facility (F)</u>	<u>C/A</u>
<u>Contractors' Storage Yard</u>	<u>C</u>
<u>Convention Center</u>	<u>C</u>
<u>Cooperage</u>	<u>P</u>
<u>Cultural Institution (e.g. museums)</u>	<u>C</u>
<u>Dairy Products Processing</u>	<u>P</u>
<u>Day Care Center (Non-Residential)</u>	<u>C(I)</u>
<u>Dry Cleaning Plant</u>	<u>A</u>
<u>Exterminator</u>	<u>P</u>
<u>Food Processor</u>	<u>C</u>
<u>Fuel Storage</u>	<u>C</u>
<u>Funeral Parlor/Mortuary</u>	<u>C</u>
<u>Health Club</u>	<u>P(I)</u>
<u>Household Hazardous Waste Facility</u>	<u>C</u>
<u>Household Services/Contractors (e.g. plumbing, painting, electrical, interior decorating)</u>	<u>P</u>
<u>Kennel (Commercial) (O)</u>	<u>C</u>
<u>Laundries/Linen Supply Service</u>	<u>P</u>
<u>Light Manufacturing and/or Assembly (Laboratory requirements to Biosafety Levels 1 and 2)</u>	<u>P</u>
<u>Lumber Yard</u>	<u>P</u>
<u>Massage Therapy (see Chapter 9.80 of Zoning Code)</u>	<u>P(I)</u>
<u>Medical Laboratory</u>	<u>A</u>
<u>Microbrewery</u>	
ⁱⁱⁱ <u>with restaurant</u>	<u>C</u>
ⁱⁱⁱ <u>without restaurant</u>	<u>P</u>
<u>Nursery (Horticulture)</u>	<u>P</u>
<u>Office</u>	<u>A</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.2 INDUSTRIAL PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Parking Lot (Commercial)</u>	<u>C</u>
<u>Parcel Delivery Service</u>	<u>P</u>
<u>Personal Services</u>	
▪ <u>As a Principal Use</u>	<u>A</u>
▪ <u>As an Incidental Use</u>	<u>I</u>
<u>Photographic Plant</u>	<u>P</u>
<u>Printing & Blueprinting</u>	<u>P</u>
<u>Private/Public Utility Facility (F)</u>	
▪ <u>Minor</u>	<u>Z/C</u>
▪ <u>Major</u>	<u>C</u>
<u>Public Assembly</u>	<u>C</u>
<u>Public Facility—Non-City owned or proposed (see also Public Utility)</u>	<u>C</u>
<u>Public Facility—City owned or proposed (subject to Planning Commission review on referral from City Council)</u>	<u>P</u>
<u>Publishing</u>	<u>P</u>
<u>Recycling Facility (V)</u>	
▪ <u>Reverse Vending Machines</u>	<u>P</u>
▪ <u>Small Collection Facility</u>	<u>A</u>
▪ <u>Large Collection Facility</u>	<u>C</u>
▪ <u>Light Processing Facility</u>	<u>C</u>
<u>Religious Assembly</u>	<u>C</u>
<u>Research and Development (Laboratory requirements to Biosafety Levels 1 and 2 only)</u>	<u>P</u>
<u>Restaurant (I)</u>	
▪ <u>As an Incidental Use</u>	<u>A</u>
<u>Retail Use</u>	
▪ <u>As an Incidental Use</u>	<u>A</u>
<u>Retail Warehouse</u>	<u>C</u>
<u>School</u>	
▪ <u>Trade School</u>	<u>A</u>
▪ <u>High School</u>	<u>C</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.2 INDUSTRIAL PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Security Guard Residence</u>	<u>I</u>
<u>Self-Storage Facility (Y)</u>	<u>C</u>
<u>Sign Shop</u>	<u>P</u>
<u>Stone Works</u>	<u>P</u>
<u>Studio (e.g. Dance, Martial Arts)</u>	<u>A</u>
<u>Taxidermist</u>	<u>A</u>
<u>Telecom Center</u>	<u>A</u>
<u>Temporary Use/Event (EE, see also DD)</u>	
▪ <u>Arts & Crafts Show</u>	<u>I</u>
▪ <u>Circus/Carnival</u>	<u>I</u>
▪ <u>Flea Market/Swap Meet</u>	<u>A</u>
▪ <u>Live Entertainment</u>	<u>A</u>
▪ <u>Outdoor Exhibit</u>	<u>A</u>
▪ <u>Recreational Event</u>	<u>A</u>
▪ <u>Religious Assembly</u>	<u>A</u>
▪ <u>Retail Sales</u>	<u>A</u>
▪ <u>Seasonal Lot/Activity (e.g. Christmas trees, pumpkins)</u>	<u>I</u>
▪ <u>Trade Fair</u>	<u>I</u>
<u>Towing Service/Impound Yard</u>	<u>A</u>
<u>Trucking Terminal (including moving & storage)</u>	<u>A</u>
<u>Upholstery Shop</u>	<u>P</u>
<u>Vehicle Storage Yard</u>	<u>A</u>
<u>Vehicular Dealerships/Rentals (incl. boats, farm & construction equip.) (FF)</u>	<u>A</u>
<u>Vehicle Repair/Body Shops (GG)</u>	<u>P</u>
<u>Warehousing/Wholesaling</u>	<u>P</u>

Uses not shown are prohibited unless determined by the Planning Director to be consistent with the Specific Plan.

P - Permitted

C - Conditionally-permitted by Planning Commission

A - Administrative Permit

Z - Certificate of Zoning Compliance

T - Temporary Conditional Permit

I - Uses Allowed as Incidental to a Primary Use

If the listed land use is followed by a letter or a section reference in parenthesis, that number or reference directs the reader to the corresponding land

REVISIONS TO THE DRAFT EIR

TABLE 3-1.2 INDUSTRIAL PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>use footnote or special provision in Municipal Code Section 17.07.020.</u>	

The text under subheading “Mixed Use” on page 3-12 of the Draft EIR is hereby amended as follows:

This designation accommodates a variety of compatible businesses, stores, institutions, service organizations, hotels, and residences in a pedestrian-oriented setting. Allowable uses include multi-family residences (up to 24 dwelling units per acre), retail shops, financial, business and personal services, and restaurants. This designation is intended to accommodate these uses in a pedestrian-oriented environment that provides access to residents’ basic everyday needs and is designed to promote walkability. Uses in this area may be accommodated in the same building or horizontally mixed. Maximum FAR for commercial uses are allowed up to 1.5 for commercial and mixed-use projects that do not include residential. Mixed-use projects containing residential and commercial uses are allowed to a total FAR of 2.0. Automotive (e.g. motor vehicle sales, motor vehicle part sales, and gasoline stations) and drive-through establishments are not permitted, but may be allowed within Planned Development and Specific Plan areas if the governing provisions for such areas expressly provide otherwise.

~~In general, the maximum FAR for developments with a non-residential mix of uses is 1.5 and for residential and non-residential uses combined is 2.0; however, in Planned Developments and Specific Plan areas, limitations on maximum FAR shall be as set forth in the applicable zoning district. Separate residential density limitations are not established; however, minimum unit size requirements established in the Zoning Ordinance will result in maximum density limitations. In addition, limitations on the size and location of parking, coupled with building orientation and design standards, as specified in Specific Plan Chapter 3 (Community Design) and/or the Zoning Ordinance will ensure that a pedestrian-oriented environment is created.~~

Table 3-1.3 shows permitted land uses in the Mixed-Use land use designation.

TABLE 3-1.3 MIXED-USE PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Amusement Center (e.g. video games, other indoor amusements)</u>	<u>C</u>
<u>Antique Store</u>	<u>C</u>
<u>Bakery (Retail Sales)</u>	<u>C</u>
<u>Bank/Savings & Loan/Credit Union (drive-through windows not permitted)</u>	<u>C</u>
<u>Bar/Nightclub (R)</u>	<u>C</u>
<u>Barber/Beauty Shop</u>	<u>C</u>
<u>Bath House/Spa</u>	<u>C</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.3 MIXED-USE PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Bed & Breakfast Inns (D)</u>	<u>C</u>
<u>Billiards Parlor (R)</u>	<u>P</u>
<u>Communication Facility (F)</u>	<u>C/A</u>
<u>Cultural Institutions (e.g. museums)</u>	<u>A</u>
<u>Day Care Center (Non-Residential)</u>	<u>C</u>
<u>Dry Cleaning Outlet</u>	<u>P</u>
<u>Florist</u>	<u>P</u>
<u>Food Store</u>	
▪ <u>Under 15,000 square feet</u>	<u>P</u>
▪ <u>Between 15,000 sq. ft. and 40,000 sq. ft.</u>	<u>C</u>
<u>Health Club</u>	<u>P</u>
<u>Hotel (100 rooms or less) (No food preparation unless applied for and approved as part of project approval or separately.)</u>	<u>C*</u>
<u>Interior Decorator</u>	<u>P</u>
<u>Laboratory</u>	
▪ <u>In conjunction with a medical, dental or optical use</u>	<u>P(I)</u>
<u>Laundromat</u>	<u>P</u>
<u>Liquor Store (Off-Sale) (R)</u>	<u>C*</u>
<u>Live Entertainment (R)</u>	<u>C*</u>
<u>Massage Therapy (see Chapter 9.80 of Zoning Code)</u>	<u>P</u>
<u>Medical Clinic</u>	<u>A</u>
<u>Microbrewery (with restaurant)</u>	<u>C*</u>
<u>Office</u>	
▪ <u>Professional and Administrative</u>	<u>P</u>
▪ <u>Medical and Dental</u>	<u>P</u>
<u>Pharmacy (drive-through windows not permitted) (Does not include a Medical Marijuana Dispensary, which is a prohibited use within the City.)</u>	<u>P*</u>
<u>Photography Studio</u>	<u>P</u>
<u>Printing</u>	
▪ <u>Small Copy Center</u>	<u>P</u>
<u>Public Assembly</u>	<u>C</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.3 MIXED-USE PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
<u>Public Facility (e.g. police and fire stations, community centers, government offices)</u>	<u>C</u>
<u>Religious Assembly</u>	<u>A</u>
■ <u>Homeless shelter (6 or less persons)</u>	<u>P</u>
<u>Residential Facility</u>	
■ <u>Congregate Care/Assisted Living</u>	<u>A</u>
■ <u>Convalescent Hospital</u>	<u>A</u>
■ <u>Single Room Occupancy Living Unit Facility (Z)</u>	<u>P</u>
■ <u>Single Room Occupancy Residential Hotel (Z)</u>	<u>P</u>
■ <u>Senior Housing (Independent Living)</u>	<u>P</u>
<u>Residential Use</u>	
■ <u>Live/Work (P)</u>	<u>P</u>
■ <u>Multi-Family</u>	<u>P</u>
■ <u>Townhouse</u>	<u>P</u>
<u>Restaurant</u>	
■ <u>General</u>	<u>P</u>
■ <u>Outdoor & Sidewalk Café (S)</u>	<u>A</u>
■ <u>Take Out/Delivery (drive-through windows not permitted)</u>	<u>P</u>
■ <u>With Bar & Live Entertainment (R)</u>	<u>C</u>
<u>Retail, General and Specialty</u>	<u>P</u>
<u>School</u>	
■ <u>Elementary or Secondary</u>	<u>C**</u>
■ <u>High School</u>	<u>C**</u>
■ <u>Trade School</u>	<u>C**</u>
■ <u>College</u>	<u>C**</u>
<u>Studio (e.g. Dance, Martial Arts)</u>	<u>A</u>
<u>Tailor</u>	<u>P</u>
<u>Tattoo/Piercing Studio</u>	<u>C</u>
<u>Temporary Use/Event (EE; see also DD)</u>	
■ <u>Arts & Crafts Show</u>	<u>I</u>

REVISIONS TO THE DRAFT EIR

TABLE 3-1.3 MIXED-USE PERMITTED LAND USES

<u>Land Use Category</u>	<u>Type of Permit</u>
■ <u>Circus/Carnival</u>	<u>I</u>
■ <u>Flea Market/Swap Meet</u>	<u>I</u>
■ <u>Live Entertainment</u>	<u>I</u>
■ <u>Outdoor Exhibit</u>	<u>I</u>
■ <u>Recreational Event</u>	<u>I</u>
■ <u>Religious Assembly</u>	<u>C</u>
■ <u>Retail Sales</u>	<u>I</u>
■ <u>Seasonal Lot/Activity (e.g. Christmas trees, pumpkins)</u>	<u>I</u>
■ <u>Trade Fair</u>	<u>I</u>
<u>Theater (under 500 seats)</u>	<u>C*</u>
<u>Transit Facility (e.g. bus or train station)</u>	<u>C</u>
<u>Visitor Center</u>	<u>P</u>

Notes:

Uses not shown are prohibited unless determined by the Planning Director to be consistent with the Specific Plan.

P - Permitted

C - Conditionally-permitted by Planning Commission

A - Administrative Permit

Z - Certificate of Zoning Compliance

T - Temporary Conditional Permit

I - Uses Allowed as Incidental to a Primary Use

If the listed land use is followed by a letter or a section reference in parenthesis, that number or reference directs the reader to the corresponding land use footnote or special provision in Municipal Code Section 17.07.020.

The first paragraph under the subheading “Parks/Recreation” on page 3-12 is hereby amended as follows:

The Specific Plan designates 1.3 acres as Parks/Recreation and includes a provision that 3.5 additional acres of park space will be provided as part of the trail system and adjacent to detention areas throughout the Plan Area. The following park and open space features are recommended by the Specific Plan. The exact nature and design components of individual open spaces are not known at this time and will be determined as development occurs within the Specific Plan Area. Refer to the City’s Zoning Code for permitted uses and regulations regarding Parks/Recreation uses.

The text under the subheading “3.4 General Plan Amendments” on pages 3-20 and 3-21 are hereby amended as follows:

REVISIONS TO THE DRAFT EIR

The Specific Plan will require a number of General Plan Amendments to ensure consistency between the Specific Plan and the City's General Plan. The analysis in this EIR reflects these amendments, which the City will adopt as required by State law. Proposed General Plan land use designations are shown in Figure 3-35. As shown, the Specific Plan designates properties using the "Commercial – R" designation, the "Mixed Use" designation, and the "Industrial" designation. Additional General Plan amendments will include the following:

- Revisions to the Land Use Element to update relevant land use figures and Policy LU-20, which outlines the development range of the Specific Plan Area, and Policy LU-21, which describes general land use standards for the Specific Plan Area.
- Revisions to the General Plan Housing Element to account for annexation of the Specific Plan Area.
- Revisions to the Transportation Element in order to designate Dowdell Avenue south of Golf Course Drive West as Major Collector and update relevant figures.

3.3 REVISIONS TO CHAPTER 4.3, AIR QUALITY

Pages 4.3-40 through 4.3-41, under Mitigation Measure AIR-4 is hereby amended as follows:

Light industrial land uses may generate substantial quantities of air pollutants within 1,000 feet of off-site sensitive receptors. In addition, proposed sensitive land uses in the Specific Plan may be within 1,000 feet of major sources of air pollutants.

Mitigation Measure AIR-4a: Applicants for future warehousing and other industrial land uses within the Specific Plan that that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), as measured from the property line of the proposed Project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Bay Area Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to:

- Restricting idling on-site.
- Electrifying warehousing docks.
- Requiring use of newer equipment and/or vehicles.
- Restricting offsite truck travel through the creation of truck routes.

In addition, diesel generators shall meet the California Air Resources Board's Tier 4 emissions standards. T-BACTs and Tier 4 generators identified in the HRA shall be identified as mitigation measures in the

REVISIONS TO THE DRAFT EIR

environmental document and/or incorporated into the site development plan as a component of the proposed Project.

Mitigation Measure AIR-4b: Applicants for residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) within the Specific Plan within 1,000 feet of a major sources of TACs (e.g., warehouses, industrial, or roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the Project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:

- Air intakes located away from high volume roadways and/or truck loading zones.
- Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.
- Place residents as far away from truck activities, including loading docks and delivery areas, as feasible.

Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Planning Development Services Department.

3.4 REVISIONS TO CHAPTER 4.4, BIOLOGICAL RESOURCES

The text under the subheading **Mitigation Measure BIO-1a** on pages 4.4-32 and 4.4-33 is hereby amended as follows:

Mitigation Measure BIO-1a: Prior to individual project approval under the Specific Plan, the City shall require the preparation and submittal of a protocol-level survey conducted by a qualified biologist to the Rohnert Park ~~Community~~ Development Services Department as required by the California Endangered Species Act and the Federal Endangered Species Act. The protocol-level survey shall determine the potential for special-status plant and/or wildlife species, including nesting birds and birds protected under the Migratory Bird Treaty Act, to occur within or adjacent to the proposed development Specific Plan Area. The survey should be conducted within the blooming period of all special-status plant species identified in Table 4.4-4 that have the potential to occur on the specific development project site. If a special-status species are observed during the survey, then appropriate alternative measures should be executed as follows:

REVISIONS TO THE DRAFT EIR

- 1) The City shall require pre-construction surveys within 30 days prior to the commencement of grading and/or construction activities.
- 2) As appropriate based on the results of the pre-construction surveys, construction limits shall be clearly flagged as directed by the biologist to ensure that impacts to sensitive biological resources are avoided or minimized to the extent feasible.
- 3) All plants within the construction footprint (including staging areas) shall be transplanted to a mitigation site approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). Lost plant habitat that is occupied by special status plants shall be replaced at a ratio of two acres of replacement habitat for each acre of special- status plant habitat lost. The success of the transplantation program shall be evaluated to have been achieved if 80 percent or more of the transplanted plants have survived five years after transplantation. Mitigation projects will be monitored annually for five years using success criteria developed in coordination with the CDFW and USFWS.
- 4) If special-status species identified in the Santa Rosa Plain Conservation Strategy (SRPCS) are found to be present on site, the project applicant shall follow the standards prescribed in the SRPCS, which requires that three surveys per year shall be conducted and a minimum of two years of negative results be reported to accurately state that each of the above mentioned species is not present. Impacts to habitat could require mitigation in the form of preservation of the same habitat at a 2:1 ratio. If no special-status plant species are observed but habitat for them is present, mitigation in the form of preservation of the same habitat at a 1:1 ratio could be required.
- 5) As appropriate based on the results of the preconstruction surveys, the City shall require:
 - Development and implementation of contractor training to educate project contractors on the sensitive biological resources within and adjacent to the project site and the measures being implemented to avoid and minimize impacts
 - That a qualified biological monitor be present during a portion or all of the construction activities to ensure impacts to the sensitive biological resources are avoided or minimized to the extent feasible;
 - That project applicants obtain written authorization from the USFWS that the grading or construction activity complies with regulations on the “take” of the listed species,
 - That any mitigation requirements set forth by such agencies be incorporated into the project’s final design plans.

The text under the subheading Mitigation Measure BIO-1f on page 4.4-34 is hereby amended as follows:

Mitigation Measure BIO-1f: If the California tiger salamander (CTS)habitat is determined to be on-site based on protocol surveys performed in accordance with the USFWS CTS survey protocol guidelines, ~~the City shall require the applicant initiate then a~~ formal consultation with USFWS shall be initiated. Based on the ensuing Biological Opinion provided by the USFWS as part of the consultation, further measures may be necessary including a CTS ~~protocol survey per the USFWS CTS survey protocol guidelines~~ pre-construction survey before initiation of any grading and construction activities would be permitted to begin. Compensation of CTS habitat loss might be required at a mitigation ratio to be determined during the consultation process.

REVISIONS TO THE DRAFT EIR

The Santa Rosa Plains Conservation Strategy and the Programmatic Biological Opinion shall govern the applicable mitigation ratios for effects on CTS for future activities.

The text under the subheading Mitigation Measure BIO-2a on page 4.4-34 is hereby amended as follows:

Mitigation Measure BIO-2a: The City shall require the applicant of a development proposal permitted under the Specific Plan where wetlands may be ~~are present or are unknown~~ to conduct a wetland delineation according to the current U.S. Army Corps of Engineers (USACE) standards (e.g., 1987 USACE Wetland Delineation Manual and the 2008 Regional Supplement to the USACE Wetland Delineation Manual: Coast Region). The developer shall submit this delineation shall be submitted to and verified by the USACE and the City as part of the entitlement application for prior to City approval of any specific development proposal project. Verification of the wetland delineation shall be conducted by the USACE as part of the Section 404 permit process prior to issuance of a grading permit.

The text under the subheading Mitigation Measure BIO-2b on pages 4.4-34 and 35 is hereby amended as follows:

Mitigation Measure BIO-2b: If a wetland delineation map is required per Mitigation Measure BIO-2a, ~~once it is "verified" by USACE and the full extent of waters of the United States /State is known~~ the City shall ~~require~~ the applicant of a development proposal permitted under the Specific Plan ~~shall~~ to design the project so that avoidance or minimization of wetland impacts occurs on the site through the use of Best Management Practices (BMPs) to protect waters of the United States /State and to ensure that water quality standards are not compromised. These practices can include installing construction fencing buffers, straw waddles to keep fill from entering preserved/avoided wetlands and other waters, and other protective measures; and requiring a biological monitor be on-site during project construction to monitor the integrity of any preserved wetlands and other waters during mass grading or filling of the project site. In accordance with the federal Clean Water Act Section 404(b)(1) guidelines, avoidance and then minimization must be given first consideration in the sequence for mitigating wetlands impacts.

The text under the subheading Mitigation Measure BIO-2d on page 4.4-35 is hereby amended as follows:

Mitigation Measure BIO-2d: As a condition of project approval ~~At the time permits are issued for any portion or all of the documented wetland habitat that is not avoided,~~ the City shall require that the project developer mitigate for impacts to wetlands to achieve a no net loss of wetland habitat. In accordance with the 2008 USACE/U.S. EPA Compensatory Mitigation Rule, wetlands mitigation may consist of (1) the purchase of wetland mitigation credits from to establish a USFWS/ CDFW/ USACE-approved mitigation bank; (2) on-site or off-site permittee-responsible mitigation; or (3) participation in an approved in-lieu fee mitigation program. Mitigation shall be provided in perpetuity at the applicable restoration, creation, enhancement, and/or preservation ratios established in accordance with state and federal laws. Current restoration/creation ratios are ~~The project developer shall reconstruct vernal pool habitat at a replacement ratio of 1:1 for wetland/vernal pool habitat creation and 2:1 for wetland/vernal pool habitat preservation for each acre of wetland/vernal pool habitat impacted. A final determination of these mitigation/restoration ratio totals shall be established in consultation with the USFWS, CDFW and/or USACE. The Project developer will permanently~~

REVISIONS TO THE DRAFT EIR

~~protect the agreed-upon acreage of vernal pool habitat within the mitigation bank via a USFWS/CDFW approved conservation easement, to be held by a USFWS/CDFW approved entity.~~

The text on the last paragraph of page 4.4-35 is hereby amended as follows:

Significance With Mitigation: ~~Compliance with a~~ Applicable federal, State, and local regulations, together with Mitigation Measures BIO-1a through BIO-1f above would reduce potential impacts to special-status species that could result from future development under the Specific Plan, to the maximum extent practicable. Additionally, subsequent projects permitted under the proposed Specific Plan that would involve development in areas where special status plant and wildlife species may occur would be required to comply with all applicable laws protecting biological resources, which require mitigation for impacts to special-status species. Nonetheless, given that there are portions of the Specific Plan Area that were not accessible during the preparation of the Biological Assessment, impacts to special-status species as a result of implementing the Specific Plan would be remain significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered significant and unavoidable.

The last paragraph on page 4.4-35 is hereby amended as follows:

Significance With Mitigation: Compliance with applicable federal, State, and local regulations, together with Mitigation Measures BIO-2a through BIO-2d above would reduce potential impacts to sensitive habitats that could result from future development under the Specific Plan, ~~to the maximum extent practicable.~~ Additionally, subsequent projects permitted under the Specific Plan that would involve development in areas where sensitive habitats may occur would be required to comply with all applicable laws protecting biological resources, which require mitigation for impacts. Nonetheless, given that there are portions of the Specific Plan Area that were not accessible during the preparation of the Biological Assessment, impacts to sensitive habitats as a result of implementing the Specific Plan would be remain significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered significant and unavoidable.

3.5 REVISIONS TO CHAPTER 4.5, CULTURAL RESOURCES

Page 4.5-6, the last paragraph under the subheading “Paleontological and Archaeological Resources” is hereby amended as follows:

The ~~Northeast~~ Northwest Information Center (~~NEIC~~NWIC) has no record of prehistoric or historical archaeological sites within the Specific Plan Area; however, only 30 percent of the Specific Area Plan parcels have been surveyed for the presence of archaeological resources.

3.6 REVISIONS TO CHAPTER 4.14, TRANSPORTATION AND TRAFFIC

The following is inserted above the first paragraph on page 4.14-53 of the Draft EIR:

The following Specific Plan policy requires development within the Plan area to be responsible for funding and completing roadway improvements at the above three intersections:

- Policy CIR-1.14 New development within the Plan area shall be responsible for funding and constructing all onsite roadway and intersection improvements identified in the Northwest Specific Plan.

The following is inserted below the bullet point beginning with “Golf Course Drive West/U.S. 101 South Ramps”:

The following Specific Plan policy would ensure that future development within the Specific Plan would contribute its proportional share toward addressing the above two offsite traffic impacts:

- Policy CIR-1.15 The City shall update the Public Facilities Finance Plan to incorporate the offsite intersection and roadway improvements identified in the Northwest Specific Plan, allowing future development within the Plan area to contribute its proportional share of the costs associated with these improvements.

4. List of Commenters

Comments on the Draft EIR were received from the following agencies and organizations. Letters are arranged by category and by the date received. Each comment letter has been assigned a number, as indicated below. Comment letters are included in Appendix A of this Final EIR.

4.1 AGENCIES AND SERVICE PROVIDERS

- A1 Katy Sanchez - State of California, Native American Heritage Commission, July 7, 2014
- A2 Ken Chiang - State of California, Public Utilities Commission, July 30, 2014
- A3 Jean Roggenkamp - Bay Area Air Quality Management District, August 4, 2014
- A4 Erik Alm - California Department of Transportation, August 4, 2014
- A5 Scott Morgan - Governor's Office of Planning and Research - State Clearinghouse and Planning Unit, August 5, 2014

4.2 PRIVATE INDIVIDUALS AND ORGANIZATIONS

- B1 Anonymous, July 7, 2014
- B2 Comments from Public Hearing on Draft EIR, July 14, 2014
- B3 Alicia Guerra - Buchalter Nemer, August 4, 2014

LIST OF COMMENTERS

5. *Comments and Responses*

This chapter includes a reproduction of, and responses to, each letter received during the public review period. Comments are presented in their original format in Appendix A, Comment Letters, along with annotations that identify each comment number.

Responses to individual comments are provided in Table 5-1 alongside the text of each corresponding comment. Letters follow the same order as listed in Chapter 4, List of Commenters, of this Final EIR and are categorized by:

- Agencies and Service Providers
- Private Individuals and Organizations

Letters are arranged by category and by date received. Each comment is labeled with a reference number in the margin.

During the review period for the Draft EIR, members of the public submitted several comments that related to the details of the proposed Project itself, convey the commenter's opinion of the proposed Project, or address the relative consequences or benefits of the proposed Project (referred to here as "merits of the proposed Project"), rather than the adequacy of the Draft EIR or the environmental issues, impacts, and mitigation measures addressed in the Draft EIR. It is important for a Lead Agency in its decision-making process to consider both the adequacy of the Draft EIR and the merits of the proposed Project. However, a Lead Agency is only required by CEQA to respond in its Final EIR to comments related to pertinent environmental issues and the adequacy of the Draft EIR.

Section 15204 of the CEQA Guidelines provides direction for parties reviewing and providing comment on a Draft EIR, as follows:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.

