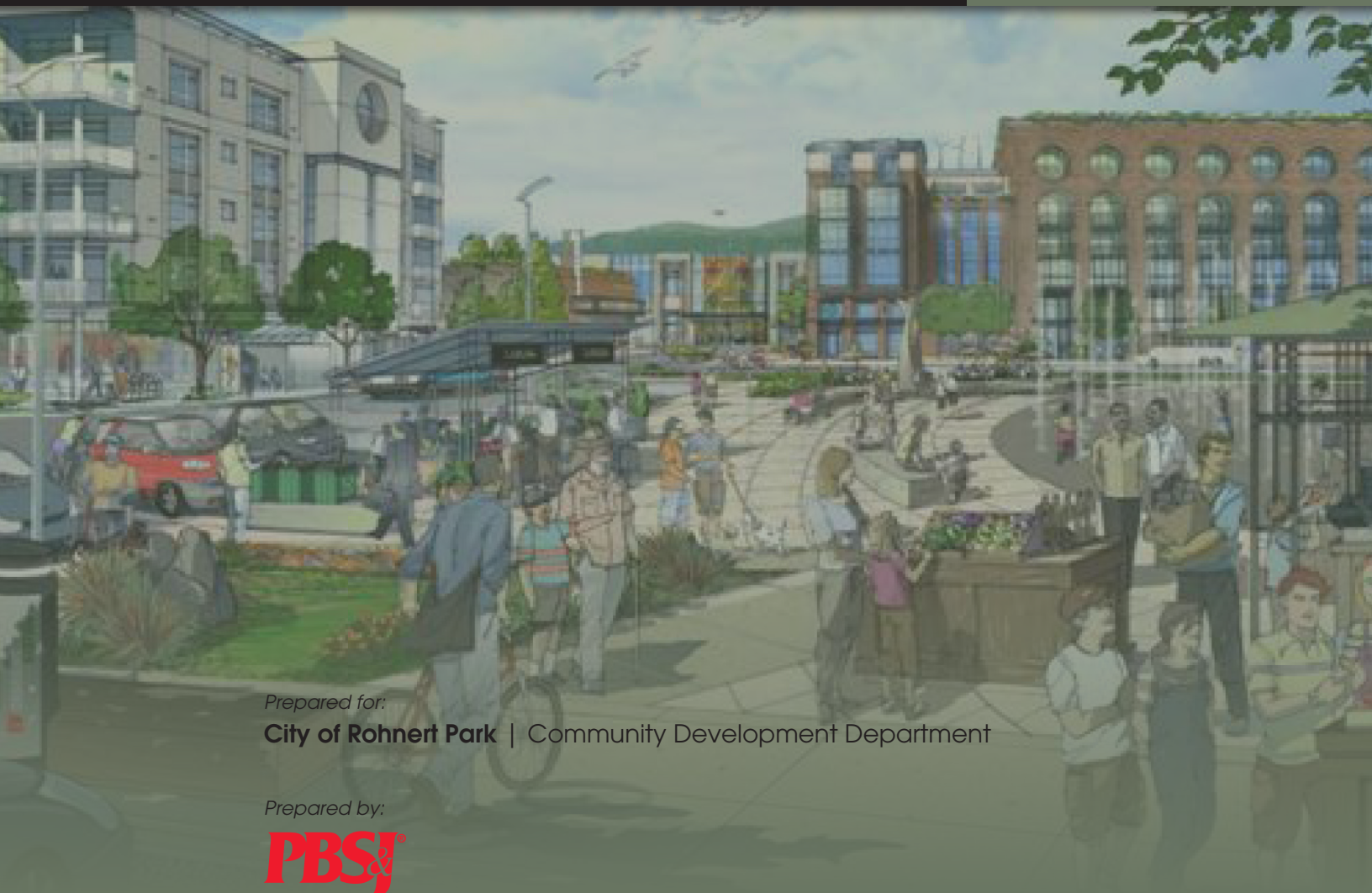


Sonoma Mountain Village

Final Environmental Impact Report

SCH No. 20070521116

July 2010



Prepared for:
City of Rohnert Park | Community Development Department

Prepared by:



CITY OF ROHNERT PARK

SONOMA MOUNTAIN VILLAGE

FINAL ENVIRONMENTAL IMPACT REPORT
SCH #20070521116

Prepared for:

City of Rohnert Park
Planning Department

Prepared by:

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July 2010

City of Rohnert Park Sonoma Mountain Village FEIR

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Chapter 1

Introduction

PURPOSE OF THIS DOCUMENT

This document contains public comments received on the Draft Environmental Impact Report (Draft EIR) for the Sonoma Mountain Village project (proposed project). Written comments were received by the City of Rohnert Park during the public comment period held from August 19, 2009 through October 2, 2009. Additional comments were received after close of the public review period. This Final EIR includes written responses to each comment received on the Draft EIR, including those received after the close of the public review period. The responses correct, clarify, and amplify text in the Draft EIR, as appropriate. Also included are text changes to the Draft EIR made in response to comments (see Chapter 2). These changes do not alter the conclusions of the Draft EIR. This document has been prepared in accordance with the California Environmental Quality Act (CEQA).

BACKGROUND

The proposed project consists of an application to develop approximately 175 acres in the southeast portion of Rohnert Park west of the intersection of Valley House Drive and Bodway Parkway and east of US 101. The Sonoma Mountain Village project site is the former location of an Agilent Technologies research and development campus.¹ The site is currently owned by Sonoma Mountain Village LLC and houses existing business operations. The project proposes to include a maximum of 1,694 residential units (not including up to 198 accessory dwelling units), 425,978 gross square feet (sf) of office space, 107,329 gross sf of retail space, a 91,000 sf 100 room hotel, 45,000 sf grocery store space, 15,000 sf daycare space, 39,472 sf restaurant space, 30,000 square foot health club, 25,000 sf cinema, 35,000 sf of civic building use, a covered structure parking for 800 cars, and 27.3 acres of parks and open space as defined further below. The project also proposes to include adaptive reuse of the substantial Agilent Technologies buildings to contain a mix of residential, office and retail/commercial uses. Regional access to the project site is provided from US 101. Local access to the project site is provided by Camino Colegio on the north and Valley House Drive where Valley House Drive intersects Bodway Parkway on the east. The project site is bounded by Camino Colegio on the north and Bodway Parkway on the east. East Railroad Avenue is situated immediately south of the project site, but at the current time does not provide direct vehicular access to the site. The former Northwestern Pacific Railroad right-of-way defines the west margin of the site. The railroad right-of-way is now owned by North Coast Railroad Authority and has been the focus of studies to implement a Sonoma County/Marin County commuter rail line known as the SMART project.

The proposed project would change the anticipated land use distribution projected under the existing General Plan land use designations. The project would require several land use entitlements from

¹ For additional information regarding the history of the prior project site ownership and development, please refer to Appendix B of the Draft EIR, Brief Historical Profile of Project Site Development.

Rohnert Park including a General Plan Amendment, Rezone, development agreement, and Planned Development approval, including a Final Development Plan. The proposed project would also require approval(s) from responsible agencies including the Sonoma County Water Agency, Regional Water Quality Control Board, United States Army Corps of Engineers, California Department of Fish and Game, and Caltrans.

Because the project site is designated for Industrial land use on the Rohnert Park General Plan Diagram, the project application includes a request: to change the Industrial designation to “Mixed Use,” “Public/Institutional,” and “Parks/Recreation.” In order to maintain consistency with the requested General Plan amendments, the project includes a proposal to rezone the project site from “I-L” (Limited Industrial) to “P-D” (Planned Development). The “P-D,” Planned Development District is intended to accommodate a wide range of residential, commercial, and industrial land uses that are mutually supportive and compatible with existing and proposed development on surrounding properties. Since publication of the Draft EIR the project applicant has removed the SmartCode description and replaced it with the Sonoma Mountain Village (SMV) P-D Zoning District. The project’s Final Development Plan proposes the “P-D” zoning via the SMV P-D Zoning District. If adopted by the City of Rohnert Park as proposed, the SMV P-D zoning District would become the public document which establishes the amount, type, and location of urban development to be permitted on the project site. The SMV P-D Zoning District would become the guiding documents that provide the development standards and design guidelines for development within the project site area. The SMV P-D Zoning District is appended to this Final EIR as Appendix D.

PROJECT APPROVALS

As part of the approval process, The City of Rohnert Park would need to certify the EIR and approve the following entitlements in order to implement the proposed project.

- General Plan Amendment;
- Rezone;
- Development Agreement; and
- Planned Development approval, including Final Development Plan.

If the project is approved any subsequent applications to develop portions of the project site would require additional project approval and CEQA review if any discretionary entitlements are required. Additional project entitlements could include tentative subdivision maps, small lot subdivision map, grading permits, and building permits, for example.

TYPE OF DOCUMENT

This EIR is an informational document intended to disclose to the City of Rohnert Park and the public the environmental consequences of approving and implementing the Sonoma Mountain Village project. In accordance with section 15168 of the CEQA Guidelines, this EIR has been developed as a “Program”

EIR and evaluates the environmental effects of implementing all phases of the Sonoma Mountain Village project. A Program EIR is an EIR that is prepared on a series of actions that are proposed for implementation over a period of time, in this case a number of years, and are geographically related and can be characterized as one large project. This would be consistent with CEQA Guidelines section 15165 regarding projects that are phased where a single Program EIR shall be prepared for the ultimate project.

The Lead Agency (Rohnert Park) must certify that the EIR adequately discloses the environmental effects of the project and has been completed in conformance with CEQA, and that the decision-making bodies independently reviewed and considered the information contained in the EIR prior to taking action on the project. The EIR must also be considered by the Responsible Agencies, which are public agencies that have discretionary approval authority over some aspects (i.e., permits) of the project in addition to the Lead Agency. For this project, the Responsible Agencies must consider the environmental effects of the project, as shown in the EIR prior to approving any portion of the project over which it has authority.

This document contains the list of commentors, comment letters received, and responses to the significant environmental points raised in the comments as well as required revisions to the text of the Draft EIR. The Draft EIR is hereby incorporated by reference.

PUBLIC PARTICIPATION AND REVIEW

The City of Rohnert Park notified all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft EIR on the proposed project was available for review. The following list of actions took place during the preparation, distribution, and review of the Draft EIR:

A Notice of Preparation (NOP) for an EIR was filed with the State Clearinghouse on May 14, 2007. The public review comment period for the NOP started on May 14, 2007 and ended on June 14, 2007.

A public scoping meeting for the EIR was held on June 14, 2007.

A Notice of Completion (NOC) and copies of the Draft EIR were filed with the State Clearinghouse on August 19, 2009. An official 45-day public review period for the Draft EIR was established by the State Clearinghouse; however this review period was extended beyond the required 45-day period in order to address additional public comments. The Notice of Availability was posted at City Hall and was published in the Santa Rosa Press Democrat, a newspaper of general circulation, on August 19, 2009. Copies of the Draft EIR were available for review at the City of Rohnert Park's Community Development Department office at 130 Avram Avenue, Rohnert Park, CA 94928. Additional electronic files of the Draft EIR were posted on the City of Rohnert Park's Development Services Department website.

ORGANIZATION OF THIS DOCUMENT

For this Final EIR, comments and responses are grouped by comment letter. As the subject matter of one topic may overlap between letters, the reader must occasionally refer to more than one letter and response to review all the information on a given subject. Cross references are provided to assist the reader.

Responses to these comments are included in this document to provide additional information for use by the decision makers.

The comments and responses that make up the Final EIR, in conjunction with the Draft EIR, as amended by the text changes, constitute the EIR that will be considered for certification by the City of Rohnert Park.

The Final EIR is organized as follows:

Chapter 1 - Introduction: This chapter includes a summary of the project description and the process and requirements of a Final EIR.

Chapter 2 - Text Changes to the Draft EIR: This chapter lists the text changes made to the Draft EIR.

Chapter 3 - List of Agencies and Persons Commenting: This chapter contains a list of all of the agencies or persons who submitted comments on the Draft EIR during the public review period, ordered by agency, organization, and date.

Chapter 4 – Responses to Comments: This chapter contains the comment letters received on the Draft EIR and the corresponding response to each comment. Each letter and each comment within a letter has been given a number. Responses are provided after the letter in the order in which the comments were assigned. Where appropriate, responses are cross-referenced between letters.

Chapter 5 – Mitigation Monitoring and Reporting Program: This chapter contains the Mitigation Monitoring and Reporting Program (MMRP) to aid the City in its implementation and monitoring of measures adopted in the EIR.

Chapter 2

Revisions to the Draft EIR

2.1 INTRODUCTION

This chapter summarizes the text changes to the Draft EIR. New text is indicated in underline and text to be deleted is reflected by a ~~strike-through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

These revisions are in response to comments made on the Draft EIR (see Chapter 4, Responses to Comments) and staff initiated and/or consultant initiated text changes based on their on-going review. The text revisions contain clarification, amplification, and corrections that have been identified since publication of the Draft EIR.

2.2 TEXT CHANGES

Inadvertently only a portion of the comment letters received in response to the Notice of Preparation (NOP) were included in Appendix A of the Draft EIR. To address this omission, all three of the comment letters (Caltrans, Sonoma County Permit and Resource Management Department, and California Public Utilities Commission) received in response to the NOP are included in Appendix A of this Final EIR. All of the issues/concerns raised in the NOP comment letters were addressed in the Draft EIR.

Since release of the Draft EIR the *Draft* Water Supply Assessment has been finalized and is included as Appendix B of this FEIR.

Since release of the Draft EIR the project applicant has also completed a Municipal Services Plan that outlines the phasing of project infrastructure including sanitary sewer, domestic water, reclaimed water, storm drainage conveyance, and storm drainage treatment. The Municipal Services Plan complements the Final Development Plan. A copy of the Municipal Services Plan is included in Appendix C to this FEIR.

Appendix J of the Draft EIR included information on the project's proposed SmartCode zoning. Since release of the Draft EIR the project applicant has revised the SmartCode and it is now referred to as the SMV P-D Zoning District. This new information is appended to this Draft EIR as Appendix D. Any reference in the Draft EIR to the SmartCode concept is hereby revised to read SMV P-D Zoning District.

Lastly, the City and the project sponsor have updated the proposed General Plan Amendment text. The new information is included in Appendix E to this FEIR.

Since release of the Draft EIR the project sponsor has made additional refinements to the project description. These refinements do not change the findings contained in the Draft EIR or result in any new impacts. The revisions to the Draft EIR project description are included below under Chapter 2, Project Description.

Chapter, Introduction

The last paragraph on page 10 has been revised to read:

If the City certifies the EIR and approves the proposed project, it must also adopt mitigation measures, a mitigation monitoring and reporting program, Findings of Fact, and a Statement of Overriding Considerations explaining why the project's benefits outweigh any significant and unavoidable effects as identified in the EIR.

Chapter 1, Summary

The third sentence in the first paragraph on page 1-1 has been revised to read:

The project site (046-051-040, ~~046-051-041~~, 046-051-042, and 046-051-045) consists of approximately 76.9 acres of undeveloped land on the southern portion and approximately 98.3 acres of developed industrial and re-used commercial building area (the former Agilent Technologies campus) on the north portion of the site (Figure 1-2).

The following changes have been made to Table 1-1, Sonoma Mountain Village Project DEIR Summary of Impacts and Mitigation Measures.

Impact 3.1-1 on page 1-7 has been revised to state the following:

Impact 3.1-1

In the absence of detailed plans illustrating the planned height of buildings on all portions of the project site, it cannot be confirmed that the project would not obstruct east facing views of the Sonoma Mountains, a Sonoma County designated Scenic Landscape Unit, from properties immediately west of the project site. The obstruction of views to the Sonoma Mountains would be a potentially significant impact.

Mitigation Measure 3.3-1 beginning on page 1-15 has been revised to read as follows:

Mitigation Measure 3.3-1(a)

The project sponsor shall retain a qualified biologist, approved by the City, to conduct focused surveys on all undeveloped/unimproved project areas for special-status plant species including, but not limited to, Sonoma sunshine, fragrant fritillary, Burke's goldfields, Sebastopol meadowfoam, and showy Indian clover during the appropriate time of year (generally February through July), prior to ~~construction or~~ issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3).

If no special-status plants are located during the surveys, no further mitigation would be required.

Mitigation Measure 3.3-1(b)

If any state or federally listed special-status plant species are found during the surveys in areas that cannot be avoided during construction, the project sponsor shall consult with the appropriate agency (i.e., USFWS, CDFG, or both) to obtain an incidental take permit for the removal of any

state or federally listed plant populations in the project site area. Specific mitigation measures detailing replacement methods and ratios the project sponsor would be responsible for would be developed as required by the agency, but would likely include transplanting existing populations, collection of seed for planting at a mitigation site, and either purchase of mitigation lands where the lost plants will be reestablished, or purchase of mitigation credits at an approved mitigation bank prior to issuance of a-grading permits for the Southern portion of the project (Phases 1C, 2, and 3), pursuant to the Santa Rosa Plain Conservation Strategy.

Mitigation Measure 3.3-1(c)

If any non-listed special-status plant species are found during the surveys in areas that cannot be avoided, the project sponsor shall notify CDFG within 24 hours so that an opportunity can be made available to salvage plants, soil or seed banks, for use in rare plant restoration in mitigation areas prior to issuance of a-grading permits for the Southern portion of the project (Phases 1C, 2, and 3).

Mitigation Measure 3.3-2 beginning on page 1-16 has been revised to read:

Mitigation Measure 3.3-2(a)

Prior to the issuance of a-grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate an informal consultation with the USFWS to discuss measures to avoid a potential take of CTS during construction. Additionally, since CTS became a Candidate for listing as Endangered under CESA on February 5, 2009, the project sponsor shall include CDFG in all informal consultations with the USFWS to discuss potential impacts on and avoidance measures for CTS.

Although details of these measures would be developed in consultation with the USFWS and CDFG, they would likely include:

- Retaining a qualified biologist, approved by the City, to conduct a preconstruction survey of the project site area to ensure that no potential upland retreat habitat has been created (i.e., through ground squirrel activity) since the 2004 habitat assessment,
- Seasonal restrictions on grading and construction to avoid the wet season dispersal period (i.e., October through March),
- Installation of drift fences around the perimeter of the construction area to prevent any CTS from moving into the area,
- Providing compensation for loss of CTS upland habitat, as required by the USFWS and CDFG (either through avoidance, or purchase of mitigation credits at a USFWS/CDFG approved bank), if any suitable habitat is found during the preconstruction surveys referenced above, and
- Retaining qualified biologists, approved by the City, to monitor the project site area during construction to ensure that no CTS would be harmed.

Assuming complete avoidance can be achieved, no incidental take permit from either CDFG or USFWS would be required. However, if CTS are discovered to be present in the project site area,

and a “take” of the species cannot be avoided, Mitigation Measure 3.3-2(b) shall be required pursuant to the Santa Rosa Plain Conservation Strategy.

Mitigation Measure 3.3-2(b)

Prior to construction or issuance of ~~a~~-grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate consultation with the USFWS (pursuant to Section 7 of the Federal Endangered Species Act), and CDFG (pursuant to Section 2081 of the California Endangered Species Act) to obtain ~~an~~-incidental take permits for loss of any individual CTS. Details of the requirements of the Incidental Take Permits would be developed during consultation with the USFWS and CDFG, but would likely include (but not be limited to) the following.

- Preparation of a Biological Assessment pursuant to Section 7 of the FESA for submission to the USFWS for their review.
- Retaining qualified, permitted biologists to monitor for, and potentially move CTS outside of the project site area.
- Payment of mitigation fees, and/or purchase of mitigation land to compensate for the loss of CTS and their habitat.

If CTS should be elevated from Candidate to Endangered status under CESA, an additional and separate authorization from CDFG will be required.

Mitigation Measure 3.3-3 beginning on page 1-18 has been revised to read as follows:

Mitigation Measure 3.3-3(a)

Prior to the issuance of ~~a~~-grading permits for the project (Phases 1B, 1C, 2, and 3), the project sponsor shall hire a qualified biologist, approved by the City, to conduct both nesting and wintering season surveys for burrowing owl to determine if the site is used by this species. The timing and methodology for the surveys are based on the CDFG/Burrowing Owl Consortium Survey Guidelines and are detailed below. CDFG may require that these surveys be repeated annually if project construction is expected to span over two or more years.

- Winter (Non-Breeding) Season (December-September 1 through January 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. These initial surveys shall be conducted as close as possible to the initiation of construction (preferably no more than 30 days prior to ground breaking).
- Nesting Season (February 1 to August 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. At least two of the surveys shall be conducted during the peak nesting season between April 15 and July 15.

In addition to the wintering and nesting season surveys, pre-construction surveys shall be conducted by ~~an experienced~~ qualified biologist, approved by the City, within ~~30-7~~-days prior to the start of work activities where land conversions are planned in known or suitable habitat areas. If construction activities would be delayed for more than ~~30-7~~ days after the preconstruction

surveys, then a new preconstruction survey would be required. All surveys shall be conducted in accordance with the CDFG/Burrowing Owl Consortium survey protocols (Burrowing Owl Consortium, 1993).

If the above survey does not identify any burrowing owls on the project site, no further mitigation would be required. However, should any individual burrowing owls or burrowing owl nests be located, Mitigation Measure 3.3-4(b), Mitigation Measure 3.3-4(c), and Mitigation Measure 3.3-4(d) shall be implemented.

Mitigation Measure 3.3-3(b)

If burrowing owls are discovered in the project area, the project sponsor shall notify the City and CDFG. A qualified biologist, approved by the City, shall implement a routine monitoring program and establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion zone until such time that the burrows are determined to be unoccupied. The buffer zones shall be a minimum of ~~100~~160 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of ~~160~~250 feet from an occupied burrow during the breeding season (February 1 through August 31).