Section 15204 continues in relation to the role of the Lead Agency in responding to comments:

When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Although comments related to merits of the proposed Project do not require responses in the Final EIR, they do provide important input to the decision-making process. Therefore, merit- and opinion-based comment letters are included in the Final EIR to be available to the decision-makers when considering whether to adopt the proposed Project.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
AGENCIES AND SERVICE PROVIDERS		
A01	Katy Sanchez - State of California, Native American Heritage Commission	
A01-01	The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions: Contact the appropriate regional archaeological Information Center for a record search. The record search will determine: • If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources. • If any known cultural resources have already been recorded on or adjacent to the APE. • If the probability is low, moderate, or high that cultural resources are located in the APE. • If a survey is required to determine whether previously unrecorded cultural resources are present. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. • The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure. • The final written report should be submitted within 3 months after	This comment serves as an opening remark and does not address the adequacy or accuracy of information presented in the Draft EIR. The comment introduces the comments that follow, which are more precisely addressed in the responses to comments provided below.
A01-02	As shown in Appendix D, Cultural Resources, of the Draft EIR, the Cultural Resources Study prepared for the project included archival research at the Northwest Information Center (NWIC), Sonoma State University (NWIC File No. 12-1615), examination of the library and files of Tom Origer & Associates, consultation with the Native American Heritage Commission (NAHC), and a cursory survey of the area's built environment. Documentation pertaining to this study is on file at the offices of Tom Origer & Associates (File No. 13-064). As stated on page 4.5-6 in Chapter 4.5, Cultural Resources, of the Draft EIR, NWIC has no record of prehistoric or historical archaeological sites within the Specific Plan Area; however, only 30 percent of the Specific Area Plan parcels have been surveyed for the presence of archaeological resources. While not requested by the commenter, page 4.5-6 of the Draft EIR has been revised to correct the name of the information center as follows: The Northwest Northwest Information Center (NEICNWIC) has no record of prehistoric or historical archaeological sites within the Specific Plan Area; however, only 30 percent of the Specific Area Plan parcels have been surveyed for the presence of archaeological	

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	work has been completed to the appropriate regional archaeological Information Center.	resources.
		This revision is also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and does not affect any conclusions or significance determinations provided in the Draft EIR.
		Impacts to cultural resources were found to be less than significant with implementation of Mitigation Measures CULT-1 through CULT-4. These measures are in place to protect both known and unknown historic resources, including those of Native Americans. Specifically, Mitigation Measure CULT-1 on page 4.5-11 of the Draft EIR requires that future development projects permitted under the Specific Plan include a project-specific review to determine their potential to affect archaeological deposits.
A01-03	Contact the Native American Heritage Commission for: • A Sacred Lands File Check. USGS 7.5-minute quadrangle name, township, range, and section required • A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached	As discussed on page 4.5-4, in Chapter 4.5, Cultural Resources, of the Draft EIR, in compliance with Senate Bill 18, the NAHC, the Federated Indians of Graton Rancheria, Lytton Rancheria, the Ya-Ka-Ama Indian Education Center, and Suki Waters were contacted in writing as part of the preparation of this EIR on June 30, 2013. As of July 5, 2013, Nick Tipon of the Sacred Sites Protection Committee of the Federated Indians of Graton Rancheria requested to discuss the development of the Draft EIR. Copies of correspondence letters are included in Appendix D, Cultural Resources Data, of the Draft EIR. As stated above in Response to Comment A01-02, impacts to cultural resources were found to be less than significant with implementation of Mitigation Measures CULT-1 through CULT-4. These measures are in place to protect both known and unknown historic resources, including those of Native Americans. Specifically, Mitigation Measure CULT-1 requires that future development projects permitted under the Specific Plan include a project-specific review to determine their potential to affect archaeological deposits. If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, additional actions are required by this mitigation measure. In addition, Mitigation Measure CULT-4 includes requirements in the event that
A01-04	Lack of surface evidence of archeological resources does not preclude their subsurface existence. • Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) Guidelines §15064.5(f). In areas of identified archeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. • Lead agencies should include in their mitigation plan provisions for the disposition of recovered cultural items that are not burial	As stated above in Response to Comment A01-02, impacts to cultural resources were found to be less than significant with implementation of Mitigation Measures CULT-1 through CULT-4. These measures are in place to protect both known and unknown historic resources, including those of Native Americans. Specifically, Mitigation Measure CULT-1 requires that future development projects permitted under the Specific Plan include a project-specific review to determine their potential to affect archaeological deposits. If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, additional actions are required by this mitigation measure. In addition, Mitigation Measure CULT-4 includes requirements in the event that

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
A01-05	associated, which are addressed in Public Resources Code (PRC) §5097.98, in consultation with culturally affiliated Native Americans. • Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, PRC §5097.98, and CEQA Guidelines §15064.5(e), address the process to be followed in the event of an accidental discovery of any human remains and associated grave goods in a location other than a dedicated cemetery. Native American Contact List Sonoma County July 1, 2014 The Federated Indians of Graton Rancheria Gene Buvelot 6400 Redwood Drive, Ste 300 Coast Miwok Rohnert Park, CA 94928 Southern Pomo coastmiwok@aol.com (415) 279-4844 Cell (707) 566-2288 ext 1 03 Ya-Ka-Ama 7 465 Steve Olson Lane Pomo Forestville, CA 95436 Coast Miwok cbelleau@yakaama.org or Wappo (707) 887-1541 The Federated Indians of Graton Rancheria Greg Sarris, Chairperson 6400 Redwood Drive, Ste 300 Coast Miwok Rohnert Park, CA 94928 Southern Pomo coastmiwok@aol.com (707) 566-2288 Office (707) 566-2291 Fax Suki Waters	human remains are discovered during ground-disturbing activities, pursuant to Section 15064.5(e)(1) of the CEQA Guidelines, Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641)). Implementation of these mitigation measures address the recommendations of the NAHC; therefore, no revisions to the Draft EIR are necessary. The list of Native American contacts is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the project. See Response to Comment A01-03.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Response	Comment	Response
P.O. Box 53 Jenner, CA 95450 watertreks@gmail.com (707) 865-2249		Coast Miwok Pomo	
The Federated Indians of Graton Rancheria Gene Buvelot 6400 Redwood Drive, Ste 300 Rohnert Park, CA 94928 coastmiwok@aol.com (415) 279-4844 Cell (707) 566-2288 ext 1 03		Coast Miwok Southern Pomo	
This list is current only as of the date of this document.			
Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.			
This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH # 2013062005 Northwest Specific Plan, Sonoma County.			
A02	Ken Chiang - State of California, Public Utilities Commission		
A02-01	The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings Safety Section (RCSS) is in receipt of the draft Environmental Impact Report (DEIR) for the proposed City of Rohnert Park (City) Northwest Specific Plan project.	This comment describes the jurisdiction of the California Public Utilities Commission (Commission) with respect to highway-rail crossings in California and does not address the adequacy of the Draft EIR. The comment is acknowledged and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the Project.	
A02-02	The project area includes the active rail tracks. RCES recommends that	The proposed Specific Plan does not propose any new locations for at-	

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	the City add language to the Specific Plan so that any future development adjacent to or near the planned railroad right-of-way (ROW) is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at any planned at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes, and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.	grade crossings of streets and active railroad tracks. As discussed in Chapter 4.14, Transportation and Traffic, of the Draft EIR, on page 4.14-14, 13 study intersections were selected for analysis. As shown on Figure 4.14-2, no part of the Project Study Area is within the railroad right-of-way. Also shown on Figure 4.14-2, study intersection #9 (Golf Course Drive/Commerce Boulevard), study intersection #10 (Golf Course Drive/Roberts Lake Road), and intersection #11 (Commerce Boulevard/U.S. 101 North Ramps) are in close proximity to the railroad tracks. As discussed in Chapter 4.14 of the Draft EIR, impacts to these intersections as a result of project buildout would not exceed acceptable level-of-service thresholds. However, the proposed Project would contribute to vehicle queues exceeding available storage on the U.S. 101 northbound off-ramp at Commerce Boulevard under buildout conditions. Implementation of Mitigation Measure TRANS-1B.1 and TRANS-1B.2 would reduce impacts to a less-than-significant level. Specifically, Mitigation Measure TRANS-1B.1 requires modifications to Golf Course Drive West/Redwood Drive intersection by restriping the eastbound lanes to create a left-turn lane, two through lanes, and a shared through/right-turn lane; reconfiguring the southbound approach to include dual left-turn lanes, a single through lane, and a right-turn lane; adding a right-turn pocket on the westbound approach; and adding a right turn overlap signal phase on the northbound approach. Mitigation Measure TRANS-1B.2 requires modifications to the Golf Course Drive West/U.S. 101 South Ramps intersection by restriping the lanes on the southbound approach to include a left-turn/through lane, through/right-turn lane, and right-turn lane, and making associated modifications to the signal equipment. Future development projects under the proposed Specific Plan would be required to comply with Mitigation Measures TRANS-1B.1 and TRANS-1B.2 and all relevant regulations regarding railroad and grade crossing safety, including: - California Public Utilities Commission regulations regarding grade crossings and grade crossing safety (Public Utilities Code General Provisions, Division 1, Part 1, Chapter 6)

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
		- Requirements for railroad operators to maintain appropriate fencing along their right-of-way (Public Utilities Code General Provisions, Division 4, Chapter 1, Article 6) Compliance with these existing regulations and implementation of Mitigation Measures TRANS-1B.1 and TRANS-1B.2 will ensure safety associated with railroad operations in the EIR Study Area. For these reasons, the proposed Specific Plan does not include any new or additional policies or mitigation measures related to railroad crossings; thus, no revisions to the EIR are required. This comment serves as a closing remark and does not address the adequacy of the Draft EIR; therefore, no response is required.
A02-03	If you have any questions in this matter, please contact me at (213) 576-7076, ykc@cpuc.ca.gov.	
A03	Jean Roggenkamp - Bay Area Air Quality Management District	
A03-01	Bay Area Air Quality Management District (District) staff has reviewed the City of Rohnert Park's (City) Northwest Specific Plan (Plan) Draft Environmental Impact Report (DEIR). The Plan envisions a primarily mixed-use development on an approximately 100 acre site that currently contains rural land uses. The Plan would permit the future development of approximately 398 multi-family residences, 450,000 square feet of commercial space, a hotel, and light industrial uses. Overall, Air District staff supports the Plan and the City's effort to promote mixed use development. Building such communities is imperative to assisting the Bay Area in attaining and maintaining health-based, ambient air quality standards and to meeting greenhouse gas reduction (GHG) goals. Air District staff has the following comments on the air quality and GHG analysis in the DEIR.	This comment serves as an opening remark and does not address the adequacy of the Draft EIR. The comment introduces the comments that follow, which are more precisely addressed in the responses to comments provided below.
A03-02	<u>Operational-Related Criteria Pollutant and GHG Impacts</u> The DEIR finds significant and unavoidable impacts from operational-related criteria pollutants and GHG emissions; and that the Project is not consistent with the Air District's 2010 Clean Air Plan. The DEIR	The Bay Area Air Quality Management District (BAAQMD) has requested additional mitigation measures to reduce the Project's significant operational air quality and greenhouse gas (GHG) emissions impacts. The following are responses to the individual measures requested by BAAQMD for operational phase impacts of the Project:

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	includes a number of mitigation measures that reduce these impacts but not to a less than significant level. Air District staff encourages the City to fully evaluate and adopt all feasible onsite, as well as offsite, mitigation measures to reduce the Project's significant air quality impacts. Air District staff can assist the City in identifying and implementing offsite mitigation opportunities. Staff recommends the City consider the following additional feasible mitigation measures to reduce emissions: 1) Expand mitigation measure GHG-1a to require new development to meet energy efficiency reductions at least 25% beyond Title 24. 2) Implement cool roofing and cool paving strategies in new development to improve energy efficiency and mitigate urban heat island effects. Cool roofing and paving strategies utilize reflective and light colored paints and materials to reduce heat absorption. The counties of Sonoma and Marin have plans to integrate cool roofs in buildings; and the City of Martinez has a strategy for promoting cool communities, including cool paving.	1) The Draft EIR includes Mitigation Measure GHG-1a. This measure requires new development to exceed the current Title 24 Building and Energy Efficiency Standards by 15 percent through increased energy efficiency and/or energy offsets. This measure is consistent with the voluntary Tier 1 standards of the California Green Building Standards Code (CALGreen). Given that the majority of GHG generated by the project are from transportation sources, offsetting energy use by more than the voluntary Tier 1 standards of CALGreen would not compensate for the magnitude of emissions generated by mobile sources, and therefore would not substantially lessen GHG emissions impacts of the project. As shown in Table 4.7-4 of the Draft EIR on page 4.7-16, the project would generate a total of 3,930 metric tons of carbon dioxide (MTCO₂e) per year from energy use, while other sources would generate a total of 24,666 MTCO₂e per year. The project's total emissions per year (28,596 MTCO₂e/year) would result in 13.0 MTCO₂e per service population (SP) per year, which would exceed the BAAQMD threshold of 4.6 MTCO₂e/SP/year. Implementation of Mitigation Measure GHG-1a, as currently written, would result in a total of 28,290 MTCO₂e/year or 12.9 MTCO₂e/SP/year (note: the efficiency metric excludes the waste sector). The recommended requirement of 25 percent reduction in energy use would result in a total of 28,085 MTCO₂e/year or 12.8 MTCO₂e/SP/year. Under both the 15 percent and 25 percent reductions in energy use, the project would continue to exceed the BAAQMD threshold of 4.6 MTCO₂e/SP/year and the difference would be only 205 MTCO₂e/SP/year. A 15% increase in energy efficiency reduces total emissions by 1.1% while increasing the energy efficiency to 25% above Title 24 would reduce total emissions by 1.8%. Therefore, the requested revisions to this measure would reduce emissions by less than 1%. Therefore, the requirement for 25 percent reduction in energy use would not provide a substantial reduction in GHG emissions and no changes to Mitigation Measure GHG-1a are proposed.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
		2) As identified above, the Draft EIR includes Mitigation Measure GHG-1a. This measure requires that energy associated with the building envelope is reduced beyond the current energy efficiency requirements of Title 24. As recommended by the BAAQMD, architectural enhancements may be used to achieve greater energy efficiency, including the use of cool roofing and cool pavement strategies to increase the building albedo and reduce the heating and cooling requirements. Use of cool roofs is a mandatory measure under CALGreen and the 2013 Building and Energy Efficiency Standards. Cool roofs are not considered mitigation measure because they are required by the current building codes and would be implemented by all new development in the proposed Project area. While cool pavement is not a currently a mandatory component of CALGreen it is a voluntary measure in the current 2013 CALGreen. The voluntary provisions of CALGreen include cool pavement provisions to encourage the use of alternative hardscape (i.e., improved walking and driving surfaces) materials, such as light-colored or open-grid materials or shade, around nonresidential structure. Since cool pavement is among the voluntary standards that may be integrated into the design of the project in order to meet the requirements of Mitigation Measure GHG-1a, an additional measure specifically requiring cool paving in all new development is not necessary. Furthermore, requiring use of cool pavement would not result in any further reductions since Mitigation Measure GHG-1a accounts for the reductions in building energy use. Consequently, adding a requirement for all projects to have cool pavement would not substantially lessen GHG emissions impacts since this measure would not have any GHG reductions beyond that required under GHG-1a. Therefore, no changes to Mitigation Measure GHG-1a are proposed. BAAQMD has requested additional language be added to Mitigation Measure Air-4a to reduce toxic air contaminants (TACs) generated by
A03-03	<u>Potential Local Air Quality Impacts</u>	

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	Air District staff supports Mitigation Measure Air-4a and 4b to reduce toxic air contaminant and PM _{2.5} emissions and exposure. Staff recommends that additional strategies be included as part of Mitigation Measures Air-4a and 4b, in specific, require any diesel generators that will operate within the area to meet ARB's Tier 4 emission standards; and residents should be placed as far away from truck activity areas as feasible, including loading docks and delivery areas.	diesel generators and in Mitigation Measure Air-4b to ensure residents are placed as far away from truck activities as feasible (including loading docks and delivery areas). Pages 4.3-40 through 4.3-41 of the Draft EIR have been revised to reflect the changes to Mitigation Measures Air-4a and AIR-4b requested by BAAQMD as follows: Mitigation Measure AIR-4a: Applicants for future warehousing and other industrial land uses within the Specific Plan that that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), as measured from the property line of the proposed Project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Bay Area Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to: ■ Restricting idling on-site. ■ Electrifying warehousing docks. ■ Requiring use of newer equipment and/or vehicles. ■ Restricting offsite truck travel through the creation of truck routes. <u>In addition, diesel generators shall meet the California Air Resources</u>

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
		<u>Board's Tier 4 emissions standards, T-BACTs and Tier 4 generators identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project.</u> Mitigation Measure AIR-4b: Applicants for residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) within the Specific Plan within 1,000 feet of a major sources of TACs (e.g., warehouses, industrial, or roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the Project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHA) and the Bay Area Air Quality Management District. The latest OEHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), $PM_{2.5}$ concentrations exceed $0.3 \mu g/m^3$, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to: ■ Air intakes located away from high volume roadways and/or truck loading zones. ■ Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters. ■ Place residents as far away from truck activities, including loading docks and delivery areas, as feasible.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
A03-04	District staff is available to assist Rohnert Park in addressing these comments. If you have any questions, please contact Sigalle Michael, Senior Planner, at (415) 749-4683 or smichael@baaqmd.gov.	Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Planning <u>Development Services</u> Department.
A04	Erik Alm - California Department of Transportation	These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR.
A04 -01	Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the Northwest Specific Plan. The following comments are based on the DEIR.	This comment serves as a closing remark and does not address the adequacy of the Draft EIR.
A04 -02	Forecasting Caltrans notes the DEIR implies two kinds of future (no project) traffic conditions. The future conditions addressed in page 4.14-22 and Figure 4.14-4 represent buildout of the Specific Plan Area with current Rohnert Park 2020 General Plan land use designations, which differs from the proposed Northwest Specific Plan as well as the "other" future conditions. The "other" future (no project) traffic conditions should be implicitly derived from Figure 4.14-7 Future plus Project Traffic Volumes. The EIR never addresses the underlying assumptions, trip generations, turning traffic under only "other" future (no project) conditions. Please include AM (PM) trip generation table and turning movement traffic diagram per study intersection under the "other" Future (No Project) Traffic Conditions associated with the proposed Northwest Specific	The commenter notes that the Figure 4.14-4 in Chapter 4.1, Transportation and Traffic, of the Draft EIR, shows "Future (No Project)" traffic volumes representing regional buildout conditions including the growth within the study area that would be allowed by the City's current General Plan land use designations, and that Figure 4.14-7 shows "Future plus Project" traffic volumes that represent regional buildout with the new land use designations proposed by the Northwest Specific Plan. The commenter then refers to an "other" future conditions scenario that is implied in the Draft EIR but for which no intersection turning movement volumes are provided. This "other" future traffic scenario referred to by the commenter reflects regional growth, but excepting any development within the boundaries of the Northwest Specific Plan. The Draft EIR makes reference to this condition on page 4.14-9. Intersection traffic operation was not

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response										
	Plan for further review.	directly analyzed in the Draft EIR for this “other” future scenario, as this step was only required to be able to directly quantify the impacts of a “no project” versus “project” condition, or in other words, to compare cumulative traffic conditions that would result if the Northwest Specific Plan was not adopted versus those that would occur if it is adopted.										
TABLE 1: FUTURE PM PEAK HOUR INTERSECTION VOLUMES WITH NO GROWTH IN NWSP AREA												
Intersection	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
1. Stony Point/Mallbear	13	1721	42	287	1578	121	8	5	6	9	5	237
2. Dowdell/Mallbear	52	0	8	0	0	0	0	228	31	18	225	0
3. Stony Point/Wildcat	43	1544	111	231	1331	6	3	1	5	104	5	257
4. Golf Course/Langner	29	5	168	10	5	5	5	317	25	129	355	10
5. Golf Course/Labash	105	36	444	15	16	16	5	296	150	494	390	10
6. Golf Course/Dowdell	73	29	161	42	19	33	29	707	65	263	799	18
7. Golf Course/Redwood	88	245	457	235	342	48	62	709	176	514	1002	409
8. Golf Course/US 101 SB	0	0	0	392	203	1065	0	863	538	124	911	0
9. Golf Course/Constance	656	162	501	187	262	27	15	695	635	365	352	110
10. Golf Course/Roberts Lk	0	0	0	286	0	220	320	1073	0	0	607	105
11. US 101 NB/Constance	469	630	1	8	638	506	776	2	57	4	2	13
12. Business Park/Dowdell	0	0	0	74	0	19	18	412	0	0	487	73
13. Redwood/Business Park	381	458	0	0	629	176	178	0	306	0	0	0
14. RPN/US 101 SB	3	0	41	791	0	384	0	1393	639	40	1531	254
15. RPN/US 101 NB	508	16	454	29	0	8	46	1743	419	0	1191	616
Note: SB = Southbound Ramps; NB = Northbound Ramps; RPN = Rohnert Park Expressway												

It is recognized that the information requested by the commenter for the “other” future scenario may be of some value to Caltrans, even though it is not directly required for CEQA’s purposes of establishing the potential for environmental impacts. The intersection turning movement counts that represent buildup conditions without any growth within the boundaries of the Northwest Specific Plan area are shown in Table 1. With respect to the underlying assumptions and trip

It is recognized that the information requested by the commenter for the “other” future scenario may be of some value to Caltrans, even though it is not directly required for CEQA’s purposes of establishing the potential for environmental impacts. The intersection turning movement counts that represent buildout conditions without any growth within the boundaries of the Northwest Specific Plan area are shown in Table 1. With respect to the underlying assumptions and trip

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
A04 -03	Table 4. 14-13 shows AM (PM) generated traffic as 913 (1773) Vehicles per hour (vph) significantly higher than 100 vph, which is a requested threshold to conduct a traffic impact study. The DEIR only shows PM traffic impact study in Figure 4.14-6 and 4.14-7. Caltrans believes that the pattern of AM traffic is substantially different from that of PM traffic. Therefore, please include AM traffic within the traffic impact study.	generation associated with this scenario, there would be zero change to existing trip generation within the boundaries of the Specific Plan area, while growth in the remainder of the City and County would still occur, as forecast by the SCTM\10 travel demand model (described on page 4.14-9 of the Draft EIR). The information provided in this response is for information purposes only and is not required to be included in the Draft EIR; therefore, no changes to the Draft EIR are necessary. The commenter requests that analysis of a.m. peak hour operation be included in the traffic analysis. The importance and relevance of analyzing operating conditions during both the a.m. and p.m. peak hours is dependent on several factors, the most important of which are related to the surrounding land use context and consideration of anticipated traffic patterns. The Project Study Area analyzed in the Draft EIR currently has a very heavy emphasis of commercial uses. As a result, traffic counts obtained over the years have consistently shown significantly higher traffic volumes during the p.m. peak hour than the a.m. peak hour, since many commercial uses are not operating (or are at limited operation) during the morning commute period. Traffic operation is substantially better during the a.m. peak hour. This trend can be clearly seen in recent traffic counts that were obtained as part of a traffic signal timing project overseen by the City in the spring of 2014, after the Graton Rancheria Resort and Casino was operational. For that study, both a.m. and p.m. intersection turning movement counts were obtained at nine of the 15 study intersections evaluated in the Draft EIR. The total entering traffic volumes during each of the peak hours are summarized below in Table 2. The observed p.m. peak hour volumes are substantially higher than the observed a.m. peak hour volumes in all cases, ranging from 37 percent to 95 percent higher, and averaging 57 percent higher overall. In addition to consideration of background traffic volume patterns, the decision on whether to analyze a.m. peak hour impacts is also related to the anticipated trip generation of the project being analyzed. As

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response			
		Intersection	AM Peak Hour	PM Peak Hour	Difference
		TABLE 2: COMPARISON OF MARCH 2014 AM AND PM PEAK HOUR INTERSECTION COUNTS			
		Golf Course Drive/Labath Avenue	494	964	95%
		Golf Course Drive/Dowdell Avenue	468	881	85%
		Golf Course Drive/Redwood Drive	1177	2259	92%
		Golf Course Drive/US 101 South Ramps	1569	2438	55%
		Golf Course Drive/Commerce Boulevard	1856	2971	60%
		Golf Course Drive/Roberts Lake Road	1451	2137	47%
		US 101 North Ramps/Commerce Boulevard	1187	2013	70%
		Rohnert Park Expressway/US 101 South Ramps	2472	3694	49%
		Rohnert Park Expressway/US 101 North Ramps	2656	3924	57%
		Area-wide Average			57%
		Notes: Volumes represent bid entering volume			
		shown in Draft EIR Table 4.14-13, the Specific Plan is projected to generate a total of 913 trips during the a.m. peak hour and a total of 1,773 trips during the p.m. peak hour. The p.m. peak hour trip generation is therefore nearly double that of the a.m. peak hour, which is again related to the Specific Plan's heavy emphasis on commercial and retail uses.			
		Because both background and project-related traffic will be higher during the p.m. peak hour than the a.m. peak hour by a substantial degree, it can with certainty be stated that the worst-case traffic impacts have been assessed. Evaluation of a.m. peak hour traffic operation would provide no additional useful information for the CEQA-based traffic analysis and was therefore deemed to be unnecessary.			
		The information provided in this response is for information purposes only and is not required to be included in the Draft EIR; therefore, no changes to the Draft EIR are necessary.			
		The commenter asked how the projected queuing deficiencies at this intersection under future plus project conditions, identified in Draft EIR			
A04 -04	Highway Operations				

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	Page 4.14-51, table 4.14-22, of the DEIR shows the 95th Percentile queue on Commence Boulevard northbound off-ramp was reduced with improvements and mitigation at intersections 6 through 8. How do the improvements and mitigation at intersections 6 through 8 cause reduction of the queue length at the off-ramp? Please clarify. The U.S. Highway 101 northbound off-ramp intersection at Commence Boulevard should be monitored or considered for mitigation to reduce the adverse impacts to both the freeway and the ramp.	Table 4.14-22, could be resolved through mitigations at downstream intersections. The results shown in Draft EIR Table 4.14-22 indicate that the 95th percentile queues on the intersection's eastbound left-through lane, which is on the US 101 offramp, are projected to extend beyond the available storage. The projected 95th percentile queues were evaluated using the Simtraffic software application, which captures traffic operation within a "system" of closely-spaced signals such as those at the Golf Course Drive interchange. When one intersection in such a system fails or encounters poor operating conditions, queues from that signal can spill back on connecting streets to upstream signals. As shown in Draft EIR Table 4.14-18, the intersections at Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps are projected to operate unacceptably at LOS E under Future plus Project conditions, if no mitigations are made. The poor operation at these intersection results in queue spillback on Golf Course Drive, Commerce Boulevard, and onto the U.S. 101 Northbound offramp, causing queues on the ramp to exceed storage. With mitigation at the Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps intersections, traffic flow through the system improves substantially and queue spillbacks to the offramp no longer would occur. The commenter also requests that the northbound off-ramp be monitored or considered for mitigation to reduce adverse impacts to the freeway should they occur. By continuing to require the preparation of traffic impact studies for individual development projects, the City of Rohnert Park will effectively monitor conditions at this location as new development in the area occurs between now and buildout (year 2040 or longer). The commenter suggests that, in addition to the lists of laws and policies that are relevant to CEQA analyses as described on pages 4.14-1 through 4.14-7 of the Draft EIR, reference to the California Transportation Plan (CTP) and the California Strategic Highway Safety Plan (SHSP) should also be made.
A04 -05	Regional Planning Page 4.14.1 of the DEIR, describes Federal, State, regional, and local environmental laws and policies that are relevant to the California Environmental Quality Act review process for transportation and	

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	circulation. Please consider including a reference to the California Transportation Plan and the California Strategic Highway Safety Plan.	It is recognized that these two documents offer important guidance to the statewide highway and circulation system. The current CTP was adopted in 2007, and the forthcoming update CTP 2040 is anticipated to be adopted in 2015. Preparation of a CTP is required by Federal law, and the intent of the CTP is to assist the State in guiding transportation decisions and investments. Draft goals of CTP 2040 include improving multimodal mobility, supporting the economy, providing social equity, and practicing environmental stewardship. The State of California is also required by Federal law to prepare a SHSP, which is defined as "a holistic, statewide safety plan that coordinates the efforts of a wide range of organizations to reduce traffic accident fatalities and serious injuries on all public roads. In coordination with federal, state, local and private sector safety stakeholders, the SHSP establishes goals, objectives, and emphasis (or challenge) areas."
		While the statewide CTP and SHSP may not directly influence the circulation analysis conducted for the Northwest Specific Plan, they do influence Caltrans procedures and policies at the regional level, such as those described in pages 4.14-2 and 4.14-3 of the Draft EIR, which as discussed on page 4.14-1, the regulatory setting describes federal, State, regional, and local environmental laws and policies that are relevant to the California Environmental Quality Act (CEQA) review process for transportation and circulation. Because the statewide CTP and SHSP do not directly influence this process, they have not been added to the EIR.
A04 -06	Should you have any questions regarding this letter, please contact Luis Melendez of my staff at (510) 286-5606 or luis_melendez@dot.ca.gov.	This comment serves as a closing remark and does not address the adequacy of the Draft EIR.
A05	Scott Morgan - Governor's Office of Planning and Research - State Clearinghouse and Research Unit	
A05-01	The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 4, 2014, and the comments from the responding agency (ies) is (are)	This comment pertains to the functions of the State Clearinghouse and acknowledges that the City has complied with the State Clearinghouse review requirements for environmental documents.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly. Please note that Section 21104(c) of the California Public Resources Code states that: "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation." These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.	
A05-02	Document Details Report State Clearinghouse Data Base SCH# 2013062005 Project Title Northwest Specific Plan Lead Agency Rohnert Park, City of Type EIR Draft EIR Description The Specific Plan proposes a primarily mixed-use development with regional commercial and industrial uses. The Specific Plan includes open space and park components as part of the Conceptual Land Use Plan. In addition to describing the proposed	The attachment to the comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the project.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	building from and development standards, the Specific Plan also contains goals, policies, and programs relating to land use and urban design; traffic and circulation; utilities and public services; biological resources; and housing. The Specific Plan also contains recommended implementation strategy to guide the next steps. It is assumed that this development under the Specific Plan would occur through 2035, which is considered the Specific plan Horizon.	
	Lead Agency Contact Name Marilyn Ponton Agency City of Rohnert Park Phone 707 588 2231 email Address 130 Avram Avenue City Rohnert Park Fax State CA Zip 94928	
	Project Location County Sonoma City Rohnert Park Region Lat/Long Cross Streets Wilfred Avenue/Golf Course Drive (between Redwood Drive and Stony Point Road) Parcel No. Several Parcels Township Range Section Base Proximity to: Highways Hwy 101 Airports Railways Waterways Bellevue-Wilfred Channel Schools Pathways Charter Land Use Commercial-Regional, office, Industrial, High Density Residential, Commercial-Regional/High Density Residential, Parks/Rec	

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
Project Issues		
	Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Land use; Cumulative Effects; Other Issues; Aesthetics/Visual; Forest Land/Fire Hazard	
Reviewing Agencies		
	Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Air Resources Board; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 1; Native American Heritage Commission; Public Utilities Commission	
PRIVATE INDIVIDUALS AND ORGANIZATIONS		
B01	Anonymous	
B01	Will my taxes go up when I am annexed.	The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B02	Comments from Public Hearing on Draft EIR	
B02-01	Construction Noise: Construction of the casino was very noisy and there was noise 20 hours a day. How would construction in the Specific Plan area not cause noise impacts?	The Casino is not within the City's jurisdiction and was therefore not required to comply with the City's Noise Ordinance which limits hours of construction. As discussed in Chapter 4.11, Noise, of the Draft EIR, the construction within the Specific Plan area would be required to comply with the City's Noise Ordinance and the analysis in the Draft EIR demonstrates the potential increase in noise due to typical construction equipment that may be used.
B02-02	Noise Impacts: How is it that the existing plus project noise would be significant, but future plus project would be less than significant?	The existing plus project is not a realistic scenario since it assumes all development would be placed on site today. In the future, the project area will have increased traffic without the project and the project's contribution to this increase is not significant.
B02-03	Biological Resources: Would the mitigation measures for biological resources be required to be implemented all at once, or would it occur parcel-by-parcel?	Implementation of the mitigation measures outlined in Chapter 4.4, Biological Resources of the Draft EIR, will depend on how the landowners decide to develop the property in the future. If landowners coordinate, they may implement mitigation measures for a larger area, or if they decide to work independently, they may implement the measures on an individual basis.
B02-04	Mixed-Use: Does the EIR cover only the amount of mixed-use development as is shown in the Specific Plan, or would additional mixed-use development be allowed similar to the Mixed-Use Only Alternative?	As described in Chapter 3.0, Project Description, the EIR includes an assumption for buildout of the Specific Plan, which includes a total square footage of commercial uses and a total number of residential uses, which would be developed within the areas designated as "Mixed-Use". Any development proposal would be evaluated for consistency with the Specific Plan and the EIR.
B02-05	Multi-Use Trail: The Conceptual Land Use Plan shows the trail splitting parcels within the North District. Would it be possible to move the trail north along the northern boundary of these parcels to allow them to be developed together rather than splitting them up?	The Conceptual Land Use Plan is simply conceptual at this stage and does not require the trail to go in the exact location shown. However, at previous public meetings, there was generally support for the location shown since it would touch the greatest number of parcels. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B02-06	Residential Uses: Is there a possibility of allowing strictly higher density residential within the Mixed-Use area, instead of mixed-use? There is a concern that mixed-use development may not be economically viable.	reviewing the project. The EIR includes an assumption for buildout of the Specific Plan, which includes a total square footage of commercial uses and a total number of residential uses, which would be developed within the areas designated as "Mixed-Use". Development of higher density residential only would not be consistent with the assumptions in the EIR. Any development proposal would be evaluated for consistency with the Specific Plan and the EIR. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the project.
B02-07	Detention Basins: Concern regarding the location of the detention basins shown on the conceptual land use plan and how that will impact landowners.	The location of the detention basins is shown for conceptual purposes only and the ultimate location of the basins will be determined based on proposed development and coordination between landowners. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the project.
B03	Alicia Guerra - Buchalter Nemer	
B03-01	Thank you for the opportunity to submit comments on behalf of Sonoma Land Acquisition Company, LLC ("SLAC") regarding the Northwest Specific Plan Draft Environmental Impact Report ("Draft EIR"). We commend the City of Rohnert Park ("City") for the thorough analysis of the potential environmental impacts resulting from the development of the proposed Northwest Specific Plan. We note, however, a few minor comments and clarifications for your	This serves as an introduction and background information to comments that follow, which are more precisely addressed in the responses to comments provided below. As shown in the responses below, the Draft EIR has been revised. Specifically see Responses to Comments B03-02, -03, -04, -16, -18, -19, -21, -22 and -28. The revisions shown in these responses to comments and in Chapter 3, Revisions to the Draft EIR, of this Final EIR, do not affect any conclusions or

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	consideration. To assist you in your review, we identified our comments for each section of the Draft EIR, and referenced the associated page numbers. We also highlighted the corresponding Specific Plan section, as appropriate. Unless otherwise indicated, all references to pages, maps and plans are as designated in the Draft EIR. Background As you are aware, SLAC owns approximately 34.5 acres of land located adjacent to the eastern border of the Graton Resort & Casino site, south of Golf Course Drive West and north of Business Park Drive in unincorporated Sonoma County ("Property"). The Property is generally comprised of vacant and agricultural land composed of grazing and hay farming. The Property is located in the Mixed Use South portion of the Northwest Specific Plan as shown on Figure 3-1. Executive Summary We respectfully request that the City update the Executive Summary to be consistent with our proposed revisions to the main text of the EIR as indicated below.	significance determinations provided in the Draft EIR.
B03-02	Project Description Page 3-5: Figure 3-3 - Rohnert Park General Plan Land Use. Figure 3-3 of the Draft EIR indicates that the Rohnert Park General Plan designates the Property "Regional Commercial." Page 3-20 of the Draft EIR states that Figure 3-3 shows the proposed General Plan land use designations. Figure 3-3, however, shows the existing land use designations. We request that the City revise Figure 3-3 to also show the proposed General Plan land use designation of "Mixed Use" as discussed on page 3-21 of the Draft EIR, or include a second diagram which shows the proposed General Plan land use designations to the extent they differ from the existing General Plan land use designations. Alternatively, the EIR could refer to Figure 3-5 which illustrates the proposed Specific Plan Land Uses and label that figure with a corresponding reference to the proposed General Plan land use designations.	Page 3-20 of the Draft EIR has been revised to clarify the existing land use on the Project site as follows: Proposed General Plan land use designations are shown in Figure 3-35. This revision is also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and does not affect any conclusions or significance determinations provided in the Draft EIR.
B03-03	Page 3-9: Description of the Proposed Specific Plan. The Draft EIR summarizes the key components and recommendations of the Specific	Page 3-9 of the Draft EIR has been revised to clarify the buildout projections and potential phasing of the Specific Plan as follows:

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-04	Plan. Table 3-1 summarizes the Specific Plan Buildout Projections. The Draft EIR states that the timeframe and rate of development within the Specific Plan Area are subject to variation based on market demands, the regional economy, and other socioeconomic factors. The Draft EIR also should state that the Specific Plan confirms that the Table 3-1 development potential provides a conceptual development program for overall square footage of new development for environmental review purposes. The Specific Plan notes that the development program is conceptual and may not be built out exactly as depicted over the next 20 years. Further, it is important to note that neither the Specific Plan nor the EIR is intended to cap the level of development that may occur in the future. Page 3-10: Section 3.3.1.1- Proposed Specific Plan Land Uses: Commercial- R (Regional Commercial). The Draft EIR includes in the list of allowable land uses under the proposed Specific Plan "Commercial - R (Regional Commercial)" designation land uses which were not specified in the Specific Plan for that land use category. For example, page 54 of the proposed Specific Plan indicates that service stations would be conditionally permitted uses, but does not include automobile sales in the Specific Plan's list of Regional Commercial uses. Auto repair is a permitted use in the Industrial category according to page 61 of the Specific Plan, but the Draft EIR does not identify auto repair as a permitted use in this category. We request that the City revise the EIR project description to be consistent with the Specific Plan.	<u>The buildout projections shown in Table 3-1 provide a conceptual development program for overall square footage of new development for environmental review purposes. The Specific Plan represents a development program that is conceptual and may not be built out exactly as depicted over the next 20 years. Neither the Specific Plan nor the EIR place a cap on the level of development that may occur in the future. However, potential future development in the Specific Plan Area that exceed the buildout projections analyzed in this EIR would require additional environmental review, per CEQA as determined by the City.</u> These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR. As shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR, pages 3-10 through 3-12 of the Draft EIR have been revised to clarify the permitted land use in the Specific Plan Area by land use category. Specifically, <u>Table 3-1.1, Commercial-R Permitted Land Use</u>, has been added to show the permitted land uses in the Commercial-R land use designation, <u>Table 3-1.2, Industrial Permitted Land Use</u>, has been added to show the permitted land uses in the Industrial land use designation, and <u>Table 3-1.3, Mixed-Use Permitted Land Use</u>, has been added to show the permitted land uses in the Mixed-Use land use designation. Tables 3-1.1 through 3-1.3 are reproduced from the Permitted Land Use tables in Chapter 5, Permitted Land Uses and Development Standards, of the Specific Plan for consistency between the EIR and the Specific Plan. In addition, page 3-12 of the Draft EIR has been revised to clarify the permitted land uses under the Parks/Recreation land use as follows: The Specific Plan designates 1.3 acres as Parks/Recreation and includes a provision that 3.5 additional acres of park space will be provided as part of the trail system and adjacent to detention areas

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-05	Page 3-12: Mixed Use. The Northwest Specific Plan designates the Property and the South District for "Mixed Use (M-U)" land uses. This designation accommodates a variety of "compatible businesses, stores, institutions, service organizations, hotels, and residences in a pedestrian-oriented setting. According to the Specific Plan, allowable land uses include multifamily residences (up to 24 dwelling units per acre), retail shops, financial, business and personal services, and restaurants" (Specific Plan at p. 47). The Rohnert Park General Plan similarly designates "Mixed Use" as the land use category "accommodating a variety of compatible businesses, stores, institutions, service organizations, and residences in a pedestrian-oriented setting" (General Plan at p. 2-21). We recommend that Figure 3-3 and page 3-20 of the Draft EIR be revised to clarify that the applicable General Plan land use category for the South District will be Mixed Use (M-U) in order to be consistent with the discussion on page 3-12 of the EIR.	throughout the Plan Area. The following park and open space features are recommended by the Specific Plan. Refer to the City's <u>Zoning Code for permitted uses and regulations regarding Parks/Recreation uses.</u> The exact nature and design components of individual open spaces are not known at this time and will be determined as development occurs within the Plan Area. These revisions do not affect any conclusions or significance determinations provided in the Draft EIR. Figure 3-3 represents the existing land use designations of the current General Plan; therefore, no changes were made to this figure per the commenter's request. With regards to revisions to page 3-20 it is unclear what the commenter is requesting. Figure 3-5 of the Draft EIR illustrates the proposed Specific Plan land uses, which indicates Mixed-Use for the South District.
B03-06	Page 3-12: Parks/Recreation. The Specific Plan designates 1.3 acres of Parks/Recreation and includes a provision that 3.5 additional acres of park space will be provided as part of the trail system and adjacent to detention areas. The Draft EIR also indicates that the Specific Plan recommends that a plaza be built south of Golf Course Drive as part of a new retail development. Between the detention basin, the parks and recreational uses and the public plaza, and the Dowdell Avenue realignment (see below) more than 1/3 of the Mixed Use South District could potentially be devoted to public park, plaza and public facilities uses. We are unclear as to the basis for the Specific Plan to devote	The comment correctly describes the amount of park space included in the Specific Plan. However, the locations of the potential plaza and parks/detention basins are shown for conceptual purposes only and the ultimate location of these features will be determined based on proposed development and coordination between landowners. The remainder of the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-07	substantial property in the Mixed Use South District to public facilities particularly since this area may be developed with largely non-residential uses and the amount of development is speculative at this time. We recommend that the City clarify that the amount of parks, open space, recreational uses and public plazas be re-evaluated at the time an actual development proposal is under the City's review. We also request that the public plaza be eliminated from the Specific Plan as there are no specific plans for any retail uses at this time. <u>Page 3-14 - Dowdell Avenue, 4th Bullet.</u> The Draft EIR and page 18 and Figure 3-2 of the Specific Plan indicate that Dowdell would be extended from Golf Course Drive West to Business Park Drive with roadway widths including an 8-foot parking lane and an 11-foot through lane. We are unclear as to the Specific Plan's basis for the realignment of Dowdell Avenue to the west through the southern portion of the Mixed Use South District. This realignment effectively results in the entire southern portion of the Mixed Use South District being unavailable for any development. Consequently, we request that the Specific Plan and EIR be revised to align the future Dowdell Avenue within the existing right-of-way.	The comment correctly describes the future Dowdell Avenue alignment proposed in the Specific Plan. The remainder of the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required. The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the project.
B03-08	<u>Page 3-20 - Section 3.4 General Plan Amendments.</u> Please revise the discussion on page 3-20 to either replace Figure 3-3 or clarify that the proposed General Plan Amendment for the Property is Mixed Use (M-U) rather than Regional Commercial as indicated above.	See Response to Comment B03-05.
B03-09	<u>Page 3-21 - Section 3.5 Zoning.</u> Please clarify if the Specific Plan Illustrative Land Use Plan shown in Figure 3-1 of the proposed Specific Plan will serve as the zoning district for the Property, or will the zoning district be "Specific Plan" (SP) as stated on page 3-21.	As stated on page 3-21 in Chapter 3, Project Description, the new land use requirements and standards set forth in the Specific Plan would be added to the current Zoning Ordinance by reference and the Specific Plan Area would be zoned as "Specific Plan" (SP). The Illustrative Land Use Plan will therefore not serve as the zoning district for the Specific Plan Area, and is simply provided to demonstrate how development may be laid out within the Specific Plan Area. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-10	Page 3-22 - Section 3.8 Required Permits and Approvals. Please add to the list of City entitlements, the following entitlements for which developers may seek approval: • Approvals under the Subdivision Map Act (e.g., lot line adjustments, parcel maps, subdivision maps, etc.); conditional use permits, design review, and development agreement(s).	The requested permits and approvals noted by the commenter would be required for future development under the proposed Project, but would not be required for the adoption of the Specific Plan or the certification of the EIR as described on page 3-22. As discussed in Chapter 3, Project Description, of this Draft EIR, on page 3-9 there are no proposals for development under the Specific Plan; therefore, no changes were made to the list of permits per the commenter's request. See Response to Comment B03-10.
B03-11	Development of the Specific Plan also would require ministerial approvals such as grading permits, final subdivision maps and building permits. Additionally, please include in the list of required permits and approvals the United States Fish and Wildlife Service (USFWS) for incidental take authorization and the Section 7 consultation process.	
B03-12	Section 4.4 - Biological Resources Page 4.4-27. The Draft EIR indicates that the seasonal wetland habitat in the Specific Plan Area may provide suitable habitat to support breeding California tiger salamander (CTS). By contrast, the Northwest Specific Plan Biological Resources Assessment prepared by WRA, Inc. on July 13, 2012 indicates that the Plan Area does not contain suitable breeding habitat for CTS. The July 2012 Biological Resources Assessment indicated, however that the Specific Plan Area could potentially be used as dispersal habitat for CTS moving from breeding ponds located outside of the Plan Area. We request that the Draft EIR clarify the basis for concluding that the seasonal wetlands in the Plan Area were considered to provide suitable breeding habitat for CTS.	As discussed on page 4.4-27 in Chapter 4.4, Biological Resources, of the Draft EIR, the seasonal wetland habitat in the Specific Plan Area may provide suitable habitat to support breeding California tiger salamander (CTS), a federally and California protected species. As shown on Figure 4.4-3, the Specific Plan Area is designated as Critical Habitat for the CTS; therefore, the CTS should be presumed present on the Specific Plan Area. Additionally, the Specific Plan Area is within 1.3 miles of a known breeding site and a small portion is within 2,000 feet of the known site. Grading and construction could result in removal of this habitat. Any fill activity within this habitat would be significant and subject to jurisdiction and permitting by the United States Army Corps of Engineers (USACE) and other regulatory agencies. On page 10 of the Biological Impact Report prepared by WRA, Inc. on July 13, 2012 and included in Appendix C, Biological Resources Data, of the Draft EIR, states that "The majority of the Plan Area does not contain suitable breeding habitat. This species typically requires large, deep ponds for breeding and the wetlands observed are shallow and seasonal. However, suitable breeding habitat may occur, albeit unlikely, in the roadside ditches and the Labath Flood Control Channel. Furthermore, the entire 91-acre Plan Area is located within designated critical habitat for this species. Based on the location of the Plan Area within the Santa Rosa Plain, the critical habitat designation, and

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-13	<u>Page 4.4-27; 4.4-30.</u> The Draft EIR notes that the Specific Plan Area is designated critical habitat for CTS. The Draft EIR states that because the Specific Plan Area is designated critical habitat for CTS, CTS are presumed present. Although the Plan Area is designated critical habitat, CTS are not necessarily present in the area. In fact, often the USFWS designates critical habitat in areas unoccupied by the listed species. The question is whether or not the area supports the primary constituent elements (PCEs) considered essential to establishing CTS habitat. Moreover, while it is true that the CTS critical habitat designation applies to the Specific Plan Area, the Federal Register rule indicates that certain exemptions (such as for paved roads, irrigation ditches, and developed/ landscaped areas) may apply, thereby carving out those areas from the CTS critical habitat designation. For example, on the 34-acre SLAC property, 4.87 acres of developed/landscape area, 0.16 acres of flood control channel, and 4.01 acres of irrigated pasture occupy the property and may not be considered critical habitat for CTS. Consequently, we request that the City revise the EIR to include an estimate of the area of designated critical habitat in the Mixed Use South District.	habitats observed, CTS should be presumed as present and development of the Plan Area as proposed will impact this species." Furthermore, as shown in both the Biological Impact Report (page 10) and Chapter 4.4 (page 4.4-14), since several parcels within the Specific Plan Area were restricted for access, there is potential for habitat to occur in these areas as well. For the reasons described above, no changes to the Draft EIR are required. As discussed in Response to Comment B03-12, page 10 of the Biological Impact Report prepared by WRA, Inc. on July 13, 2012 and included in Appendix C, Biological Resources Data, of the Draft EIR, states that "Based on the location of the Plan Area within the Santa Rosa Plain, the critical habitat designation, and habitats observed, CTS should be presumed as present and development of the Plan Area as proposed will impact this species. As discussed on page 2-3 in Chapter 2, Introduction, of the Draft EIR, given the long-term horizon of the proposed Specific Plan and the permitting, planning, and development actions that are related both geographically and as logical parts in the chain of contemplated actions for implementation, this Draft EIR has been prepared as a Program EIR for the Northwest Specific Plan, pursuant to Section 15168 of the CEQA Guidelines. As a Program EIR, it is not project-specific, and does not evaluate the impacts of specific projects that may be proposed under the Specific Plan. Such subsequent projects will require a separate environmental review to secure the necessary development permits. While subsequent environmental review may be tiered off this EIR, this Program EIR is not intended to address impacts of individual projects. Page 2-1 of the Draft EIR has been revised to clarify the Program EIR prepared for the Project as follows: This document is a Program EIR that analyzes potential environmental impacts of the adoption of the proposed Specific Plan. As a Program EIR, it is not project-specific, and does not evaluate the impacts of specific projects that may be proposed

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
		under the Specific Plan. Such subsequent projects will require a separate environmental review to secure the necessary development permits. While subsequent environmental review may be tiered off this Program EIR, this Program EIR is not intended to address impacts of individual projects. However, if the Program EIR addresses the program's effects as specifically and comprehensively as is reasonably possible, and later activities that are within scope of the effects examined in the Program EIR, and additional environmental review may not be required for those future projects. (See CEQA Guidelines Section 15168[c] and CEQA streamlining provisions.) When a program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of the Program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR unless the activity qualifies for an exemption. For these subsequent environmental review documents, this Program EIR will serve as the first-tier environmental analysis. The Program EIR can also serve to streamline future environmental review of subsequent projects. Page 4.4-34 has been revised to clarify the significance conclusion as follows: Significance With Mitigation: Applicable federal, State, and local regulations, together with Mitigation Measures BIO-1a through BIO-1f above would reduce potential impacts to special-status species that could result from future development under the Specific Plan, to the maximum extent practicable. Additionally, subsequent projects permitted under the proposed Specific Plan that would involve development in areas where special status plant and wildlife species may occur would be required to comply with all applicable laws protecting biological resources, which require mitigation for

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
		impacts to special-status species. Nonetheless, given that there are portions of the Specific Plan Area that were not accessible during the preparation of the Biological Assessment, impacts to special-status species as a result of implementing the Specific Plan would be remain <u>significant and unavoidable</u>. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered <u>significant and unavoidable</u>. These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR. Further as discussed in Chapter 4.4, Biological Resources, the biological assessment is based on analysis and field work by two consultants: WRA and North Fork Associates (NFA). WRA's biological resources assessment was prepared for the 56-acre area of the Specific Plan Area to the north of Golf Course Drive West and is based on their site visits in July 2012 and May 2013. NFA's biological resources assessment was prepared for the 34-acre portion of the Specific Plan Area south of Golf Course Drive West and is based on three site visits occurring between April and June 2012. These studies provide adequate data to assess the impacts to biological resources at the program-level warranted for the Specific Plan. As stated in Chapter 4.4, Mitigation Measure BIO-1a requires that prior to individual project approval under the Specific Plan, the City shall require the preparation and submittal of a protocol-level survey conducted by a qualified biologist to the Rohnert Park Development Services Department as required by the California Endangered Species Act and the Federal Endangered Species Act. The protocol-level survey shall determine the potential for special-status plant and/or wildlife species, including nesting birds and birds

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-14	Page 4.4-27. The Draft EIR notes that all of the special status plant and/or wildlife species identified in Table 4.4-4 and 4.4-5 may be impacted either directly or indirectly through habitat loss with Specific Plan implementation. The EIR should clarify the nature of such impacts and identify the specific species that potentially would be impacted because the Draft EIR also states for many of the species listed in Tables 4-4 and 4-5 there is no likelihood or a low likelihood of occurrence within the Plan Area. Consequently, the development of the Specific Plan, including the SLAC property, would not impact all of the special status species.	protected under the Migratory Bird Treaty Act, to occur within or adjacent to the proposed development Specific Plan Area. Therefore, the Draft EIR has not been revised per the commenter's request. See Response to Comment B03-13.
B03-15	Page 4.4-32 - Mitigation Measure BIO-1a. Please clarify in the EIR that a protocol-level survey would not be required for all special status species identified in Table 4.4-4, including those species without any likelihood of presence in the Specific Plan Area.	As discussed in Response to Comment B03-13, the Draft EIR is for the build-out of the Specific Plan over a 20-year buildout horizon. The special status species identified in Chapter 3 are subject to change over time. Accordingly, the protocol-level surveys would be for any special status species that are known to be in the area at the time the development is proposed. As stated in Mitigation Measure BIO-1, the protocol-level survey shall determine the potential for special-status plant and/or wildlife species, including nesting birds and birds protected under the Migratory Bird Treaty Act, to occur within or adjacent to the proposed development Specific Plan Area.
B03-16	Page 4.4-33 - Mitigation Measure BIO-1a, 1st Sentence. The EIR should be revised to clarify that "Lost plant habitat that is occupied by special status plants shall be replaced at a ratio of two acres of replacement habitat for each acre of special-status plant habitat lost." The 2: 1 replacement mitigation ratio applies if the habitat is actually occupied by a special status plant.	See Response to Comment B03-16 below, for clarification to Mitigation Measure BIO-1a with regards to special status plants. Page 4.4-33 of the Draft EIR has been revised to clarify the plant habitat replacement requirements outlined in Mitigation Measure BIO-1a as follows: Lost plant habitat that is occupied by special status plants shall be replaced at a ratio of two acres of replacement habitat for each acre of special-status plant habitat lost.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-17	Page 4.4-33 - Mitigation Measure BIO-1a, Item (4). Please clarify if the survey requirement in Item (4) applies only to special status plant species.	This revision is also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and does not affect any conclusions or significance determinations provided in the Draft EIR. As stated in item 4, of Mitigation Measure BIO-1a if special-status species identified in the Santa Rosa Plain Conservation Strategy (SRPCS) are found to be present on site, the project applicant shall follow the standards prescribed in the SRPCS, which requires that three surveys per year shall be conducted and a minimum of two years of negative results be reported to accurately state that each of the above mentioned species is not present. Impacts to habitat could require mitigation in the form of preservation of the same habitat at a 2:1 ratio. If no special-status plant species are observed but habitat for them is present, mitigation in the form of preservation of the same habitat at a 1:1 ratio could be required. Therefore, this measure applies only to special status species.
B03-18	Page 4.4-34 - Mitigation Measure BIO-1f. The Draft EIR provides that if CTS is determined to be on-site, the City shall require that the applicant initiate a formal consultation with USFWS. As a point of clarification, the obligation to consult with USFWS rests with the federal agency that is issuing a permit or authorization, and not with the local agency or the private applicant for the project (see e.g., 50 CFR part 402) to require consultation. Nonetheless, if a particular project will result in the take of federally-listed endangered or threatened species, then the applicant will need to obtain incidental take authorization under the Endangered Species Act. The form of incidental take will depend on whether or not another federal agency is involved in issuing a permit or other approval, or whether the project is federally funded. Importantly, there may be instances in which CTS may be present, for example, but a future specific project would not involve the take of the listed species, in which case, the need for consultation and/or incidental take authorization may not arise. Accordingly, we request that the City revise Mitigation Measure BIO-1f to clarify that incidental take authorization may be required if a proposed action would result in the potential for take of a federally listed species, rather than requiring consultation because a CTS is present.	Mitigation Measure BIO-1f: If the California tiger salamander (CTS) habitat is determined to be on-site based on protocol surveys performed in accordance with the USFWS CTS survey protocol guidelines, the City shall require the applicant initiate then a formal consultation with USFWS shall be initiated. Based on the ensuing Biological Opinion provided by the USFWS as part of the consultation, further measures may be necessary including a CTS protocol survey per the USFWS CTS survey protocol guidelines pre-construction survey before initiation of any grading and construction activities would be permitted to begin. Compensation of CTS habitat loss might be required at a mitigation ratio to be determined during the consultation process. The Santa Rosa Plains Conservation Strategy and the Programmatic Biological Opinion shall govern the applicable mitigation ratios for effects on CTS for future activities.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	Please revise Page 4.4-34 of the Draft EIR to indicate that the Santa Rosa Plains Conservation Strategy and the Programmatic Biological Opinion would govern the applicable mitigation ratios for effects on CTS for future activities. Because the EIR consultant was unable to access the property during the preparation of the biological resources assessment does not mean that the potential impacts to biological resources (if any) would remain significant and unavoidable.	These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR.
B03-19	Page 4.4-34 - <u>Mitigation Measure BIO-2a</u>. The Draft EIR states that the City shall require an applicant to conduct a wetland delineation and obtain verification prior to City approval of any specific development proposal. This mitigation measure is infeasible because due to limited staff and funding resources, the United States Army Corps of Engineers (USACE) has indicated that it is unable to timely process wetland delineations. In fact, we understand that some regulatory districts recently adopted guidance in which the USACE will only verify a wetlands delineation, if an applicant concurrently submits a Section 404 permit application. In those instances in which a project is designed to avoid waters of the U.S., and thus obviate the need to obtain a Section 404 permit, the applicant may be unable to obtain a verified wetland delineation. Consequently, Mitigation Measure Bio-2A should be deleted or revised to clarify that a wetland delineation may be required as a condition of project approval if an approved project will impact waters of the U.S., rather than as a pre-requisite to the review of a project application in the first instance. This change would be consistent with Mitigation Measure BIO-2b.	See Response to Comment B03-13 regarding program-level review and the significance conclusions. Mitigation Measure BIO-2a on page 4.4-34 of the Draft EIR has been revised to clarify the timing of the mitigation measure as it relates to project approval as follows: Mitigation Measure BIO-2a: The City shall require the applicant of a development proposal permitted under the Specific Plan where wetlands <u>may be</u> present or are unknown to conduct a wetland delineation according to the current U.S. Army Corps of Engineers (USACE) standards (e.g., 1987 USACE Wetland Delineation Manual and the 2008 Regional Supplement to the USACE Wetland Delineation Manual: Coast Region). <u>The developer shall submit the delineation to the City as part of the entitlement application for approval of any specific development proposal prior to City approval of the wetland delineation shall be conducted by the USACE as part of the Section 404 permit process prior to issuance of a grading permit.</u>
B03-20	Page 4.4-34 - Mitigation Measure BIO-2b. The Draft EIR requires that once the USACE verifies a wetland delineation map, then the City shall require that the applicant design the project to avoid and minimize wetland impacts. This approach is backwards. Often, the municipality reviews development applications long before the USACE verifies a wetland delineation or issues a Section 404 permit. Consequently, the	This revision is also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and does not affect any conclusions or significance determinations provided in the Draft EIR. Mitigation Measure BIO-2b on pages 4.4-34 and 35 of the Draft EIR has been revised to clarify the timing of the mitigation measure as it relates to project approval as follows: Mitigation Measure BIO-2b: if a wetland delineation map is required per Mitigation Measure BIO-2a, once it is "verified" by