Mitigation Measure 3.3-3(c)

The project sponsor shall provide appropriate passive relocation mitigation for project-related effects on the burrowing owl in consultation with CDFG. No relocation shall occur during the breeding season (i.e., passive relocation of burrowing owls can only be conducted during the non-breeding season). Mitigation can be conducted either on the project site, or at an off-site location that is approved by the CDFG. Preference is for on-site within open space areas, if possible.

Impact 3.3-3 and Mitigation Measure 3.3-3(a) through (d) were inadvertently labeled Impact 3.3-4 and Mitigation Measure 3.3-4(a) through (d) and were repeated on pages 1-21 through 1-23. This information has been deleted as follows:

~~Impact 3.3-4~~

~~Construction of the Project could result in the loss of burrowing owl individuals, a (PS) Species of Special Concern (eggs, nestlings, or juveniles). This would be a potentially significant impact.~~

~~Mitigation Measure 3.3-4(a)~~

~~The project sponsor shall hire a qualified biologist to conduct both nesting and (LS) wintering season surveys for burrowing owl to determine if the site is used by this species. The timing and methodology for the surveys are based on the CDFG/Burrowing Owl Consortium Survey Guidelines and are detailed below. CDFG may require that these surveys be repeated annually if project construction is expected to span over two or more years.~~

- ~~• Winter Season (December 1 through January 31) Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise.~~

~~Nesting Season (February 1 to August 31) — Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. At least two of the surveys shall be conducted during the peak nesting season between April 15 and July 15.~~

~~In addition to the wintering and nesting season surveys, pre-construction surveys shall be conducted by an experienced biologist within 30 days prior to the start of work activities where land conversions are planned in known or suitable habitat areas. If construction activities would be delayed for more than 30 days after the preconstruction surveys, then a new preconstruction survey would be required. All surveys shall be conducted in accordance with the CDFG/Burrowing Owl Consortium survey protocols (Burrowing Owl Consortium, 1993).~~

~~If the above survey does not identify any burrowing owls on the project site, no further mitigation would be required. However, should any individual burrowing owls or burrowing owl nests be located, Mitigation Measure 3.3-4(b), Mitigation Measure 3.3-4(c), and Mitigation Measure 3.3-4(d) shall be implemented.~~

~~Mitigation Measure 3.3-4(b)~~

~~If burrowing owls are discovered in the project area, the project sponsor shall notify the City and CDFG. A qualified biologist shall implement a routine monitoring program and establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion zone until such time that the burrows are determined to be unoccupied. The buffer zones shall be a minimum of 100 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of 160 feet from an occupied burrow during the breeding season (February 1 through August 31).~~

~~Mitigation Measure 3.3-4(c)~~

~~The project sponsor shall provide appropriate relocation mitigation for project related effects on the burrowing owl in consultation with CDFG. Mitigation can be conducted either on the project site, or at an off-site location that is approved by the CDFG. Preference is for on-site within open space areas, if possible.~~

~~Mitigation Measure 3.3-4(d)~~

~~The CDFG shall be consulted regarding the implementation of avoidance or passive relocation methods. All activities that would result in a disturbance to burrows shall be approved by CDFG prior to implementation.~~

Mitigation Measure 3.3-4 on page 1-20 has been revised to read as follows:

Mitigation Measure 3.3-4(a)

If construction is to occur between March 15 through August 30, the project sponsor, as required by the CDFG, shall conduct a pre-construction breeding-season survey of the project site within ~~30~~ 14 days of when construction is planned to begin. The survey shall be conducted by a qualified biologist, approved by the City, to determine if any birds are nesting on or directly adjacent to the project site.

Mitigation Measure 3.3-4(b)

The project sponsor, as required by CDFG, shall avoid all birds nest sites located in the project site during the breeding season (approximately March 15 through August 30) while the nest is occupied with adults and/or young. This avoidance could consist of delaying construction to avoid the nesting season. Any occupied nest shall be monitored by a qualified biologist, approved by the City, to determine when the nest is no longer used. If the construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone shall be approved by the CDFG. The buffer zone shall be delineated by highly visible temporary construction fencing.

Mitigation Measure 3.3-5 on page 1-23 has been revised to read as follows:

Mitigation Measure 3.3-5(a)

Prior to the issuance of a grading permit for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B), the project ~~applicant~~ sponsor shall retain a qualified biologist, approved by the City, to conduct a re-verification of the 2002 wetland delineation at the site in accordance with the 1987 Manual. This delineation ~~should~~ shall also be expanded to include that portion of the northern half of the project area (~~i.e., to include the comprising a detention basin in the northwest corner of the site~~). The delineation report shall be updated and submitted to the ~~Corps~~ USACE for re-verification prior to the ~~commencement of construction~~ issuance of grading permits. If it is determined by the ~~Corps~~ USACE that these features are jurisdictional, then the project sponsor would have ~~two~~ the following options: avoidance, ~~or~~ removal and replacement mitigation, or a combination thereof. ~~Due to the scope of the project which includes development of the entire site, avoidance is not assumed as an option in this case, although avoidance is the preferred option. Therefore, replacement mitigation shall be implemented for the project of any wetland determined to be jurisdictional such that there would be no net loss of wetland acreage. If the avoidance option is adopted, a minimum 100 foot wetland buffer zone setback would be established. The project sponsor shall coordinate with the USACE to ensure that the most feasible mitigation option is incorporated.~~

Mitigation Measure 3.3-5(b)

Where avoidance of existing wetlands is not feasible, then mitigation measures shall be implemented for the project related loss of any existing wetlands on site, such that there is no-net loss of wetland acreage or habitat value. Wetland habitat acreage replacement can be greater than the acreage of wetlands that fall under the jurisdiction of the USACE and/or the RWQCB.

- (i) Wetland mitigation shall be developed as a part of the Section 404 CWA permitting process, or for non-jurisdictional wetlands, during permitting through the RWQCB and/or CDFG. Mitigation is to be provided prior to ~~construction~~ issuance of grading permits for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B). Mitigation could include purchase of the appropriate amount of credits from a Santa Rosa Plain mitigation bank. The exact mitigation ratio is variable, based on the type and value of the wetlands that would be affected by the project, but agency standards typically require a minimum of 1:1 for preservation and 1:1 for the

construction of new wetlands. In addition, a wetland mitigation and monitoring plan shall be developed that includes the following:

- Descriptions of the wetland types, and their expected functions and values;
 - Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of five to ten years;
 - Engineering plans showing the location, size and configuration of wetlands to be created or restored;
 - An implementation schedule showing that construction of mitigation areas will commence prior to or concurrently with the initiation of project construction; and
 - A description of legal protection measures for the preserved wetlands (i.e., dedication of fee title, conservation easement, and/or an endowment held by an approved conservation organization, government agency or mitigation bank).
- (ii) Prior to the issuance of grading permits by the City for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B), the project sponsor shall acquire all appropriate wetland permits. These permits may include but are not limited to a Section 404 Wetlands Fill Permit from the ~~U.S. Army Corp of Engineers~~ USACE, or a Report of Waste Discharge from the RWQCB, a Section 401 Water Quality Certification from the ~~Regional Water Quality Control Board~~ RWQCB, and, if necessary, a Section 1601 Streambed Alteration Agreement from the ~~California Department of Fish and Game~~ CDFG.

Mitigation Measure 3.3-6 on page 1-26 has been revised to read as follows:

Mitigation Measure 3.3-6

To insure the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance under Impact Criterion #5, prior to the issuance of ~~a grading permits on any portion of the project site~~, the project sponsor shall hire a licensed and certified arborist to inventory all non-exempt trees on the project site slated to be removed and assessed ~~their value based on ISA standards including as directed by the City as to size, health, species and location~~. This ~~evaluation~~ inventory shall be provided to the City of Rohnert Park ~~Community Development Director~~ Planning and Building Manager or his/her designee for review. The project sponsor shall then comply with the provisions of the Tree Removal Permit issued by the ~~Community Development Director~~ Planning and Building Manager, including tree replacement and the protection of any trees to be retained during construction.

Mitigation Measure 3.7-1 on page 1-34 is revised as follows:

Mitigation Measure 3.7-1

Prior to issuance of a grading permit, a Final Drainage Master Plan for all on- and off-site drainage facilities (including water quality facilities - BMPs) shall be prepared by the project

sponsor and submitted to the City of Rohnert Park's Department of Public Works and the ~~Community Development Services Department~~ for review and approval. The Final Drainage Plan shall be prepared by a Registered Civil Engineer and shall be in conformance with the City of Rohnert Park Storm Drain Design Standards, Municipal Code 16.16.020 C. Storm Drains and General Plan goals and policies in Section 7.2 Drainage, Erosion, Stormwater, and Flooding and Section 6.3 Water Quality. The Final Drainage Plan shall include a comparative analysis of stormwater runoff peak flow rate and ~~duration volume~~ from the site for flow events important to stream geomorphology conditions and flood flow conveyance; from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow event. The Final Drainage plan shall be prepared in accordance with the SCWA and SUSUMP Design Standards and shall include design measures and BMPs that demonstrate that peak flows from under project buildout conditions would not result in a net increase in peak flow rate or duration over pre-development conditions from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow ~~in either a 2-year or 10-year storm event.~~ The post-project flow duration curve shall not deviate above the pre-project flow duration curve by more than 10 percent over more than 10 percent of the length of the curve corresponding to the range of flows to control. Flow control structures may be designed to discharge stormwater at a very low rate that does not threaten to erode the receiving waterbody. This flow rate (also called Qcp138) shall be no greater than 20 percent of the pre-project 2-year peak flow. The Final Drainage Plan shall include at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows and volumes, proposed on-site and off-site improvements, on-site water quality facilities, effectiveness of water quality BMPs, operation and maintenance responsibilities, inspection schedules, reporting requirements and shall include specifics regarding the timing of implementation. Grading permits shall be issued following City approval of the proposed Final Drainage Plan. ~~Prior to issuance of a grading permit, a Final Drainage Master Plan for all on- and off-site drainage facilities (including water quality facilities -BMPs) shall be prepared by the project sponsor and submitted to the City of Rohnert Park's Department of Public Works and the Community Development Department for review and approval. The Final Drainage Plan shall be prepared by a Registered Civil Engineer and shall be in conformance with the City of Rohnert Park Storm Drain Design Standards, Municipal Code 16.16.020 C. Storm Drains and General Plan goals and policies in Section 7.2 Drainage, Erosion, Stormwater, and Flooding and Section 6.3 Water Quality. The Final Drainage Plan shall include a comparative analysis of stormwater runoff peak flow rate and volume from the site for flow events important to stream geomorphology conditions and flood flow conveyance. The Final Drainage plan shall be prepared in accordance with the SCWA and SUSUMP Design Standards and shall include design measures and BMPs that demonstrate that peak flows from under project buildout conditions would not result in a net increase over pre-development conditions in either a 2-year or 10-year storm event. The Final Drainage Plan shall include at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows and volumes, proposed on-site and off-site improvements, on-site water quality facilities, effectiveness of water quality BMPs, operation and maintenance responsibilities, inspection schedules, reporting requirements and shall include specifics regarding the timing of implementation. Grading permits shall be issued following City approval of the proposed Final Drainage Plan.~~

The Drainage Plan shall be coordinated in its development with the Water Quality Management Plan to maximize the efficiency of BMPs for both stormwater detention and water quality treatment.

Mitigation Measure 3.9-1 on page 1-44 is revised to read as follows:

Mitigation Measure 3.9-1

~~Construct a~~ A seven- to eight-foot-high solid concrete/masonry wall along the property line on the north side facing of Camino Colegio between Manchester Avenue and Mitchell Drive shall be constructed prior to commencement of construction activities on the SMV project site adjacent to Camino Colegio. The wall shall be designed to be similar to the existing wall along Camino Colegio between Manchester Avenue and Mainsail Drive. This would reduce Impact 3.9-1 for residents along Camino Colegio to a less than significant level. No mitigation measure is available to reduce the noise impact for residences facing East Railroad Avenue.

Mitigation Measure 3.9-1(a) has been added to page 1-44:

Mitigation Measure 3.9-1(a)

The project sponsor shall ~~inform future on-site~~ provide a disclosure statement to all prospective residents of the possibility of disruption of sleep due to vibration from ongoing on-site construction activity associated with project development.

The first paragraph under the heading 1.4 Project Scheduling on page 1-58 has been revised to read:

The Sonoma Mountain Village project would be constructed over six phases and would require between 12 and 20 years to reach buildout. The project phasing schedule is included below in Table 1-2 below. Project construction would ultimately depend on the City's implementation of the Growth Management Program of the *Rohnert Park Municipal Code*. The ~~P~~program assures that the rate of population growth would not exceed the average annual growth rates established in the General Plan, with the objective of ensuring that new residential development and mixed-use developments with a residential component occurs concurrently with the necessary infrastructure and public service improvements, and maintain an average population growth rate of one percent per year. As result of the Growth Management Program, the jobs/housing rate per phase would be generally consistent with the overall jobs/housing rate for the project. Other factors influencing the schedule rate of project buildout would include market conditions and the demand for housing, office, and commercial space in the Rohnert Park/central Sonoma County area.

The title of the first sentence of the first paragraph on page 1-59 has been revised to read:

Project-Program EIR: Further consideration regarding the Sonoma Mountain Village project would occur by City of Rohnert Park officials after certification of the Sonoma Mountain Village EIR. The EIR must be certified by the Rohnert Park City Council as complete and adequate under CEQA prior to further considering the project, General Plan amendments, and rezoning. The

City will use the EIR in its decision making on requested project entitlements as well as development agreements, subdivision maps, and site-specific land use approvals.

Chapter 2, Project Description

The discussion that addressed the proposed General Plan Amendments on pages 2-10 through 2-46 has been removed and included in Appendix E of this Final EIR. In addition, any reference to the SmartCode has been replaced with the SMV P-D Zoning District. Figures 2-4, Proposed Final Development Plan Rendering; Figure 2-5, Proposed General Plan Land Use Designations; Figure 2-6, Proposed Zoning/Regulating Plan; and Figure 2-7, Proposed Final Development Plan have all been revised and are included at the end of this chapter.

The first sentence under the header Project Location, Access and Size on page 2-1 is revised as follows:

Codding Enterprises (~~the~~ project sponsor), has submitted a Planned Development application to the City of Rohnert Park proposing to construct a multiple use project called Sonoma Mountain Village on an approximately 175 acre site located immediately west of the intersection of Valley House Drive and Bodway Parkway in southeast Rohnert Park.

The second full paragraph on page 2-2 is revised as follows:

The project site is trapezoidal in shape with the north and south site margins parallel to each other. The site consists of ~~four~~ three parcels as shown in Figure 1-2 (046-051-040, ~~046-051-041~~, 046-051-042, and 046-051-045). The ~~four~~ three parcels consist of ~~98.3~~ acres of developed land on the north side of the project site and 76.9 acres of grassland on the southern portion of the site and a small 0.15 acre parcel on Bodway for a total of 175 acres (see Figure 2-3).

The first sentence under the header Overview of Proposed Project on page 2-6 is revised to add a project element that was omitted:

The project is proposed to include a maximum of 1,694 residential units (not including up to 198 accessory dwelling units), 425,978 gross sf of office space, 107,329 gross sf of retail space, a 91,000 sf 100 room hotel, a 45,000 sf grocery store space, a 15,000 sf daycare space, a 39,472 sf restaurant space, a 30,000 square foot health club, a 25,000 square foot cinema, 35,000 sf of civic building use, 11,528 sf of an enclosed promenade, covered structure parking for 800 cars, and 27.3 acres of parks and open space as defined further below.

Footnote 5 on page 2-6 is revised to reflect the most up-to-date Final Development Plan:

The Final Development Plan incorporates the information contained in the Preliminary Development Plan application as well as subsequent refinement of the Plan concepts and feedback from City Representatives.⁵

⁵ Sonoma Mountain Village Final Development Plan, Codding Enterprises, ~~April~~ June 2009.

The following bullet on page 2-8 has been removed from the list of project sponsor objectives:

- ~~To Restore Creeks and Waterway~~

The last sentence under the header Urban Village Concept on page 2-9 is revised to read:

The discussion in the Final Development Plan goes on to note the character of the village is intended to be based on “-- narrow, pedestrian-friendly streets, a wide variety of mixed-use buildings, civic buildings and civic spaces adjacent to neighborhoods of apartments, cottages and ~~mansions~~ single family homes.”

Footnote 11 on page 2-9 is revised as follows:

As noted in the Sonoma Mountain Village Final Development Plan submittal, the project sponsor is proposing an “urban village that incorporates a mix of housing types and affordability, interconnected and pedestrian-oriented public streets, civic buildings and a civic square, a variety of parks, and vertically-integrated mixed-use buildings in the village square.”¹¹ |

The header on page 2-47 is revised to read:

Project Site Rezoning and the SmartCode

The second full paragraph on page 2-49 has been deleted and replaced with the following:

~~**SmartCode:** In accordance with the provisions of the P-D District as noted above, the project sponsor is proposing project development according to the provisions of the SmartCode. The SmartCode is a document that establishes design criteria for streets, blocks, open spaces and buildings based on geographic location ranging from a rural location to an urban core.¹⁴ This is done through the use of a transect which, as defined in the SmartCode, is a geographical cross-section of a region used to reveal a sequence of environments. The objective is to identify a series of conditions that vary by level and intensity of urban character or use that ranges from rural to urban. For planning purposes, the range of environments as defined becomes the basis for organizing the land use components of project development.~~

SMV P-D Zoning District: The proposed Sonoma Mountain Village (SMV) P-D zoning district will serve as the “blueprint” for future development. This is a “form based code” which does not regulate the type of land use, but rather the form that that land use may take. For example, the building design versus the type of use would guide future development such as requiring the amount of density, pedestrian accessibility, or types of building setbacks. All future zoning provisions, building standards and administrative requirements will be linked to and consistent with the provisions set forth in the Rohnert Park Municipal Code and all other City ordinances and requirements. Wherever the SMV P-D differs from the Municipal Code, new definitions or

¹¹ Sonoma Mountain Village at Rohnert Park, SmartCode P-D Zoning district, Final Development Plan Submittal, November 22, 2006, prepared by Fisher & Hall, Urban Design Inc., p. 2, Codding Enterprises, June 2009.

¹⁴ ~~For further information regarding the SmartCode, source, definition and applications, refer to: www.tndtownpaper.com/images/SmartCode6.5.pdf.~~

code language specifically set forth in the SMV P-D zoning district will take precedence. In this way the SMV P-D zoning district will function as part of the City's land use regulations enabling consistent application of the zoning district and development provisions.

The third paragraph on page 2-49 has been revised as follows:

~~The SMV P-D proposes seven zones transect is divided into a range of Transect Zones (T-Zones), each with its own definition and character and is consistent with smart growth principles and designs. There are six T-Zones: T-1 Natural, T-2 Rural, T-3 Sub-Urban, T-4 General Urban, T-5 Urban Center and T-6 Urban Core. The SmartCode is promoted by its authors as available for all scales of planning, from the region to the community to the block and building. Thus, the SmartCode is essentially a set of design guidelines that establishes development procedures and standards by zone. Zones proposed to be implemented by the Sonoma Mountain Village project include T-3 through T-6. Each zone is described in more detail below.~~

- **Sub-Urban (T-3 zone):** consists of low density residential areas, adjacent to higher density zones with limited mixed use. Home occupations and accessory buildings are allowed.
- **General Urban (T-4 zone):** consists of mixed use but primarily residential with a wide range of building types.
- **Urban Center (T-5 zone):** consists of higher density mixed use buildings that accommodate retail, offices, rowhouses and apartments.
- **Urban Core (T-6 zone):** consists of the highest density and height with the greatest variety of uses.
- **Civic Space:** consists of parks, playgrounds, recreational fields and similar uses.
- **Civic Parking:** consists of public parking garages.
- **Civic Building:** consists of civic buildings appropriate to the location.

The last paragraph on page 2-49 and the two paragraphs on page 2-50 are revised as follows:

~~The SmartCode authors view the SmartCode as a replacement for standard zoning ordinances that may tend to segregate land uses into specific areas (i.e., residential, commercial, etc.) in the effort to foster integrated land use communities. The project development profile, arranged by Transects T-3 through T-6 and CS (Civic Space Reserve), CP (Civic Parking Reserve) and CB (Civic Building Reserve) is proposed to govern project site development as various portions of the project site are built out. The SmartCode contains a number of details relating to each Transect including building function; building configuration and height; setbacks from streets; density of development; lot coverage; parking requirements; architectural standards inclusive of materials, exterior finishes, use of balconies and porches, fences, windows and shutters, openings, roofs and corner treatments, etc.; landscape development standards; use of signage; sound level limits; and other requirements and standards which vary by Transect. There are also design requirements for "Thoroughfare Assemblies" consisting of boulevards, avenues, commercial streets, roads, rear~~

alleys, bicycle lanes, paths, transit routes, etc. with specific right of way widths, pavement widths, traffic lanes, parking lanes, curb radii, design speeds, pedestrian crossing times, and other factors as prescribed.

The SmartCode is generally in keeping with the principles of New Urbanism wherein the neighborhood is the basic unit of urban form. The concept of New Urbanism in and of itself encompasses a number of subject areas including community development, design and appearances, land use, circulation, development density, and related issues. Basically, New Urbanism is a reaction to “sprawl”, that is, development patterns that require more land and the extension of utility and service systems to outlying areas in order to accommodate growth.¹⁵

As stated in the Sonoma Mountain Village Final Development Plan submittal, the SmartCode for the project is intended by the project sponsor “to be used both as a guide for builders, to allow them to understand from the outset the parameters that the community has set for development, and also as a framework and systematic checklist for the City’s use as it plans its investment in capital projects and evaluates the design of proposed building projects.”

Figure 2-6, Proposed Zoning/Regulating Plan, illustrates the location of each of the Transect Zones proposed under the SmartCode “P-D” District classification zoning district.

¹⁵ New Urbanism is based on principles of community planning and design that work together to create human-scale communities that include the facilitation of pedestrian movement, among other considerations. New urbanists take a wide variety of approaches—some work exclusively on infill projects, others focus on transit-oriented development. Others are attempting to transform suburbs, and many are working in all of these categories.

New Urbanism includes traditional planners and designers and those with modernist sensibilities. All, however, believe in the power and ability of traditional neighborhoods to restore functional, sustainable communities.

The trend in New Urbanism had its roots in the work of community planners in the 1970s and 1980s. The trend is beginning to have an influence in current community planning. This includes new communities and neighborhoods, and small scale new urban infill projects in reestablishing walkable streets and blocks. One example includes parking lots, traditionally the most prominent feature of conventional commercial districts, which are accommodated to the side and the rear of New Urban businesses. The sizes of parking lots are reduced through shared parking, on street parking, and shifts to other modes of transportation.

New Urbanism attempts to promote the creation and restoration of diverse, walkable, compact, mixed use communities composed of the same components as conventional development, but assembled in a more integrated fashion in the form of complete communities. Such communities may contain housing, work places, shops, entertainment, schools, parks, and civic facilities normal to the daily lives of the residents, all within easy walking distance of each other. New Urbanism promotes the increased use of trains and light rail, instead of more highways and roads. In its highest form, New Urbanism embodies place making, and is essentially a re-ordering of the built environment into the form of complete cities, towns, villages, and neighborhoods.

The principles of New Urbanism can be applied to new development and projects at a range of scales from a single building to an entire community. These principles include **pedestrian convenience** (destinations within a 10 minute walk of home and work, pedestrian friendly street design); **connectivity** (an interconnected circulation network that disperses traffic & eases walking); **mixed use and diversity** (a mix of shops, offices, apartments, and homes on a given site); **mixed housing** (a range of types, sizes and prices in close proximity to each other); **architecture and urban design** (emphasis on appeal, aesthetics, human comfort, and creating a sense of place); **traditional neighborhood structure** (discernable center and edge, public open space); **convenient transportation** (public transportation, pedestrian friendly design); and **sustainability** (minimal environmental impact, eco friendly technologies, respect for value of natural systems), not to the exclusion of other principles.

The first two paragraphs on page 2-52 are revised as follows:

Project Development Profile: Thus, in accordance with the proposed General Plan Amendments and Rezoning, the project Final Development Plan and ~~SmartCode~~ SMV P-D zoning district specify how and where specific land use types may be developed on the project property. ~~These documents establish the P-D zoning district. The SmartCode, as a zoning and regulating plan, and~~ describes the nature, character and location of all development contemplated within the project property. The ~~Final Development Plan engineering drawings~~ Street and Alley Plan in the SMV P-D Zoning District and Municipal Services Plan delineate the roadway and utility network needed to support the proposed development including roads, alleys, sewers, potable water distribution, reclaimed water distribution, storm drainage, grading and communications (dry utility) systems. While there are no Tentative Map applications at this time, it is considered that maps would be submitted in the future as the various land use designs for each phase of the project are developed in greater detail.

Table 2-1, Summary of Development Standards, provides details regarding proposed project development including a description of each ~~SmartCode Transect zone district~~, the amount and type of each land use envisioned for the project by ~~Transect district zone~~, and details of maximum building height and lot occupation ~~based on the SmartCode by Transect~~.

The fourth paragraph and the 2nd, 5th, and 7th bullets on page 2-52 are revised as follows:

As indicated in Table 2-1, the proposed project would contain the following development features arranged by ~~SmartCode~~ Transect as follows:

- **Transect Zone T-4, General Urban:** ~~74.2-75.4~~ acres containing 259 single family dwellings and 362 attached (rowhouse) dwellings with up to an additional 147 accessory dwellings.
- **Transect Zone CS, Civic Space-Reserve:** ~~29.1-27.3~~ acres containing public land permanently dedicated to open space use.
- **Transect Zone CB, Civic Building-Reserve:** ~~4.3-1.8~~ acres dedicated to 35,000 sf of civic building use operated by not-for-profit entities for culture, education, government or other municipal use.

Table 2-1 on page 2-53 is revised as follows:

**Table 2-1
Sonoma Mountain Village
Summary of Development Standards**

Zone	SmartCode-Transect Zone Description ^a	Gross Acres	General SmartCode Building Functions ^b	Project Building Types or Land Uses Allowed	No. of Res. Units or Square Feet of Office/Retail/Other Use ^c			Building Height ^d	Lot Occupation/ Res. Density (units per acre)	Landscape Standards	
					Res. Units	Office (sf)	Retail (sf)				Other (units/sf or uses)
T-3 Sub-Urban	Low density suburban residential, allowing home occupations. Planting is naturalistic with setbacks relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.	17.8	Restricted residential, restricted lodging, restricted office, and restricted retail.	Detached single family dwellings.	65 detached dwellings.	—	—	Up to an additional 51 accessory dwelling units permitted. ^e	Principal building 3 stories max; accessory structure 2 stories max. Specially designated area in NW corner of site is limited to 1 story max for both Principal and Accessory buildings.	60 ft. width min, 120 ft. max; 60% coverage max./min. 2 units per acre, max. 5 units per acre. Specially designated area in SE corner of site has 80 ft. width min.	Minimum of one tree for each 30 feet of street frontage.
T-4 General Urban	Mixed-use, primarily urban residential. Consists of a wide range of building types: single, sideyard and rowhouses. Setbacks and landscaping are variable. Streets typically define medium-sized blocks.	74.2 75.4	Limited residential, limited lodging, limited office, and restricted retail.	Detached single family dwellings; zero lot line ^f dwellings; townhouses, ^g rowhouses, live/work units. ^h Includes office and retail space.	362 attached (rowhouse) dwellings, 259 detached dwellings.	—	—	Up to an additional 147 accessory dwelling units permitted.	Principal building 3 stories max, 2 stories minimum; accessory structure 2 stories max.	18 ft. width min, 96 ft. max; 70% coverage max./min. 10 units per acre, max 30 units per acre.	Minimum of one tree for each 30 feet of street frontage.
T-5 Urban Center	Higher density mixed-use buildings that accommodate retail, offices, rowhouses and apartments. Consists of a tight (compact) network of streets with wide sidewalks, with street trees and narrow street frontages.	42.1	Residential, lodging, office and retail.	Zero lot line buildings, townhouses, rowhouses, live/work units; townhouses over flats; flats and flats over flats. ⁱ Includes office, retail, and grocery.	893 dwellings .	425,978 sf	91,801 sf	Total retail shown includes 45,000 sf grocery.	Principal building 5 stories max, 2 stories minimum; accessory structure 2 stories max.	18 ft. width min, 180 ft. max ^j 80% coverage max. or 100% with structured parking/min. 15 units per acre, max 45 units per acre.	Minimum of one tree for each 30 feet of street frontage.
T-6 Urban Core	High density with a variety of uses including civic buildings. Consists of larger blocks and street trees and narrow street frontages.	9.4	Residential, lodging, office, and retail.	Townhouses, rowhouses, live/work units; townhouses over flats; flats and flats over flats. Includes retail space and community theater.	115 multi-family dwellings.	—	100,000 sf	Project also includes a 25,000 sf theater, a 100 room hotel, 15,000 sf daycare, and a 30,000 sf health club. ^k	Principal building 7 stories max, 3 stories minimum.	18 ft. width min, 700 ft. max; 90% coverage max. or 100% coverage with structured parking/min. 25 units per acre, max. 70 units per acre.	—
CS: Civic Space Reserve	Public site permanently dedicated to open space use.	29.4 27.3	—	Site use and design determined on an individual basis by Use Permit. Includes office and retail space.	—	—	—	—	—	—	—
CP: Civic Parking Reserve ^l	Site dedicated to municipal parking and/or transit.	1.3	—	Civic parking to be governed by local codes.	—	—	—	—	—	—	—
CB: Civic Building Reserve ^m	Site dedicated to buildings generally operated by not-for-profit entity for culture, education, government or other municipal use.	4.3 1.8	Civic/municipal use.	Site use and design determined on an individual basis by Use Permit. <u>Includes office and retail space.</u>	—	—	—	35,000 sf of Civic Building use.	—	—	—
Project Total:	—	175.2	—	—	1,694 units (not including up to 198 accessory units).	425,978 sf	191,801 sf	Additional uses include up to 198 accessory dwelling units, a 25,000 sf theater, a 100 room hotel, a 30,000 sf health club, and 35,000 sf of Civic Building use.	—	—	—

Notes:

- Text abbreviated here, but generally as referenced in ~~SmartCode SMV P-D Zoning District Table 1, page 38, for Sonoma Mountain Village, November 22, 2006 (see Appendix C).~~ The ~~SmartCode SMV P-D Zoning District, Final Development Plan Submittal of March-June 2009~~ is available for public inspection review at the City of Rohnert Park Planning Department, 130 Avram Ave., Rohnert Park, CA 94928.
- Restrictions on density and various parking requirements apply to each land use. See Table 11, page 50 of the proposed ~~SmartCode SMV P-D Zoning District.~~
- Basic data provided by Coddling Enterprises, May 2009, and ~~Sonoma Mountain Village SmartCode SMV P-D Zoning District.~~
- The vertical extent of a building is measured by the number of stories, not including a raised basement or inhabited attic. Heights are measured from the average grade of the frontage line to the eave of a pitched roof or to the surface of a flat roof.
- Accessory Unit: Often referred to as a "Granny Unit," either attached to the main dwelling unit or located within the living area of the main dwelling unit. Half of the accessory units are planned for rent, the other half would be for low income residents.
- Zero lot line building: a single family dwelling which occupies on side of the lot, with the primary yard to the other side, shared with ancillary building in the rear yard.
- A townhouse or rowhouse is a single family dwelling that shares a party wall with another of the same type and occupies the full frontage line. Similarly, a multi-family unit is a structure with two or more dwellings sharing a common floor/ceiling.
- As defined for the Sonoma Mountain Village project, a live/work unit is a fee-simple dwelling that contains a commercial component anywhere in the unit. Similarly, a work/live unit is a fee-simple mixed use unit with a substantial commercial component that may accommodate employees and a walk-in trade.
- A flat could be a single story condominium or loft dwelling.
- 125 ft. for courtyard type structures.
- The health club would be open to the public and available for use on a 24-hour basis.
- Civic Parking would consist of a parking structure or lot within a quarter-mile of the site served. Space may be leased or bought from the Reserve to satisfy specific parking requirements.
- Because a civic building would be designed for a civic function, civic buildings under the Sonoma Mountain Village project would not be subject to the requirements of the ~~SmartCode SMV development standards.~~ The design would be determined by City requirements under a Variance.

The last paragraph on page 2-55 is revised to read:

Design and Development Concepts: The following provides information regarding the project's proposed design, development concepts and details. This discussion ~~does not include information and data as contained in the SmartCode, but~~ is intended to provide a general description of concepts relating to site design and development as described in the project sponsor's *Final Development Plan* submittal of November 22, 2006,¹⁷ and as ~~augmented~~ updated with material developed by Coddling Enterprises ~~entitled *The Community Vision* (no date) and in the *Sonoma Mountain Village Project Description Final Development Plan* (June, 2010),¹⁸~~ which elaborates on various design and development concepts for overall project development.

Under the Housing bullet and the Civic Buildings bullet on page 2-56 the following revisions are included:

- **Housing:** Housing, a major project component, is planned to encompass a diverse cross section of lot sizes, home sizes and prices. The homes would include a combination of single family detached, mixed-use, live/work, family and senior cohousing, and attached units, as well as high, medium and low density development. To facilitate public transit use, a significant number of high and medium density units would occur in the area around the Village Square to capitalize on the public transport stops located nearby. Lower density housing would occur further from the Village Square area, but would be within a 5 minute walk to the Village Square. Adaptive reuse of the existing buildings would include provision for mixed-use functions wherein residential uses would be combined with office and retail uses. Housing would include a mix of both rental and for-sale units with a range of pricing to assist in affordability requirements.

Housing styles are planned to include a mix of design formats. The housing component of the project is also planned to include 198 accessory dwellings or "secondary" units to provide homeowners with the choice of using them as a home office, an income-generating rental unit, or for accommodating a larger family including the care of parents or a relative.

The project also proposes to meet the affordable housing requirement by providing 15 percent (254 deed-restricted units) as affordable throughout the project site.

- **Civic Building Reserve:** A site ~~currently occupied by a City well~~ which fronts Camino Colegio is reserved as a future fire/police station and is located adjacent to the northwest portion of the project site. Adjacent to the project site is a City-owned well on a small parcel of land. To the west of the City well site also fronting Camino Colegio is a site that is reserved for the newly installed sewer pump station has already been dedicated to

¹⁷ The ~~project~~ *Final Development Plan* (June 2009) of November 22, 2006, and ~~SmartCode~~ SMV P-D Zoning District are available for public ~~inspection~~ review at the Planning Department offices of the City of Rohnert Park, 130 Avram Avenue, Rohnert Park, CA 94928. Further information about the project available to the general public may be found at <http://www.sonomamountainvillage.com/home.htm>.

¹⁸ ~~Coddling Enterprises, *Sonoma Mountain Village Project Description*, pp. 15 and 16, July 31, 2007.~~

the City and is not included in the project as proposed. In addition, a 0.97 million gallon water tank is also proposed in the vicinity of the proposed public safety building in the northwest portion of the site. The City does not anticipate that the water tank would introduce any new significant impacts not previously identified in this EIR. However, impacts associated with the water tank will be analyzed through subsequent project-level CEQA review conducted at the time the first tentative map application is submitted.

Under the Street Network, Bike Trails, Parking, Public Improvements and Resource Conservation bullets on pages 2-57 and 2-58 the text has been revised as follows:

- **Street Network:** The project is planned to characterize “small block perimeter design” to create an interconnected street network and encourage pedestrian travel. Street design is proposed as detailed in the ~~SmartCode for each T-Z Zone~~ SMV P-D Zoning District and shall conform with City requirements regarding ~~establish~~ street widths to ensure adequate access and turning radii for fire prevention vehicles. The project street grid is offset with respect to Mainsail Drive at the north margin of the site to reduce traffic crossing Camino Colegio. The street network is designed to align with other existing streets in the project area and the new streets in the Southeast Specific Plan.
- **Bike Trails:** The project is proposed to establish linkages to off-site locations via a bike trail proposed along the east side of the former Northwestern Pacific Railroad right-of-way, and ~~(if requested)~~ the addition of a Class 1 bike lane along the southern portion of Bodway Parkway on the east side of the property. A Class 1 bike trail crossing of the Northwestern Pacific Railroad right-of-way is proposed both in the Rohnert Park General Plan as well as in the Sonoma County Transportation Authority’s Proposed and Existing Bicycle and Pedestrian Facilities for the City of Rohnert Park and Vicinity, dated April 20, 2006.
- **Parking:** Parking for each T-Zone is proposed to be in accordance with the ~~SmartCode~~ SMV P-D zoning district (see Appendix C). Parking spaces in the Civic Parking Reserve may be leased or bought from the Reserve to satisfy parking requirements for future individual or collective lot owners. Funding mechanisms for the construction of these parking reserves is to be determined. Parking requirements for various land uses (including sharing) is proposed to be as detailed in the ~~SmartCode (Table 3)~~ SMV P-D zoning district to reduce parking requirements in mixed-use buildings. No parking impacts are anticipated.
- **Public Improvements:** The Final Development Plan civil drawings, ~~which~~ are based on the ~~SmartCode~~ Street and Alley Plan in the SMV P-D Zoning District and Municipal Services Plan ~~Zoning/Regulating Plan~~, and delineate proposed sewer, water, and storm drain improvements as well as streets and alleys. All streets and utilities in the project are proposed to be public improvements. A more detailed discussion can be found in Section 3.14.
- **Resource Conservation:** The project sponsor plans to incorporate green building and sustainable development practices into project construction and operation. The objective

is to seek compliance with Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) certification and One Planet Communities ~~Living~~ certification to document a commitment to sustainable development.¹⁸⁺⁹ This includes the provision of infrastructure to support shared residences and business parking, implementing a rideshare program, and a program to promote bicycling.

Energy efficiency and conservation is planned for the project by capitalizing on photovoltaic power and potential purchase of Green-E certified off-site renewable power. The existing buildings are planned to be retrofit over time targeting substantial reductions in existing energy use. In 2007, the project sponsor completed the installation of ~~88,091~~ 90,000-sf of photovoltaic solar panels on the roof of existing building #3 (proposed theater building with parking garage) capable of generating 1.14 megawatts of power for up to 1,000 homes.¹⁹²⁰

The second and fourth sentences under the second full paragraph on page 2-58 are revised to read:

Existing and proposed buildings are shown on Figure 2-4, Proposed Final Development Plan Rendering. The ~~Innovation Center~~ Sonoma Mountain Village Business Cluster building currently houses incubator industry offices. The entire building would be dedicated to office use. The adjacent *Codding Enterprises* building currently houses the offices of Codding Enterprises (the project sponsor) and will include offices of other enterprises and businesses, condominiums, educational facilities, retail and provides interior parking space. The ~~Wellness Center~~ Health Club building is planned to be primarily used for offices with a health club component , a portion of which would be set aside for senior citizens, and may include some retail and services. The *Theater* building is planned to house a multi-screen cinema with townhomes placed around the north, west and south sides of the building. Interior parking for theater goers and residents would also be provided in the Theater building. To the immediate east of the Theater building are planned mixed retail uses. A new building immediately south of the ~~Wellness Center~~ Health Club would contain offices with interior parking to serve the uses contained in the other buildings described in this paragraph.

Footnote 21 on page 2-59 is revised as follows:

Sustainability, inclusive of resource conservation as noted above, is a proposed key component of the project. A Sustainability Action Plan has been prepared by the project sponsor.²⁰²⁺

The last sentence under Water Use on page 2-59 is deleted as follows:

Reclaimed water as noted above would be used for landscape irrigation to conserve treated domestic water (stormwater retention and the use of reclaimed water are discussed further in EIR Sections 3.7, Hydrology and Water Quality, 3.14, Utilities and Service Systems, Appendix E, Water Plan, and Appendix G, Water Supply Assessment). ~~The unincorporated acreage south of the project site and north of East Railroad Avenue that is not included in project development~~

²⁰²⁺ Sonoma Mountain Village, *One Planet Living Sustainability Action Plan*, July ~~20, 2007-22, 2008~~. This document is on file and available for public inspection at the Rohnert Park Planning Department, 130 Avram Avenue, Rohnert Park, CA 94928. An abstract of the document is contained in Appendix ~~BC~~ of this EIR.

~~could ultimately be used for stormwater detention/infiltration basins, or stormwater storage for project site irrigation purposes.~~

The text under section 2.3 Project Scheduling on pages 2-60 and 2-61 have been updated as follows:

The scheduling of project design and construction has not been established in detail at this time. However, project phasing is discussed in the Final Development Plan, which notes that the creation of development parcels and construction would occur after project approvals and the filing of Tentative and Final Maps. It is anticipated that development of the project would occur over the next 12–20 years. Therefore, if the necessary approvals were given to the project, the initial Phase IA filing of Tentative and Final Maps would be expected to occur in ~~about the end of 2009 with the first construction activities to occur toward the beginning of late 2010.~~ The following points regarding phasing are as noted in the Final Development Plan:²¹²²

- Each project phase is proposed as a portion of the total project to be implemented individually, but is to support the entire project in its completed form.
- Project phasing is planned to be based on market conditions, the timing of approvals, project housing absorption and corresponding need for and timing of utility installation. The intent is to allow the project to proceed while balancing the construction of infrastructure with market absorption of the project elements (housing, commercial space).
- Earlier phases of the plan are located in the Northern Portion of the project, which is paved and contain minimal resource constraints.
- Later phases involve development of the Southern Portion of the project, which consists of undeveloped pasture land.
- The implementation of each phase is to support funding for subsequent phases. However, each phase will be built based on a variety of variable conditions so phases will not necessarily be built in consecutive order.
- The necessary public improvements for phased implementation are to be included in a Development Agreement with the City (see discussion below under *Project Approvals* regarding a Development Agreement).
- Development phasing is to be based on ~~the City's Growth Management Ordinance which requires controlled development pursuant to the criteria that each development phase have~~ has the financial capability to fund the necessary infrastructure.

A proposed project Phasing Plan is shown on Figure 2-7. The Phasing Plan is superimposed over the proposed Final Development Plan showing the location of proposed roads and development areas. The Phasing Plan graphically indicates the general location of each development phase and overall sequence of project site development, although some overlap of phases is anticipated. ~~Figure 2-7 also illustrates the major project components to be included in each Phase.~~ Table 2-2,

²¹²² Sonoma Mountain Village Final Development Plan (text as Revised November 22, 2006), Section B.1.g. (pages unnumbered) Codding Enterprises, June 2009.