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	Section 404 permit becomes the mechanism for assuring that the project (as approved by the local land use authority) is designed to avoid and minimize wetlands impacts, and then the City will issue a grading permit in a manner consistent with the Section 404 permit. The BMPs described in BIO-2b are conditions of approval on the specific project and appropriately addressed in the grading permit or final map.	USACE and the full extent of waters of the United States /State is known the City shall require the applicant of a development proposal permitted under the Specific Plan shall design the project so that avoidance or minimization of wetland impacts occurs on the site through the use of Best Management Practices (BMPs) to protect waters of the United States /State and to ensure that water quality standards are not compromised. These practices can include installing construction fencing buffers, straw wattles to keep fill from entering preserved/avoided wetlands and other waters, and other protective measures; and requiring a biological monitor be on-site during project construction to monitor the integrity of any preserved wetlands and other waters during mass grading or filling of the project site. In accordance with the federal Clean Water Act Section 404(b)(1) guidelines, avoidance and then minimization must be given first consideration in the sequence for mitigating wetlands impacts.
803-21	Page 4.4-34-35 - Mitigation Measure BIO-2d provides that the City shall require the project developer to establish a USFWS/CDFW approved mitigation bank. The USFWS, CDFW, or USACE determines whether or not to approve mitigation banks. The City cannot require that the state and federal agencies approve a mitigation bank as a mitigation measure for a development project. The establishment of a mitigation bank is subject to specific requirements that often are not related to a particular development project. We recommend that the Draft EIR delete this mitigation measure because there is no feasible way to implement the measure if the agencies do not approve a mitigation bank, and the establishment of a mitigation bank may not provide the mitigation that the state and federal agencies will ultimately require for a particular project. More importantly, mitigation for impacts to wetlands and special status species is authorized under state and federal law through the purchase of	This revision is also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and does not affect any conclusions or significance determinations provided in the Draft EIR. Mitigation Measure BIO-2d on page 4.4-34 of the Draft EIR has been revised to clarify the implementation of the Mitigation Measure as follows: Mitigation Measure BIO-2d: <u>As a condition of project approval at the time permits are issued for any portion or all of the documented wetland habitat that is not avoided, the City shall require that the project developer mitigate for impacts to wetlands to achieve a no net loss of wetland habitat. In accordance with the 2008 USACE/U.S. EPA Compensatory Mitigation Rule, wetlands mitigation may consist of (1) the purchase of wetland mitigation credits from the establishment of a USFWS/CDFW/USACE-approved mitigation bank; (2) on-site or off-site</u>

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	mitigation credits at an established agency approved mitigation bank, the preservation of a turnkey mitigation site (which likely would be preserved under a conservation easement), and/ or participation in an in-lieu fee program in accordance with the 2008 USACE Mitigation Rule and the SRPCS among other applicable regulatory requirements.	<u>permittee-responsible mitigation; or (3) participation in an approved in-lieu fee mitigation program. Mitigation shall be provided in perpetuity at the applicable restoration, creation, enhancement, and/or preservation ratios established in accordance with state and federal laws. Current restoration/creation ratios are The project developer shall reconstruct vernal pool habitat at a replacement ratio of 1:1 for wetland/vernal pool habitat creation and 2:1 for wetland/vernal pool habitat preservation for each acre of wetland/vernal pool habitat impacted. A final determination of these mitigation/restoration ratio totals shall be established in consultation with the USFWS, CDFW and/or USACE. The Project developer will permanently protect the agreed-upon acreage of vernal pool habitat within the mitigation bank via a USFWS/CDFW approved conservation easement, to be held by a USFWS/CDFW approved entity.</u>
B03-22	Page 4.4-35 - Significance with Mitigation. The Draft EIR concludes that compliance with applicable regulations and implementation of Mitigation Measures BIO-2a through BIO-2d would reduce potential impacts to the "maximum extent practicable." This is not the standard for mitigation to reduce significant impacts to a less-than-significant level under CEQA, nor is this the applicable standard for reducing impacts to wetlands and waters of the U.S. or special status species habitat. We recommend that this phrase be deleted as the question is whether or not the recommended mitigation measures would reduce the impacts to a less-than-significant level for CEQA purposes. Although portions of the Specific Plan Area were not accessible during the preparation of the biological resources assessment and the extent of	These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR. As stated in the Draft EIR in Chapter 4.4, even with compliance with applicable federal, State, and local regulations, together with Mitigation Measures BIO-2a through BIO-2d that would reduce potential impacts to sensitive habitats that could result from future development under the Specific Plan, impacts would be significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered significant and unavoidable.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	potential resources may be unknown, it does not mean that the potential impacts would remain significant and unavoidable. In order to develop those properties in the future, the developer will be required to comply with applicable state and federal laws.	Page 4.4-35 of the Draft EIR has been revised to clarify the significance conclusion as follows: Significance With Mitigation: Compliance with applicable federal, State, and local regulations, together with Mitigation Measures BIO-2a through BIO-2d above would reduce potential impacts to sensitive habitats that could result from future development under the Specific Plan, to the maximum extent practicable. Additionally, subsequent projects permitted under the Specific Plan that would involve development in areas where sensitive habitats may occur would be required to comply with all applicable laws protecting biological resources, which require mitigation for impacts. Nonetheless, given that there are portions of the Specific Plan Area that were not accessible during the preparation of the Biological Assessment, impacts to sensitive habitats as a result of implementing the Specific Plan would be remain significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered <i>significant and unavoidable</i>.
B03-23	Section 4.9 - Hydrology and Water Quality Page 4.9-26 - Impact HYDRO-3. According to the Draft EIR, Drainage Areas A and B comprise the approximately 34-acre SLAC Property. Area A includes 4.5 acres of detention in the southern portion of the SLAC Property which would accommodate a detention volume of 10.85 acre-feet and a treatment volume of 1.01 acre-feet. Area B includes a 0.6-	These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR. The comment correctly describes the proposed drainage areas in the Specific Plan Area, as described in the Draft EIR. The location of the detention basins is described for conceptual purposes only and the ultimate size and location of the basins will be determined based on proposed development and coordination between landowners. Policy UTIL-1.1 is based on the analysis of existing and future drainage

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-24	acre detention area to handle a volume of 1.1 acre-feet of runoff and 0.4 acre-feet of treatment volume. Policy UTIL-1.1 (see Page 4.9-26) indicates that detention basins will be required to contain runoff from the 100-year storm at flow rates which will be less than pre-development conditions, and/or will not exceed City or Sonoma County storm drain design criteria. While a detention basin may be appropriate for purposes of storm water management, the size of the basin within Area A would cause a substantial reduction in the amount of developable area available within Area A. Although SLAC has not submitted a specific development proposal to the City, it is exploring various development options for the Property which would be consistent with the mixed use development contemplated in the Northwest Specific Plan. In order to achieve the level of development contemplated under the Specific Plan, however, SLAC needs flexibility to reduce the size and modify the location of a detention basin. Additionally, the discharge points to Labath Creek, if considered in the future as discussed in the Specific Plan, will be subject to regulatory agency approval. Consequently, we request that the City revise the Specific Plan and EIR to clarify that SLAC may consider other alternatives to detention which may result in a reduction in the size of the detention basin in order to achieve a "no net increase" in surface runoff from the Property.	conditions, which indicates that detention basins will be required in the future; however, if projects are able to demonstrate that flow rates will be less than pre-development conditions, and/or will not exceed City or Sonoma County storm drain design criteria, detention basins may not be required. No changes to the Specific Plan or Draft EIR are necessary.
B03-25	Section 4.10- Land Use and Planning Page 4.10-21 - Impact LU-3. We request that the City revise Impact LU-3 to be consistent with the requested revisions to BIO-1a and BIO-1f. Section 4.14 - Transportation and Traffic Page 4.14-34 - Table 4.14-12. The Specific Plan buildout projections in Table 4.14-12 differ from the buildout projections in the Project Description, Table 3-1. Please revise the tables so that they accurately reflect the buildout projections and are consistent with each other. For example, Table 4.14-12 does not include a projection for mixed use development. The tables indicating the buildout projections should be consistent with Figure 5, Specific Plan Land Use.	See Response to Comments B03-15 through B03-18. The commenter notes that the Specific Plan buildout projections shown in Table 4.14-12 differ from those shown in the project description shown in Table 3-1 of the Specific Plan document, citing the lack of a mixed-use development projection as an example. Upon review of both tables, it was found that the land use types and quantities do match. The primary difference is that Table 4.14-12 does not include a line for Parks/Recreation, as these uses are comprised predominantly of trails and open space areas that do not on their own generate traffic. Neither table includes a line for "mixed use

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-26	Page 4.14-35 - Trip Generation. Please clarify which trip generation rates identified in the five bulleted items at the top of page 4.14-35 correspond to the Specific Plan Mixed Use land use designation which would apply to the Mixed Use South District.	development.” The reason for this is that the individual components of mixed-use development are already included in the development projections, broken down by type (commercial, office, residential). While the term mixed-use represents a type of development pattern and provides guidance as to the potential for trip-reductions, it remains necessary to break down the individual land uses by type in order to assess traffic generation. No changes to the Draft EIR are necessary. The commenter asks for clarity on which trip generation rates correspond to the mixed-use land use designation in the Mixed Use South District. The Mixed Use South District is comprised of commercial uses analyzed using the “Shopping Center” land use (ITE #820), Hotel uses analyzed using the “Hotel” land use (ITE #310), and residential units analyzed using the “Apartment” land use (ITE #220). No changes to the Draft EIR are necessary.
B03-27	Page 4.14-48 - Table 4.4-19: The Golf Course Drive West/Labath Avenue intersection improvement identified in Table 4.4-19 contemplates widening the westbound lane to include dual left turn lanes. Page 77 of the Draft Northwest Specific Plan indicates that this intersection will include two through lanes and two left-turn lanes. Please clarify which description is accurate and revise the documents accordingly.	The commenter notes that the improvement identified for the westbound approach of this intersection in Table 4.4-19 may differ from what is described on page 77 of the Draft Northwest Specific Plan. Table 4.4-19 specifies “Widen WB to include dual left turn lanes” (note that WB refers to westbound). Specific Plan page 77 specifies “widening the westbound approach to include two through lanes and two left-turn lanes.” While the terminology used to describe this improvement differs, this is because of the need to use concise wording in the table, though the actual improvements needed are identical. Currently, the westbound approach includes one left-turn lane and two through lanes. Table 4.4-19 and page 77 of the Draft Specific Plan call for widening this approach to include two left-turn lanes, while maintaining the existing two through lanes. Figure 4.14-8 shows a diagrammatic depiction of this configuration. No changes to the Draft EIR are necessary.
B03-28	Page 4.14-53 - City of Rohnert Park Intersections. The Draft EIR describes the following two intersections for which the project would have significant and unavoidable impacts: Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps. Page 78 of the Northwest Specific Plan identifies roadway	The comment is related to two intersections where the project is considered to contribute to traffic impacts: Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps. The commenter indicates that the Draft EIR shows impacts at these intersections to be significant an unavoidable, and requests that

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	improvements for which the Specific Plan development will contribute its proportionate share to the cost of the improvements. The Draft EIR should be revised to be consistent with the Specific Plan (specifically Policies CIR-I.14 and CIR-I.15) and acknowledge that the Northwest Specific Plan development will pay its proportionate share of the costs of the future improvements.	the Draft EIR be revised to acknowledge that development in the NWSP will pay its proportionate share toward making improvements at these intersections, as indicated in Specific Plan Policies CIR-1.14 and CIR-1.15. The Draft EIR section on page 4.14-53 identifies the impacts at these two intersections, deeming them "Significant." Further discussion of the impacts is also provided under impact TRANS-1B on pages 4.14-59 and 4.14-60, indicating that they would be considered "Less than Significant" with implementation of the identified mitigation measures TRANS-1B.1 and TRANS-1B.2. It is noted that CIR-1.14 and CIR-1.15 are not directly referred to in the Draft EIR. Page 4.14-53 of the Draft EIR has been revised to clarify that NWSP development shall contribute toward future mitigation as follows: <u>The following Specific Plan policy requires development within the Plan area to be responsible for funding and completing roadway improvements at the above three intersections:</u> ■ <u>Policy CIR-1.14 New development within the Plan area shall be responsible for funding and constructing all onsite roadway and intersection improvements identified in the Northwest Specific Plan.</u> <u>Page 4.14-53, insert below the bullet beginning with "Golf Course Drive West/U.S. 101 South Ramps":</u> <u>The following Specific Plan policy would ensure that future development within the Specific Plan would contribute its proportional share toward addressing the above two offsite traffic impacts:</u> ■ <u>Policy CIR-1.15 The City shall update the Public Facilities</u>

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-29	Page 4.14-59 - TRANS-1B. The Draft EIR describes mitigation measures for the Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps intersections. The mitigation measures differ slightly from the improvements identified in the Specific Plan. For example, the Specific Plan calls for changes to the eastbound lanes at Golf Course Drive West/Redwood Drive and a change in signal timing at the Golf Course Drive/U.S. 101 South Ramps which are not included in the EIR. Please revise the Specific Plan and EIR to be consistent.	<u>Finance Plan to incorporate the offsite intersection and roadway improvements identified in the Northwest Specific Plan, allowing future development within the Plan area to contribute its proportional share of the costs associated with these improvements.</u> These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR. The commenter notes that Mitigation Measure TRANS-1B describes improvements at the Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps intersections, but that the descriptions differ slightly from what appears in the Specific Plan document. Mitigation Measure TRANS-1B.1 states: Modify the Golf Course Drive West/Redwood Drive intersection by restriping the eastbound lanes to create a left-turn lane, two through lanes, and a shared through/right-turn lane; reconfiguring the southbound approach to include dual left-turn lanes, a single through lane, and a right-turn lane; adding a right-turn pocket on the westbound approach; and adding a right turn overlap signal phase on the northbound approach. While on page 78 of the Specific Plan document the improvements are described as follows: An approved project will construct a southbound right-turn lane at the intersection as part of its frontage improvements. Additional improvements that will be required to support buildout of the Plan and surrounding area include modifying the southbound approach to include dual left-turn lanes and a single through lane (in addition to the new right-turn lane described above), changing the existing eastbound

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
		right-turn lane to become a through-right turn lane (and relocating the bike lane to curbside), constructing a new westbound right-turn pocket on the westbound approach, and adding a right-turn overlap signal phase on the northbound approach.
		The terminology used in each of these descriptions differs, but the mitigation measures described are identical. The text in the Specific Plan is intended to be more illustrative and descriptive for the users of the document, and less technical than the terminology used in the Draft EIR.
		The reference on page 4.14-46 under the Golf Course Drive West/U.S. 101 South Ramps bullet regarding "making associated modifications to the signal" simply refers to adjusting signal heads and signal timing as needed to reflect the revised lane striping. In other words, the Draft EIR reference to signal modifications at this intersection constitutes an improvement that would be made as a matter of course at the same time that the lanes are reconfigured, and is not an additional improvement beyond those described in the Specific Plan. No changes to the Draft EIR are necessary.
B03-30	Section 4.15 - Utilities Page 4.15-17 - UTIL-5. The Specific Plan states on page 111 that the water demand increases associated with the Specific Plan will trigger the need for significant wastewater improvements, including 4,400 linear feet of 8-inch sewer main, one or two sewer pump stations and one reclaimed water booster pump station and storage tank. The Draft EIR states, however, that all flows from the Specific Plan area will be conveyed to a 10-inch main constructed in Golf Course Drive West. Please confirm whether the description of the improvements in the Specific Plan or the EIR would apply to the development of the Specific Plan area.	The comment correctly describes the proposed wastewater facility improvements as identified in the Specific Plan, which include 4,400 linear feet of 8-inch sewer main. The new 10-inch sewer main discussed in the Draft EIR is referring to the sewer main that exists in Golf Course Drive West. The Specific Plan does not call for a 10-inch sewer main. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR nor does the comment raise a new environmental issue; therefore, no further response is required.
B03-31	Page 5-3 - <u>Biological Resources</u> . Please refer to our comments above regarding Impact BIO-1 and the EIR's conclusion that impacts to CTS and special status species would remain significant and unavoidable.	As previously discussed under Response to Comment B03-13, page 2-3 in Chapter 2, Introduction, of the Draft EIR, states that given the long-term horizon of the proposed Specific Plan and the permitting,

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
	For the same reasons we question the conclusion that the impacts to riparian habitat and wetlands would be significant and unavoidable.	planning, and development actions that are related both geographically and as logical parts in the chain of contemplated actions for implementation, this Draft EIR has been prepared as a Program EIR for the Northwest Specific Plan, pursuant to Section 15168 of the CEQA Guidelines. As a Program EIR, it is not project-specific, and does not evaluate the impacts of specific projects that may be proposed under the Specific Plan. Such subsequent projects will require a separate environmental review to secure the necessary development permits. While subsequent environmental review may be tiered off this EIR, this Program EIR is not intended to address impacts of individual projects. Further, as discussed on pages 4.4-13 and 4.4-14 of the Draft EIR the WRA-biologists conducted a routine wetland delineation for the Specific Plan Area to determine the presence of potential wetlands and non-wetland waters subject to federal jurisdiction under Section 404 of the Federal Clean Water Act. Because the biologists were not granted access to some of the privately owned parcels in the Specific Plan Area, they reviewed aerial signatures for the non-delineated parcels, which indicated that as much as 10 additional acres of potentially jurisdictional habitat may occur within those parcels. Therefore, as a conservative estimate for the purpose of the program-level environmental review, the additional 10 acres was included as potential wetlands. The wetland delineation and review of aerial signatures provide adequate data to assess the impacts to riparian habitat and wetlands at the program-level warranted for the Specific Plan. As previously discussed in Response to Comment B03-22, Chapter 4.4, Biological Resources, of the Draft EIR, states that even with compliance with applicable federal, State, and local regulations, together with Mitigation Measures BIO-2a through BIO-2d that would reduce potential impacts to sensitive habitats that could result from future development under the Specific Plan, impacts would be significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
		impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered significant and unavoidable.
		Page 4.4-35 of the Draft EIR has been revised to clarify the significance conclusion as follows:
		Significance With Mitigation: Compliance with applicable federal, State, and local regulations, together with Mitigation Measures BIO-2a through BIO-2d above would reduce potential impacts to sensitive habitats that could result from future development under the Specific Plan, to the maximum extent practicable . Additionally, subsequent projects permitted under the Specific Plan that would involve development in areas where sensitive habitats may occur would be required to comply with all applicable laws protecting biological resources, which require mitigation for impacts. Nonetheless, given that there are portions of the Specific Plan Area that were not accessible during the preparation of the Biological Assessment, impacts to sensitive habitats as a result of implementing the Specific Plan would be remain significant and unavoidable . <u>It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered significant and unavoidable.</u>
		These revisions are also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and do not affect any conclusions or significance determinations provided in the Draft EIR.

COMMENTS AND RESPONSES

TABLE 5-1 RESPONSE TO COMMENTS

Number	Comment	Response
B03-32	Additionally, the summary of Impact BIO-2 does not appear to accurately reflect the potential impacts to riparian habitat or other sensitive natural community. We are unclear as to what constitutes "made up wetland habitat."	Page 5-3 of Chapter 5, Significant and Unavoidable Adverse Impacts, of the Draft EIR, has been revised as follows to correct the typographical error: Impact BIO-2: The Project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW, or USEWS sensitive biological communities in the Specific Plan Area are made up <u>of</u> wetland habitat. This revision is also shown in Chapter 3, Revisions to the Draft EIR, of this Final EIR and does not affect any conclusions or significance determinations provided in the Draft EIR.
B03-33	On behalf of SLAC, we appreciate the opportunity to submit comments on the Northwest Specific Plan Draft EIR, and look forward to the City's release of the Final EIR in the near future. Please let me know if you have any questions regarding our comments.	This comment serves as a closing remark and does not address the adequacy of the Draft EIR. The comment is acknowledged and will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the Project.

APPENDIX A:
COMMENT LETTERS

.....

COMMENT LETTER # A01

STATE OF CALIFORNIA

Edmond G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., ROOM 100
West SACRAMENTO, CA 95691
(916) 373-3710
Fax (916) 373-5471



July 1, 2014

JUL 07 2014
CITY OF
ROHNERT PARK

Marilyn Ponton
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

RE: SCH# 2013062005 Northwest Specific Plan, Sonoma County.

Dear Ms. Ponton:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **USGS 7.5-minute quadrangle name, township, range, and section required**
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) Guidelines §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered cultural items that are not burial associated, which are addressed in Public Resources Code (PRC) §5097.98, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, PRC §5097.98, and CEQA Guidelines §15064.5(e), address the process to be followed in the event of an accidental discovery of any human remains and associated grave goods in a location other than a dedicated cemetery.

A01-01

A01-02

A01-03

A01-04

Sincerely,

Katy Sanchez

Katy Sanchez
Associate Government Program Analyst

CC: State Clearinghouse

Native American Contact List
Sonoma County
July 1, 2014

The Federated Indians of Graton Rancheria
Gene Buvelot
6400 Redwood Drive, Ste 300 Coast Miwok
Rohnert Park , CA 94928 Southern Pomo
coastmiwok@aol.com
(415) 279-4844 Cell
(707) 566-2288 ext 103

RECEIVED

JUL 07 2014

**CITY OF
ROHNERT PARK**

Ya-Ka-Ama
7465 Steve Olson Lane Pomo
Forestville , CA 95436 Coast Miwok
cbelleau@yakaama.org or Wappo
(707) 887-1541

The Federated Indians of Graton Rancheria
Greg Sarris, Chairperson
6400 Redwood Drive, Ste 300 Coast Miwok
Rohnert Park , CA 94928 Southern Pomo
coastmiwok@aol.com
(707) 566-2288 Office
(707) 566-2291 Fax

A01-05

Suki Waters
P.O. Box 53 Coast Miwok
Jenner , CA 95450 Pomo
watertreks@gmail.com
(707) 865-2249

The Federated Indians of Graton Rancheria
Gene Buvelot
6400 Redwood Drive, Ste 300 Coast Miwok
Rohnert Park , CA 94928 Southern Pomo
coastmiwok@aol.com
(415) 279-4844 Cell
(707) 566-2288 ext 103

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH # 2013062005 Northwest Specific Plan, Sonoma County.

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500

LOS ANGELES, CA 90013

(213) 576-7083



July 14, 2014

Ms. Marilyn Ponton
City of Rohnert Park
130 Avram Avenue
Rohnert Park, California 94928

Dear Ms. Ponton:

SUBJECT: SCH 2013062005 Rohnert Park Northwest Specific Plan - DEIR

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings Safety Section (RCSS) is in receipt of the draft *Environmental Impact Report (DEIR)* for the proposed City of Rohnert Park (City) Northwest Specific Plan project.

A02-01

The project area includes the active rail tracks. RCES recommends that the City add language to the Specific Plan so that any future development adjacent to or near the planned railroad right-of-way (ROW) is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at any planned at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes, and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.

A02-02

If you have any questions in this matter, please contact me at (213) 576-7076,
ykc@cpuc.ca.gov.

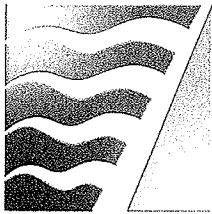
A02-03

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ken Chiang'.

Ken Chiang, P.E.
Utilities Engineer
Rail Crossings Safety Section
Safety and Enforcement Division

C: State Clearinghouse



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY
Tom Bates
Scott Haggerty
Nate Miley
(Vice-Chair)
Tim Sbranti

CONTRA COSTA COUNTY
John Gioia
David Hudson
Mary Piepho
Mark Ross

MARIN COUNTY
Susan Adams

NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
John Avalos
Edwin M. Lee
Eric Mar

SAN MATEO COUNTY
Carole Groom
(Secretary)
Carol Klatt

SANTA CLARA COUNTY
Ash Kalra
(Chair)
Liz Kniss
Jan Pepper
Ken Yeager

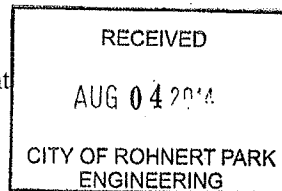
SOLANO COUNTY
James Spering

SONOMA COUNTY
Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

July 31, 2014

City of Rohnert Park
Development Services Department
Attn: Marilyn Ponton
130 Avram Avenue
Rohnert Park, CA 94928-2486



Subject: Draft Environmental Impact Report on the Northwest Specific Plan

Dear Ms. Ponton,

Bay Area Air Quality Management District (District) staff has reviewed the City of Rohnert Park's (City) Northwest Specific Plan (Plan) Draft Environmental Impact Report (DEIR). The Plan envisions a primarily mixed-use development on an approximately 100 acre site that currently contains rural land uses. The Plan would permit the future development of approximately 398 multi-family residences, 450,000 square feet of commercial space, a hotel, and light industrial uses.