Summary Phasing Plan, provides additional detail not included in the descriptions of the phases below regarding the project features to be included in each phase of project development (i.e., number of residential units, amount of office space, etc. and various considerations regarding project scheduling). Phase 1 is broken down into four parts:

- **Phase 1A** includes approximately 45.2 acres in the northeast portion of the northerly 98.3 acre project site parcel bounded by Camino Colegio on the north and Bodway Parkway on the east. Phase 1A focuses on adaptive reuse of three of the existing five former Agilent Technologies buildings, including the Coddling Enterprises building, the ~~Wellness Center~~ Health Club, and a portion of the Theater building. Phase 1A also includes creation of job centers, a movie theater, restaurants, shops, a grocery store, residential units, and the Village Square and the construction of 628 homes and 44 accessory units. The planned estimated construction period for Phase 1A is up to five years.²²²³
- **Phase 1B** includes approximately 32.1 acres in the northwest portion of the northerly 98.3 acre project site parcel bounded by Camino Colegio on the north and encompasses the existing field on the west. This phase includes the construction of up to 319 homes and 28 accessory units. ~~Phase 1B would also include construction of a proposed joint police and fire facility.~~ Due to the proximity to the SMART right-of-way train station and bicycle/pedestrian paths a large number of multi-family units are included in this phase. The planned estimated construction period for Phase 1B would be ~~between three and up to five years.~~
- **Phase 1C** includes a 17.3 acre strip of land across the center of the center of the project site encompassing portions of the north 98.3 acre parcel and south 76.9 acre parcel. This phase includes the construction of up to 286 homes, hotel, higher-density housing, and the all-weather soccer field. The planned estimated construction period for Phase 1C would be ~~between one and up to three years.~~
- **Phase 1D** includes 15.4 acres of land situated between Phases 1A and 1B and is focused around the Sonoma Mountain Business Center buildings 2 and 3. This phase includes the construction of up to 94 homes and ~~eight~~ 8 accessory units. The planned estimated construction period for Phase 1D is one year.

²²²³ Coddling Enterprises, *Sonoma Mountain Village Project Description*, p. 12, ~~July 31, 2007~~ May 28, 2009.

Table 2-2 on page 2-63 has been replaced with Table 2-2 included below.

**Table 2-2
Summary Phasing Plan**

<u>Land Use</u>	<u>Project Phase</u>						<u>Total</u>
	<u>1A</u> <u>45.3 ac</u>	<u>1B</u> <u>32.1 ac</u>	<u>1C</u> <u>17.3 ac</u>	<u>1D</u> <u>15.3 ac</u>	<u>2</u> <u>33.1 ac</u>	<u>3</u> <u>31.9 ac</u>	
<u>Residential</u>							
<u>100' wide lots</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>4</u>	<u>4</u>
<u>80' wide lots</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>10</u>	<u>10</u>
<u>60' wide lots</u>	<u>17</u>	<u>10</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>24</u>	<u>51</u>
<u>40' wide lots</u>	<u>27</u>	<u>18</u>	<u>0</u>	<u>8</u>	<u>61</u>	<u>33</u>	<u>147</u>
<u>30' wide lots</u>	<u>14</u>	<u>24</u>	<u>5</u>	<u>12</u>	<u>33</u>	<u>0</u>	<u>88</u>
<u>Cottages</u>	<u>12</u>	<u>0</u>	<u>6</u>	<u>0</u>	<u>6</u>	<u>0</u>	<u>24</u>
<u>Single Family Detached subtotal</u>	<u>70</u>	<u>52</u>	<u>11</u>	<u>20</u>	<u>100</u>	<u>71</u>	<u>324</u>
<u>18' wide Rowhouse</u>	<u>46</u>	<u>18</u>	<u>0</u>	<u>17</u>	<u>24</u>	<u>64</u>	<u>169</u>
<u>25' wide Rowhouse</u>	<u>51</u>	<u>24</u>	<u>0</u>	<u>24</u>	<u>29</u>	<u>79</u>	<u>207</u>
<u>Townhouses</u>	<u>22</u>	<u>0</u>	<u>0</u>	<u>21</u>	<u>0</u>	<u>0</u>	<u>43</u>
<u>Single Family Attached subtotal</u>	<u>119</u>	<u>42</u>	<u>0</u>	<u>62</u>	<u>53</u>	<u>143</u>	<u>419</u>
<u>Apartments</u>	<u>105</u>	<u>60</u>	<u>50</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>220</u>
<u>Condo/lofts/flats</u>	<u>334</u>	<u>165</u>	<u>225</u>	<u>7</u>	<u>0</u>	<u>0</u>	<u>731</u>
<u>Second dwelling units</u>	<u>44</u>	<u>28</u>	<u>0</u>	<u>8</u>	<u>61</u>	<u>57</u>	<u>198</u>
<u>Multifamily subtotal</u>	<u>483</u>	<u>253</u>	<u>275</u>	<u>20</u>	<u>61</u>	<u>57</u>	<u>1,149</u>
<u>Total Residential Units/Acres</u>	<u>672</u>	<u>347</u>	<u>286</u>	<u>102</u>	<u>214</u>	<u>271</u>	<u>1,892</u> <u>175.1 ac</u>
<u>Nonresidential in sf</u>							
<u>Office</u>	<u>285,978</u>	<u>0</u>	<u>10,000</u>	<u>130,000</u>	<u>0</u>	<u>0</u>	<u>425,978</u>
<u>Retail/Grocery</u>	<u>149,224</u>	<u>1,667</u>	<u>35,910</u>	<u>1,666</u>	<u>1,667</u>	<u>1,667</u>	<u>191,801</u>
<u>Movie Theater</u>	<u>25,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>25,000</u>
<u>Promenade</u>	<u>11,528</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>11,528</u>
<u>Hotel</u>	<u>0</u>	<u>0</u>	<u>91,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>91,000</u>
<u>Daycare</u>	<u>15,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>15,000</u>
<u>Health Club</u>	<u>30,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>30,000</u>
<u>Civic</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>35,000</u>	<u>0</u>	<u>35,000</u>
<u>Total Square Feet</u>	<u>516,730</u>	<u>1,667</u>	<u>136,910</u>	<u>36,667</u>	<u>36,667</u>	<u>1,667</u>	<u>825,307</u>

Source: Sonoma Mountain Village Project Description, May 22, 2010. Table 7, pg. 19.

The bullets and text on page 2-65 have been updated as follows:

- **Phase 2** includes 33.1 acres of land on the west portion of the southerly 76.9 acre half of the project site bounded by Phase 3 to the east, unincorporated Sonoma County land to the south and Northwestern Pacific Railroad right-of-way to the west. Up to 153 homes and 61 accessory units are planned for construction in Phase 2. Phase 2 properties would border the SMART rail line on the west and would contain a higher number of single family housing units. The planned estimated construction period for Phase 2 is ~~between one and~~ up to two years.
- **Phase 3** includes 31.9 acres of land on the east portion of the southerly 76.9 acre half of the project site bounded by Phase 2 to the west, unincorporated Sonoma County land to the south and the proposed southerly extension of Bodway Parkway to the east. Up to 214 homes and 57 accessory units are planned for construction in Phase 3. The planned estimated construction period for Phase 3 is ~~between one and~~ up to four years.

In sum, the Sonoma Mountain Village construction timetable to the point of buildout could encompass between 12 and 20 years. Project construction phasing would ultimately depend on the PFFP's schedule and the City's implementation of Chapter 17.19, Title 17, Zoning, the Growth Management Program of the *Rohnert Park Municipal Code*.²³²⁴ The northern portion of the site is currently developed (infill) with the existing Agilent buildings, therefore, the City's Growth Management Ordinance does not apply for that portion of the site.

The text on page 2-66 under section 2.4, Project Approvals has been revised as follows:

General Plan Amendments: The project application includes a request for specified General Plan amendments, included in Appendix E (of the Final EIR) as listed previously. If approved by the City Council, the Rohnert Park General Plan Diagram would be amended to include the Sonoma Mountain Village plan project site and more accurately reflect the configuration of land uses (road layout, and size and configuration of the Residential, Mixed Use, Office, Commercial, Public/Institutional, Parks and Open Space land uses) as represented within the Final Development Plan text and graphic. These adjustments would not reflect any substantive departure from existing general plan goals and policies, but would further the existing goals and policies by providing greater land use specificity and an updating of the General Plan Diagram to be consistent with any approvals of the Sonoma Mountain Village project.

Rezoning: As mentioned previously, in order to maintain consistency with the requested General Plan amendments, the project would require a rezoning of the project site from "I-L" (Limited Industrial) to "P-D" (Planned Development). The "P-D" Zoning District is intended to accommodate a wide range of residential, commercial and industrial land uses which are mutually supportive and compatible with existing and proposed development on surrounding properties. The "P-D" Zoning District also encourages the use of flexible development standards to integrate a project into its natural and/or man-made surroundings and is typically intended for projects that provide for a mix of land uses to serve identified community needs. Once approved, all standards,

densities and other requirements would remain tied to the property designated by the District, unless formally amended by City Council action.

~~If the SmartCode P-D Zoning District is adopted by the City's decision makers, the SmartCode would essentially replace the General Plan Community Design Element respecting details of site and neighborhood development on the project site. However, the goals and policies as contained in the Community Design Element would still generally apply to the project. The Community Design Element is a chapter within the General Plan that establishes goals and policies directed toward "protecting and enhancing Rohnert Park's physical and visual character."²⁵~~

The first sentence under development Agreement on page 2-67 is revised to read:

Development Agreement: City staff and the project sponsor ~~may~~ will negotiate the terms of a Development Agreement to ensure that the developer and the City understand their respective rights related to the project and to ensure that the growth management triggers and the associated provision project amenities and infrastructure are adequately addressed by both parties.

The first two paragraphs under Project Plan Review on page 2-67 is revised to read:

Project Plan Review: A Preliminary Development Plan was previously submitted, reviewed and approved by the City Planning Commission. The Final Development Plan, has now been submitted, ~~proposes consistent with the P-D zoning district via the SmartCode and Zoning/Regulating Plan.~~ The Final Development Plan text and rendering provide the parameters of the Sonoma Mountain Village Planned Development. If adopted by the City of Rohnert Park as proposed, the SMV P-D Zoning District/Regulating Plan SmartCode text and graphics would become the public document which establishes the amount, type and location of urban development to be permitted on the project site if adopted by the City of Rohnert Park as proposed. The SMV P-D Zoning District/Regulating Plan, together with the SmartCode, would become the guiding documents that provides the development standards and provides for the establishment of design guidelines standards for development within the project site ~~area~~. The City of Rohnert Park would use the SMV P-D Zoning District and future Design Standards/Regulating Plan and SmartCode in conducting specific design review of the project and for conformance with the provisions of the General Plan as the various phases of the project are designed in detail.

A master conditional use permit would be required as a part of the Final Development Plan approval. The purpose of a Master Conditional Use Permit is to provide a system within the development review process which allows flexibility in the application of use regulations in a manner consistent with the policies of General Plan and the Final Development Plan. The "P-D" ordinance requires issuance of a ~~Conditional Use Permit for~~ prior to the construction of each development phase(s) and may be processed concurrently with the Final Development Plan. In authorizing any subsequent Conditional Use Permits during each for a phase or phases, special

²⁵ ~~Rohnert Park General Plan, Community Design Element, pp. 3-1 through 3-44.~~

conditions may be attached to the permit by the City to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the Final Development Plan.

The last two paragraphs on page 2-67 are revised to read:

The project sponsor ultimately would file for Tentative Maps and Final Maps for the creation of phased development parcels and project construction. The phased portions of the project would be subject to further review by the City for consistency with the SMV P-D Zoning District/Regulating Plan and SmartCode. City approval of Tentative and Final Maps for the phased portions of the project would be required.

Design and construction plans would be reviewed and/or amended and approved by the City in accordance with Article III, Section 17.25.030 of the Zoning Ordinance for Site Plan and Architectural Review as implemented by the SMV P-D Zoning District and the adopted mitigation measures as specified in the Mitigation Monitoring and Reporting Program prepared for the project prior to issuing grading and construction permits. ~~No construction drawings will be included as a part of the SmartCode.~~ Further, conformance with Ordinance No. 677 (Municipal Code Chapter 17.70), regarding the provision of affordable housing would be required. Ordinance 677 requires that at least 15 percent of all new dwelling units in a residential development of five or more units shall be affordable to low- and moderate- income households, or that equivalent housing in-lieu fees be paid prior to the issuance of a building permit.²⁴²⁶ The project would be subject to Chapter 3.36 of the Municipal Code, the Affordable Housing Linkage Fee, to provide affordable housing for new residents generated by nonresidential development.

Section 3.1 Aesthetics and Urban Design

Impact 3.1-1 on page 3.1-26 has been revised to state the following:

Impact 3.1-1

In the absence of detailed plans illustrating the planned height of buildings on all portions of the project site, it cannot be confirmed that the project would not obstruct east facing views of the Sonoma Mountains, a Sonoma County designated Scenic Landscape Unit, from properties immediately west of the project site. The obstruction of views to the Sonoma Mountains would be a potentially significant impact.

Mitigation Measure 3.1-1 beginning on page 3.1-26 is revised as follows:

- 3.1-1 Prior to submittal of a detailed grading permit, the project sponsor shall prepare a view corridor analysis in order to determine whether revised maximum building setback and height limits should be established within the T-4 General Urban Zone transect, so as not to obstruct views of the Sonoma Mountains from existing properties immediately west of the project site. The revised building height and setback restrictions should be limited to the extent lines of sight to the Sonoma Mountains from properties immediately west of the project site would not obstructed by new buildings on the project site. Storey-poles ~~should~~ shall be erected in the field

prior to building construction to demonstrate that existing views would not be adversely affected. If required, the revised height and setback restrictions would be included as a Condition of Approval and would apply only to the affected properties.

Section 3.2 Air Quality

Figures 3.2-1 and 3.2-2 were erroneously labeled Figures 3.14-1 and 3.14-2. The corrected figures can be found at the end of this chapter.

Section 3.3 Biological Resources

The third paragraph of page 3.3-1 has been revised to include the following language:

This section of the EIR is primarily based on the reports titled *Delineation of Potential Jurisdictional Wetlands Under Section 404 of the Clean Water Act, Agilent Excess Land Sale Project Site, Rohnert Park, Sonoma County, California* by Wetlands Research Associates, Inc. August 2002; *Special-Status Plant Survey of Agilent Excess Land Sale Project Site, Rohnert Park, Sonoma County, California*, by Wetlands Research Associates, Inc. August 2002; *California Tiger Salamander Biological Assessment, Agilent Parcel, Sonoma County, California* July 2004; ~~and the California Tiger Salamander Drift Fence Survey Plan, Agilent Site, Rohnert Park, Sonoma County~~ by Wetlands Research Associates, September 16, 2004; and *The Programmatic Biological Opinion for the US Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Listed Plant Species on the Santa Rosa Plain*, November 9, 2007.

Page 3.3-20 has been revised to include the following language:

Santa Rosa Plain Conservation Strategy

The purpose of the Santa Rosa Plain Conservation Strategy (Conservation Strategy) is to create a long-term conservation program sufficient to mitigate potential adverse effects on listed species due to future development on the Santa Rosa Plain (Plain). The program will contribute to the recovery of the Sonoma County distinct population segment of the California tiger salamander (CTS), Burke's goldfield, Sonoma sunshine, Sebastopol meadowfoam and the many-flowered navarretia (listed plants), and to the conservation of their sensitive habitat. The Conservation Strategy accomplishes the above in a manner that protects stakeholders' (both public and private) land use interests, and supports issuance of an authorization for incidental take of CTS and listed plants that may occur in the course of carrying out project activities on the Plain.

Biological Goals and Objectives, and Assumptions

The Conservation Strategy is based on biological goals and objectives to achieve conservation of CTS and the listed plants. The goals and objectives are based on available information on the distribution, ecology and genetics of CTS and listed plants. They are also based on existing and planned land use patterns and assumptions about expected development in a ten-year time frame, the effect of that development on the species, how the preserves would offset those impacts, and

the compatibility of existing land uses with CTS and listed species conservation. In addition, there are various other biological factors that were used in developing the conservation areas.

Conservation Areas

The Conservation Strategy identifies eight conservation areas for CTS and listed plants, one CTS and listed plant preserve system, and one listed plant conservation area. The designation of these areas is based on current available information on the occurrence and habitat needs of the listed species. The conservation areas were designated to conserve the species throughout their distribution range. These conservation areas identify lands where mitigation for project-related impacts to listed species will be directed. Designation of an individual property as being within a conservation area does not change that property's land use designation or zoning, or otherwise restrict the use of that property. The project area occurs in the Southeast Cotati Conservation Area.

Mitigation Measure 3.3-1(a) and (b) beginning on page 3-22 has been revised to read as follows:

3.3-1(a) The project sponsor shall retain a qualified biologist, approved by the City, to conduct focused surveys on all undeveloped/unimproved project areas for special-status plant species including, but not limited to, Sonoma sunshine, fragrant fritillary, Burke's goldfields, Sebastopol meadowfoam, and showy Indian clover during the appropriate time of year (generally February through July), prior to ~~construction or~~ issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3).

If no special-status plants are located during the surveys, no further mitigation would be required.

3.3-1(b) If any state or federally listed special-status plant species are found during the surveys in areas that cannot be avoided during construction, the project sponsor shall consult with the appropriate agency (i.e., USFWS, CDFG, or both) to obtain an incidental take permit for the removal of any state or federally listed plant populations in the project site area. Specific mitigation measures detailing replacement methods and ratios the project sponsor would be responsible for would be developed as required by the agency, but would likely include transplanting existing populations, collection of seed for planting at a mitigation site, and either purchase of mitigation lands where the lost plants will be reestablished, or purchase of mitigation credits at an approved mitigation bank prior to issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3), pursuant to the Santa Rosa Plain Conservation Strategy.

3.3-1(c) If any non-listed special-status plant species are found during the surveys in areas that cannot be avoided, the project sponsor shall notify CDFG within 24 hours so that an opportunity can be made available to salvage plants, soil or seed banks, for use in

rare plant restoration in mitigation areas prior to issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3).

Mitigation Measure 3.3-2 beginning on page 3-23 has been revised to read:

- 3.3-2(a) Prior to the issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate an informal consultation with the USFWS to discuss measures to avoid a potential take of CTS during construction. Additionally, since CTS became a Candidate for listing as Endangered under CESA on February 5, 2009, the project sponsor shall include CDFG in all informal consultations with the USFWS to discuss potential impacts on and avoidance measures for CTS.

Although details of these measures would be developed in consultation with the USFWS and CDFG, they would likely include:

- Retaining a qualified biologist, approved by the City, to conduct a preconstruction survey of the project site area to ensure that no potential upland retreat habitat has been created (i.e., through ground squirrel activity) since the 2004 habitat assessment,
- Seasonal restrictions on grading and construction to avoid the wet season dispersal period (i.e., October through March),
- Installation of drift fences around the perimeter of the construction area to prevent any CTS from moving into the area,
- Providing compensation for loss of CTS upland habitat, as required by the USFWS and CDFG (either through avoidance, or purchase of mitigation credits at a USFWS/CDFG approved bank), if any suitable habitat is found during the preconstruction surveys referenced above, and
- Retaining qualified biologists, approved by the City, to monitor the project site area during construction to ensure that no CTS would be harmed.

Assuming complete avoidance can be achieved, no incidental take permit from either CDFG or USFWS would be required. However, if CTS are discovered to be present in the project site area, and a “take” of the species cannot be avoided, Mitigation Measure 3.3-2(b) shall be required pursuant to the Santa Rosa Plain Conservation Strategy.

- 3.3-2(b) Prior to construction or issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate consultation with the USFWS (pursuant to Section 7 of the Federal Endangered Species Act), and CDFG (pursuant to Section 2081 of the California Endangered Species Act) to obtain ~~an~~ incidental take permits for loss of any individual CTS. Details of the requirements of the Incidental Take Permits would be

developed during consultation with the USFWS and CDFG, but would likely include (but not be limited to) the following.

- Preparation of a Biological Assessment pursuant to Section 7 of the FESA for submission to the USFWS for their review.
- Retaining qualified, permitted biologists to monitor for, and potentially move CTS outside of the project site area.
- Payment of mitigation fees, and/or purchase of mitigation land to compensate for the loss of CTS and their habitat.

If CTS should be elevated from Candidate to Endangered status under CESA, an additional and separate authorization from CDFG will be required.

Mitigation Measure 3.3-3 beginning on page 3.3-25 has been revised to read as follows:

- 3.3-3(a) Prior to the issuance of ~~a~~ grading permits for the project (Phases 1B, 1C, 2, and 3), the project sponsor shall hire a qualified biologist, approved by the City, to conduct both nesting and wintering season surveys for burrowing owl to determine if the site is used by this species. The timing and methodology for the surveys are based on the CDFG/Burrowing Owl Consortium Survey Guidelines and are detailed below. CDFG may require that these surveys be repeated annually if project construction is expected to span over two or more years.
- Winter (Non-Breeding) Season (~~December~~ September 1 through January 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. These initial surveys shall be conducted as close as possible to the initiation of construction (preferably no more than 30 days prior to ground breaking).
 - Nesting Season (February 1 to August 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. At least two of the surveys shall be conducted during the peak nesting season between April 15 and July 15.

In addition to the wintering and nesting season surveys, pre-construction surveys shall be conducted by ~~an experienced~~ qualified biologist, approved by the City, within ~~30-7~~ 7-days prior to the start of work activities where land conversions are planned in known or suitable habitat areas. If construction activities would be delayed for more than ~~30-7~~ 7 days after the preconstruction surveys, then a new preconstruction survey would be required. All surveys shall be conducted in accordance with the CDFG/Burrowing Owl Consortium survey protocols (Burrowing Owl Consortium, 1993).

If the above survey does not identify any burrowing owls on the project site, no further mitigation would be required. However, should any individual burrowing

owls or burrowing owl nests be located, Mitigation Measure 3.3-4(b), Mitigation Measure 3.3-4(c), and Mitigation Measure 3.3-4(d) shall be implemented.