Overall, Air District staff supports the Plan and the City's effort to promote mixed-use development. Building such communities is imperative to assisting the Bay Area in attaining and maintaining health-based, ambient air quality standards and to meeting greenhouse gas reduction (GHG) goals.

Air District staff has the following comments on the air quality and GHG analysis in the DEIR.

Operational-Related Criteria Pollutant and GHG Impacts

The DEIR finds significant and unavoidable impacts from operational-related criteria pollutants and GHG emissions; and that the Project is not consistent with the Air District's 2010 Clean Air Plan. The DEIR includes a number of mitigation measures that reduce these impacts but not to a less than significant level. Air District staff encourages the City to fully evaluate and adopt all feasible onsite, as well as offsite, mitigation measures to reduce the Project's significant air quality impacts. Air District staff can assist the City in identifying and implementing offsite mitigation opportunities. Staff recommends the City consider the following additional feasible mitigation measures to reduce emissions:

- 1) Expand mitigation measure GHG-1a to require new development to meet energy efficiency reductions at least 25% beyond Title 24.
- 2) Implement cool roofing and cool paving strategies in new development to improve energy efficiency and mitigate urban heat island effects. Cool roofing and paving strategies utilize reflective and light colored paints and materials to reduce heat absorption. The counties of Sonoma and Marin have plans to integrate cool roofs in buildings; and the City of Martinez has a strategy for promoting cool communities, including cool paving.

Potential Local Air Quality Impacts

Air District staff supports Mitigation Measure Air-4a and 4b to reduce toxic air contaminant and PM2.5 emissions and exposure. Staff recommends that additional

A03-01

A03-02

A03-03

Ms. Ponton

July 31, 2014

strategies be included as part of Mitigation Measures Air-4a and 4b, in specific, require any diesel generators that will operate within the area to meet ARB's Tier 4 emission standards; and residents should be placed as far away from truck activity areas as feasible, including loading docks and delivery areas.

A03-03
cont.

District staff is available to assist Rohnert Park in addressing these comments. If you have any questions, please contact Sigalle Michael, Senior Planner, at (415) 749-4683 or smichael@baaqmd.gov.

A03-04

Sincerely,



Jean Roggenkamp
Deputy Air Pollution Control Officer

cc: BAAQMD Director Susan Adams

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-6053

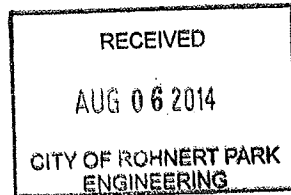
FAX (510) 286-5559

TTY 711

www.dot.ca.gov

Serious Drought.
Help save water!

August 4, 2014



SON1011888
SON-101-15.02
SCH# 2013062005

Ms. Marilyn Ponton
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

Dear Ms. Ponton:

Northwest Specific Plan – Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the Northwest Specific Plan. The following comments are based on the DEIR.

Forecasting

Caltrans notes the DEIR implies two kinds of future (no project) traffic conditions. The future conditions addressed in page 4.14-22 and Figure 4.14-4 represent buildout of the Specific Plan Area with current Rohnert Park 2020 General Plan land use designations, which differs from the proposed Northwest Specific Plan as well as the “other” future conditions. The “other” future (no project) traffic conditions should be implicitly derived from Figure 4.14-7 Future plus Project Traffic Volumes. The DEIR never addresses the underlying assumptions, trip generations, turning traffic under only “other” future (no project) conditions. Please include AM (PM) trip generation table and turning movement traffic diagram per study intersection under the “other” Future (No Project) Traffic Conditions associated with the proposed Northwest Specific Plan for further review.

Table 4.14-13 shows AM (PM) generated traffic as 913 (1773) Vehicles per hour (vph) significantly higher than 100 vph, which is a requested threshold to conduct a traffic impact study. The DEIR only shows PM traffic impact study in Figure 4.14-6 and 4.14-7. Caltrans believes that the pattern of AM traffic is substantially different from that of PM traffic. Therefore, please include AM traffic within the traffic impact study.

Highway Operations

Page 4.14-51, table 4.14-22, of the DEIR shows the 95th Percentile queue on Commence Boulevard northbound off-ramp was reduced with improvements and mitigation at intersections 6 through 8.

A04-01

A04-02

A04-03

A04-04

Ms. Marilyn Ponton/City of Rohnert Park
August 4, 2014
Page 2

How do the improvements and mitigation at intersections 6 through 8 cause reduction of the queue length at the off-ramp? Please clarify.

A04-04
cont.

The U.S. Highway 101 northbound off-ramp intersection at Commence Boulevard should be monitored or considered for mitigation to reduce the adverse impacts to both the freeway and the ramp.

Regional Planning

Page 4.14.1 of the DEIR, describes Federal, State, regional, and local environmental laws and policies that are relevant to the California Environmental Quality Act review process for transportation and circulation. Please consider including a reference to the California Transportation Plan and the California Strategic Highway Safety Plan.

A04-05

Should you have any questions regarding this letter, please contact Luis Melendez of my staff at (510) 286-5606 or luis_melendez@dot.ca.gov.

A04-06

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse



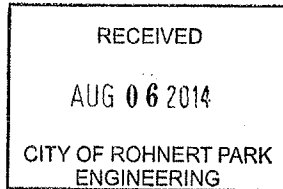
Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

August 5, 2014



Marilyn Ponton
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

Subject: Northwest Specific Plan
SCH#: 2013062005

Dear Marilyn Ponton:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 4, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A05-01

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report

State Clearinghouse Data Base

SCH# 2013062005
Project Title Northwest Specific Plan
Lead Agency Rohnert Park, City of

Type EIR Draft EIR

Description The Specific Plan proposes a primarily mixed-use development with regional commercial and industrial uses. The Specific Plan includes open space and park components as part of the Conceptual Land Use Plan. In addition to describing the proposed building form and development standards, the Specific Plan also contains goals, policies, and programs relating to land use and urban design; traffic and circulation; utilities and public services; biological resources; and housing. The Specific Plan also contains recommended implementation strategy to guide the next steps. It is assumed that this development under the Specific Plan would occur through 2035, which is considered the Specific plan Horizon.

Lead Agency Contact

Name Marilyn Ponton
Agency City of Rohnert Park
Phone 707 588 2231
email
Address 130 Avram Avenue
City Rohnert Park
State CA **Zip** 94928
Fax

Project Location

County Sonoma
City Rohnert Park
Region
Lat / Long
Cross Streets Wilfred Avenue/Golf Course Drive (between Redwood Drive and Stony Point Road)
Parcel No. Several Parcels
Township **Range** **Section** **Base**

A05-02

Proximity to:

Highways Hwy 101
Airports
Railways
Waterways Bellevue-Wilfred Channel
Schools Pathways Charter
Land Use Commercial-Regional, office, Industrial, High Density Residential, Commercial-Regional/High Density Residential, Parks/Rec

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual; Forest Land/Fire Hazard

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Air Resources Board; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 1; Native American Heritage Commission; Public Utilities Commission

**Document Details Report
State Clearinghouse Data Base**

**A05-02
cont.**

Date Received 06/19/2014 ***Start of Review*** 06/19/2014 ***End of Review*** 08/04/2014

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

PUBLIC UTILITIES COMMISSION

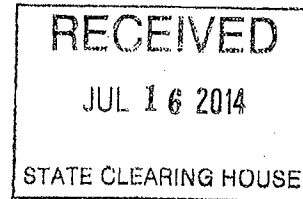
320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013
(213) 576-7083

CLEAR
8/14/14
2



July 14, 2014

Ms. Marilyn Ponton
City of Rohnert Park
130 Avram Avenue
Rohnert Park, California 94928



Dear Ms. Ponton:

SUBJECT: SCH 2013062005 Rohnert Park Northwest Specific Plan - DEIR

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings in California. The Commission Rail Crossings Safety Section (RCSS) is in receipt of the draft *Environmental Impact Report (DEIR)* for the proposed City of Rohnert Park (City) Northwest Specific Plan project.

The project area includes the active rail tracks. RCES recommends that the City add language to the Specific Plan so that any future development adjacent to or near the planned railroad right-of-way (ROW) is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at any planned at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes, and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.

If you have any questions in this matter, please contact me at (213) 576-7076, ykc@cpuc.ca.gov.

Sincerely,

Ken Chiang, P.E.
Utilities Engineer
Rail Crossings Safety Section
Safety and Enforcement Division

C: State Clearinghouse

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
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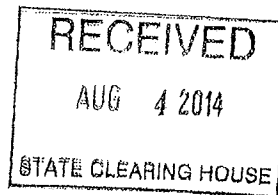
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8/4/14
2



*Serious Drought
Help save water!*

August 4, 2014

Ms. Marilyn Ponton
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928



SON1011888
SON-101-15.02
SCH# 2013062005

Dear Ms. Ponton:

Northwest Specific Plan -- Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the Northwest Specific Plan. The following comments are based on the DEIR.

Forecasting

Caltrans notes the DEIR implies two kinds of future (no project) traffic conditions. The future conditions addressed in page 4.14-22 and Figure 4.14-4 represent buildout of the Specific Plan Area with current Rohnert Park 2020 General Plan land use designations, which differs from the proposed Northwest Specific Plan as well as the "other" future conditions. The "other" future (no project) traffic conditions should be implicitly derived from Figure 4.14-7 Future plus Project Traffic Volumes. The DEIR never addresses the underlying assumptions, trip generations, turning traffic under only "other" future (no project) conditions. Please include AM (PM) trip generation table and turning movement traffic diagram per study intersection under the "other" Future (No Project) Traffic Conditions associated with the proposed Northwest Specific Plan for further review.

Table 4.14-13 shows AM (PM) generated traffic as 913 (1773) Vehicles per hour (vph) significantly higher than 100 vph, which is a requested threshold to conduct a traffic impact study. The DEIR only shows PM traffic impact study in Figure 4.14-6 and 4.14-7. Caltrans believes that the pattern of AM traffic is substantially different from that of PM traffic. Therefore, please include AM traffic within the traffic impact study.

Highway Operations

Page 4.14-51, table 4.14-22, of the DEIR shows the 95th Percentile queue on Commence Boulevard northbound off-ramp was reduced with improvements and mitigation at intersections 6 through 8.

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Ms. Marilyn Ponton/City of Rohnert Park
August 4, 2014
Page 2

How do the improvements and mitigation at intersections 6 through 8 cause reduction of the queue length at the off-ramp? Please clarify.

The U.S. Highway 101 northbound off-ramp intersection at Commence Boulevard should be monitored or considered for mitigation to reduce the adverse impacts to both the freeway and the ramp.

Regional Planning

Page 4.14.1 of the DEIR, describes Federal, State, regional, and local environmental laws and policies that are relevant to the California Environmental Quality Act review process for transportation and circulation. Please consider including a reference to the California Transportation Plan and the California Strategic Highway Safety Plan.

Should you have any questions regarding this letter, please contact Luis Melendez of my staff at (510) 286-5606 or luis_melendez@dot.ca.gov.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

COMMENT LETTER # B01

Q: Will my taxes go up when I am annexed.

| B01-01

**CITY OF ROHNERT PARK
DRAFT NORTHWEST SPECIFIC PLAN AND EIR
PUBLIC MEETING NOTES**

JULY 14, 2014

1. Welcome and Agenda

2. Draft Specific Plan and EIR Presentation

3. Public Comments and Questions

- a. Construction Noise: Construction of the casino was very noisy and there was noise 20 hours a day. How would construction in the Specific Plan area not cause noise impacts?**

B02-01

- i. Response: The Casino is not within the City's jurisdiction and was therefore not required to comply with the City's Noise Ordinance which limits hours of construction. Construction within the Specific Plan area would be required to comply with the City's Noise Ordinance and the analysis in the Draft EIR demonstrates the potential increase in noise due to typical construction equipment that may be used.

- b. Noise Impacts: How is it that the existing plus project noise would be significant, but future plus project would be less than significant?**

B02-02

- i. Response: The existing plus project is not a realistic scenario since it assumes all development would be placed on site today. In the future, the project area will have increased traffic without the project and the project's contribution to this increase is not significant.

- c. Biological Resources: Would the mitigation measures for biological resources be required to be implemented all at once, or would it occur parcel-by-parcel?**

B02-03

- i. Response: It depends on how the landowners decide to develop the property in the future. If landowners coordinate, they may implement mitigation measures for a larger area, or if they decide to work independently, they may implement the measures on an individual basis.

- d. Mixed-Use: Does the EIR cover only the amount of mixed-use development as is shown in the Specific Plan, or would additional mixed-use development be allowed similar to the Mixed-Use Only Alternative?**

B02-04

- i. Response: The EIR includes an assumption for buildout of the Specific Plan, which includes a total square footage of commercial uses and a total number of residential uses, which would be developed within the areas designated as "Mixed-Use". Any development proposal would be evaluated for consistency with the NWSP and the EIR.

e. Multi-Use Trail: The Conceptual Land Use Plan shows the trail splitting parcels within the North District. Would it be possible to move the trail north along the northern boundary of these parcels to allow them to be developed together rather than splitting them up?

B02-05

i. Response: The Conceptual Land Use Plan is simply conceptual at this stage and does not designate land uses in that are that would require the trail to go in the exact location shown. However, at previous public meetings, there was generally support for the location shown since it would touch the greatest number of parcels.

f. Residential Uses: Is there a possibility of allowing strictly higher density residential within the Mixed-Use area, instead of mixed-use? There is a concern that mixed-use development may not be economically viable.

B02-06

i. Response: The EIR includes an assumption for buildout of the Specific Plan, which includes a total square footage of commercial uses and a total number of residential uses, which would be developed within the areas designated as "Mixed-Use". Any development proposal would be evaluated for consistency with the NWSP and the EIR.

g. Detention Basins: Concern regarding the location of the detention basins shown on the conceptual land use plan and how that will impact landowners.

B02-07

i. Response: The location of the detention basins is shown for conceptual purposes only and the ultimate location of the basins will be determined based on proposed development and hopefully coordination between landowners.

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A Professional Law Corporation

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E-Mail Address: aguerra@buchalter.com

August 4, 2014

Marilyn Ponton
Planning and Building Manager
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

Re: Comments on Northwest Specific Plan Draft EIR – SCH No. 2013062005

Dear Ms. Ponton:

Thank you for the opportunity to submit comments on behalf of Sonoma Land Acquisition Company, LLC (“SLAC”) regarding the Northwest Specific Plan Draft Environmental Impact Report (“Draft EIR”). We commend the City of Rohnert Park (“City”) for the thorough analysis of the potential environmental impacts resulting from the development of the proposed Northwest Specific Plan. We note, however, a few minor comments and clarifications for your consideration. To assist you in your review, we identified our comments for each section of the Draft EIR, and referenced the associated page numbers. We also highlighted the corresponding Specific Plan section, as appropriate. Unless otherwise indicated, all references to pages, maps and plans are as designated in the Draft EIR.

Background

B03-01

As you are aware, SLAC owns approximately 34.5 acres of land located adjacent to the eastern border of the Graton Resort & Casino site, south of Golf Course Drive West and north of Business Park Drive in unincorporated Sonoma County (“Property”). The Property is generally comprised of vacant and agricultural land composed of grazing and hay farming. The Property is located in the Mixed Use South portion of the Northwest Specific Plan as shown on Figure 3-1.

Executive Summary

We respectfully request that the City update the Executive Summary to be consistent with our proposed revisions to the main text of the EIR as indicated below.

Project Description

B03-02

Page 3-5: Figure 3-3 - Rohnert Park General Plan Land Use. Figure 3-3 of the Draft EIR indicates that the Rohnert Park General Plan designates the Property “Regional Commercial.” Page 3-20 of the Draft EIR states that Figure 3-3 shows the *proposed* General Plan land use designations. Figure 3-3, however, shows the *existing* land use designations. We request that the City revise Figure 3-3 to also show the proposed General Plan land use designation of

“Mixed Use” as discussed on page 3-21 of the Draft EIR, or include a second diagram which shows the proposed General Plan land use designations to the extent they differ from the existing General Plan land use designations. Alternatively, the EIR could refer to Figure 3-5 which illustrates the proposed Specific Plan Land Uses and label that figure with a corresponding reference to the proposed General Plan land use designations.

B03-02
cont.

Page 3-9: Description of the Proposed Specific Plan. The Draft EIR summarizes the key components and recommendations of the Specific Plan. Table 3-1 summarizes the Specific Plan Buildout Projections. The Draft EIR states that the timeframe and rate of development within the Specific Plan Area are subject to variation based on market demands, the regional economy, and other socioeconomic factors. The Draft EIR also should state that the Specific Plan confirms that the Table 3-1 development potential provides a conceptual development program for overall square footage of new development for environmental review purposes. The Specific Plan notes that the development program is conceptual and may not be built out exactly as depicted over the next 20 years. Further, it is important to note that neither the Specific Plan nor the EIR is intended to cap the level of development that may occur in the future.

B03-03

Page 3-10: Section 3.3.1.1- Proposed Specific Plan Land Uses; Commercial – R (Regional Commercial). The Draft EIR includes in the list of allowable land uses under the proposed Specific Plan “Commercial – R (Regional Commercial)” designation land uses which were not specified in the Specific Plan for that land use category. For example, page 54 of the proposed Specific Plan indicates that service stations would be conditionally permitted uses, but does not include automobile sales in the Specific Plan’s list of Regional Commercial uses. Auto repair is a permitted use in the Industrial category according to page 61 of the Specific Plan, but the Draft EIR does not identify auto repair as a permitted use in this category. We request that the City revise the EIR project description to be consistent with the Specific Plan.

B03-04

Page 3-12: Mixed Use. The Northwest Specific Plan designates the Property and the South District for “Mixed Use (M-U)” land uses. This designation accommodates a variety of “compatible businesses, stores, institutions, service organizations, hotels, and residences in a pedestrian-oriented setting. According to the Specific Plan, allowable land uses include multi-family residences (up to 24 dwelling units per acre), retail shops, financial, business and personal services, and restaurants” (Specific Plan at p. 47). The Rohnert Park General Plan similarly designates “Mixed Use” as the land use category “accommodating a variety of compatible businesses, stores, institutions, service organizations, and residences in a pedestrian-oriented setting” (General Plan at p. 2-21). We recommend that Figure 3-3 and page 3-20 of the Draft EIR be revised to clarify that the applicable General Plan land use category for the South District will be Mixed Use (M-U) in order to be consistent with the discussion on page 3-12 of the EIR

B03-05

Page 3-12: Parks/Recreation. The Specific Plan designates 1.3 acres of Parks/Recreation and includes a provision that 3.5 additional acres of park space will be provided as part of the trail system and adjacent to detention areas. The Draft EIR also indicates that the Specific Plan recommends that a plaza be built south of Golf Course Drive as part of a new retail development. Between the detention basin, the parks and recreational uses and the public plaza, and the

B03-06

Dowdell Avenue realignment (see below) more than 1/3 of the Mixed Use South District could potentially be devoted to public park, plaza and public facilities uses. We are unclear as to the basis for the Specific Plan to devote substantial property in the Mixed Use South District to public facilities particularly since this area may be developed with largely non-residential uses and the amount of development is speculative at this time. We recommend that the City clarify that the amount of parks, open space, recreational uses and public plazas be re-evaluated at the time an actual development proposal is under the City's review. We also request that the public plaza be eliminated from the Specific Plan as there are no specific plans for any retail uses at this time.

B03-06
cont.

Page 3-14 – Dowdell Avenue, 4th Bullet. The Draft EIR and page 18 and Figure 3-2 of the Specific Plan indicate that Dowdell would be extended from Golf Course Drive West to Business Park Drive with roadway widths including an 8-foot parking lane and an 11-foot through lane. We are unclear as to the Specific Plan's basis for the realignment of Dowdell Avenue to the west through the southern portion of the Mixed Use South District. This realignment effectively results in the entire southern portion of the Mixed Use South District being unavailable for any development. Consequently, we request that the Specific Plan and EIR be revised to align the future Dowdell Avenue within the existing right-of-way.

B03-07

Page 3-20 – Section 3.4 General Plan Amendments. Please revise the discussion on page 3-20 to either replace Figure 3-3 or clarify that the proposed General Plan Amendment for the Property is Mixed Use (M-U) rather than Regional Commercial as indicated above.

B03-08

Page 3-21 – Section 3.5 Zoning. Please clarify if the Specific Plan Illustrative Land Use Plan shown in Figure 3-1 of the proposed Specific Plan will serve as the zoning district for the Property, or will the zoning district be "Specific Plan" (SP) as stated on page 3-21.

B03-09

Page 3-22 – Section 3.8 Required Permits and Approvals. Please add to the list of City entitlements, the following entitlements for which developers may seek approval:

- Approvals under the Subdivision Map Act (e.g., lot line adjustments, parcel maps, subdivision maps, etc.); conditional use permits, design review, and development agreement(s).

B03-10

Development of the Specific Plan also would require ministerial approvals such as grading permits, final subdivision maps and building permits. Additionally, please include in the list of required permits and approvals the United States Fish and Wildlife Service (USFWS) for incidental take authorization and the Section 7 consultation process.

B03-11

Section 4.4 – Biological Resources

Page 4.4-27. The Draft EIR indicates that the seasonal wetland habitat in the Specific Plan Area may provide suitable habitat to support breeding California tiger salamander (CTS). By contrast, the Northwest Specific Plan Biological Resources Assessment prepared by WRA,

B03-12

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Marilyn Ponton
August 4, 2014
Page 4

Inc. on July 13, 2012 indicates that the Plan Area does not contain suitable breeding habitat for CTS. The July 2012 Biological Resources Assessment indicated, however that the Specific Plan Area could potentially be used as dispersal habitat for CTS moving from breeding ponds located outside of the Plan Area. We request that the Draft EIR clarify the basis for concluding that the seasonal wetlands in the Plan Area were considered to provide suitable breeding habitat for CTS.

B03-12
cont.

Page 4.4-27; 4.4-30. The Draft EIR notes that the Specific Plan Area is designated critical habitat for CTS. The Draft EIR states that because the Specific Plan Area is designated critical habitat for CTS, CTS are presumed present. Although the Plan Area is designated critical habitat, CTS are not necessarily present in the area. In fact, often the USFWS designates critical habitat in areas unoccupied by the listed species. The question is whether or not the area supports the primary constituent elements (PCEs) considered essential to establishing CTS habitat. Moreover, while it is true that the CTS critical habitat designation applies to the Specific Plan Area, the Federal Register rule indicates that certain exemptions (such as for paved roads, irrigation ditches, and developed/ landscaped areas) may apply, thereby carving out those areas from the CTS critical habitat designation. For example, on the 34-acre SLAC property, 4.87 acres of developed/landscape area, 0.16 acres of flood control channel, and 4.01 acres of irrigated pasture occupy the property and may not be considered critical habitat for CTS. Consequently, we request that the City revise the EIR to include an estimate of the area of designated critical habitat in the Mixed Use South District.

B03-13

Page 4.4-27. The Draft EIR notes that *all* of the special status plant and/or wildlife species identified in Table 4.4-4 and 4.4-5 may be impacted either directly or indirectly through habitat loss with Specific Plan implementation. The EIR should clarify the nature of such impacts and identify the specific species that potentially would be impacted because the Draft EIR also states for many of the species listed in Tables 4-4 and 4-5 there is *no likelihood or a low likelihood* of occurrence within the Plan Area. Consequently, the development of the Specific Plan, including the SLAC property, would *not* impact *all* of the special status species.

B03-14

Page 4.4-32 – Mitigation Measure BIO-1a. Please clarify in the EIR that a protocol-level survey would not be required for *all* special status species identified in Table 4.4-4, including those species without any likelihood of presence in the Specific Plan Area.

B03-15

Page 4.4-33 - Mitigation Measure BIO-1a, 1st Sentence. The EIR should be revised to clarify that “Lost plant habitat that is occupied by special status plants shall be replaced at a ratio of two acres of replacement habitat for each acre of special-status plant habitat lost.” The 2:1 replacement mitigation ratio applies if the habitat is actually occupied by a special status plant.

B03-16

Page 4.4-33 - Mitigation Measure BIO-1a, Item (4). Please clarify if the survey requirement in Item (4) applies only to special status plant species.

B03-17

Page 4.4-34 - Mitigation Measure BIO-1f. The Draft EIR provides that if CTS is determined to be on-site, the City shall require that the applicant initiate a formal consultation with USFWS. As a point of clarification, the obligation to consult with USFWS rests with the

B03-18

BuchalterNemer

Marilyn Ponton
August 4, 2014
Page 5

federal agency that is issuing a permit or authorization, and not with the local agency or the private applicant for the project (see e.g., 50 CFR part 402) to require consultation. Nonetheless, if a particular project will result in the take of federally-listed endangered or threatened species, then the applicant will need to obtain incidental take authorization under the Endangered Species Act. The form of incidental take will depend on whether or not another federal agency is involved in issuing a permit or other approval, or whether the project is federally funded. Importantly, there may be instances in which CTS may be present, for example, but a future specific project would not involve the take of the listed species, in which case, the need for consultation and/or incidental take authorization may not arise. Accordingly, we request that the City revise Mitigation Measure BIO-1f to clarify that incidental take authorization may be required if a proposed action would result in the potential for take of a federally listed species, rather than requiring consultation because a CTS is present.

B03-18
cont.

Please revise Page 4.4-34 of the Draft EIR to indicate that the Santa Rosa Plains Conservation Strategy and the Programmatic Biological Opinion would govern the applicable mitigation ratios for effects on CTS for future activities. Because the EIR consultant was unable to access the property during the preparation of the biological resources assessment does not mean that the potential impacts to biological resources (if any) would remain significant and unavoidable.

Page 4.4-34 - Mitigation Measure BIO-2a. The Draft EIR states that the City shall require an applicant to conduct a wetland delineation and obtain verification prior to City approval of any specific development proposal. This mitigation measure is infeasible because due to limited staff and funding resources, the United States Army Corps of Engineers (USACE) has indicated that it is unable to timely process wetland delineations. In fact, we understand that some regulatory districts recently adopted guidance in which the USACE will only verify a wetlands delineation, if an applicant concurrently submits a Section 404 permit application. In those instances in which a project is designed to avoid waters of the U.S., and thus obviate the need to obtain a Section 404 permit, the applicant may be unable to obtain a verified wetland delineation. Consequently, Mitigation Measure Bio-2A should be deleted or revised to clarify that a wetland delineation may be required as a condition of project approval if an approved project will impact waters of the U.S., rather than as a pre-requisite to the review of a project application in the first instance. This change would be consistent with Mitigation Measure BIO-2b.

B03-19

Page 4.4-34 - Mitigation Measure BIO-2b. The Draft EIR requires that once the USACE verifies a wetland delineation map, then the City shall require that the applicant design the project to avoid and minimize wetland impacts. This approach is backwards. Often, the municipality reviews development applications long before the USACE verifies a wetland delineation or issues a Section 404 permit. Consequently, the Section 404 permit becomes the mechanism for assuring that the project (as approved by the local land use authority) is designed to avoid and minimize wetlands impacts, and then the City will issue a grading permit in a manner consistent with the Section 404 permit. The BMPs described in BIO-2b are conditions of approval on the specific project and appropriately addressed in the grading permit or final map.