- 3.3-3(b) If burrowing owls are discovered in the project area, the project sponsor shall notify the City and CDFG. A qualified biologist, approved by the City, shall implement a routine monitoring program and establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion zone until such time that the burrows are determined to be unoccupied. The buffer zones shall be a minimum of ~~100~~ 160 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of ~~160~~ 250 feet from an occupied burrow during the breeding season (February 1 through August 31).
- 3.3-3(c) The project sponsor shall provide appropriate passive relocation mitigation for project-related effects on the burrowing owl in consultation with CDFG. No relocation shall occur during the breeding season (i.e., passive relocation of burrowing owls can only be conducted during the non-breeding season). Mitigation can be conducted either on the project site, or at an off-site location that is approved by the CDFG. Preference is for on-site within open space areas, if possible.
- 3.3-3(d) The CDFG shall be consulted regarding the implementation of avoidance or passive relocation methods. All activities that would result in a disturbance to burrows shall be approved by CDFG prior to implementation.

If the above survey does not identify any burrowing owls on the project site, no further mitigation would be required. The implementation of Mitigation Measure 3.3-~~43~~ would reduce Impact 3.3-~~43~~ regarding the potential loss of burrowing owl individuals to a less-than-significant level under Impact Criterion #1.

Mitigation Measure 3.3-4 on page 3.3-26 has been revised to read the following:

- 3.3-4(a) If construction is to occur between March 15 through August 30, the project sponsor, as required by the CDFG, shall conduct a pre-construction breeding-season survey of the project site within ~~30-14~~ days of when construction is planned to begin. The survey shall be conducted by a qualified biologist, approved by the City, to determine if any birds are nesting on or directly adjacent to the project site.

If the above survey does not identify any nesting raptor species on the project site, no further mitigation would be required. However, should any active bird nests be located, Mitigation Measure 3.3-3(b) shall be implemented.

- 3.3-4(b) The project sponsor, as required by CDFG, shall avoid all birds nest sites located in the project site during the breeding season (approximately March 15 through August 30) while the nest is occupied with adults and/or young. This avoidance could consist of delaying construction to avoid the nesting season. Any occupied nest shall be monitored by a qualified biologist, approved by the City, to determine when the nest

is no longer used. If the construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone shall be approved by the CDFG. The buffer zone shall be delineated by highly visible temporary construction fencing.

The implementation of Mitigation Measure 3.3-~~34~~ would reduce Impact 3.3-~~34~~ regarding the potential loss or disturbance of nesting birds to a less-than-significant level under Impact Criterion #1.

Mitigation Measure 3.3-5 on page 3.3-28 has been revised to read as follows:

3.3-5(a) Prior to the issuance of a grading permit for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B), the project ~~applicant sponsor~~ shall retain a qualified biologist, approved by the City, to conduct a re-verification of the 2002 wetland delineation at the site in accordance with the 1987 Manual. This delineation ~~should~~ shall also be expanded to include that portion of the northern half of the project area (i.e., to include the comprising a detention basin in the northwest corner of the site). The delineation report shall be updated and submitted to the ~~Corps-USACE~~ for re-verification prior to the ~~commencement of construction-issuance of grading permits~~. If it is determined by the ~~Corps-USACE~~ that these features are jurisdictional, then the project sponsor would have ~~two~~ the following options: avoidance, or removal and replacement mitigation, or a combination thereof. ~~Due to the scope of the project which includes development of the entire site, avoidance is not assumed as an option in this case, although avoidance is the preferred option. Therefore, replacement mitigation shall be implemented for the project of any wetland determined to be jurisdictional such that there would be no net loss of wetland acreage. Replacement mitigation must occur prior to any ground breaking on the project. If the avoidance option is adopted, a minimum 100 foot wetland buffer zone setback would be established. The project sponsor shall coordinate with the USACE to ensure that the most feasible mitigation option is incorporated.~~

3.3-5(b) Where avoidance of existing wetlands is not feasible, then mitigation measures shall be implemented for the project related loss of any existing wetlands on site, such that there is no-net loss of wetland acreage or habitat value. Wetland habitat acreage replacement can be greater than the acreage of wetlands that fall under the jurisdiction of the USACE and/or the RWQCB.

- (i) Wetland mitigation shall be developed as a part of the Section 404 CWA permitting process, or for non-jurisdictional wetlands, during permitting through the RWQCB and/or CDFG. Mitigation is to be provided prior to ~~construction-issuance of grading permits for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B)~~. Mitigation could include purchase of the appropriate amount of credits from a Santa Rosa Plain mitigation bank. The exact mitigation ratio is

variable, based on the type and value of the wetlands that would be affected by the project, but agency standards typically require a minimum of 1:1 for preservation and 1:1 for the construction of new wetlands. In addition, a wetland mitigation and monitoring plan shall be developed that includes the following:

- Descriptions of the wetland types, and their expected functions and values;
- Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of five to ten years;
- Engineering plans showing the location, size and configuration of wetlands to be created or restored;
- An implementation schedule showing that construction of mitigation areas will commence prior to or concurrently with the initiation of project construction; and
- A description of legal protection measures for the preserved wetlands (i.e., dedication of fee title, conservation easement, and/or an endowment held by an approved conservation organization, government agency or mitigation bank).

(ii) Mitigation is to be provided ~~P~~prior to the issuance of grading permits ~~by the City for the applicable potentially impacted phases with the potential to impact wetlands (Phases 1B, 1C, 2, and 3 and undeveloped portions of Phase 1B),~~ the project sponsor shall acquire all appropriate wetland permits. These permits may include but are not limited to a Section 404 Wetlands Fill Permit from the ~~U.S. Army Corp of Engineers-USACE,~~ or a Report of Waste Discharge from the RWQCB, a Section 401 Water Quality Certification from the ~~Regional Water Quality Control Board~~ RWQCB, and, if necessary, a Section 1601 Streambed Alteration Agreement from the ~~California Department of Fish and Game-CDFG.~~

Mitigation Measure 3.3-6 on page 3.3-30 has been revised to read as follows:

- 3.3-6 To insure the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance under Impact Criterion #5, prior to the issuance of a grading permits on any portion of the project site, the project sponsor shall hire a licensed and certified arborist to inventory all non-exempt trees on the project site slated to be removed and ~~assessed their value based on ISA standards including as directed by the City as to size, health, species and location.~~ This ~~evaluation~~ inventory shall be provided to the City of Rohnert Park ~~Community Development Director-Planning and Building Manager~~ or his/her designee for review. The project sponsor shall then comply with the provisions of the Tree Removal Permit issued by the ~~Community Development~~

~~Director Planning and Building Manager~~, including tree replacement and the protection of any trees to be retained during construction.

Impact Criterion #6 on page 3.3-31 has been revised to read as follows:

~~The Sonoma Mountain Village project site is not known to be included within a habitat conservation plan or natural community conservation plan or other local, regional or state habitat conservation plan and would therefore not conflict with Impact Criterion #6 regarding conservation plans. Refer to the Setting discussion of this section regarding the preservation of wetlands. A conformance evaluation of the project with the objectives, goals and policies of the Rohnert Park General Plan is contained in Section 3.10, Planning Policy and Relationship to Plans, of this EIR.~~

The Sonoma Mountain Village project site occurs within the boundaries of the Santa Rosa Plain Conservation Strategy (Conservation Strategy) Study Area.²⁶ However, the entire project site occurs within the designated *Urban Growth Boundaries* described in the Conservation Strategy. Additionally, the northern portion of the project is shown in Figure 3 (Revised) of the Conservation Strategy as *Already Developed (no potential for impact)*, and the southern portion is shown as designated as *Future Development*. Since the entire project site occurs in areas that are either already developed, or are designated for future development, and potential effects on threatened or endangered species are avoided or mitigated in compliance with the Conservation Strategy, the project therefore, would not conflict with Impact Criterion #6 regarding conservation plans.

Section 3.6 Hazards and Hazardous Materials

Mitigation Measure 3.6-1 beginning on page 3.6-12 is revised as follows:

3.6-1 Prior to project grading, a Phase II Environmental Site Assessment (ESA) shall be conducted by the project sponsor in areas of known concern identified in the Phase I ESA. These areas are near the chemical storage areas, near the existing diesel UST, near the historic diesel fuel spill site, near the nitrogen above ground storage tank and near the solvent pit tank. This investigation shall involve the collection and analysis of soil and groundwater samples. Sampling shall extend at least to depths proposed for site grading or excavation, and samples shall be tested for elevated levels of petroleum hydrocarbons, volatile organic compounds, or lead. This assessment shall be completed by a Registered Environmental Assessor, Registered Geologist, Professional Engineer, or similarly qualified individual prior to initiating any earth-moving activities at the project site. Soils with concentrations of hazardous substances above regulatory threshold limits shall be disposed of off-site in accordance with California hazardous waste disposal regulations (CCR Title 26) or shall be managed in place with approval of DTSC, Sonoma County Department of Public Health Services, or the Regional Water Quality Control Board (RWQCB).

²⁶ USFWS, Santa Rosa Plain Conservation Strategy, Sacramento Office, December 1, 2005.

Section 3.7 Hydrology and Water Quality

A new figure, Figure 3.7-1 has been included in the section. Figure 3.7-1 is included at the end of this chapter.

The last paragraph beginning on page 3.7-7 is revised as follows:

NPDES General Construction Activity Stormwater Permit: The SWRCB permits all regulated construction activities under Order No. 2009-0009-DWQ (2009) ~~98-08-DWQ (1999)~~. This Order requires that, prior to beginning construction activities, the permit applicant must obtain coverage under the General Construction Permit by preparing and submitting a Notice of Intent, Project Registration Documents (including a Storm Water Pollution Prevention Plan [SWPPP]), and appropriate fee to the SWRCB. Additionally, coverage would not occur until an adequate ~~Stormwater Pollution Prevention Plan (SWPPP)~~ has been prepared.

The second full paragraph on page 3.7-8 is revised as follows:

The SWPPP has two major objectives: (1) to help identify the sources of sediment and other pollutants that affect the quality of stormwater discharges, and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater as well as non-stormwater discharges. The SWPPP includes a description of (1) the site, (2) erosion and sediment controls, (3) means of waste disposal, (4) implementation of approved local plans, (5) control of post-construction sediment and erosion control measures and maintenance responsibilities, and (6) non-stormwater management controls. The SWPPP must include specific minimum BMPs, the extent of which depends on the receiving water's risk to sediment. Specific minimum BMPs include that address source control; erosion and sediment transport controls; non-stormwater management; runoff and runoff controls; inspection, maintenance, and repairs; monitoring and reporting requirements; and, if necessary, must also include BMPs that address specific pollutant control. In addition to the requirements above, for all sites not covered by a Phase I or Phase II Municipal Separate Storm Sewer System (MS4) NPDES permit, all dischargers shall implement BMPs to reduce pollutants in storm water discharges that are reasonably foreseeable after all construction phases have been completed at the site (Post-construction BMPs) and runoff reduction requirements. Dischargers are also required to inspect their construction sites before and after storms to identify stormwater discharge associated with construction activity and to identify and implement controls where necessary.

Text has been added at the end of the Methods of Analysis discussion on page 3.7-12 as follows:

Receiving Waters. Although Laguna de Santa Rosa, Lichau Creek and associated riparian vegetation are not present on the project site, runoff from the project site ultimately enters these water features through either an underground storm drain system (Laguna de Santa Rosa) or through drainage ditches (Lichau Creek) (see Figure 3.7-1). Therefore, the Laguna de Santa Rosa and Lichau Creek are the relevant receiving waters for addressing potential hydrology and water quality impacts.

The last paragraph on page 3.7-17 is revised as follows:

Table 3.7-3a and Table 3.7-3b list the estimated peak runoff rates from the project site. This estimate is for a worst-case situation; there is no detention BMPs included in the estimate in order to ensure the evaluation of the worst-case scenario. The return frequency is the probability of a rainfall event of that size occurring. A ~~4.5~~ 2-year storm event has a ~~65-50~~ percent chance of occurring and a 10-year storm event has a 10 percent chance of occurring.

Mitigation Measure 3.7-1 on page 3.7-18 of the EIR is revised to read as follows:

3.7-1 Prior to issuance of a grading permit, a Final Drainage Master Plan for all on- and off-site drainage facilities (including water quality facilities - BMPs) shall be prepared by the project sponsor and submitted to the City of Rohnert Park's Department of Public Works and the ~~Community~~ Development Services Department for review and approval. The Final Drainage Plan shall be prepared by a Registered Civil Engineer and shall be in conformance with the City of Rohnert Park Storm Drain Design Standards, Municipal Code 16.16.020 C. Storm Drains and General Plan goals and policies in Section 7.2 Drainage, Erosion, Stormwater, and Flooding and Section 6.3 Water Quality. The Final Drainage Plan shall include a comparative analysis of stormwater runoff peak flow rate and duration volume from the site for flow events important to stream geomorphology conditions and flood flow conveyance; from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow event. The Final Drainage plan shall be prepared in accordance with the SCWA and SUSUMP Design Standards and shall include design measures and BMPs that demonstrate that peak flows from under project buildout conditions would not result in a net increase in peak flow rate or duration over pre-development conditions from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow ~~in either a 2-year or 10-year storm event~~. The post-project flow duration curve shall not deviate above the pre-project flow duration curve by more than 10 percent over more than 10 percent of the length of the curve corresponding to the range of flows to control. The Final Drainage Plan shall include at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows and volumes, proposed on-site and off-site improvements, on-site water quality facilities, effectiveness of water quality BMPs, operation and maintenance responsibilities, inspection schedules, reporting requirements and shall include specifics regarding the timing of implementation. Grading permits shall be issued following City approval of the proposed Final Drainage Plan.

The Drainage Plan shall be coordinated in its development with the Water Quality Management Plan to maximize the efficiency of BMPs for both stormwater detention and water quality treatment.

Impact Criterion #5 on page 3.7-20 is revised to read as follows:

New on-site drainage facilities would need to be constructed to serve all project-generated drainage needs. Specific drainage facilities (swales, rain gardens, and other facilities) have not yet been designed but the design of these facilities must comply with the City of Rohnert Park Storm Drain Design Standards. Although project site runoff under ~~1.5~~2-year and 10-year storm event conditions would increase with implementation of the proposed project, implementation of Mitigation Measure 3.7-1, in addition to the regulatory agency requirements and controls noted above, would assure that the project sponsor implement a properly designed on-site storm drainage system that results in off-site runoff that is not substantially different than existing conditions and existing or planned stormwater drainage systems would not be exceeded under Impact Criterion #5.

Section 3.9 Noise

Figures 3.9-1 and 3.9-2 have been revised and are included at the end of this chapter.

Mitigation Measure 3.9-1 beginning on page 3.9-16 is revised to read:

3.9-1 ~~Construct a~~A seven- to eight-foot-high solid concrete/masonry wall along the property line on the north side facing of Camino Colegio between Manchester Avenue and Mitchell Drive shall be constructed prior to commencement of construction activities on the SMV project site adjacent to Camino Colegio. The wall shall be designed to be similar to the existing wall along Camino Colegio between Manchester Avenue and Mainsail Drive. This would reduce Impact 3.9-1 for residents along Camino Colegio to a less than significant level. No mitigation measure is available to reduce the noise impact for residences facing East Railroad Avenue.

Mitigation Measure 3.9-1(a) on page 3.9-18 is revised to read:

3.9-1(a) The project sponsor shall ~~inform future on-site~~ provide a disclosure statement to all prospective residents of the possibility of disruption of sleep due to vibration from ongoing on-site construction activity associated with project development.

Section 3.10 Planning Policy and Relationship to Plans

As noted above, any reference to the SmartCode concept is hereby revised to read SMV P-D Zoning District.

Table 3.10-1 on page 3.10-2 is revised as follows:

**Table 3.10-1
Sonoma Mountain Village Proposed Zoning**

Zone	SmartCode Transect Zone Description	Gross Acres	General SmartCode Building Functions
T-3 Sub-Urban	Low density suburban residential, allowing home occupations. Planting is naturalistic with setbacks relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.	17.8	Restricted residential, restricted lodging, restricted office, restricted retail.
T-4 General Urban	Mixed-use, primarily urban residential. Consists of a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets typically define medium-sized blocks.	74.2	Limited residential, limited lodging, limited office, restricted retail.
T-5 Urban Center	Higher density mixed-use buildings that accommodate retail, offices, rowhouses, and apartments. Consists of a tight (compact) network of streets with wide sidewalks, with street trees and narrow street frontages.	42.1	Residential, lodging, office and retail.
T-6 Urban Core	High density with a variety of uses including civic buildings. Consists of larger blocks and street trees and narrow street frontages.	9.4	Residential, lodging, office and retail.
CS Civic Space Reserve	Public site permanently dedicated to open space use.	29.1	—
CP Civic Parking Reserve	Site dedicated to municipal parking and/or transit.	1.3	—
CB Civic Building Reserve	Site dedicated to buildings generally operated by not-for-profit entity for culture, education, government or other municipal use.	1.3	Civic/municipal use.
Project Total:		175.2	

The first sentence in the first paragraph following Table 3.10-1 on page 3.10-2 is revised to read:

The Final Development Plan ~~SmartCode~~ proposes four mixed use residential/office/retail districts (T-3 Sub-Urban, T-4 General Urban, T-5 Urban Center, and T-6 Urban Core) and three civic spaces (Civic Space ~~Reserve~~, Civic Parking ~~Reserve~~, and Civic Building ~~Reserve~~) as a part of the proposed project.

The first sentence under the consistency analysis for Policy LU-6 on page 3.10-5 is revised as follows:

Refer to the discussion under Goals LU-A and LU-C above. The project would include approximately 27.3 acres of parkland open space, including various locally accessible park spaces throughout the project site.

The third sentence under the consistency discussion under Policy GM-14 on page 3.10-8 is revised to read:

The Final Development Plan includes a proposal for approximately 27.3 acres of recreation and parkland open space, including various locally accessible park spaces throughout the project site, thus exceeding the parkland requirements for residential uses.

The discussion under the consistency analysis for Policy CD-27 on page 3.10-12 has been revised to read:

Chapter 17.14.20 of the City of Rohnert Park Municipal Code allows for the construction of six to eight foot high masonry walls when the side or rear yard of a residential lot abuts a commercial, industrial, or multi-family residential property. The rear lots of the existing homes on the north side of Camino Colegio between Manchester Avenue and Mitchell Drive would be in close proximity to the proposed multi-family housing within the project site. ~~Sound walls currently exist along Camino Colegio. Mitigation Measures 3.9-1 and 3.9-21(a) require to improve and upgrade the existing sound walls along Camino Colegio are provided in EIR Section 3.9, Noise construction of a seven- to eight-foot-high solid concrete/masonry wall along the property line on the north side of Camino Colegio between Manchester Avenue and Mitchell Drive. The wall would be designed to be similar to the existing wall along Camino Colegio between Manchester Avenue and Mainsail Drive.~~

The following sentence is added at the end of the second paragraph under the consistency discussion for Policy CD-K on page 3.10-13:

General Plan Figure 4.4-1 includes a bike trail along the southern portion of the project site which connects the trail along the Northwestern Pacific Railroad right-of-way to the trail along Bodway.

The second sentence under the consistency discussion for Policy OS-6 on page 3.10-16 is revised to read:

With upwards of 4,438 residents at buildout, the project would require 22.19 acres for parks. The Final Development Plan includes a proposal for approximately 27.3 acres of recreation and

parkland open space, including various locally accessible park spaces throughout the project site, thus exceeding the residential requirement.

The first sentence under the consistency discussion for Policy OS-8 on page 3.10-17 is revised to read:

There are shallow seasonal depressions and drainage ditches present on the project site that cover less than an acre of marginal wetlands ~~no vernal pools on the project site.~~

The second sentence under the consistency discussion for Policy OS-12 on page 3.10-17 is revised to read:

Although General Plan Figure 5.2-1 does not show any parkland on the project site, the project includes the development of 27.3 acres of recreation and parkland open space.

Section 3.14 Utilities and Service Systems

New text is added at the end of the fourth paragraph on page 3.14-7 as follows:

The proposed Sonoma Mountain Village project would include up to approximately 1,694 dwelling units and over 800,000 sf of mixed uses, which is over the 500-unit threshold, and is therefore subject to SB 610. A WSA for the proposed project has been prepared and is included in this EIR as Appendix G. The WSA relies on project information provided in the Sonoma Mountain Village (SMV) Water Plan and the City's 2005 Urban Water Management Plan (UWMP). The original SMV Water Plan was submitted to the City in 2007 and subsequently updated in 2009. The WSA relies on data provided in the 2009 plan. In addition, the City adopted an update to its 2005 UWMP in 2009. The 2009 Update did not change any of the findings regarding water supply; therefore, the information contained in the 2005 UWMP pertinent to the project has not changed with the 2009 Update.

New text is added after the third sentence of the last full paragraph on page 3.14-14 as follows:

The proposed project would re-zone the site for mixed uses and would replace the Master Plan to allow for a mixed use commercial and residential development. To address fire flow concerns, the project includes a .97 million gallon water tank that is expected to be located in the northwest portion of the project site near the proposed public safety site. No significant environmental effects are anticipated to result from construction and operation of the water tank. While the exact location for the tank has not been identified, per City requirements, the first Tentative Map will be required to identify the location of this tank and to conduct additional However, impacts associated with the water tank will be analyzed through subsequent project-level CEQA review conducted at the time the first tentative map application is submitted.

~~Because the land use assumptions of the UWMP are no longer accurate, the~~ Sonoma Mountain Village project development plan was re-examined in a site-specific WSA.

Section 3.15 Global Climate Change

The language found in the second paragraph on page 3.15-16 of the EIR has been revised as follows:

Vegetation Change. The SMV development anticipates replacing the existing ~~native perennial grasslands, California annual grassland, riparian and bottomland vegetation types~~ fallow pasture land with approximately 2,739 trees of varying species. The loss of grasslands will result in an increase of CO₂e emissions of up to 203 tonnes over the twenty year buildout period. However, the new trees are anticipated to sequester 2,194 tonnes of CO₂e, resulting in a net reduction of 1,991 tonnes CO₂e over the lifetime of the development.



Note: For Illustrative purpose only.

Not a part

Railroad Ave.



FIGURE 2-4
Final Development Plan Rendering

Source: Sonoma Mountain Village.

D41336.00

Sonoma Mountain Village

06036 | JCS | 10

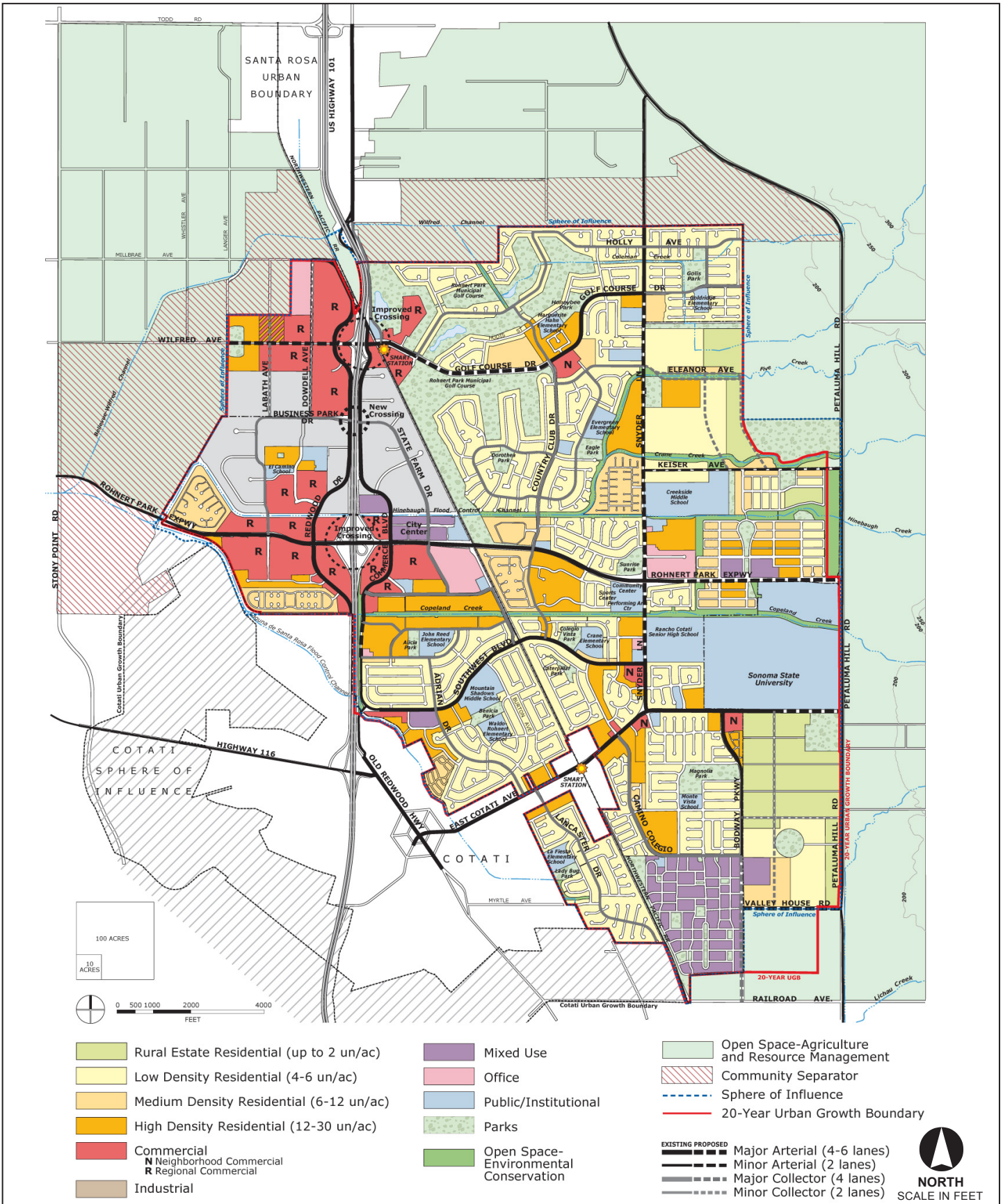


FIGURE 2-5
Proposed General Plan Land Use Designations

Source: Sonoma Mountain Village.

D41336.00

Sonoma Mountain Village

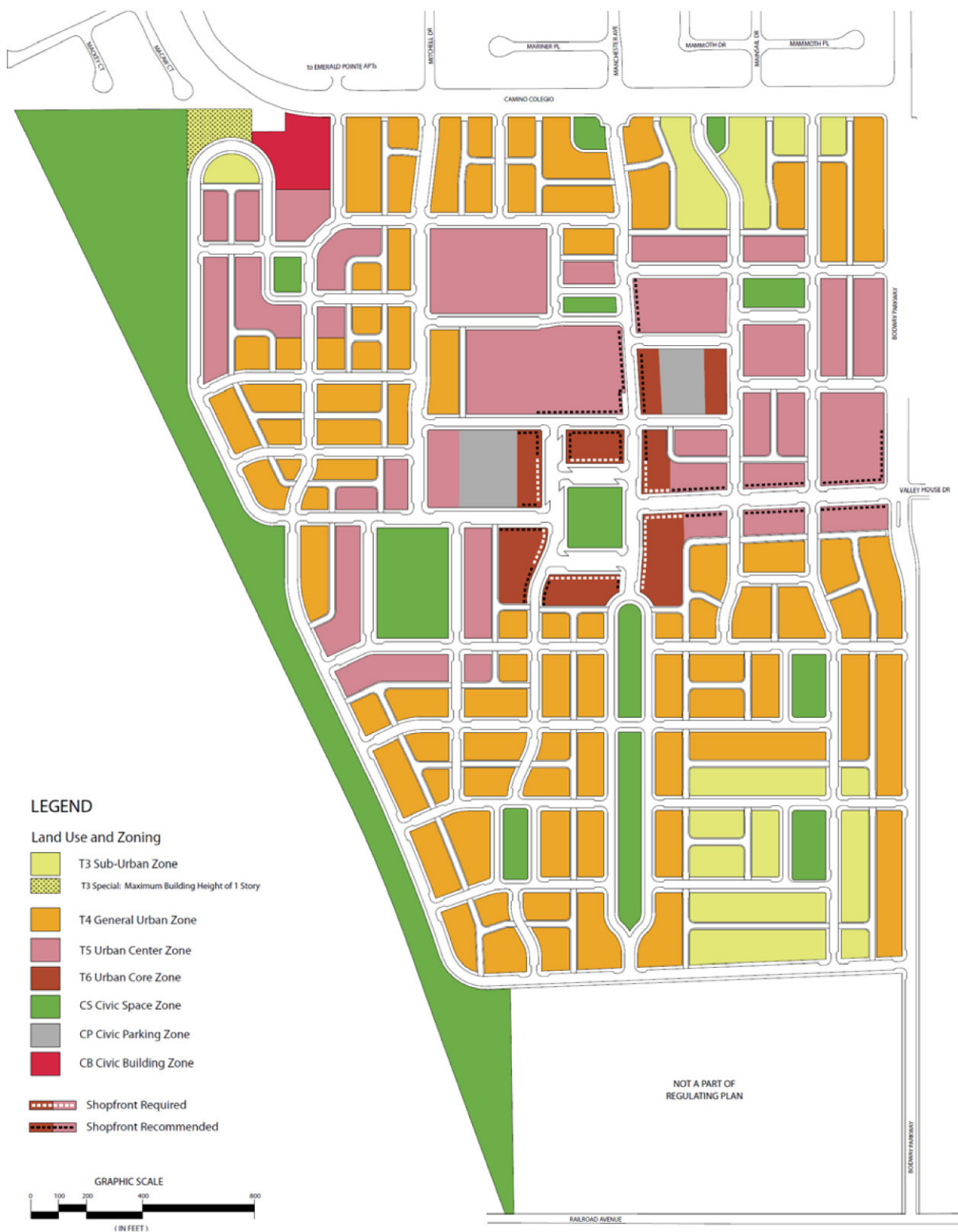


FIGURE 2-6
Proposed Zoning/Regulating Plan

Source: SOMO, 2010

D41336.00

Sonoma Mountain Village

06036 | JCS | 10

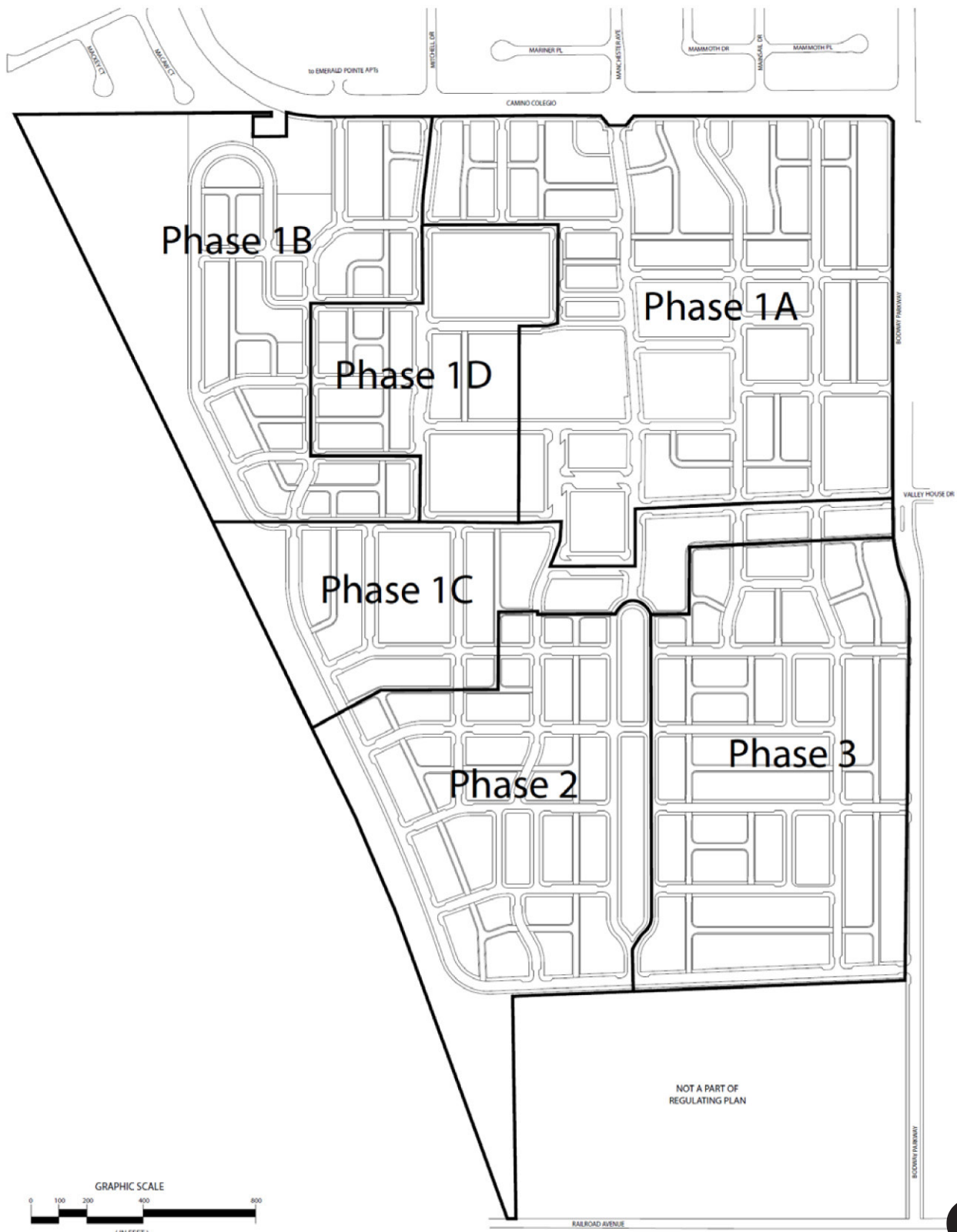


FIGURE 2-7
Proposed Final Development Plan with Phasing Overlay

Source: SOMO, 2010

D41336.00

Sonoma Mountain Village

06036 | JCS | 10



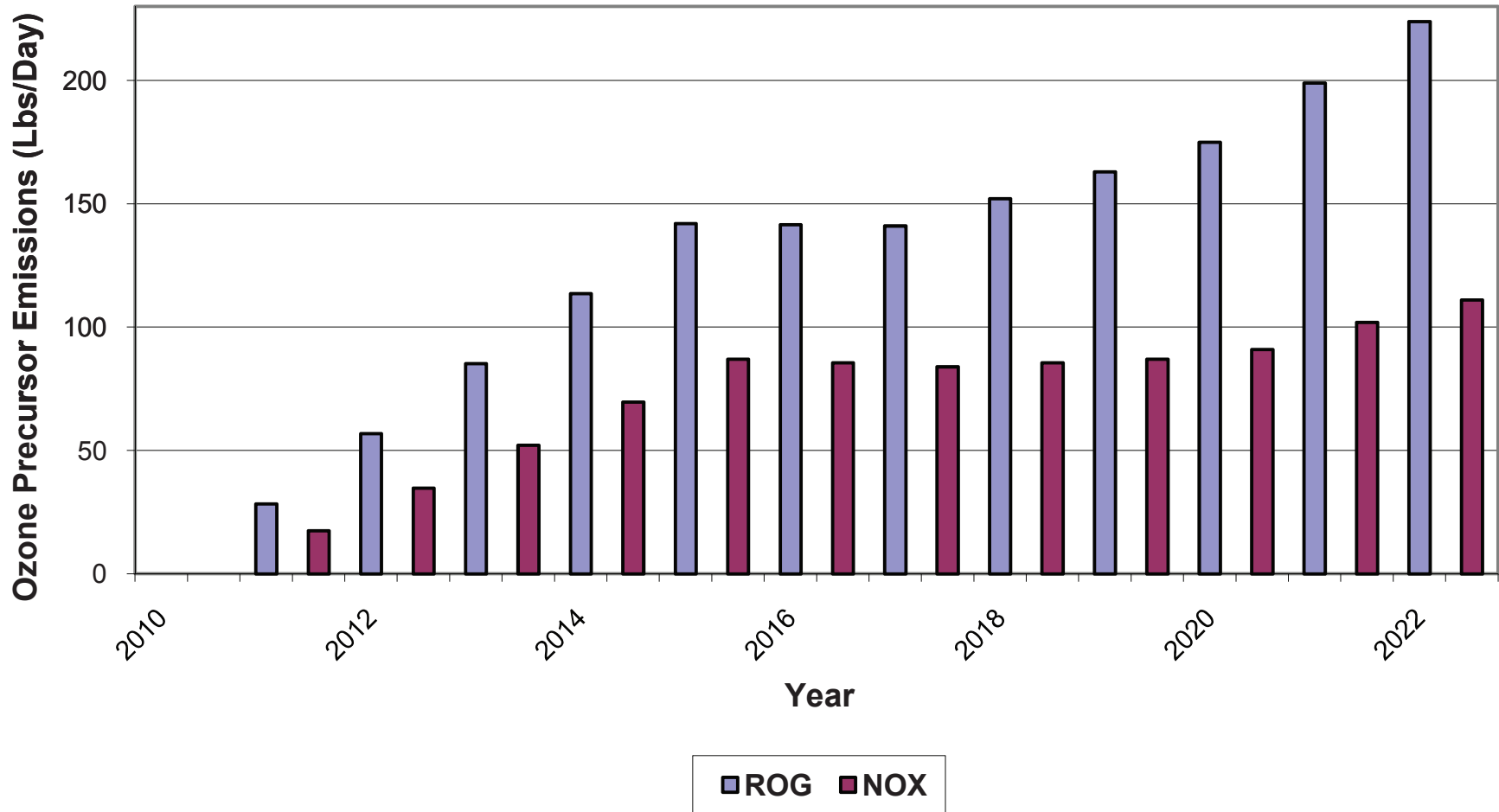


FIGURE 3.2-1
Ozone Precursor Emissions (Summer)

Source: PBS&J, 2009

D41336.00

Sonoma Mountain Village

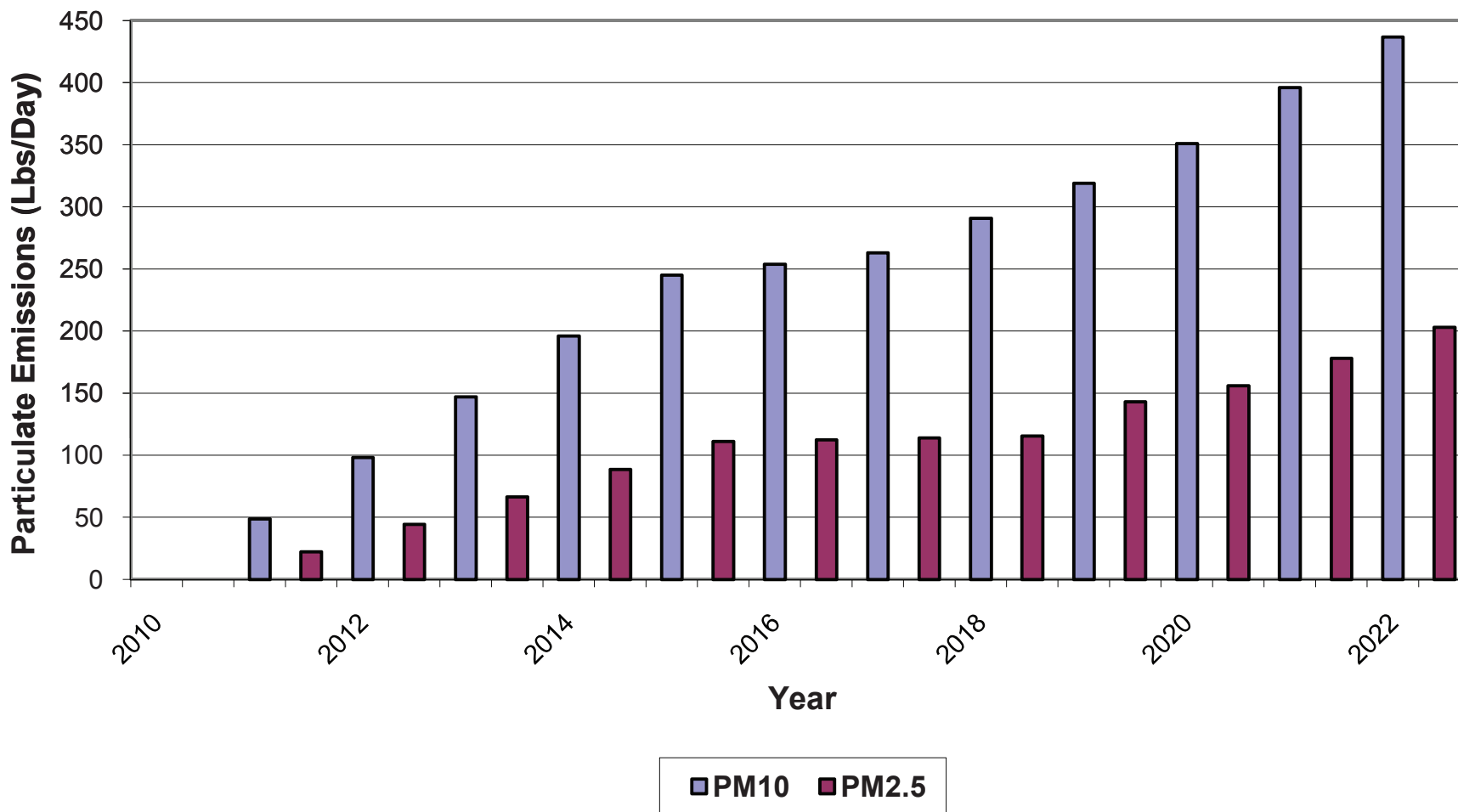
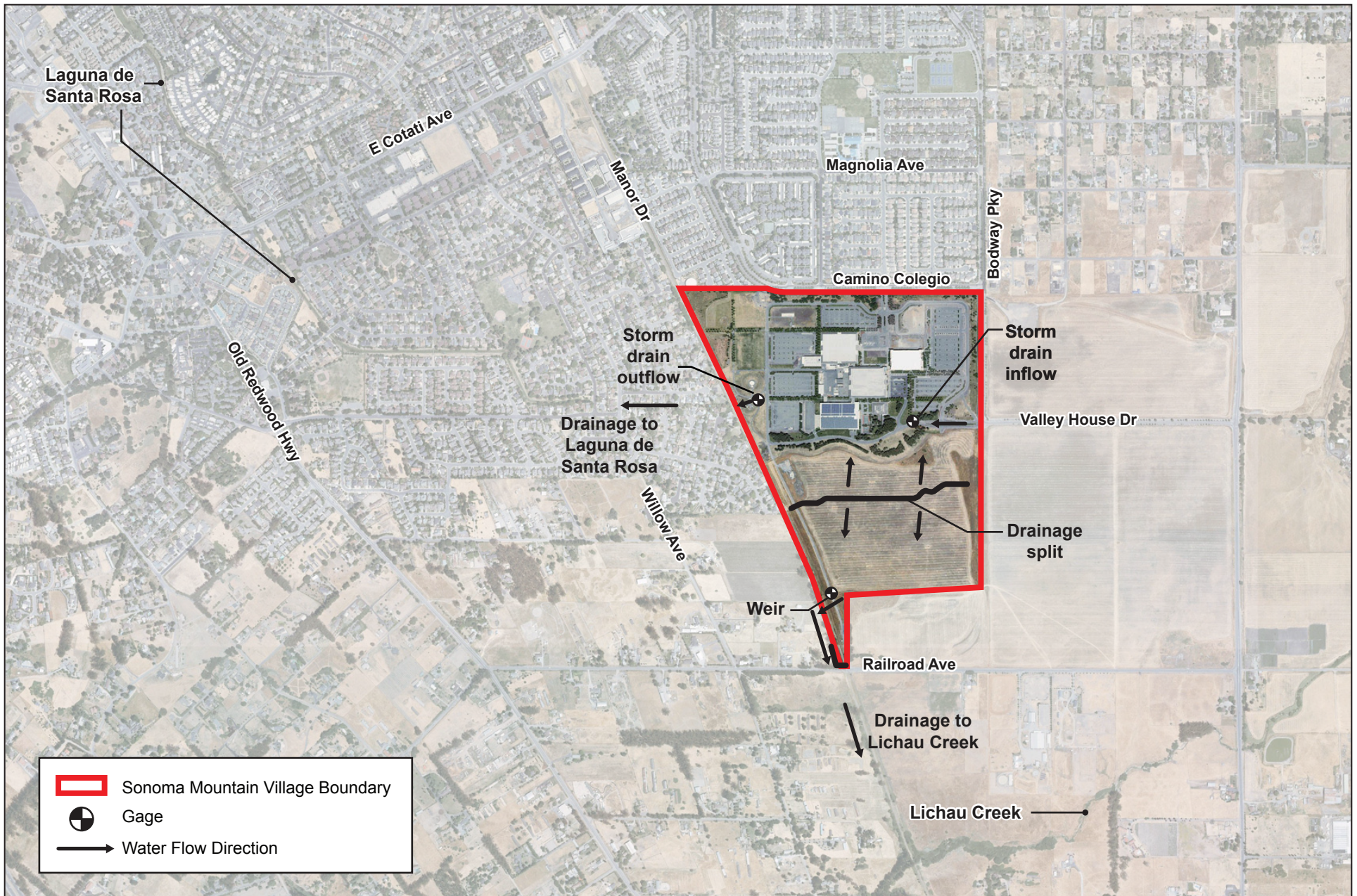


FIGURE 3.2-2
Particulate Emissions (Winter)

Source: PBS&J, 2009

D41336.00

Sonoma Mountain Village






	Sonoma Mountain Village Boundary
	Gage
	Water Flow Direction

FIGURE 3.7-1
Project Site Drainage

Source: Google Earth Pro, basemap, 2010; PBS&J, 2010.