B03-20

Page 4.4-34-35 - Mitigation Measure BIO-2d. Mitigation Measure BIO-2d provides that the City shall require the project developer to establish a USFWS/CDFW approved mitigation bank. The USFWS, CDFW, or USACE determines whether or not to approve mitigation banks. The City cannot require that the state and federal agencies approve a mitigation bank as a mitigation measure for a development project. The establishment of a mitigation bank is subject to specific requirements that often are not related to a particular development project. We recommend that the Draft EIR delete this mitigation measure because there is no feasible way to implement the measure if the agencies do not approve a mitigation bank, and the establishment of a mitigation bank may not provide the mitigation that the state and federal agencies will ultimately require for a particular project. More importantly, mitigation for impacts to wetlands and special status species is authorized under state and federal law through the purchase of mitigation credits at an established agency approved mitigation bank, the preservation of a turnkey mitigation site (which likely would be preserved under a conservation easement), and/ or participation in an in-lieu fee program in accordance with the 2008 USACE Mitigation Rule and the SRPCS among other applicable regulatory requirements.

B03-21

Page 4.4-35 - Significance with Mitigation. The Draft EIR concludes that compliance with applicable regulations and implementation of Mitigation Measures BIO-2a through BIO-2d would reduce potential impacts to the "maximum extent practicable." This is not the standard for mitigation to reduce significant impacts to a less-than-significant level under CEQA, nor is this the applicable standard for reducing impacts to wetlands and waters of the U.S. or special status species habitat. We recommend that this phrase be deleted as the question is whether or not the recommended mitigation measures would reduce the impacts to a less-than-significant level for CEQA purposes. Although portions of the Specific Plan Area were not accessible during the preparation of the biological resources assessment and the extent of potential resources may be unknown, it does not mean that the potential impacts would remain significant and unavoidable. In order to develop those properties in the future, the developer will be required to comply with applicable state and federal laws.

B03-22

Section 4.9 - Hydrology and Water Quality

Page 4.9-26 – Impact HYDRO-3. According to the Draft EIR, Drainage Areas A and B comprise the approximately 34-acre SLAC Property. Area A includes 4.5 acres of detention in the southern portion of the SLAC Property which would accommodate a detention volume of 10.85 acre-feet and a treatment volume of 1.01 acre-feet. Area B includes a 0.6-acre detention area to handle a volume of 1.1 acre-feet of runoff and 0.4 acre-feet of treatment volume. Policy UTIL-1.1 (see Page 4.9-26) indicates that detention basins will be required to contain runoff from the 100-year storm at flow rates which will be less than pre-development conditions, and/or will not exceed City or Sonoma County storm drain design criteria.

B03-23

While a detention basin may be appropriate for purposes of storm water management, the size of the basin within Area A would cause a substantial reduction in the amount of developable area available within Area A. Although SLAC has not submitted a specific development proposal to the City, it is exploring various development options for the Property which would be

consistent with the mixed use development contemplated in the Northwest Specific Plan. In order to achieve the level of development contemplated under the Specific Plan, however, SLAC needs flexibility to reduce the size and modify the location of a detention basin. Additionally, the discharge points to Labath Creek, if considered in the future as discussed in the Specific Plan, will be subject to regulatory agency approval. Consequently, we request that the City revise the Specific Plan and EIR to clarify that SLAC may consider other alternatives to detention which may result in a reduction in the size of the detention basin in order to achieve a “no net increase” in surface runoff from the Property.

B03-23
cont.

Section 4.10 - Land Use and Planning

Page 4.10-21 – Impact LU-3. We request that the City revise Impact LU-3 to be consistent with the requested revisions to BIO-1a and BIO-1f.

B03-24

Section 4.14 – Transportation and Traffic

Page 4.14-34 – Table 4.14-12. The Specific Plan buildout projections in Table 4.14-12 differ from the buildout projections in the Project Description, Table 3-1. Please revise the tables so that they accurately reflect the buildout projections and are consistent with each other. For example, Table 4.14-12 does not include a projection for mixed use development. The tables indicating the buildout projections should be consistent with Figure 5, Specific Plan Land Use.

B03-25

Page 4.14-35 – Trip Generation. Please clarify which trip generation rates identified in the five bulleted items at the top of page 4.14-35 correspond to the Specific Plan Mixed Use land use designation which would apply to the Mixed Use South District.

B03-26

Page 4.14-48 – Table 4.4-19. The Golf Course Drive West/Labath Avenue intersection improvement identified in Table 4.4-19 contemplates widening the westbound lane to include dual left turn lanes. Page 77 of the Draft Northwest Specific Plan indicates that this intersection will include two through lanes and two left-turn lanes. Please clarify which description is accurate and revise the documents accordingly.

B03-27

Page 4.14-53 – City of Rohnert Park Intersections. The Draft EIR describes the following two intersections for which the project would have significant and unavoidable impacts: Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps. Page 78 of the Northwest Specific Plan identifies roadway improvements for which the Specific Plan development will contribute its proportionate share to the cost of the improvements. The Draft EIR should be revised to be consistent with the Specific Plan (specifically Policies CIR-1.14 and CIR-1.15) and acknowledge that the Northwest Specific Plan development will pay its proportionate share of the costs of the future improvements.

B03-28

Page 4.14-59 – TRANS-1B. The Draft EIR describes mitigation measures for the Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps intersections. The mitigation measures differ slightly from the improvements identified in the Specific Plan. For example, the Specific Plan calls for changes to the eastbound lanes at Golf

B03-29

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Marilyn Ponton
August 4, 2014
Page 8

Course Drive West/Redwood Drive and a change in signal timing at the Golf Course Drive/U.S. 101 South Ramps which are not included in the EIR. Please revise the Specific Plan and EIR to be consistent.

B03-29
cont.

Section 4.15 - Utilities

Page 4.15-17 – UTIL-5. The Specific Plan states on page 111 that the water demand increases associated with the Specific Plan will trigger the need for significant wastewater improvements, including 4,400 linear feet of 8-inch sewer main, one or two sewer pump stations and one reclaimed water booster pump station and storage tank. The Draft EIR states, however, that all flows from the Specific Plan area will be conveyed to a 10-inch main constructed in Golf Course Drive West. Please confirm whether the description of the improvements in the Specific Plan or the EIR would apply to the development of the Specific Plan area.

B03-30

Page 5-3 - Biological Resources. Please refer to our comments above regarding Impact BIO-1 and the EIR's conclusion that impacts to CTS and special status species would remain significant and unavoidable. For the same reasons we question the conclusion that the impacts to riparian habitat and wetlands would be significant and unavoidable. Additionally, the summary of Impact BIO-2 does not appear to accurately reflect the potential impacts to riparian habitat or other sensitive natural community. We are unclear as to what constitutes "made up wetland habitat."

B03-31

B03-32

On behalf of SLAC, we appreciate the opportunity to submit comments on the Northwest Specific Plan Draft EIR, and look forward to the City's release of the Final EIR in the near future. Please let me know if you have any questions regarding our comments.

Very truly yours,

BUCHALTER NEMER
A Professional Corporation

By


Alicia Guerra

AG:ff

cc: Scott Nielson
Matt Heinhold

EXHIBIT B

CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO THE CERTIFICATION OF THE NORTHWEST SPECIFIC PLAN EIR

STATEMENT OF FINDINGS

The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Northwest Specific Plan ("NWSP") project ("Project") and the environmental impact report ("EIR"). The findings and determinations constitute the independent findings and determinations by this City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific sections within the Draft and Final EIRs in support of various conclusions reached below, the City Council incorporates by reference and adopts as its own, the reasoning and analysis set forth in both the Draft and Final EIR and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Council's approval of all mitigation measures recommended in the Final EIR, and the reasoning set forth in responses to comments in the Final EIR. The City Council further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this City Council with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record. The Final EIR, comments and responses to comments and all appendices are hereby fully incorporated herein by this reference.

I. INTRODUCTION

These are the CEQA findings prepared by the City of Rohnert Park ("City") as lead agency for the Project. These findings pertain to the Project and the Environmental Impact Report prepared for that Project, designated as State Clearinghouse No. 2013062005. The Draft EIR, the Final EIR, and all the appendices comprise the "EIR" referenced in these findings.

These CEQA findings are attached as Exhibit B and are incorporated by reference into the resolution certifying the EIR. That resolution also incorporates an Exhibit C, which contains the Mitigation Monitoring and Reporting Plan ("MMRP"), and which references the Project's impacts, mitigation measures, levels of significance before mitigation, and resulting levels of significance after mitigation.

II. THE PROJECT

The NWSP proposes a mixed-use community on approximately 100 acres adjacent to the northwest City limits and within the City's Urban Growth Boundary. The NWSP area lies south of Millbrae Avenue, west of Dowdell Avenue, north of Business Park Drive, and east of Langner

Avenue. Existing uses in the NWSP area include small-scale agricultural operations in the south district, single family and rural residential in both the north and south districts, and vacant and undeveloped land that have previously been used for agriculture.

The proposed Project would provide for development of up to 398 residential units, 458,700 square feet of regional commercial uses, 218,200 square feet of industrial uses, 58,400 square feet of mixed-use, 100 hotel rooms, and parks and open space within the 100-acre planning area. The Project proposes development standards and design guidelines to govern all development within the NWSP area. The Applicant is seeking approval of the NWSP, as well as General Plan amendments to reflect the NWSP.

The Applicant has additionally submitted an application for Rezoning and Annexation of the property to the City of Rohnert Park. The proposed NWSP and its accompanying documents are forwarded to City Council for action.

As noted above, the Project application includes a request for a General Plan amendment. The current land use designations on the Project site in the Rohnert Park General Plan are High Density Residential, Commercial, Office, Industrial, and Parks/Recreation. The Project proposes to amend the configuration of the existing General Plan designations on the site and to add the Mixed-Use designation. If approved, this amendment would amend the Rohnert Park General Plan Land Use Map to accurately reflect the configuration of land uses included in the NWSP.

The NWSP area is located outside of the existing City limit and is not currently included in the City of Rohnert Park Zoning Map. The entire NWSP is proposed to be zoned Specific Plan (SP). If zoned Specific Plan (SP), uses and development standards for the area would be determined by the proposed NWSP.

Project Objectives

Overall, Project objectives as stated by the Project sponsor include the following, as provided in the EIR:

- Define the vision for the future of the NWSP area.
- Establish a land use plan and policy framework that will guide future development of a mix of commercial, higher density residential, and light industrial uses within the NWSP area.
- Implement development standards and design guidelines that reflect the surrounding context and community values, while promoting economically viable and vibrant development.
- Provide a multi-modal circulation plan that supports buildout of the NWSP and ensures safe access for all users.
- Provide a framework for development of a cohesive system of pedestrian/bicycle connections and trails linking activity nodes, retail, housing, parks, and open spaces together.

- Design a preliminary drainage plan that includes Low Impact Development strategies to manage and treat stormwater runoff within the NWSP area.
- Identify a framework for implementation and financing of the NWSP.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

Pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* ("CEQA") and the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 *et seq.*, the City determined that an Environmental Impact Report ("EIR") should be prepared to analyze the potential environmental effects of the Project. As required under CEQA, a Notice of Preparation ("NOP") describing the proposed Project and issues to be addressed in the EIR was distributed to responsible agencies (to state agencies through the State Clearinghouse), and other interested parties for a 30-day public review period beginning June 7, 2013. The City's Planning Department conducted an EIR public scoping meeting on June 20, 2013, to allow interested parties to provide comments on the Project with regard to potential environmental issues that should be considered in the EIR.

The Draft EIR was prepared and circulated for a 45-day public review period beginning June 20, 2014, and ending August 4, 2014. A Public Comment Session was held on July 14, 2014, to allow interested individuals to present their comments on the Draft EIR in a public forum. In addition to the comments that were received at the July 14th meeting, the City also received comment letters on the Draft EIR from interested individuals, businesses and agencies.

The City prepared responses to all comments received on the Draft EIR during the public review, which in some cases required revisions to the Draft EIR. The responses to comments, changes to the Draft EIR, and additional information have been incorporated into the Final EIR.

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The Guidelines provide examples of significant new information under this standard. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. Though changes have been made to the Draft EIR, the Final EIR does not contain significant new information as defined in the Guidelines and recirculation of the EIR is not required.

IV. THE RECORD OF PROCEEDINGS

The record upon which all findings and determinations related to the Project are based includes the following:

- a. The Draft EIR and Final EIR and all documents referenced in or relied upon by the Draft EIR and Final EIR.

b. All information (including written evidence and testimony) provided by City staff to the Planning Commission and the City Council relating to the Draft EIR and Final EIR, the proposed approvals and entitlements, the Project or its alternatives.

c. All information (including written evidence and testimony) presented to the Planning Commission and the City Council by the environmental consultant and subconsultants who prepared the Draft EIR and Final EIR, or incorporated into reports presented to the Commission and the Council.

d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the Draft EIR and Final EIR.

e. All applications, letters, testimony and presentations presented by the Project Sponsor and its consultants to the City in connection with the Project.

f. All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project, the Draft EIR, and the Final EIR.

g. For documentary and information purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring and reporting programs and other documentation relevant to regulation and management of land use in the area.

h. The MMRP for the Project.

i. All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The custodian of the documents and other materials that constitute the administrative record of proceedings upon which the Council's decision is based are located at the City of Rohnert Park, City Clerk, 130 Avram Avenue, Rohnert Park, CA 94928. The custodian of records is the City Clerk.

The City Council has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the Council or City staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions with which the City Council was aware in approving the Project. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents influenced the expert advice provided to City staff or consultants, who then provided advice to the City Council. For that reason, such documents form part of the underlying factual basis for the Council's decisions relating to the adoption of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. Planning Commission of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

These findings are based upon substantial evidence in the entire record before the Council. The references to certain pages or sections of the EIR set forth in these findings are for ease of reference only and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

V. FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The City must

therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such Projects.” (Pub. Resources Code, § 21002.)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. Planning Commission* (1978) 83 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant.

Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the Final EIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the Project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II, supra*, 52 Cal.3d at p. 576.)

These findings constitute the City Council members’ best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with

the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the Council adopts a resolution approving the Project.

VI. CERTIFICATION OF THE EIR

In accordance with CEQA, the CEQA Guidelines and the City Guidelines, the Council, as lead agency, certifies that the EIR has been completed in compliance with CEQA, the CEQA Guidelines and the City Guidelines. The Council further certifies that it has reviewed and considered the information in the EIR prior to approving any element of or entitlement for the Project. Similarly, the Council finds that it has reviewed the record and the EIR prior to approving any element of or entitlement for the Project. By making these findings, the Council confirms, ratifies and adopts the findings and conclusions of the EIR, as supplemented and modified by the findings contained herein. The EIR and these findings represent the independent judgment and analysis of the City and the Council.

The Council certifies that the EIR is adequate to support the approval of the Project. The EIR is adequate for each entitlement or approval required for adoption of the NWSP and annexation of the NWSP area to the City of Rohnert Park.

VII. MITIGATION MEASURES AND MMRP

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097 require the City to adopt a monitoring plan or reporting program with adoption of the EIR to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The Council finds that the MMRP included in Exhibit C meets these requirements and hereby adopts the MMRP.

The mitigation measures recommended by the EIR and incorporated into the Project are specific and enforceable. As appropriate, some mitigation measures define performance standards to ensure no significant environmental impacts occur. The MMRP adequately describes conditions, implementation, verification, a compliance schedule and reporting requirements to ensure the Project complies with the adopted mitigation measures. The MMRP ensures that the mitigation measures are in place, as appropriate, throughout the life of the Project. The mitigation measures described in Exhibit C are incorporated into these findings as conditions of each of the approvals required for the Project.

The mitigation measures set forth in Exhibit C reflect the mitigation measures set forth in the EIR. The City may have modified the language of some of the mitigation measures for purposes of clarification and consistency, to enhance enforceability, to defer more to the expertise of other agencies with jurisdiction over the affected resources, to summarize or strengthen their provisions, and/or to make the mitigation measures more precise and effective, but has made no substantive changes to the mitigation measures. The City will use the MMRP to track compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period.

VIII. FINDINGS REGARDING IMPACTS

In accordance with Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 and 15092, the Council adopts the findings and conclusions regarding impacts and mitigation measures that are set forth in the Draft EIR and Final EIR. These findings do not repeat the full discussions of environmental impacts contained in the Draft EIR and Final EIR. The Council ratifies, adopts and incorporates the analysis, explanation, findings, responses to comments and conclusions of the Draft EIR and Final EIR. The Council adopts the reasoning of the Draft EIR and Final EIR, of City staff reports, and of City staff and the presentations provided by the Project Sponsor.

The Council has, by its review of the evidence and analysis presented in the Draft EIR and Final EIR and in the record, acquired an understanding of the full scope of the environmental issues presented by the Project. In turn, this understanding has enabled the Council to make fully informed, thoroughly considered decisions on these important issues. These findings are based on a full appraisal of the Draft EIR and Final EIR and the record, as well as other relevant information in the record of proceedings for the Project.

Under Public Resources Code Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2) and 15092(b)(2)(A), the Council recognizes that some mitigation measures require action by, or cooperation from, other agencies. Similarly, mitigation measures requiring the Project Sponsor to contribute towards improvements planned by other agencies will require the relevant agencies to receive the funds and spend them appropriately. The Council also recognizes that some impacts can only be mitigated by actions taken by other agencies to build the relevant improvements, which will require action by these other agencies that are not enforceable by the City of Rohnert Park. For each mitigation measure that requires the cooperation or action of another agency, the Council finds that adoption and/or implementation of each of those mitigation measures is within the responsibility and jurisdiction of another public agency, and that the measures can and should be adopted and/or implemented by that other agency.

The Council finds that, except as provided in Section XI below, following implementation of mitigation measures identified in the EIR and Exhibit C, all of the Project impacts evaluated by the EIR will be less than significant as determined by the Draft EIR.

IX. ENVIRONMENTAL EFFECTS NOT FOUND TO BE SIGNIFICANT AND NOT ADDRESSED IN DETAIL IN THE EIR

During preparation of the EIR, the issue area of mineral resources was found not to result in significant impacts and therefore was not addressed in detail in the EIR. Pursuant to CEQA Guidelines section 15128, the reasons this issue was determined not to be significant are described below.

Mineral Resources

The California Department of Conservation, Geological Survey has classified lands within Sonoma County into Aggregate and Mineral Resource Zones (MRZs), which identify whether known or inferred significant mineral resources are present in areas. The NWSP area is

not within a Sonoma County Mineral Resource zone and is designated Rural Residential and Diverse Agricultural on the Sonoma County General Plan Land Use and Zoning Maps. Accordingly, the NWSP area does not include any significant known or inferred mineral resources. Given this, implementation of the NWSP would not 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 or 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.

X. IMPACTS EVALUATED IN THE EIR AND DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION MEASURES

The City Council agrees with the characterization in the Final EIR with respect to all Impacts initially identified as “significant” or “potentially significant” that would be less than significant with implementation of the mitigation measures identified in the Final EIR. In accordance with CEQA Guidelines §15091(a), a specific finding is made for each impact and its associated mitigation measures in the discussions below. Impact Criteria, as included in the EIR, are included below to provide context for each Impact identified. The Council again ratifies, adopts and incorporates the full analysis, explanation, findings, responses to comments and conclusions of the EIR.

Air Quality Impacts

Impact AIR-4

The proposed Project could result in the placement of sensitive receptors proximate to major sources of air pollution or the siting of new sources of air pollution proximate to sensitive receptors in the City.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure AIR-4a requires applicants for future warehousing and other industrial land uses within the Specific Plan that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (“TRUs”), and 2) are located within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), to submit a health risk assessment (“HRA”) to the City of Rohnert Park prior to future project approval.

Mitigation Measure AIR-4b requires applicants for residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) within the Specific Plan within 1,000 feet of a major sources of Toxic Air Contaminants (“TACs”) (e.g., warehouses, industrial, or roadways with traffic volumes over 10,000 vehicle per day), to submit an HRA to the City of Rohnert Park prior to future project approval.

Finding: Implementation of Mitigation Measures AIR-4a and AIR-4b identified in the EIR and listed in the MMRP will ensure that Impact AIR-4 would be reduced to a less-than-significant level.

Impact AIR-5

The Specific Plan would create objectionable odors affecting a substantial number of people.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure AIR-5 requires applicants of future development projects under the Specific Plan that involve the uses listed below to prepare an Odor Management Plan and submit the plan prior to the City prior to project approval to ensure compliance with Bay Area Air Quality Management District Regulation 7, Odorous Substances.

- Wastewater Pumping Facilities within 1 mile of sensitive land uses.
- Transfer Station within 1 mile of sensitive land uses.
- Composting Facility within 1 mile of sensitive land uses.
- Asphalt Batch Plant within 2 miles of sensitive land uses.
- Chemical Manufacturing within 2 miles of sensitive land uses.
- Fiberglass Manufacturing within 1 mile of sensitive land uses.
- Painting/Coating Operations within 1 mile of sensitive land uses.
- Coffee Roaster within 1 mile of sensitive land uses.
- Food Processing Facility within 1 mile of sensitive land uses.
- Green Waste and Recycling Operations within 1 mile of sensitive land uses.
- Metal Smelting Plans within 2 miles of sensitive land uses.

Finding: Implementation of Mitigation Measure AIR-5 identified in the EIR and listed in the MMRP will ensure that Impact AIR-5 would be reduced to a less-than-significant level.

Cultural Resources Impacts

Impact CULT-1

The proposed Project would have the potential to cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure CULT-1 requires future development projects permitted under the Specific Plan to include a project-specific review to determine their potential to affect archaeological deposits. If deemed necessary by this review, a pedestrian survey shall be conducted by a professional archaeologist.

Finding: Implementation of Mitigation Measure CULT-1 identified in the EIR and listed in the MMRP will ensure that Impact CULT-1 would be reduced to a less-than-significant level.

Impact CULT-2

The proposed Project would have the potential to cause substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure CULT-1 requires future development projects permitted under the Specific Plan to include a project-specific review to determine their potential to affect archaeological deposits. If deemed necessary by this review, a pedestrian survey shall be conducted by a professional archaeologist.

Finding: Implementation of Mitigation Measure CULT-1 identified in the EIR and listed in the MMRP will ensure that Impact CULT-2 would be reduced to a less-than-significant level.

Impact CULT-3

The proposed Project would have the potential to directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure CULT-3 requires that in the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find be temporarily halted or diverted, and a qualified paleontologist must be notified to examine the discovery.

Finding: Implementation of Mitigation Measure CULT-3 identified in the EIR and listed in the MMRP will ensure that Impact CULT-3 would be reduced to a less-than-significant level.

Impact CULT-4

The proposed Project would have the potential to disturb human remains, including those interred outside of formal cemeteries.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure CULT-4 requires that if human skeletal remains are uncovered during construction, the contractor immediately halt work within 50 feet of the find, contact the Sonoma County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the CEQA Guidelines.

Finding: Implementation of Mitigation Measure CULT-4 identified in the EIR and listed in the MMRP would ensure that Impact CULT-4 would be reduced to a less-than-significant level.

Hazards and Hazardous Materials Impacts

Impact HAZ-2

The Project would 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.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure HAZ-2 requires future project applicants to perform pesticide screening analyses of soil on properties within the Specific Plan Area currently or historically cultivated for agricultural purpose. If soils exceed pesticide levels established by the United States Environmental Protection Agency preliminary remediation goals for residential use, they will not be allowed to be reused on site.

Mitigation Measure AIR-2a would require construction contractors to comply with BAAQMD Basic Control Measures for reducing fugitive dust emissions during construction.

Finding: Implementation of Mitigation Measures HAZ-2 and AIR-2a identified in the EIR and listed in the MMRP will ensure that Impact HAZ-2 would be reduced to a less-than-significant level.

Transportation and Traffic Impacts

Impact TRANS-1B

The proposed Project would contribute to unacceptable levels of service at the intersections of Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. 101 South Ramps in the City of Rohnert Park under buildout conditions.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure TRANS-1B.1 requires modification of the Golf Course Drive West/Redwood Drive intersection by restriping the eastbound lanes to create a left-turn lane, two through lanes, and a shared through/right-turn lane; reconfiguring the southbound approach to include dual left-turn lanes, a single through lane, and a right-turn lane; adding a right-turn pocket on the westbound approach; and adding a right turn overlap signal phase on the northbound approach.

Mitigation Measure TRANS-1B.2 requires modification of the Golf Course Drive West/U.S. 101 South Ramps intersection by restriping the lanes on the southbound approach to include a left-turn/through lane, through/right-turn lane, and right-turn lane, and making associated modifications to the signal equipment.

Finding: Implementation of Mitigation Measures TRANS-1B.1 and 1B.2 identified in the EIR and listed in the MMRP will ensure that Impact TRANS-1B would be reduced to a less-than-significant level.

Impact TRANS-1D

The proposed Project would contribute to vehicle queues exceeding available storage on the U.S. 101 Northbound off-ramp at Commerce Boulevard under buildout conditions.

Significance Before Mitigation: Significant

Significance After Mitigation: Less than Significant

Explanation: Mitigation Measure TRANS-1D requires implementation of Mitigation Measures TRANS-1B.1 and 1B.2 to reduce the potential impact to below a level of significance.

Finding: Implementation of Mitigation Measures TRANS-1B.1 and 1B.2 identified in the EIR and listed in the MMRP will ensure that Impact TRANS-1D would be reduced to a less-than-significant level.

XI. SIGNIFICANT AND UNAVOIDABLE IMPACTS

Under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines Sections 15091(a)(3), 15092(b)(2)(B) and 15093, the Council determines that the remaining significant and unavoidable adverse effects on the environment identified by the EIR are acceptable due to the overriding considerations described in Section XIV below. The significant and unavoidable adverse impacts remaining after mitigation of the Project are as follows:

Air Quality Impacts

Impact AIR-1

The proposed Specific Plan would support the primary goals of the 2010 Bay Area Clean Air Plan, but buildout of the proposed Specific Plan would conflict with the

requirements for community-wide vehicles miles traveled (VMT) increase in the Clean Air Plan.

Significance Before Mitigation: Significant

Significance After Mitigation: Significant and Unavoidable

Explanation: Policies and development standards in the Specific Plan would facilitate continued City participation and cooperation with the Bay Area Air Quality Management District (BAAQMD) and the Sonoma County Transportation Authority (SCTA) to achieve regional air quality improvement goals, promotion of energy conservation design and development techniques, encouragement of alternative transportation modes, and implementation of transportation demand management strategies. However, due to the programmatic nature of the Project, no additional mitigating policies or development standards are available, and project-level and cumulative impacts are considered significant and unavoidable.

Impact AIR-2

The Specific Plan would violate an air quality standard or contribute substantially to an existing or projected air quality violation in Rohnert Park.

Significance Before Mitigation: Significant

Significance After Mitigation: Significant and Unavoidable

Explanation: Future construction under the Specific Plan would generate a substantial temporary increase in criteria air pollutants even with the implementation of Mitigation Measures AIR-2a and AIR-2b. Adherence to the BAAQMD Basic Control Measures for reducing construction emissions of PM10 and PM2.5 would ensure that ground-disturbing activities would not generate a significant amount of fugitive dust. Compliance with the policies and development standards included in the Specific Plan outlined in Chapter 4.2, Air Quality, of the Draft EIR would reduce construction exhaust emissions from development under the Specific Plan to the maximum extent practicable. Though future development under the Specific Plan would be subject to separate environmental review pursuant to the CEQA in order to identify and mitigate potential air quality impacts, cumulative impacts from development within the NWSP from construction would be substantial and therefore significant and unavoidable.

In addition, compliance with the policies and development standards included in the NWSP and the Mitigation Measure GHG-1a through GHG-1e would reduce operational emissions from development under the Specific Plan to the maximum extent practicable. Mitigation Measure AIR-4a (for new sources of Toxic Air Contaminants [TACs]), would also reduce criteria air pollutants associated with light industrial land uses within the Specific Plan Area. Although future development under the Specific Plan would be subject to separate environmental review pursuant to CEQA in order to identify and mitigate potential air quality impacts, cumulative impacts from development within the

Rohnert Park Specific Plan from operational emissions would be substantial and therefore significant and unavoidable.

Impact AIR-3

Criteria air pollutants generated by land uses within the Specific Plan would cumulatively contribute to the nonattainment designations of the San Francisco Bay Area Air Basin (SFBAAB).

Significance Before Mitigation: Significant

Significance After Mitigation: Significant and Unavoidable

Explanation: Mitigation measures proposed to reduce Project-related emissions would reduce impacts to the extent feasible. Due to the programmatic nature of the proposed Project, no additional mitigating policies or development standards are available, and project-level and cumulative impacts are considered significant and unavoidable.

Impact AIR-6

The Specific Plan, in combination with past, present, and reasonably foreseeable projects, would cumulatively contribute to air quality impacts in the San Francisco Bay Area Air Basin.

Significance Before Mitigation: Significant

Significance After Mitigation: Significant and Unavoidable

Explanation: Mitigation measures proposed to reduce Project-related emissions would reduce impacts to the extent feasible. Due to the programmatic nature of the proposed Project, no additional mitigating policies or development standards are available, and cumulative impacts are considered significant and unavoidable.

Biological Resources Impacts

Impact BIO-1

The Project would have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife (CDFW), or United States Fish and Wildlife Service (USFWS).

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: The NWSP area has potentially suitable habitat conditions for the 19 Special-Status Plant Species and 17 Special-Status Wildlife Species. Additionally, the entire Specific Plan Area is located within designated California tiger salamander

(“CTS”) Critical Habitat for the Sonoma District Population Segment. Implementation of Mitigation Measures BIO-1a through BIO-1f, Impact BIO-1 would reduce impacts to the extent feasible; however, due to the programmatic nature of the proposed Project, no additional mitigating policies or development standards are available, and impacts would remain significant and unavoidable.

Impact BIO-2

The proposed Project would have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Wildlife and Wildlife, or U.S. Fish and Wildlife Service.

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: There are portions of the Specific Plan Area that were not available for assessing the potential for wetlands. However, it is estimated through visual observation and a review of aerial imagery that up to 10 acres of potentially jurisdictional habitat could be present on the parcels that were not included in the July 2013 survey. Therefore, this undocumented 10-acre area could comprise Federally protected wetlands. Therefore, even with implementation of Mitigation Measures BIO-2a through BIO-2d, Impact BIO-2 would remain significant and unavoidable.

Impact BIO-3

The proposed Project would 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.

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: There are portions of the Specific Plan Area that were not available for assessing the potential for wetlands. However, it is estimated through visual observation and a review of aerial imagery that up to 10 acres of potentially jurisdictional habitat could be present on the parcels that were not included in the July 2013 survey. Therefore, this undocumented 10-acre area could comprise Federally protected wetlands. Therefore, even with implementation of Mitigation Measures BIO-1a through BIO-1f and BIO-2a through BIO-2d, Impact BIO-3 would remain significant and unavoidable.

Impact BIO-4

The proposed Project would 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.

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: As previously discussed the entire NWSP area is designated as Critical Habitat for the CTS and it should also be assumed that the CTS move across the NWSP area and development could result in a significant impact to this movement. Even with implementation of Mitigation Measures BIO-1a through BIO-1f and BIO-2a through BIO-2d, Impact BIO-4 would remain significant and unavoidable.

Impact BIO-7

The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result significant cumulative impacts with respect to biological resources.

Significance Before Mitigation: Significant and Unavoidable

Significant After Mitigation: Significant and Unavoidable

Explanation: Future development in the NWSP area would contribute to the conversion of existing habitat to urban uses as is occurring in the surrounding area with implementation of other cumulative development considered as part of this cumulative impact analysis on biological resources. Accordingly, the Project's impacts in this regard would be cumulatively considerable. Even with implementation of mitigation measures, Impact BIO-7 would remain significant and unavoidable.

Greenhouse Gas Emissions Impacts

Impact GHG-1

The Specific Plan would generate greenhouse gas (GHG) emissions that would either directly or indirectly have a significant impact on the environment.

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: Despite compliance with existing federal, State, and local regulations that serve to reduce GHG emissions to the maximum extent practicable and the implementation of the Mitigation Measures GHG-1a through GHG-1e, GHG emissions would continue to exceed the exceed BAAQMD's efficiency criteria. Consequently, GHG impacts are considered significant and unavoidable.

Impact GHG-2

The Specific Plan would potentially conflict with an applicable plan, policy, or regulation for the purpose of reducing the emissions of GHGs.

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: Policies and development standards in the NWSP would facilitate continued City participation and cooperation with BAAQMD and SCTA to achieve regional air quality improvement goals, promotion of energy conservation design and development techniques, encouragement of alternative transportation modes, and implementation of transportation demand management strategies. However, due to the programmatic nature of the Project, no additional mitigating policies or development standards are available, and project-level and cumulative impacts are therefore considered significant and unavoidable.

Impact GHG-3

The Specific Plan, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to GHG emissions.

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: Implementation of Mitigation Measures GHG-1a through GHG-1e and compliance with existing federal, State, and local regulations would reduce GHG emissions to the maximum extent practicable. However, no single project is large enough to result in a measurable increase in global concentrations of GHG emissions, and therefore GHG emissions impacts identified in Impact GHG-1 and GHG-2 are the proposed Project's cumulative contribution to cumulative impacts. Therefore, cumulative GHG emissions impacts of the proposed Project are significant and unavoidable.

Noise Impacts

Impact NOISE-3

Under the existing with project scenario, a significant impact would occur due to a substantial increase in ambient noise levels that could affect properties outside the Specific Plan Area.

Significance Before Mitigation: Significant

Significant After Mitigation: Significant and Unavoidable

Explanation: The significant impacts would affect properties outside the NWSP area; therefore, the only way to mitigate such impacts would be to build sound walls or other noise barriers on these properties to reduce traffic noise from adjacent roadways. Implementation of such mitigation cannot be guaranteed since it would require the cooperation of private property owners outside the NWSP area. As a result, the existing plus project impacts to ambient noise levels would be significant and unavoidable.

Transportation and Traffic Impacts

Impact TRANS-1A

Future development under the Specific Plan would contribute to unacceptable Level of Service (LOS) F operation at Stony Point Road/Millbra Avenue and Stony Point Road/Golf Course Drive West in the County of Sonoma.

Significance Before Mitigation: Significant

Significance After Mitigation: Significant and Unavoidable

Explanation: Mitigation Measure TRANS-1A states that Stony Point Road shall be widened to two through lanes in each direction, consistent with Figure CT-1g of the Sonoma County 2020 General Plan. While widening of Stony Point Road to two lanes in each direction is included in the Sonoma County 2020 General Plan and would improve operation at both intersections to acceptable levels, this is currently an unfunded project. Because neither the City nor County currently have resources to develop and implement a regional impact fee program, there is currently no means of collecting funds for this County improvement. As a result, the impact is considered significant and unavoidable.

Impact TRANS-1C

Future development under the Specific Plan would contribute to unacceptable LOS F operation on mainline U.S. 101 to the north of Golf Course Drive in both the northbound and southbound directions under buildout conditions, increasing the freeway segments' volume-to-capacity ratio by greater than 0.01.

Significance Before Mitigation: Significant

Significance After Mitigation: Significant and Unavoidable

Explanation: Mitigation Measure TRANS-1C identifies that widening U.S. 101 to include additional through lanes in each direction would reduce the impact; however, widening the freeway is considered infeasible, as it would require major reconstruction of multiple freeway structures, right-of-way acquisition including many homes and businesses, potential relocation of city streets paralleling the freeway corridor (including Redwood Boulevard and Commerce Avenue), and would be likely to create additional secondary environmental impacts. The Metropolitan Transportation Commission ("MTC"), County of Sonoma, City of Rohnert Park, and SCTA recognize that U.S. 101 will experience congestion into the foreseeable future, and concur that long-range

regional solutions focusing on transit-supportive land use planning, alternative transportation modes, stronger jobs-housing balances, and increased support of transportation demand measures are the key components needed to address regional mobility. While the NWSP emphasizes each of these goals, the residual impacts to U.S. 101 are considered to be significant and unavoidable

Impact TRANS-7

Implementation of the proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in additional cumulatively considerable impacts.

Significance Before Mitigation: Significant

Significance After Mitigation: Significant and Unavoidable

Explanation: Cumulative traffic impacts are the same as the project-specific impacts, since the future traffic model relies on cumulative traffic data. Therefore, the proposed project's cumulative impacts to traffic would be significant and unavoidable since feasible mitigation is not available for Impacts TRANS-1A and 1C.

XII. FINDINGS REGARDING ALTERNATIVES

Reasonable Range of Project Alternatives

CEQA Guidelines §15126(a) require that an EIR describe a reasonable range of alternatives that would obtain most of the basic project objectives but would avoid or substantially lessen any of the significant environmental affects of the project and that the EIR evaluate the comparative merits of the alternatives. Case law indicates that the lead agency has the discretion to determine how many alternatives constitute a reasonable range (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 566); and that an EIR need not present alternatives that are incompatible with fundamental project objectives (*Save San Francisco Bay Association vs. San Francisco Bay Conservation & Development Commission* (1992) 10 Cal.App.4th 908). CEQA Guidelines §15126.6(f) states that the range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.

Feasibility of Project Alternatives

Additionally, CEQA Guidelines §15126.6(a) provide that an EIR need not consider alternatives that are infeasible. CEQA Guidelines §15126.6(f)(1) provides that among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

Alternatives Evaluated

Based upon guidance contained in the CEQA Guidelines, the Draft EIR considered three alternatives to the proposed Project: No Project – 2020 General Plan Alternative, Mixed-Use Only Alternative, and Reduced Density Alternative.

Project Objectives

The following are the objectives for the Project:

- Define the vision for the future of the NWSP area.
- Establish a land use plan and policy framework that will guide future development of a mix of commercial, higher density residential, and light industrial uses within the NWSP area.
- Implement development standards and design guidelines that reflect the surrounding context and community values, while promoting economically viable and vibrant development.
- Provide a multi-modal circulation plan that supports buildout of the NWSP and ensures safe access for all users.
- Provide a framework for development of a cohesive system of pedestrian/bicycle connections and trails linking activity nodes, retail, housing, parks, and open spaces together.
- Design a preliminary drainage plan that includes Low Impact Development strategies to manage and treat stormwater runoff within the NWSP area.
- Identify a framework for implementation and financing of the NWSP.

Analysis of Alternatives

1. No Project Alternative

The No Project – 2020 General Plan Alternative assumes that growth would occur as allowed under the City's existing 2020 General Plan and Zoning. No land use changes associated with the proposed NWSP would move forward. Instead, future development in the NWSP area would be subject to existing policies, regulations, and land use designations as per the existing 2020 General Plan. Because the area the General Plan designated for the NWSP was reduced with implementation of the Graton Rancheria Resort and Casino, the land use program in the proposed NWSP was revised and recalculated to eliminate the portion that is now under the jurisdiction of the Federated Indians of Graton Rancheria Tribe. The No Project – 2020 General Plan Alternative would allow for the development of more high-density housing (450 units compared to 398 units), more office (260,000 square feet compared to 58,400 square feet), and hotel space (100 rooms compared to none). However, this alternative would allow for slightly less commercial and office/light industrial uses.

Finding: The City Council finds the No Project Alternative infeasible and less desirable than the Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include benefits of the Project that “make infeasible the ... project alternatives identified in the Final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

First, the No Project Alternative would provide no significant advantage from an environmental standpoint over the proposed Project. The No Project Alternative would have greater impacts to air quality, biological resources, cultural resources, greenhouse gas emissions, noise, and transportation and traffic, when compared to the proposed Project. All other impacts would be similar, and no impacts would be reduced under the No Project Alternative.

Second, as explained below, the No Project Alternative would not meet the Project objectives.

- It would not define the vision for the future of the NWSP area.
- While the existing General Plan identifies the land uses and provides guiding policies for development in the NWSP area, it does not establish specific goals and policies that are intended to fulfill the vision at the same level as the proposed Project.
- It would not implement development standards and design guidelines that reflect the surrounding context and community values, while promoting economically viable and vibrant development.
- It would not provide a multi-modal circulation plan that supports buildout of the NWSP and ensures safe access for all users.
- It would not provide a framework for development of a cohesive system of pedestrian/bicycle connections and trails linking activity nodes, retail, housing, parks, and open spaces together.
- It would not design a preliminary drainage plan that includes Low Impact Development strategies to manage and treat stormwater runoff within the NWSP area.
- It would not identify a framework for implementation and financing of the NWSP.

Third, the No Project Alternative would require the City to forego Project benefits. (See generally Section XIV.D below for a discussion of Project benefits.) Under the No Project Alternative, the Project would not contribute to a functional and attractive environment because the development standards and design guidelines would not be implemented and the public improvements associated with the Project would not be constructed.

The City Council therefore rejects this alternative as infeasible within the meaning of CEQA.

2. Mixed-Use Only Alternative

Under the Mixed-Use Only Alternative, the NWSP area would be the same size as the proposed Project and would be comprised of mixed-use land use and open space designations. The Mixed-Use Alternative would not include any Office/Light Industrial land uses and the overall non-residential land use designations would be reduced. This alternative would accommodate the up to 600 high-density dwelling units and 200,000 square feet of commercial land use. Approximately 40 acres of the NWSP area would be designated as Open Space for Environmental Conservation and would not be developed.

Finding: While the Mixed-Use Only Alternative would result in fewer environmental impacts than the Project, the City finds this alternative infeasible and less desirable than the Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include benefits of the Project that “make infeasible the ... project alternatives identified in the Final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

First, the Mixed-Use Only Alternative would not meet the Project objectives to the same degree as the Project. As outlined in the City’s 2000 General Plan, the vision for the NWSP area included high density residential, commercial, office and parks land uses. Those land uses are specified in the project objectives described in the EIR. The Mixed-Use Only Alternative does not meet the project objectives because it does not provide the range and intensity of land uses identified in the objectives and the General Plan.

Second, the Mixed-Use Only Alternative would not provide the Project benefits to the same degree as the Project given its smaller size. (See Section XIV.D below for a discussion of Project benefits.) Under this alternative, the City would not receive as much of the substantial tax revenue as from the Project and the public improvements associated with the Project would not be constructed to the same degree because of a loss of some development impact fees needed to fund traffic improvements.

The City Council therefore rejects this alternative as infeasible within the meaning of CEQA.

3. Reduced Density Alternative

The Reduced Density Alternative, would include the same proposed land use designations as the proposed Project, but the amount of land designated for development would be reduced by 50%, with the exception of residential, which would remain at 398 multi-family housing units. Approximately 50 acres would be designated as Open Space for Environmental Conservation and would not be developed.

Finding: While the Reduced Density Alternative would result in fewer environmental impacts than the Project, the City finds this alternative infeasible and less desirable than the Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include benefits of the Project that “make infeasible the ... project alternatives identified in the Final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

First, the Reduced Density Alternative would not avoid the Significant and Unavoidable impacts of the proposed Project to air quality, biological resources, greenhouse gas emissions, noise, and transportation and traffic.

Second, the Reduced Density Alternative is not consistent with the densities outlined in the General Plan policy for development within the NWSP area. The General Plan vision for the NWSP included growth of the area consistent with adjacent plans, provision of residential units and with more intense development than provided in the Reduced Density Alternative. This development is shown in Table 6.1 of the Draft EIR. The Reduced Density Alternative describes substantially less commercial, industrial and office use than provided in the City's General Plan.

Third, the Reduced Density Alternative would not provide the Project benefits to the same degree as the Project given its smaller size. (See Section XIV.D below for a discussion of Project benefits.) Under this alternative, the City would not receive as much of the substantial tax revenue as from the Project and the public improvements associated with the Project would not be constructed to the same degree because of a loss of some development impact fees needed to fund traffic improvements.

The City Council therefore rejects this alternative as infeasible within the meaning of CEQA.

4. Environmentally Superior Alternative

Sections 21002 and 21081 of CEQA require lead agencies to adopt feasible mitigation measures or a feasible environmentally superior alternative in order to substantially lessen or avoid otherwise significant adverse environmental effects, unless specific social or other conditions make such mitigation measures or alternatives infeasible. CEQA regulations prevent consideration of the "no project" alternative as the environmentally superior alternative.

The EIR determined that the Mixed-Use Only Alternative would be the Environmentally Superior Alternative. The Mixed-Use Only Alternative would not eliminate unavoidable significant adverse air quality, biological resources, GHG emissions, noise, and traffic impacts identified for the Project, under approved and cumulative development scenarios, and mitigation would still be required for construction air quality, biological resources, cultural resources, hazards and hazardous materials, noise, and traffic and circulation. However, the EIR determined that the Mixed-Use Only Alternative could provide specified benefits in that it would generate fewer trips and associated traffic, air quality, GHG emissions, and noise impacts would be reduced as a result (although these would remain significant).

As discussed above, there are no feasible alternatives to the Project that would avoid or substantially lessen the significant and unavoidable impacts associated with the proposed Project.

XIII. FINDINGS REGARDING GROWTH INDUCEMENT

Section 7.3 of the EIR provides an analysis of growth inducement effects of the proposed Project, as required by CEQA Guidelines §15126.2(d). In summary, CEQA requires a discussion of how a project could increase population, employment, or housing growth in

surrounding areas and consideration of the impacts resulting from this growth. CEQA Guidelines indicate that a project would normally have a significant effect on the environment if it would induce substantial growth or concentration of population. Section 7.3 of the EIR discusses the manner in which the Project could contribute to or encourage such growth.

Growth can be induced in a number of ways, such as through the elimination of obstacles to growth, through the stimulation of economic activity within the region, or through the establishment of policies or other precedents that directly or indirectly encourage additional growth. Induced growth would be considered a significant impact if it can be demonstrated that the potential growth would directly or indirectly have a significant effect on the environment.

Finding: The Project would directly generate population growth by providing housing for approximately 956 people and commercial and industrial development that could generate approximately 1,200 jobs. Project construction would generate jobs in the construction, materials fabrication and supply industries up until the time of construction completion. The provision of construction jobs would create an indirect demand for local goods and services. Construction of the Project is not expected to generate substantial population growth or new economic activity in the region because Project construction would be expected to employ construction workers already living and working in the Bay Area. Construction of the Project would include provision of new infrastructure for the Project and its development components. This new infrastructure would lessen potential obstacles to growth, but is considered growth accommodating and not directly growth inducing. The Project would be consistent with the City of Rohnert Park General Plan and would comply with the City's *Growth Management Program*, which ensures that the rate of population growth will not exceed the average annual growth rates established in the General Plan. The Project would not construct infrastructure beyond that needed to serve the Project area and would develop at a pace that would ensure that public services would not be inhibited or overtaxed. The Project would be consistent with City and County General Plan policies regarding growth within the urban growth boundary and would not be expected to induce substantial growth outside this boundary.

Explanation: The NWSP would offer primary employment jobs as well as a range of temporary construction jobs. Overall, opportunities for population growth and employment provided by the NWSP would be consistent with the General Plan Land Use and Growth Management Element goals and policies. The rate of job growth would be generally proportional to the rate of project development anticipated under the City's Growth Management Program. Infrastructure would be constructed and sized to accommodate the proposed development and would therefore not be expected to induce substantial growth beyond that proposed by the Project. The pace of growth associated with the Project would align with the ability of utility and public service providers to adequately serve the Project.

XIV. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the City Council has balanced the economic, legal, social, technological, and other benefits of the proposed Project against the significant and unavoidable impacts associated with the proposed

Project, and has adopted all feasible mitigation measures that would avoid or substantially lessen a significant impact. The City Council has also examined potentially feasible alternatives to the Project, and determined that none are feasible. The City Council hereby adopts and makes the following Statement of Overriding Considerations regarding the significant and unavoidable impacts of the Project and the anticipated economic, legal, social, technological, and other benefits of the Project.

A. Significant and Unavoidable Impacts

Based on information contained in the record and in the EIR, the City Council has determined that the Project would result in the following significant and unavoidable impacts as identified by the EIR:

Impact Number	Impact Description
AIR-1	The proposed Project would support the primary goals of the 2010 Bay Area Clean Air Plan, but buildout of the proposed Project would conflict with the requirements for community-wide vehicle miles travelled (VMT) increase in the Clean Air Plan.
AIR-2	The proposed Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation in Rohnert Park.
AIR-3	Criteria air pollutant emissions associated with buildout of the Specific Plan would cumulatively contribute to air quality impacts in the San Francisco Bay Area Air Basin.
AIR-6	The Specific Plan, in combination with past, present, and reasonably foreseeable projects, would cumulatively contribute to air quality impacts in the San Francisco Bay Area Air Basin.
BIO-1	The Project would have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.
BIO-2	The proposed Project would have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Wildlife and Game, or U.S. Fish and Wildlife Service.
BIO-3	The proposed Project would 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.
BIO-4	The proposed Project would interfere substantially with the movement of a 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.

- BIO-7 The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to biological resources.
- GHG-1 The proposed Project would generate GHG emissions that would either directly or indirectly have a significant impact on the environment.
- GHG-2 The Specific Plan would potentially conflict with an applicable plan, policy, or regulation for the purpose of reducing the emissions of GHGs.
- GHG-3 The proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in a significant cumulative impact with respect to GHG emissions.
- NOISE-3 The proposed Project would cause a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project under the existing with project scenario.
- TRANS-1A The proposed Project would contribute to unacceptable operation (LOS F) at Stony Point Road/Millbrae Avenue and Stony Point Road/Wilfred Avenue in the County of Sonoma under buildout conditions.
- TRANS-1C The proposed Project would contribute to unacceptable LOS F operation on the northbound U.S. 101 weaving segment between Golf Course Drive and Santa Rosa Avenue buildout conditions, increasing the freeway segment's volume-to-capacity ratio by 0.01.
- TRANS-7 Implementation of the proposed Project, in combination with past, present, and reasonably foreseeable projects, would result in additional cumulatively considerable impacts.

B. Finding

The City Council has considered all potentially feasible mitigation measures to substantially lessen or avoid the Project's significant and unavoidable impacts. Where feasible, such mitigation measures have been adopted as part of the Project. The imposition of these measures will reduce the identified impacts, but not to a less-than-significant level. The Council finds that it is not feasible to fully mitigate these Project impacts.

The City Council has also considered all potentially feasible alternatives to the Project. The City Council finds that there are no feasible alternatives that would reduce the above significant and unavoidable impacts to a less-than-significant level.

The Project's impacts identified and discussed above therefore remain significant and unavoidable.

C. Overriding Considerations

After review of the entire administrative record, including, but not limited to, the Final EIR, the staff report, applicant submittals, and the oral and written testimony and evidence presented at public hearings, the City Council finds that specific economic, legal, social, technological and other anticipated benefits of the Project outweigh the significant and unavoidable impacts, and therefore justify the approval of the Project notwithstanding the identified significant and unavoidable impacts (Pub. Resources Code, § 21081; CEQA Guidelines, § 15093.). The benefits are addressed in detail in Section XIV.D below.

The City Council specifically adopts and makes this Statement of Overriding Considerations acknowledging that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures), and finds that the remaining significant and unavoidable impacts of the Project, which are identified above in Section XIV.A and described in Section XI, are acceptable because the benefits of the Project set forth below in Section XIV.D outweigh the significant and unavoidable impacts identified. The City Council finds that each of the overriding considerations expressed as benefits and set forth below in Section XIV.D constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the preceding findings and in the documents found in the Record of Proceedings, as defined in Section IV.

D. Benefits of the Project

The City Council has considered the EIR, the public record of proceedings on the proposed Project and other written materials presented to and prepared by the City, as well as oral and written testimony received, and does hereby determine that implementation of the Project as specifically provided in the Project documents would result in the following substantial public benefits:

1. *The Project Would Generate Sales and Property Tax Revenues For The City.*

The sales generated by commercial components of the Project will generate increased sales tax and property tax revenues for the City. These revenues would go to the City's General Fund, which is the primary funding source for the construction, operation and maintenance of a number of essential City services, programs and facilities including fire and police services, recreation programs, transit operations, library services, public infrastructure such as water and sanitary sewer service, and administrative functions, among other things.

2. *The Project Would Contribute To Continued Economic Development, Construction of Roadway Improvement, and Maintenance of City Services and Facilities.*

The Project will mitigate impacts to the intersections of Golf Course Drive West/Redwood Drive and Golf Course Drive West/U.S. South Ramps through road improvements or payment of fees. Additionally, applicants for future projects within the NWSP will pay applicable traffic impact fees for their share of regional transportation improvements. These applicant shall pay impacts to local roadway systems as expected by construction vehicles and the increase in population generated by the Project. These applicants shall be responsible by the payment of fees to offset the cost of increased services and maintenance generated by the Project.

Future projects within the NWSP area will also be subject to the payment of fees to provide for and maintain public infrastructure such as Public Facilities Financing Plan fees to

help fund off-site improvements, City-wide and Regional Traffic fees, Pavement Maintenance fees, Public Services Impact fees, and Maintenance of On-Site Infrastructure fees. The public improvements will be funded and maintained through a Funding Mechanism such as a community facilities district. These fees and funding mechanisms would be described in future Development Agreement.

3. *The Project Would Enhance Opportunities For Housing In The City.*

The Project would allow for the development of up to approximately 400 dwelling units within the areas designated Mixed-Use. These units would assist the City in meeting its affordable housing requirement by providing affordable units (including low and very low income units) according to the City's inclusionary housing ordinance.

4. *The Project Would Contribute To A Functional And Attractive Environment.*

The Project includes development standards and design guidelines that will guide future development to enhance the overall aesthetic quality of the area and to blend with the existing development in the surrounding area.

5. *The Project Would Provide Quality Goods And Services Desired By City Residents.*

The Project will facilitate the development of regional commercial and local retail uses that will provide quality goods and services to the Project area and surrounding neighborhoods.

Determination and Adoption of Statement of Overriding Considerations

The City Council has weighed the economic, legal, social, technological, and other benefits of the proposed Project, as set forth above in Section XIV.D, against the significant unavoidable impacts of the Project identified in the EIR (and identified above in Section XIV.A).

The City Council hereby determines that those benefits outweigh the risks and adverse environmental impacts of the Project, and further determines that the Project's significant unavoidable impacts are acceptable.

Accordingly, the City Council adopts the Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, as discussed in the EIR; (ii) rejected alternatives to the Project, as discussed in the EIR; and (iii) recognized the significant unavoidable impacts of the Project, the City Council hereby finds that each of the separate benefits of the proposed Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the Project and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the Project.

EXHIBIT 8: NWSP EIR TEXT REVISIONSNORTHWEST SPECIFIC PLAN FINAL EIR
CITY OF ROHNERT PARK**REVISIONS TO THE DRAFT EIR**

environmental document and/or incorporated into the site development plan as a component of the proposed Project.

Mitigation Measure AIR-4b: Applicants for residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) within the Specific Plan within 1,000 feet of a major sources of TACs (e.g., warehouses, industrial, or roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the Project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:

- Air intakes located away from high volume roadways and/or truck loading zones.
- Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.
- Place residents as far away from truck activities, including loading docks and delivery areas, as feasible.

Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Planning-Development Services Department.