A. Homes fronting Camino Collegio (west side, south of Magnolia Avenue) – 7- to 8-foot-high concrete walls.



B. Homes fronting Camino Collegio and/or Bodway Parkway (looking west along Camino Collegio from Bodway) – 7- to 8-foot-high concrete walls.



A. Homes fronting Camino Collegio (North side, west of Manchester Avenue) – Wood fence only.



B. Homes fronting Railroad Avenue (north side) – No fences or walls.

Chapter 3

List of Agencies and Persons Commenting

STATE

1. Governor's Office of Planning and Research California State Clearinghouse and Planning Unit, Scott Morgan, October 19, 2009.
2. California Regional Water Quality Control Board, North Coast Region, John Short, Senior Water Resources Engineer, October 5, 2009.
3. California Department of Transportation, Lisa Carboni, District Branch Chief, Office Local Development, Intergovernmental Review, October 8, 2009.
4. California Department of Transportation, Lisa Carboni, District Branch Chief, Office Local Development, Intergovernmental Review, October 15, 2009.
5. California Department of Transportation, Lisa Carboni, District Branch Chief, Office Local Development, Intergovernmental Review, October 15, 2009.
6. California Department of Fish and Game, Charles Armor, Regional Director, Bay Delta Region, September 23, 2009.
7. Native American Heritage Commission, Katy Sanchez, Program Analyst, September 2, 2009.

LOCAL

8. City of Cotati, Marsha Sue Lustig, Acting Community Development Director, October 1, 2009.

INDIVIDUALS OR PRIVATE ORGANIZATIONS

9. Mariner Place Homeowners, September 28, 2009.
10. Cohousing Sonoma County, September 27, 2009.
11. Richard Pope, Coddling Enterprises, October 2, 2009.
12. Lindee Reese, Individual, October 2, 2009.
13. Mavis Jukes, Individual, October 2, 2009.
14. John and Maria Larsen, Individuals, September 21, 2009.
15. Planning Commission Hearing Transcripts, September 24, 2009.

Chapter 4

Comments and Responses

This section contains the comment letters that were received on the Draft EIR. Following each comment letter is a response by the City intended to either supplement, clarify, or amend information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues may be discussed or noted for the record. Where text changes in the Draft EIR are warranted based upon comments on the Draft EIR, those changes are generally included following the response to comment.



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GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



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CYNTHIA BRYANT
DIRECTOR

October 13, 2009

RECEIVED

OCT 23 2009

CITY OF ROHNERT PARK

Maureen Rich
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

Subject: Sonoma Mountain Village
SCH#: 2007052116

Dear Maureen Rich:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on October 5, 2009. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2007052116) when contacting this office.

Sincerely,

fn: Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

1-1

Letter 1: STATE CLEARINGHOUSE

Response to Comment 1-1

This comment indicates that the Draft EIR was received by the State Clearinghouse and distributed to the applicable state agencies for their review. The comment is noted.



**California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman**



Linda S. Adams
Secretary for
Environmental Protection

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

Arnold Schwarzenegger
Governor

October 5, 2009

Ms. Maureen Rich
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

Dear Ms. Rich:

Subject: Comments on the Draft Environmental Impact Report for the Sonoma Mountain Village project, Sonoma County, SCH No. 2007052116

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Sonoma Mountain Village project. The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, with jurisdiction over the quality of ground and surface waters (including wetlands) and the protection of the beneficial uses of such waters.

The proposed project consists of the development of a 175.14 acre parcel located in southeast Rohnert Park. 98.3 acres of the site are located on the already developed former Agilent Technologies campus site, and 76.9 acres are currently undeveloped. The proposed project will develop 1,694 residential units, 425,978 square feet of office space, 192,000 square feet of commercial space, 106,000 square feet of recreational facilities, 141,000 square feet of other civic and commerce-related development, 800 parking spaces, and 27.23 acres of parks and open space.

The northern two-thirds of the site drains to the Laguna de Santa Rosa, as per page 3.7-4 of the DEIR. The northern portion of the site is currently about 46 percent impervious surface. The Laguna de Santa Rosa is listed on the Regional Water Board's 303(d) list as impaired due to sedimentation and siltation, and water temperature. Sources of sedimentation and siltation to the Laguna include road construction, land development, disturbed sites, urban runoff from storm sewers, other urban runoff, highway/road/bridge runoff, hydromodification, channelization, removal of riparian vegetation, streambank modification and destabilization, drainage and filling of wetlands, erosion, and other nonpoint sources. Sources of temperature impairment include hydromodification, streambank modification and destabilization, removal of riparian vegetation, and nonpoint source.

2-1

The southern third of the site, which is currently less than 1 percent impervious surface, drains to Lichau Creek, the Petaluma River, and the Petaluma Marsh. The Petaluma River is not within the jurisdiction of Region 1 of the Regional Water Board, but please note that it is listed on the 303(d) list as impaired due to sedimentation and siltation from construction and land development, and urban runoff from storm sewers. We highly recommend that you coordinate with staff at the San Francisco Bay Regional Water Board regarding development on this site.

2-2

The DEIR repeatedly states that “creating a model of sustainable development” is one of the project sponsor’s goals in developing Sonoma Mountain Village. We recognize that sustainable development is at best a fuzzy term, encompassing sustainability in different areas (economic, environmental, social) and defined in different ways by different disciplines, publications, academics, and organizations. However, we assume that the developers of Sonoma Mountain Village wish to pursue the project’s sustainability to the greatest extent possible. We do not feel that the Sonoma Mountain Village project, as currently presented in the DEIR, can be considered ‘sustainable’ in regards to issues of water quality and environmental protection.

2-3

Surface waters, wetlands, and riparian habitat

The DEIR identifies several project objectives, among them “to reduce water use and impacts as compared to standard development practice” and “to restore creeks and waterways.” The current Sonoma Mountain Village plan includes 29.1 acres of “Civic Space Reserve” parkland, and 0.24 acres of vernal pools, all of which will be filled to make way for the development. The DEIR states that “due to the scope of the project which includes development of the entire site, avoidance is not assumed as an option in this case, although avoidance is the preferred option” and states that compensatory mitigation will be utilized. The Regional Water Board does not believe that “the scope of the project” is an appropriate excuse for filling 0.24 acres of vernal pools, especially when the plan allows for 29.1 acres of civic park. Unnecessary degradation and removal of wetland features is not an example of sustainable development. The Regional Water Board believes that avoidance *is* a mitigation option for this development, and strongly recommends reworking the project design to allow for the vernal pools to be located in preserved civic open space.

2-4

The DEIR is confusing and contradictory regarding the presence and treatment of riparian vegetation in the project area. Page 3.3 states “none of the sensitive habitats identified in the CNDDDB query are present on or adjacent to the project site area. Therefore no impacts on riparian habitat or other sensitive natural communities will occur as a result of the proposed project.” However, page 3.15-16 states that “The SMV development anticipates replacing the existing native perennial grasslands, California annual grassland, riparian and bottomland vegetation types with approximately 2,739 trees of varying species.” In addition, mitigation measure 3.7-3 is

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intended to protect water temperature in streams, although as stated before, the DEIR maintains that “no impacts on riparian habitat” will occur as no sensitive habitats are located onsite.

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Recommendations and Comments

- The DEIR should rework the project design to protect some or all of the onsite vernal pools. Any fill of vernal pools deemed necessary must be fully explained in the DEIR. As previously stated, the Regional Water Board does not consider “the scope of the project” to be sufficient explanation. Reduction in said “scope” should be considered before compensatory mitigation, as it demonstrates “sustainability” where compensatory mitigation does not.
- The DEIR must clarify the presence (or lack) of onsite riparian habitat. The presence and location of any streams and/or areas of riparian vegetation that are located on the project site must be clearly identified in the DEIR.
- If the DEIR is referring to potential impacts upon streams or drainages lying outside of the project boundary but susceptible to impacts from onsite runoff, this should be clarified and the locations of these streams clearly defined.
- If riparian vegetation is indeed present onsite, all reasonable efforts should be made to avoid disturbing it, if possible. If impacts are found to be justified, they should be fully mitigated to ensure full replacement of all existing and potential beneficial uses. As per the Clean Water Act, disturbing waters of the state or waters of the United States requires permitting by the United States Army Corps of Engineers (ACOE) under Section 404 and the Regional Water Board under Section 401. Riparian vegetation can be an indicator of waters of the state.
- In addition, if riparian vegetation is to be removed from the banks or peripheries of streams or drainages, the DEIR should include provisions to ensure its restoration regardless of whether stream temperature is affected. Removal of riparian vegetation contributes to streambank destabilization, sedimentation and siltation as well as to higher water temperatures. All of these things are sources of impairment for the Laguna de Santa Rosa.
- Buffer zones must be preserved around wetland and riparian areas. The Environmental Protection Agency recommends buffer zones that are a minimum of 100 feet from the edge of the wetland or the top of bank of a riparian corridor. The Regional Water Board generally requires these 100 foot setbacks to be implemented, although greater or lesser setbacks may be warranted in some cases. If the project proposes a reduction in setbacks, a

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justification must be provided and mitigation measures developed to address resultant impacts.

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Storm water: Construction

Construction activities have the potential to degrade water quality through erosion and release of sediment. As stated above, BMPs are necessary to address construction-related storm water runoff. As noted in the DEIR, the project will require coverage under the General Construction Activity Stormwater Permit and a Storm Water Pollution Prevention Plan (SWPPP).

Recommendations and Comments

- The DEIR should identify the specific ‘water conservation BMPs’ that will be implemented.
- Construction should take place during the dry season unless this interferes with the life cycles/practices of protected species onsite (eg: nesting season). This should be stated within the DEIR or SWPPP so as to make it an enforceable mitigation measure.

2-12

Storm water: Site Design

The DEIR asserts that “the project sponsor plans to incorporate green building and sustainable development practices into project construction and operation.” Green building practices should include designing the built environment to address storm water runoff issues. Storm water runoff has the potential to negatively impact surface waters and groundwater. Increases in impervious surfaces can increase the quantity and increase the velocity of runoff. This leads to erosion and scouring of channels, alteration of stream temperatures, reduction in groundwater recharge capabilities, and transportation of sediment and other pollutants to surface waters. These potential impacts can be mitigated to a large extent through site design.

2-13

The Regional Water Board strongly encourages the use of Low Impact Development (LID) techniques to address potential storm water impacts. LID techniques promote healthy aquatic systems and can reduce flood and drainage control costs over time. The DEIR mentions the possible use of some LID techniques, such as pervious pavers and rain gardens. The Regional Water Board strongly recommends that an array of these techniques be incorporated into the project design as mitigation for the considerable potential storm water impacts that will arise as the result of increasing impervious surfaces. We have included a list of LID resources at the end of this letter for your reference.

2-14

Impact 3.7-2 states that “project implementation would alter land uses and increase the amount of typical storm water pollutants into surface water and potentially groundwater.” Mitigation will be provided through a Water Quality Management Plan (not yet produced) that identifies specific storm water BMPs, and a Final Drainage Master Plan (also not yet produced) that identifies all on- and off-site drainage facilities including water quality facilities and BMPs. A list of some BMPs that the project sponsor is “encouraged to consider” is provided. This is not sufficient mitigation. The Regional Water Board cannot support a project without clearer identification of what the BMPs and site design features will be and how they will protect water quality.

2-15

Page 1-35 of the DEIR states that “the Final Drainage Plan shall be prepared in accordance with the SCWA and SUSMP Design Standards and shall include design measures and BMPs that demonstrate that peak flows under project buildout conditions would not result in a net increase over pre-development conditions in either a 2 year or 10 year storm event.” Not only does this statement not sufficiently articulate the ‘design measures and BMPs,’ as stated in the previous paragraph, but it implies that storm water mitigation will be measured through peak flows. The project should aim to retain as much of the storm water runoff onsite for small storms using infiltration, evapotranspiration and rainwater harvesting. The use of LID BMPs and site design can achieve this goal. For larger storms, the project should maintain the pre-development runoff peak flows, duration and volume. The preferred method to achieve this would be retaining excess flows onsite, if that is not possible, detention BMPs can be used to aid in replicating the pre-development storm hydrograph.

2-16

Recommendations and Comments

- The DEIR should specify which BMPs will be used, rather than naming ‘possible’ BMPs and stating that they ‘may’ be used or that the project sponsor is ‘encouraged to consider’ them. Using terms like ‘may’ renders mitigation unenforceable and therefore insufficient.
- The Water Quality Management Plan and the Final Drainage and Grading Plan should be required to be submitted to the Regional Water Board for approval, and the project should be contingent upon said approval.
- The Final Drainage and Grading Plan should demonstrate that post-development storm water flows match pre-development storm water flows. This should not be measured by peak flow levels, and the Regional Water Board strongly cautions against extensive use of retention facilities to control storm water.

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- The Water Quality Management Plan and the Final Drainage and Grading Plan should include LID techniques to control storm water and mitigate for potential increases in storm water volume.

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If you have any questions, you may contact me at (707) 576-2065 or jshort@waterboards.ca.gov. Questions regarding storm water may be directed to Mona Dougherty at (707)576-3761 or mdougherty@waterboards.ca.gov.

Sincerely,

Original signed by John Short

John Short
Senior Water Resources Engineer

091005_CMT_SonomaMountainVillage_EIR

cc: Scott Morgan, State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812,
Re: SCH No. 2007052116

Mr. Bill Orme, SWRCB, 401 Program Manager, Clean Water Act Section 401
Certification and Wetlands Unit Program

Ms. Abigail Smith, SF Bay Regional Water Quality Control Board,
1515 Clay Street, Suite 1400, Oakland, CA 94612

Low Impact Development Resources

State Water Board Low Impact Development and Sustainable Storm Water Management:
http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/index.shtml

State Water Board Resolution on LID and Sustainable Water Resources Management:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2008/rs2008_0030.pdf

Resolution of the California Ocean Protection Council Regarding Low Impact Development:
http://www.resources.ca.gov/copc/05-15-08_meeting/05_LID/0805COPC05_%20LID%20Res%20amended.pdf

Puget Sound LID manual:
http://www.psp.wa.gov/downloads/LID/LID_manual2005.pdf

Low Impact Development Center:
<http://www.lowimpactdevelopment.org/>

Green Infrastructure Municipal Handbooks:
<http://cfpub2.epa.gov/npdes/greeninfrastructure/munichandbook.cfm>

Marin County's LID manual:
http://www.mcstoppp.org/acrobat/GuidanceforApplicantsv_2-5-08.pdf

San Diego County's LID manual – has a section on LID for roads:
<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

Low Impact Development – Sustainable Storm Water Management:
http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/

EPA Green Infrastructure Basic Information:
<http://cfpub.epa.gov/npdes/greeninfrastructure/information.cfm>

Managing Wet Weather with Green Infrastructure:
http://cfpub.epa.gov/npdes/home.cfm?program_id=298

Contra Costa Manual and Guidance to Municipalities:
<http://www.cccleanwater.org/new-developmentc3/stormwater-c3-guidebook/>

Contra Costa approach powerpoint to implement LID:
<http://www.cccleanwater.org/Publications/StormCon-5-06/5-ContraCostaApproach-I-Dalziel-Cloak.ppt>

State Water Board Funded Projects That Include Low Impact Development:
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/low_impact_development/

City of Portland's Sustainable Storm Water Management Program – LID for streets:
<http://www.portlandonline.com/bes/index.cfm?c=34598>

Low Impact Development Center – Green Highways and Green Infrastructure:
http://www.lowimpactdevelopment.org/green_highways.htm

Streetscape improvements and water quality design:
<http://www.lowimpactdevelopment.org/nhb/lid.htm>

Low Impact Development for Roads - Washington State Green Building for Transportation Infrastructure webpage: <http://www.metrokc.gov/kcdot/roads/eng/lid/militarys272/index.cfm>

LID Urban Design tools – has design software for different BMPs:
<http://www.lid-stormwater.net/homedesign.htm>

LID design fact sheet:
<http://www.coastal.ca.gov/nps/lid-factsheet.pdf>

Storm Water Runoff Calculator:
<http://www.stormulator.com>

LID Training Program for Linear Transportation Projects:
http://www.lowimpactdevelopment.org/epa03_transportation.htm

Storm Water Management and LID at EPA headquarters – BMP choice and design:
http://www.epa.gov/owow/nps/lid/stormwater_hq/

<http://sustainable sites.org/>

A Review of Low Impact Development Policies: Removing Institutional Barriers to Adoption:
http://www.waterboards.ca.gov/lid/docs/ca_lid_policy_review.pdf

Storm Water Resources:

The CASQA Construction BMP manual:
<http://www.cabmphandbooks.com/Construction.asp>

North Coast Regional Water Board Municipal Storm Water:
http://www.waterboards.ca.gov/northcoast/water_issues/hot_topics/santa_rosa_ms4_npdes_stormwater_permit/

State Water Board Storm Water Program:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/

Erase the Waste Campaign – California Storm Water Toolbox:
http://www.waterboards.ca.gov/water_issues/programs/outreach/erase_waste/

State Water Board Storm Water Grant Program:

http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml

The San Francisco Regional Water Board storm water website:

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/avail_docs.shtml

EPA Storm Water Program:

http://cfpub.epa.gov/npdes/home.cfm?program_id=6

Federal Funding Sources for Watershed Protection:

<http://cfpub.epa.gov/fedfund/>

California Stormwater Quality Association:

<http://www.casqa.org/>

Stormwater Manager's Resource Center:

<http://www.stormwatercenter.net/>

Post Construction BMPs:

<http://www.stormwaterauthority.org/library/library.aspx?id=190>

For more information, please contact Mona Dougherty at mdougherty@waterboards.ca.gov or John Short at jshort@waterboards.ca.gov

Response to Comment 2-1

The comment does not concern the adequacy of the EIR nor the City's compliance with CEQA and thus does not warrant further response in this document. The comment does provide a setting for the project and clarifies the site characteristics. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-2

The comment does not concern the adequacy of the EIR nor the City's compliance with CEQA and thus does not warrant further response in this document. The comment does provide a setting for the project and clarifies the site characteristics by specifically noting that the southern third of the site is listed on the 303(d) list as impaired and outside of the Region 1 RWQCB jurisdiction. The comment does not conflict with statements presented in the Draft EIR. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-3

The commentor expresses doubt as to the sustainable nature of the project as it relates to water quality and environmental protection. The comment does not concern the adequacy of the EIR nor the City's compliance with CEQA and thus does not warrant further response in this document. While sustainability is an issue that many EIRs address both directly and indirectly, it is not a quantifiable measure that requires evaluation by CEQA, the CEQA Guidelines, or the City of Rohnert Park. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-4

The comment expresses concern regarding the project's potential filling of waters of the U.S. as a result of project design. The comment notes that there are 0.24 acres of vernal pools on the project site which is incorrect. As noted on page 3.3-3 of the Draft EIR, the project site includes three drainage ditches that cover approximately 0.24 acre and 21 shallow seasonal depressions that cover 0.35 acre. The site contains a total of 0.59 acres of potentially jurisdictional wetlands. The commentor refers to a statement in the Draft EIR on page 3.3-28 that states that "Implementation of the project would result in the loss of all potential wetlands within the project boundaries..." The commentor asserts that the proposed project design could be modified to allow for the preservation of onsite wetlands within designated open space areas. The project assumptions incorporated into the Draft EIR's analysis and conclusions were based on project information provided by the project sponsor. Under the current project site plan, the wetland delineation identified 0.59 acres of wetland areas designated for development and were thus analyzed as such. However, the mitigation language provided in the Draft EIR did provide some flexibility to ensure that avoidance was looked at as the primary mitigation strategy. To further clarify, the mitigation language for Impact 3.3-5 on page 3.3-28 has been revised to state the following:

3.3-5(a) Prior to the issuance of a grading permit for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B), the project applicant sponsor shall retain a qualified biologist, approved by the City, to conduct a re-verification of the 2002 wetland delineation at the site in accordance with the 1987 Manual. This delineation should also be expanded to include that portion of the northern half of the project area (i.e., to include the comprising a detention basin in the northwest corner of the site). The delineation report shall be updated and submitted to the USACE for re-verification prior to the commencement of construction-issuance of grading permits. If it is determined by the USACE that these features are jurisdictional, then the project sponsor would have two the following options: avoidance, or removal and replacement mitigation, or a combination thereof. Due to the scope of the project which includes development of the entire site, avoidance is not assumed as an option in this case, although avoidance is the preferred option. Therefore, replacement mitigation shall be implemented for the project of any wetland determined to be jurisdictional such that there would be no net loss of wetland acreage. Replacement mitigation must occur prior to any ground breaking on the project. If the avoidance option is adopted, a minimum 100 foot wetland buffer zone setback would be established. The project sponsor shall coordinate with the USACE to ensure that the most feasible mitigation option is incorporated.