3.4 REVISIONS TO CHAPTER 4.4, BIOLOGICAL RESOURCES

The text under the subheading Mitigation Measure BIO-1a on pages 4.4-32 and 4.4-33 is hereby amended as follows:

Mitigation Measure BIO-1a: Prior to individual project approval under the Specific Plan, the City shall require the preparation and submittal of a protocol-level survey conducted by a qualified biologist to the Rohnert Park ~~Community~~ Development Services Department as required by the California Endangered Species Act and the Federal Endangered Species Act. The protocol-level survey shall determine the potential for special-status plant and/or wildlife species, including nesting birds and birds protected under the Migratory Bird Treaty Act, to occur within or adjacent to the proposed development Specific Plan Area. The survey should be conducted within the blooming period of all special-status plant species identified in Table 4.4-4 that have the potential to occur on the specific development project site. If a special-status species are observed during the survey, then appropriate alternative measures should be executed as follows:

REVISIONS TO THE DRAFT EIR

- 1) The City shall require pre-construction surveys within 30 days prior to the commencement of grading and/or construction activities.
- 2) As appropriate based on the results of the pre-construction surveys, construction limits shall be clearly flagged as directed by the biologist to ensure that impacts to sensitive biological resources are avoided or minimized to the extent feasible.
- 3) All plants within the construction footprint (including staging areas) shall be transplanted to a mitigation site approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). Lost plant habitat that is occupied by special status plants shall be replaced at a ratio of two acres of replacement habitat for each acre of special- status plant habitat lost. The success of the transplantation program shall be evaluated to have been achieved if 80 percent or more of the transplanted plants have survived five years after transplantation. Mitigation projects will be monitored annually for five years using success criteria developed in coordination with the CDFW and USFWS.
- 4) If special-status species identified in the Santa Rosa Plain Conservation Strategy (SRPCS) are found to be present on site, the project applicant shall follow the standards prescribed in the SRPCS, which requires that three surveys per year shall be conducted and a minimum of two years of negative results be reported to accurately state that each of the above mentioned species is not present. Impacts to habitat could require mitigation in the form of preservation of the same habitat at a 2:1 ratio. If no special-status plant species are observed but habitat for them is present, mitigation in the form of preservation of the same habitat at a 1:1 ratio could be required.
- 5) As appropriate based on the results of the preconstruction surveys, the City shall require:
 - Development and implementation of contractor training to educate project contractors on the sensitive biological resources within and adjacent to the project site and the measures being implemented to avoid and minimize impacts
 - That a qualified biological monitor be present during a portion or all of the construction activities to ensure impacts to the sensitive biological resources are avoided or minimized to the extent feasible;
 - That project applicants obtain written authorization from the USFWS that the grading or construction activity complies with regulations on the “take” of the listed species,
 - That any mitigation requirements set forth by such agencies be incorporated into the project’s final design plans.

The text under the subheading Mitigation Measure BIO-1f on page 4.4-34 is hereby amended as follows:

Mitigation Measure BIO-1f: If the California tiger salamander (CTS)~~habitat~~ is determined to be on-site based on protocol surveys performed in accordance with the USFWS CTS survey protocol guidelines, ~~the City shall require the applicant initiate then~~ a formal consultation with USFWS shall be initiated. Based on the ensuing Biological Opinion provided by the USFWS as part of the consultation, further measures may be necessary including a CTS ~~protocol survey per the USFWS CTS survey protocol guidelines pre-construction survey~~ before initiation of any grading and construction activities would be permitted to begin. Compensation of CTS habitat loss might be required at a mitigation ratio to be determined during the consultation process.

REVISIONS TO THE DRAFT EIR

The Santa Rosa Plains Conservation Strategy and the Programmatic Biological Opinion shall govern the applicable mitigation ratios for effects on CTS for future activities.

The text under the subheading Mitigation Measure BIO-2a on page 4.4-34 is hereby amended as follows:

Mitigation Measure BIO-2a: The City shall require the applicant of a development proposal permitted under the Specific Plan where wetlands ~~may be~~ are present or are unknown to conduct a wetland delineation according to the current U.S. Army Corps of Engineers (USACE) standards (e.g., 1987 USACE Wetland Delineation Manual and the 2008 Regional Supplement to the USACE Wetland Delineation Manual: Coast Region). ~~The developer shall submit the~~ This delineation shall be submitted to and verified by the USACE and the City as part of the entitlement application for prior to City approval of any specific development proposal project. Verification of the wetland delineation shall be conducted by the USACE as part of the Section 404 permit process prior to issuance of a grading permit.

The text under the subheading Mitigation Measure BIO-2b on pages 4.4-34 and 35 is hereby amended as follows:

Mitigation Measure BIO-2b: If ~~a~~ a wetland delineation map is required per Mitigation Measure BIO-2a, ~~once it is "verified" by USACE and the full extent of waters of the United States /State is known the City shall require~~ the applicant of a development proposal permitted under the Specific Plan ~~shall to~~ shall design the project so that avoidance or minimization of wetland impacts occurs on the site through the use of Best Management Practices (BMPs) to protect waters of the United States /State and to ensure that water quality standards are not compromised. These practices can include installing construction fencing buffers, straw waddles to keep fill from entering preserved/avoided wetlands and other waters, and other protective measures; and requiring a biological monitor be on-site during project construction to monitor the integrity of any preserved wetlands and other waters during mass grading or filling of the project site. In accordance with the federal Clean Water Act Section 404(b)(1) guidelines, avoidance and then minimization must be given first consideration in the sequence for mitigating wetlands impacts.

The text under the subheading Mitigation Measure BIO-2d on page 4.4-35 is hereby amended as follows:

Mitigation Measure BIO-2d: ~~As a condition of project approval~~ At the time permits are issued for any portion or all of the documented wetland habitat that is not avoided, the City shall require that the project developer mitigate for impacts to wetlands to achieve a no net loss of wetland habitat. In accordance with the 2008 USACE/U.S. EPA Compensatory Mitigation Rule, wetlands mitigation may consist of (1) the purchase of wetland mitigation credits from to establish a USFWS/ CDFW/ USACE-approved mitigation bank; (2) on-site or off-site permittee-responsible mitigation; or (3) participation in an approved in-lieu fee mitigation program. Mitigation shall be provided in perpetuity at the applicable restoration, creation, enhancement, and/or preservation ratios established in accordance with state and federal laws. Current restoration/creation ratios are ~~The project developer shall reconstruct vernal pool habitat at a replacement ratio of 1:1 for wetland/vernal pool habitat creation and 2:1 for wetland/vernal pool habitat preservation for each acre of wetland/vernal pool habitat impacted. A final determination of these mitigation/restoration ratio totals shall be established in consultation with the USFWS, CDFW and/or USACE. The Project developer will permanently~~

REVISIONS TO THE DRAFT EIR

~~protect the agreed-upon acreage of vernal pool habitat within the mitigation bank via a USFWS/CDFW approved conservation easement, to be held by a USFWS/CDFW approved entity.~~

The text on the last paragraph of page 4.4-35 is hereby amended as follows:

Significance With Mitigation: ~~Compliance with a~~ Applicable federal, State, and local regulations, together with Mitigation Measures BIO-1a through BIO-1f above would reduce potential impacts to special-status species that could result from future development under the Specific Plan, to the maximum extent practicable. Additionally, subsequent projects permitted under the proposed Specific Plan that would involve development in areas where special status plant and wildlife species may occur would be required to comply with all applicable laws protecting biological resources, which require mitigation for impacts to special-status species. Nonetheless, given that there are portions of the Specific Plan Area that were not accessible during the preparation of the Biological Assessment, impacts to special-status species as a result of implementing the Specific Plan would be remain significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered *significant and unavoidable*.

The last paragraph on page 4.4-35 is hereby amended as follows:

Significance With Mitigation: Compliance with applicable federal, State, and local regulations, together with Mitigation Measures BIO-2a through BIO-2d above would reduce potential impacts to sensitive habitats that could result from future development under the Specific Plan, ~~to the maximum extent practicable.~~ Additionally, subsequent projects permitted under the Specific Plan that would involve development in areas where sensitive habitats may occur would be required to comply with all applicable laws protecting biological resources, which require mitigation for impacts. Nonetheless, given that there are portions of the Specific Plan Area that were not accessible during the preparation of the Biological Assessment, impacts to sensitive habitats as a result of implementing the Specific Plan would be remain significant and unavoidable. It should be noted that the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects that comply with applicable federal, State, and local regulations or meet applicable thresholds of significance. However, due to the programmatic nature of the proposed Project, no additional mitigation measures are available and the impact is still considered *significant and unavoidable*.

3.5 REVISIONS TO CHAPTER 4.5, CULTURAL RESOURCES

Page 4.5-6, the last paragraph under the subheading “Paleontological and Archaeological Resources” is hereby amended as follows:

The ~~Northeast~~ Northwest Information Center (~~NEIC~~NWIC) has no record of prehistoric or historical archaeological sites within the Specific Plan Area; however, only 30 percent of the Specific Area Plan parcels have been surveyed for the presence of archaeological resources.

EXHIBIT 8: REVISED MMRP

Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) for the proposed Northwest Specific Plan (proposed Project) is intended to ensure the implementation of mitigation measures identified as part of the environmental review for the proposed Project. The MMRP includes the following information:

- A list of mitigation measures;
- The party responsible for implementing the mitigation measures;
- The timing for implementation of the mitigation measure;
- The agency responsible for monitoring the implementation; and
- The monitoring action and frequency.

The City of Rohnert Park must adopt this MMRP, or an equally effective program, if it approves the proposed Project with the mitigation measures that were adopted or made conditions of project approval.

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
AIR QUALITY					
AIR-2a: Applicants for future construction activities within the Specific Plan Area shall require their construction contractor to comply with the following BAAQMD Basic Control Measures for reducing fugitive dust emissions during construction: - Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 mph. Reclaimed water should be used whenever possible. - Pave, apply water twice daily or as often as necessary, to control dust, or apply (non-toxic) soil stabilizers to all exposed surfaces (access roads, parking areas, staging areas, soil piles, and graded areas) at construction sites. - Cover all trucks hauling soil, sand, and other loose materials. - Sweep daily (with water sweepers using reclaimed water if possible or with vacuum street sweepers), or as often as needed, with water sweepers all paved access roads, paved parking areas and paved staging areas at the construction site to control dust. Dry power sweeping is prohibited - Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material. - Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. - Limit vehicle traffic speeds on unpaved roads to 15 mph. - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of	Individual Project Applicants	Prior to Construction	City of Rohnert Park Department of Building Division	Plan Review and Approval	Daily

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Regulations). Clear signage shall be provided for construction workers at all access points. - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation. - Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.					
AQ-2b: Applicants for future development under the Specific Plan that could generate emissions in excess of the BAAQMD significance thresholds during construction, as determined by project-level environmental review, shall implement the "Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold" presented in Table 8-3 of the BAAQMD CEQA Guidelines: - All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. - All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. - Wind breaks (e.g. trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air	Individual Project Applicants	Prior to Construction	City of Rohnert Park Department of Public Works and the Development Services Department	Plan Review and Approval	As needed

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
- porosity. ▪ Vegetative ground cover (e.g. fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. ▪ The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. ▪ All trucks and equipment, including their tires, shall be washed off prior to leaving the site. ▪ Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. ▪ Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent. ▪ Idling time of diesel powered construction equipment shall be limited to two consecutive minutes. ▪ The Project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e. owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emissions diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. ▪ Use low volatile organic compound (VOC, i.e. reactive organic gas (ROG)) coatings beyond the local requirements (i.e. Regulation 8, Rule 3: Architectural Coatings).					

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Require that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NO_x and PM. Require all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.					
AIR-4a: Applicants for future warehousing and other industrial land uses within the Specific Plan that that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive land use (e.g. residential, schools, hospitals, nursing homes), as measured from the property line of the proposed Project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Bay Area Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to: - Restricting idling on-site. - Electrifying warehousing docks. - Requiring use of newer equipment and/or vehicles. - Restricting offsite truck travel through the creation of truck	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	HRA Review and Approval	Once

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
routes. In addition, diesel generators shall meet the California Air Resources Board's Tier 4 emissions standards. T-BACTs and Tier 4 generators identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed Project.					
AQ-4b: Applicants for residential and other sensitive land use projects (e.g. hospitals, nursing homes, day care centers) within the Specific Plan within 1,000 feet of a major source of TACs (e.g. warehouses, industrial, or roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the Project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Rohnert Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHA) and the Bay Area Air Quality Management District. The latest OEHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e. below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to: ▪ Air intakes located away from high volume roadways and/or truck loading zones. ▪ Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	HRA review and approval	Once

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Efficiency Rating Value (MERV) filters. - Place residents as far away from truck activities, including loading docks and delivery areas, as feasible. Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Development Services Department. AIR-5: Applicants of future development projects under the Specific Plan for any of the land uses listed below shall prepare an Odor Management Plan and submit the plan to the City prior to project approval to ensure compliance with Bay Area Air Quality Management District Regulation 7, Odorous Substances. - Wastewater Pumping Facilities within 1 mile of sensitive land uses. - Transfer Station within 1 mile of sensitive land uses. - Composting Facility within 1 mile of sensitive land uses. - Asphalt Batch Plant within 2 miles of sensitive land uses. - Chemical Manufacturing within 2 miles of sensitive land uses. - Fiberglass Manufacturing within 1 mile of sensitive land uses. - Painting/Coating Operations within 1 mile of sensitive land uses. - Coffee Roaster within 1 mile of sensitive land uses. - Food Processing Facility within 1 mile of sensitive land uses. - Green Waste and Recycling Operations within 1 mile of sensitive land uses. - Metal Smelting Plans within 2 miles of sensitive land uses.	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	Odor Management Plan review and approval	Once

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
The Odor Management Plan shall identify the Best Available Control Technologies for Toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (e.g. air pollution control devices) at an industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.					

BIOLOGICAL RESOURCES

BIO-1a: Prior to individual project approval under the Specific Plan, the City shall require the preparation and submittal of a protocol-level survey conducted by a qualified biologist to the Rohnert Park Community Development Services Department as required by the California Endangered Species Act and the Federal Endangered Species Act. The protocol-level survey shall determine the potential for special-status plant and/or wildlife species, including nesting birds and birds protected under the Migratory Bird Treaty Act, to occur within or adjacent to the proposed development Specific Plan Area. The survey should be conducted within the blooming period of all special-status plant species identified in Table 4.4-4 that have the potential to occur on the specific development project site. If a special-status species are observed during the survey, then appropriate alternative measures should be executed as follows:	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Development Services Department	Biological Survey	Once within each blooming period of all special-status plant species identified in Table 4.4-4.
1) The City shall require pre-construction surveys within 30 days prior to the commencement of grading and/or construction activities. 2) As appropriate based on the results of the pre-construction surveys, construction limits shall be clearly flagged as directed by the biologist to ensure that impacts to sensitive biological resources are avoided or minimized to the extent					

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
feasible.					
3) All plants within the construction footprint (including staging areas) shall be transplanted to a mitigation site approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). Lost plant habitat <u>that is occupied by special status plants</u> shall be replaced at a ratio of two acres of replacement habitat for each acre of special- status plant habitat lost. The success of the transplantation program shall be evaluated to have been achieved if 80 percent or more of the transplanted plants have survived five years after transplantation. Mitigation projects will be monitored annually for five years using success criteria developed in coordination with the CDFW and USFWS.					
4) If special-status species identified in the Santa Rosa Plain Conservation Strategy (SRPCS) are found to be present on site, the project applicant shall follow the standards prescribed in the SRPCS, which requires that three surveys per year shall be conducted and a minimum of two years of negative results be reported to accurately state that each of the above mentioned species is not present. Impacts to habitat could require mitigation in the form of preservation of the same habitat at a 2:1 ratio. If no special-status plant species are observed but habitat for them is present, mitigation in the form of preservation of the same habitat at a 1:1 ratio could be required.					
5) As appropriate based on the results of the preconstruction surveys, the City shall require: Development and implementation of contractor training to educate project contractors on the sensitive biological resources within and adjacent to the project site and the measures being implemented to avoid and minimize impacts					

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
- That a qualified biological monitor be present during a portion or all of the construction activities to ensure impacts to the sensitive biological resources are avoided or minimized to the extent feasible; - That project applicants obtain written authorization from the USFWS that the grading or construction activity complies with regulations on the "take" of the listed species, - That any mitigation requirements set forth by such agencies be incorporated into the project's final design plans.					
BIO-1b: The City and the developer should establish an ongoing and aggressive weed abatement program to prevent the spread and establishment of exotic weeds along established habitat on the site or habitat subject to further invasion of seed stock resulting from grading and development activities.	Individual Project Applicants and the City of Rohnert Park Development Services Department	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	Weed Abatement Program	Ongoing
BIO-1c: If activity is to occur during the nesting/breeding bird season, February 1 st through August 31 st , the City shall require the applicant to retain a qualified biologist to conduct nest surveys on the site proposed for development and within 200 feet of its borders prior to construction or site preparation activities. The surveys shall be conducted no earlier than 30 days prior to commencement of construction activities.	Individual Project Applicants	Prior to Construction	City of Rohnert Park Department of Public Works and the Development Services Department	Biological Survey	Once before each construction or site preparation activity
BIO-1d: If active nests are present in the construction zone or within 200 feet of these areas, a fence shall be erected at a minimum of 50 feet around the nest site. The temporary buffer setback may be greater depending on the identification of the bird species and construction activity elements, as determined by the biologist.	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	Biological Survey	Once
BIO-1e: If an active nest is located on or adjacent to the project site, tree removal, grading, and other project-related disturbances shall be prohibited within 200 feet of the active raptor nest until the young have fledged. Prior to disturbance within 200 feet of an	Individual Project Applicants	Prior to project development	City of Rohnert Park Department of Public Works and the Development Services Department	Biological Survey	Once

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
active nest, the project developer shall retain a qualified biologist or ornithologist to confirm that the young have fledged. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure the safety of the nesting bird.			Department		
BIO-1f: If the California tiger salamander (CTS) habitat is determined to be on-site based on protocol surveys performed in accordance with the USFWS CTS survey protocol guidelines, the City shall require the applicant initiate then a formal consultation with USFWS shall be initiated. Based on the ensuing Biological Opinion provided by the USFWS as part of the consultation, further measures may be necessary including a CTS preconstruction survey per the USFWS CTS survey protocol guidelines and/or a pre-construction survey before initiation of any grading and construction activities would be permitted to begin. Compensation of CTS habitat loss might be required at a mitigation ratio to be determined during the consultation process. The Santa Rosa Plans Conservation Strategy and the Programmatic Biological Opinion shall govern the applicable mitigation ratios for effects on CTS for future activities.	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	Biological Survey	Once
BIO-2a: The City shall require the applicant of a development proposal permitted under the Specific Plan where wetlands may be present or are unknown to conduct a wetland delineation according to the current U.S. Army Corps of Engineers (USACE) standards (e.g. 1987 USACE Wetland Delineation Manual and the 2008 Regional Supplement to the USACE Wetland Delineation Manual: Coast Region). The developer shall submit the This delineation shall be submitted to and verified by the USACE and the City as part of the entitlement application for a prior-to-City-approval-of any specific development proposal project. Verification of the wetland delineation shall be conducted by the USACE as part of the Section 404 permit process prior to issuance of a grading permit.	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	Wetland Delineation	Once

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
BIO-2b: If a wetland delineation map is required per Mitigation Measure BIO-2a, once it is "verified" by USACE and the full extent of waters of the United States/State is known the City shall require the applicant of a development proposal permitted under the Specific Plan to <u>shall</u> design the project so that avoidance or minimization of wetland impacts occurs on the site through the use of Best Management Practices (BMPs) to protect waters of the United States /State and to ensure that water quality standards are not compromised. These practices can include installing construction fencing buffers, straw wattles to keep fill from entering preserved/avoided wetlands and other waters, and other protective measures; and requiring a biological monitor be on-site during project construction to monitor the integrity of any preserved wetlands and other waters during mass grading or filling of the project site. In accordance with the federal Clean Water Act Section 404(b)(1) guidelines, avoidance and then minimization must be given first consideration in the sequence for mitigating wetlands impacts.	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	On-site biological monitor during project construction	Ongoing
BIO-2c: At the time permits are issued for any portion or all of the documented wetland habitat that is not avoided, the City shall require mitigation standards mandated by the USFWS and the CDFW, and USACE for fill of wetlands and Waters of the United States /State that involves either the restoration of wetlands at a ratio of 1.5:1 or the creation of new wetlands at a ratio of 2:1. If up-front mitigation is provided (wetlands are restored or created prior to the fill of project site wetlands), a 1:1 mitigation ratio is accepted.	Individual Project Applicants	Prior to Construction	City of Rohnert Park Department of Public Works and the Development Services Department	Wetland restoration and/or creation	Once
BIO-2d: As a condition of project approval, At the time permits are issued for any portion or all of the documented wetland habitat that is not avoided, the City shall require that the project developer <u>mitigate</u> for impacts to wetlands to achieve a no net loss of wetland habitat. In accordance with the 2008 USACE/U.S. EPA Compensatory Mitigation Rule, wetlands mitigation may consist of (1) the purchase of wetland mitigation credits from to	Individual Project Applicants	Prior to Construction	City of Rohnert Park Department of Public Works and the Development Services Department	Vernal Pool Habitat Reconstruction	Once

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
establish a USFWS/ CDFW/ USACE-approved mitigation bank; (2) on-site or off-site permittee-responsible mitigation; or (3) participation in an approved in-lieu fee mitigation program. Mitigation shall be provided in perpetuity at the applicable restoration, creation, enhancement, and/or preservation ratios established in accordance with state and federal laws. Current restoration/creation ratios are The project developer shall reconstruct vernal pool habitat at a replacement ratio of 1:1 for vernal pool wetland habitat creation and 2:1 for vernal pool wetland habitat preservation for each acre of vernal pool wetland habitat impacted. A final determination of these mitigation restoration ratio totals shall be established in consultation with the USFWS, CDFW and/or USACE. The Project developer will permanently protect the agreed upon acreage of vernal pool habitat within the mitigation bank via a USFWS/CDFW-approved conservation easement, to be held by a USFWS/CDFW-approved entity;					

CULTURAL RESOURCES

CULT-1: Future development projects permitted under the Specific Plan shall be required to include a project-specific review to determine their potential to affect archaeological deposits. If deemed necessary by this review, a pedestrian survey shall be conducted by a professional archaeologist. If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to the California Environmental Quality Act (CEQA) Guidelines Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting	Individual Project Applicants	During construction	City of Rohnert Park Department of Public Works and the Development Services Department	Archeological Assessment	As needed
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MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g. data recovery) shall be instituted. Work may proceed on other parts of the Specific Plan Area while mitigation for historical resources or unique archaeological resources is being carried out.					
CULT-2: Implement Mitigation Measure CULT-1.	Individual Project Applicants	During Construction	City of Rohnert Park Department of Public Works and the Development Services Department	Archaeological Assessment	As needed
CULT-3: In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval and the Project proponent shall implement the approval plan.	Individual Project Applicants	During Construction	City of Rohnert Park Department of Public Works and the Development Services Department	Paleontological Assessment	As needed

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
CULT-4: If human skeletal remains are uncovered during construction, the contractor (depending on the project component) shall immediately halt work within 50 feet of the find, contact the Sonoma County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the CEQA Guidelines. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours, who will, in turn, notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains (Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code Section 5097.98 [as amended by AB 2641]). Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. Per Public Resources Code 5097.98, the contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the human remains are located, is not damaged or disturbed by further development activity until the contractor has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98), with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendant may request mediation by the NAHC.	Individual Project Applicants	During Construction	The City of Rohnert Park Development Services and the Sonoma County Coroner	Coroner's Report	As needed

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Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
GREENHOUSE GAS EMISSIONS					
GHG-1a: Applicants for future projects within the Specific Plan shall implement one of the following: ▪ Design individual habitable residential and non-residential structures to be 15 percent more energy efficient than the current Building and Energy Efficiency Standards; or ▪ Provide a 15-percent offset in building envelope energy use through use of renewable energy (e.g. photovoltaic, wind); or ▪ Provide a combination of energy reductions and renewable energy offsets to meet the overall 15-percent reduction in building energy use. The 15-percent reduction in building envelope energy use shall be based on the current Building and Energy Efficiency Standards (Title 24, Part 6, of the California Building Code) that is in place at the time building permits are submitted to the City. Architectural plans submitted to the City Building Division shall identify the requirement to reduce building energy use by 15 percent and/or provide renewable energy to meet this requirement.	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Building Division	Identify energy-saving requirements	Once
GHG-1b: Applicant-provided appliances shall be Energy Star appliances (dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star appliances shall be verified by the Building Division during plan check.	Individual Project Applicants	After construction	City of Rohnert Park Building Division	Verification during plan check	Once
GHG-1c: Applicants for future residential developments that include garage parking shall accommodate level 2 electric vehicle charging. The location of the electrical outlets shall be specified on building plans and proper installation shall be verified by the Building Division prior to issuance of a Certificate of Occupancy.	Individual Project Applicants	During construction	City of Rohnert Park Building Division	Verification prior to issuance of a Certificate of Occupancy	Once

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
GHG-1d: Applicants for future non-residential developments that develop more than 50,000 gross square feet of building space shall provide level 2 electric vehicle charging in parking lots/structure. The location of the electrical outlets shall be specified on building plans, and proper installation shall be verified by the Building Division prior to issuance of a Certificate of Occupancy.	Individual Project Applicants	During construction	City of Rohnert Park Building Division	Verification prior to issuance of a Certificate of Occupancy	Once
GHG-1e: Applicants for non-residential projects within the Specific Plan or applicable designee (e.g. building manager) that employ 20 or more people—which is equivalent to 12,000 square feet of retail space, 6,000 square feet of office space, 20,000 square feet of industrial space, or 22 hotel rooms—shall implement an employee commute trip reduction (CTR) program. The CTR program shall identify alternative modes of transportation to the project, including transit schedules, bike and pedestrian routes, and carpool/vanpool availability. Information regarding these programs shall be readily available to employees and clients. The project applicant or designee shall implement at least one of the following incentives for commuters as part of the CTR program, or another equally effective incentive: ▪ Ride-matching assistance (e.g. subsidized public transit passes). ▪ Vanpool assistance or employer-provided vanpool/shuttle. ▪ Car-sharing program (e.g. Zipcar). ▪ Bicycle end-trip facilities, including bike parking, lockers, and showers.	Individual Project Applicants	Prior to future project approval	City of Rohnert Park Department of Public Works and the Development Services Department	CTR Program	Daily

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
HAZARDS AND HAZARDOUS MATERIALS					
HAZ-2: The project applicant shall perform pesticide screening analyses of soil on properties within the Specific Plan Area currently or historically cultivated for agricultural purpose. Soils which exceed pesticide levels established by the United States Environmental Protection Agency (EPA) preliminary remediation goals for residential use shall not be reused on site, and off-site reuse shall be subject to oversight by the Sonoma County Environmental Health Agency. Stockpiling of any contaminated soils prior to off-hauling and disposal shall comply with the California Health and Safety Code. If pesticide concentrations exceed EPA preliminary remediation goals for commercial uses, the soil shall be disposed of in an appropriate facility in accordance with federal and State regulations.	Individual Project Applicants	Prior to Construction	City of Rohnert Park Development Services Department and the Sonoma County Environmental Health Agency	Pesticide screening analyses	Once
TRANSPORTATION AND TRAFFIC					
TRANS-1A: Stony Point Road shall be widened to two through lanes in each direction, consistent with Figure CT-1g of the Sonoma County 2020 General Plan.	City of Rohnert Park Department of Public Works	Upon adoption of proposed Project	City of Rohnert Park Department of Public Works and the Development Services Department	Road widening	Once
TRANS-1B.1: Modify the Golf Course Drive West/Redwood Drive intersection by restriping the eastbound lanes to create a left-turn lane, two through lanes, and a shared through/right-turn lane; reconfiguring the southbound approach to include dual left-turn lanes, a single through lane, and a right-turn lane; adding a right-turn pocket on the westbound approach; and adding a right turn overlap signal phase on the northbound approach.	City of Rohnert Park Department of Public Works	Upon adoption of proposed Project	City of Rohnert Park Department of Public Works and the Development Services Department	Intersection modification	Once

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TRANS-1B.2: Modify the Golf Course Drive West/U.S. 101 South Ramps intersection by restriping the lanes on the southbound approach to include a left-turn/through lane, through/right-turn lane, and right-turn lane, and making associated modifications to the signal equipment. This improvement is already included in the 2011 Rohnert Park Public Facilities Finance Plan.	City of Rohnert Park Department of Public Works	Upon adoption of proposed Project	City of Rohnert Park Department of Public Works and the Development Services Department	Intersection modification	Once
TRANS-1C: Widen U.S. 101 to include additional through lanes in each direction through the City of Rohnert Park.	City of Rohnert Park Department of Public Works	Upon adoption of proposed Project	City of Rohnert Park Department of Public Works and the Development Services Department	Highway widening	Once
TRANS-1D: Implement intersection mitigation measures TRANS-1B.1 and TRANS-1.B2.	City of Rohnert Park Department of Public Works	Upon adoption of proposed Project	City of Rohnert Park Department of Public Works and the Development Services Department	Intersection modification	Once