3.3-5(b) Where avoidance of existing wetlands is not feasible, then mitigation measures shall be implemented for the project related loss of any existing wetlands on site, such that there is no-net loss of wetland acreage or habitat value. Wetland habitat acreage replacement can be greater than the acreage of wetlands that fall under the jurisdiction of the USACE and/or the RWQCB.

(i) Wetland mitigation shall be developed as a part of the Section 404 CWA permitting process, or for non-jurisdictional wetlands, during permitting through the RWQCB and/or CDFG. Mitigation is to be provided prior to construction-issuance of grading permits for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B). Mitigation could include purchase of the appropriate amount of credits from a Santa Rosa Plain mitigation bank. The exact mitigation ratio is variable, based on the type and value of the wetlands that would be affected by the project, but agency standards typically require a minimum of 1:1 for preservation and 1:1 for the construction of new wetlands. In addition, a wetland mitigation and monitoring plan shall be developed that includes the following:

- Descriptions of the wetland types, and their expected functions and values;
- Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of five to ten years;

- Engineering plans showing the location, size and configuration of wetlands to be created or restored;
 - An implementation schedule showing that construction of mitigation areas will commence prior to or concurrently with the initiation of project construction; and
 - A description of legal protection measures for the preserved wetlands (i.e., dedication of fee title, conservation easement, and/or an endowment held by an approved conservation organization, government agency or mitigation bank).
- (ii) Prior to the issuance of grading permits by the City for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase1B), the project sponsor shall acquire all appropriate wetland permits. These permits may include but are not limited to a Section 404 Wetlands Fill Permit from the U.S. Army Corp of Engineers, or a Report of Waste Discharge from the RWQCB, a Section 401 Water Quality Certification from the Regional Water Quality Control Board, and, if necessary, a Section 1601 Streambed Alteration Agreement from the California Department of Fish and Game.

Response to Comment 2-5

The comment expresses concern regarding the consistency of the riparian habitat setting described in the Draft EIR. As stated in Section 3.3, no sensitive habitats identified in the CNDDDB query are present on or adjacent to the project site. As a result, the statement on page 3.15-16 that refers to “the replacement of native perennial grasslands, California annual grasslands, riparian, and bottomland vegetation types” is an error. As a result, the language has been deleted throughout the Draft EIR and revised as shown below:

Vegetation Change. The SMV development anticipates replacing the existing ~~native perennial grasslands, California annual grassland, riparian and bottomland vegetation types~~ fallow pasture land with approximately 2,739 trees of varying species. The loss of grasslands will result in an increase of CO₂e emissions of up to 203 tonnes over the twenty year buildout period. However, the new trees are anticipated to sequester 2,194 tonnes of CO₂e, resulting in a net reduction of 1,991 tonnes CO₂e over the lifetime of the development.

This text change is reflected in Chapter 2, Revisions to the Draft EIR. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-6

The comment addresses the potential project design changes regarding the filling of vernal pools. Please see Response to Comment 2-4 for a complete response. The comment is noted and forwarded to the decision makers for their consideration.

Response to Comment 2-7

The comment expresses concern regarding the consistency of the riparian habitat setting described in the Draft EIR. Please see Response to Comment 2-5. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-8

The commentor requests clarification on stream and riparian vegetation locations. Figure 3.7-1, Project Site Drainage has been added to show locations of the Laguna de Santa Rosa, Lichau Creek and the Petaluma River. This new Figure has been added to the end of Chapter 2, Revisions to the Draft EIR.

In addition, text has been added under Methods of Analysis on the bottom of page 3.7-12 to clarify that these water features are offsite.

Receiving Waters. Although Laguna de Santa Rosa, Lichau Creek and associated riparian vegetation are not present on the project site, runoff from the project site ultimately enters these water features through either an underground storm drain system (Laguna de Santa Rosa) or through drainage ditches (Lichau Creek) (see Figure 3.7-1). Therefore, the Laguna de Santa Rosa and Lichau Creek are the relevant receiving waters for addressing potential hydrology and water quality impacts.

Response to Comment 2-9

The comment expresses concern regarding the consistency of the riparian habitat setting described in the Draft EIR. As stated in Response to Comment 2-5, no riparian habitat is present within the project site. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-10

Please see Response to Comment 2-5. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-11

The commentor expresses concerns regarding buffer zones for riparian and wetland areas. As described under Impact Criterion #2 on page 3.3-27 of the Draft EIR, the proposed project would have no impacts to riparian habitat. As a result, no riparian buffer would be required as a part of this EIR. However, approximately 0.59 acres of wetlands do exist on the site and would therefore be subject to the EPA's recommended 100 foot setback, should avoidance remain a viable option. To further clarify, Mitigation Measure 3.3-5 has been revised to state:

- 3.3-5(a) Prior to the issuance of a grading permit for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B), the project ~~applicant~~ sponsor shall retain a qualified biologist, approved by the City, to conduct a re-verification of the 2002 wetland delineation at the site in accordance with the 1987

Manual. This delineation should also be expanded to include that portion of the northern half of the project area (i.e., to include the ~~comprising a~~ detention basin in the northwest corner of the site). The delineation report shall be updated and submitted to the USACE for re-verification prior to the ~~commencement of construction~~ issuance of grading permits. If it is determined by the USACE that these features are jurisdictional, then the project sponsor would have ~~two~~ the following options: avoidance, ~~or~~ removal and replacement mitigation, or a combination thereof. ~~Due to the scope of the project which includes development of the entire site, avoidance is not assumed as an option in this case, although avoidance is the preferred option. Therefore, replacement mitigation shall be implemented for the project of any wetland determined to be jurisdictional such that there would be no net loss of wetland acreage. Replacement mitigation must occur prior to any ground breaking on the project.~~ If the avoidance option is adopted, a minimum 100 foot wetland buffer zone setback would be established. The project sponsor shall coordinate with the USACE to ensure that the most feasible mitigation option is incorporated.

Response to Comment 2-12

The commentor expresses concern about the project's potential to degrade water quality during construction via erosion and sediment. As a result, the commentor would like to see the specific water conservation BMPs that would be adopted. The EIR analysis assumes the project sponsor would comply with applicable state or local laws or other City requirements, and as a result identifies laws relevant to a specific issue but does not re-impose compliance with a legal requirement as mitigation. The rationale is that project sponsors, applicants, developers, etc., must comply with the law and any applicable regulations - there is no discretion, and there are clear procedures and standards that must be followed in complying with the regulations. Since compliance with these regulations is an obligation of the project sponsor, they are not identified as mitigation measures. The existing Construction General Permit already requires specific minimum BMPs during construction, including erosion and sediment control BMPs. If discharge could occur to a sediment-sensitive receiving waterway, more stringent BMPs are required. The Construction General Permit is considered protective of water quality during construction and limiting construction to the dry season is not required to protect water quality. A detailed discussion of applicable regulations can be found in Section 3.7 of the Draft EIR.

In reference to the comments desire for more specific BMPs, the level of project details available must be clarified. As stated on page 1 of the Introduction chapter of the Draft EIR, the Sonoma Mountain Village project is evaluated on a program level, consistent with Section 15168 of the CEQA Guidelines. As a result, only planning level information regarding project activity is provided. To estimate the potential effects of BMPs on project pollutant 'levels,' design level detail on BMPs is required. This EIR is a program level document and, as such, detailed project-level information is not available. Specific design details, such as exact location, size, type, and function of BMPs are not available. There is no final or preliminary post-construction water quality management plan on which to base an analysis. However, all future discretionary project entitlements (i.e., Tentative Map) would be required to conduct additional project-specific CEQA analysis and would be required to comply with all City requirements (i.e.,

grading ordinance requirements) and that specific restrictions (including necessary seasonal operation limits) would be imposed on construction at the time Improvement Plans are reviewed and approved. The final site design would be reviewed by the City to ensure compliance with NPDES permit requirements, including implementation of stormwater quality BMPs. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-13

The comment does not concern the adequacy of the EIR nor the City's compliance with CEQA and thus does not warrant further response in this document. Instead, the comment focuses on the potential project design changes regarding the sustainable nature of the project design. Please see Responses to Comments 2-4, 2-8, and 2-12. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-14

Comment 2-14 encourages the use of LID techniques in order to address potential storm impacts. The comment does not concern the adequacy of the EIR nor the City's compliance with CEQA and thus does not warrant further response in this document. Instead, the comment focuses on the potential project design changes regarding the use of LID techniques. As stated in the comment letter, the project currently proposes the incorporation of feasible LID techniques and will where possible incorporate design measures to increase sustainability. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-15

Please see Response to Comment 2-12. Mitigation Measure 3.7-2(a) includes mandatory BMPs as well as additional BMPs that the project sponsor(s) are encouraged to consider. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 2-16

The comment refers to the lack of specificity of the Final Drainage Plan available in the Draft EIR. The specific practices employed at Sonoma Mountain Village during construction and as a permanent feature in the community will be established together with the design of the streets, parks, landscaping, the sequence of construction, and other design details. The EIR specifies, in Mitigation Measure 3.7-1, that design of stormwater runoff controls shall be prepared in accordance with the SCWA and SUSMP Design Standards.

This EIR is a program level document and, as such, detailed project-level information is not available to identify the amount of stormwater runoff requiring controls and the specific stormwater runoff controls that will mitigate alterations in stormwater runoff. As required, these practices will be presented for approval prior to construction.

The comment letter states, “The project should aim to retain as much of the storm water runoff onsite for small storms using infiltration, evapotranspiration and rainwater harvesting. The use of LID BMPs and site design can achieve this goal.”

As noted above, this EIR is a program level document and does not contain detailed project-level information, however, as noted in Appendix E (The Water Plan) in the Draft EIR, the dominant soil at the site is Clear Lake clay, a very clay-rich soil. Clear Lake clay is associated with poorly drained basins and floodplains. Studies suggest that recharge of ground water is insignificant at the Sonoma Mountain Village site. Appendix E does indicate a commitment to Rain Harvesting. The Water Plan indicates over 36 acre-feet per year of harvested rain-water will be used for irrigation, cooling tower make-up water and toilet flushing.

A number of LID stormwater mitigation options for the project are described in the Draft EIR Appendix E on pages 47 to 50. As such, it is the intent of the project sponsor to implement LID stormwater BMPs to the maximum extent practicable. Rather than trying to make premature judgments now on tradeoffs between various LID a stormwater mitigation techniques, Mitigation Measure 3.7-1 ensures that allowable rate of runoff is addressed in a manner that allows the most effective solution to be selected and implemented.

The comment letter suggests that the project should do more than address mitigation of peak flow rates. As such, Mitigation Measure 3.7-1 has been revised to be consistent with the Hydrograph Modification Standard (HM Standard) for Fairfield-Suisun in their Municipal Regional Stormwater NPDES Permit (Order R2-2009-0074 NPDES Permit No. CAS612008, adopted October 14, 2009), which could be generally applicable to Lichau Creek. The Fairfield-Suisun HM Standard is considered by the San Francisco Regional Water Quality Control Board to be protective of water quality. There is no HM Standard for the North Coast Region (Laguna de Santa Rosa). Therefore, the Fairfield-Suisun HM Standard is used to mitigate potential impacts to both Lichau Creek and Laguna de Santa Rosa.

Mitigation Measure 3.7-1

- 3.7-1 Prior to issuance of a grading permit, a Final Drainage Master Plan for all on- and off-site drainage facilities (including water quality facilities - BMPs) shall be prepared by the project sponsor and submitted to the City of Rohnert Park’s Department of Public Works and the ~~Community~~ Community Development Services Department for review and approval. The Final Drainage Plan shall be prepared by a Registered Civil Engineer and shall be in conformance with the City of Rohnert Park Storm Drain Design Standards, Municipal Code 16.16.020 C. Storm Drains and General Plan goals and policies in Section 7.2 Drainage, Erosion, Stormwater, and Flooding and Section 6.3 Water Quality. The Final Drainage Plan shall include a comparative analysis of stormwater runoff peak flow rate and duration volume from the site for flow events important to stream geomorphology conditions and flood flow conveyance; from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow event. The Final Drainage plan shall be prepared in accordance with the SCWA and SUSUMP Design Standards and shall include design measures and

~~BMPs that demonstrate that peak flows from under project buildout conditions would not result in a net increase in peak flow rate or duration over pre-development conditions from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow event in either a 2 year or 10 year storm event. The post-project flow duration curve shall not deviate above the pre-project flow duration curve by more than 10 percent over more than 10 percent of the length of the curve corresponding to the range of flows to control. Flow control structures may be designed to discharge stormwater at a very low rate that does not threaten to erode the receiving waterbody. This flow rate (also called Qcp138) shall be no greater than 20 percent of the pre-project 2-year peak flow. Prior to issuance of a grading permit, a Final Drainage Master Plan for all on and off site drainage facilities (including water quality facilities — BMPs) shall be prepared by the project sponsor and submitted to the City of Rohnert Park's Department of Public Works and the Community Development Department for review and approval. The Final Drainage Plan shall be prepared by a Registered Civil Engineer and shall be in conformance with the City of Rohnert Park Storm Drain Design Standards, Municipal Code 16.16.020 C. Storm Drains and General Plan goals and policies in Section 7.2 Drainage, Erosion, Stormwater, and Flooding and Section 6.3 Water Quality. The Final Drainage Plan shall include a comparative analysis of stormwater runoff peak flow rate and volume from the site for flow events important to stream geomorphology conditions and flood flow conveyance. The Final Drainage plan shall be prepared in accordance with the SCWA and SUSUMP Design Standards and shall include design measures and BMPs that demonstrate that peak flows from under project buildout conditions would not result in a net increase over pre-development conditions in either a 2 year or 10 year storm event. The Final Drainage Plan shall include at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows and volumes, proposed on-site and off-site improvements, on-site water quality facilities, effectiveness of water quality BMPs, operation and maintenance responsibilities, inspection schedules, reporting requirements and shall include specifics regarding the timing of implementation. Grading permits shall be issued following City approval of the proposed Final Drainage Plan.~~

The Drainage Plan shall be coordinated in its development with the Water Quality Management Plan to maximize the efficiency of BMPs for both stormwater detention and water quality treatment.

Existing regulatory requirements require replication of pre-project runoff volumes from the southern portion of the project site for the smallest storm up to the 85th percentile storm event (or the smallest storm event that generates runoff, whichever is larger [Construction General Permit Section XIII.A.3]). Dischargers shall inform Regional Water Board staff at least 30 days prior to the use of any structural control measure used to comply with this requirement. Volume that cannot be addressed using nonstructural practices shall be captured in structural practices and approved by the Regional Water Board. Therefore, on the southern portion of the project site, retention of as much of the stormwater

runoff onsite for small storms using infiltration, evapotranspiration, and rainwater harvesting is contrary to existing regulatory requirements for storm events larger than the 85th percentile storm event (or the smallest storm event resulting in runoff, whichever is higher).

Response to Comment 2-17

The comment provides recommendations on how to address potential storm water issues associated with the project. Please see Responses to Comments 2-12 and 2-16. The project sponsor will work in conjunction with the RWQCB in order to ensure consistency with State and regional requirements. Additionally, Mitigation Measure 3.7-2(a) Water Quality Management Plan with Targeted Pollutant Removal Rates identifies specific minimum source control and structural water quality BMPs, along with targeted pollutant removal rates to ensure that appropriate BMPs are used to protect water quality. Mitigation Measure 3.7-2(b) Chemical Application Management Plan provides an additional, specific, source control BMP. However, final approval of the WQMP and Final Design Plan is the responsibility of the City of Rohnert Park as stated in Mitigation Measure 3.7-1. The comment is duly noted and forwarded to the decision makers for their consideration.

STATE OF CALIFORNIA — BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF TRANSPORTATION

P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 622-5491
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TTY 711



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Ms. Maureen Rich
City of Rohnert Park
6750 Commerce Boulevard
Rohnert Park, CA 94928

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OCT 23 2009

CITY OF ROHNERT PARK

Dear Ms. Rich:

Sonoma Mountain Village - Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the DEIR and have the following comments to offer.

Traffic Analysis

On June 6, 2007 we requested a traffic analysis, inclusive of technical appendices, of the proposed project impacts on State highway facilities, in particular to US-101 in the vicinity of the project site. As this was not received we are unable to complete our review without the necessary information. Please submit either the electronic Synchro data files or a CD with the Synchro data files for our review and comment.

3-1

Should you have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

LISA CARBONI
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

Response to Comment 3-1

The commentor notes that a request for the Sonoma Mountain Village Draft EIR to contain a full traffic analysis, inclusive of a technical appendix, was recommended by Caltrans as a part of their comments during the NOP scoping period. As a result, Comment 3-1 repeats that request and specifically asks that additional Synchro files be provided in order to finalize their review of the transportation analysis. The Sonoma Mountain Village Draft EIR was prepared in direct compliance with the recommended CEQA Guidelines for a Program EIR (Section 15168), as well as Caltrans 2002 Guide for the Preparation of Transportation Impact Studies. The Draft EIR transportation analysis can be found in Section 3.13, which provides the setting, the methodology, the results of the technical analysis, and the proposed mitigation. The analysis is supported by the Rohnert Park Consolidated Transportation Operations Study, which evaluate all of the relevant regional transportation operation projects in conjunction with the proposed project. Rather than using Synchro for the intersection analysis, the Consolidated Transportation Operations Study and the Draft EIR transportation analysis incorporated the Traffix modeling system, which is acceptable per the Caltrans 2002 Guide for the Preparation of Transportation Impact Studies. Page 5 of the Caltrans 2002 Guide for the Preparation of Transportation Impact Studies specifically states that other software such as the Highway Capacity Manual and TRAFFIX may be used in intersection evaluations. As a result, the Consolidated Traffic Operations Study makes use of the TRAFFIX software, which is specifically recognized by Caltrans as acceptable modeling software. No specific requests for Synchro modeling were made by Caltrans during the NOP scoping period or at any other time prior to the circulation of the Draft EIR. Therefore, Synchro was not required, or used as a part of the transportation analysis. The model outputs from the TRAFFIX modeling are available on the City's website. Due to the size of the document it was not reprinted in the FEIR, but can be obtained via the City's website. The comment is duly noted and forwarded to the decision makers for their consideration.

DEPARTMENT OF TRANSPORTATION

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October 15, 2009

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SCH2007052116

Ms. Maureen Rich
City of Rohnert Park
6750 Commerce Boulevard
Rohnert Park, CA 94928

CITY OF ROHNERT PARK

Dear Ms. Rich:

Sonoma Mountain Village - Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the DEIR and have the following additional comments to offer.

Traffic Forecasting

The Department recommends that the Traffic Impact Study include the year 2030 scenario, instead of the year 2020, as the latter is considered the intermediate term, since it is only eleven years away from 2009.

4-1

Should you have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Carboni".

LISA CARBONI
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

Response to Comment 4-1

The commentor recommends that the Transportation Impact Study include a 2030 cumulative scenario instead of a 2020 scenario. Section 15355 of the CEQA Guidelines defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” As a result, the cumulative impacts analysis should only analyze impacts that result, in part, from the development of the proposed project. When evaluating the cumulative context, Section 15130 (b) 1 of the CEQA Guidelines allows the cumulative context to be defined by either a list of reasonably foreseeable projects producing related cumulative impacts or a summary or projections contain in an adopted or approved general plan or related planning document. As stated on page 6 of the Draft EIR’s Introduction chapter, the Draft EIR uses a cumulative horizon year of 2020, which is consistent with buildout of the City of Rohnert Park’s General Plan, as well as the available Rohnert Park Traffic Model and SCTA Countywide Model at the time of the NOP release. The comment has been duly noted and forwarded to the decision makers for their consideration.

DEPARTMENT OF TRANSPORTATION

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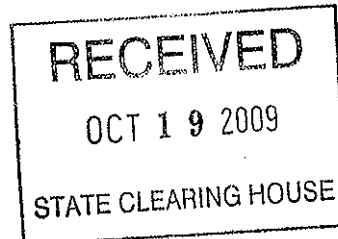
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OCT 23 2009

CITY OF ROHNERT PARK

October 14, 2009



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 SCH2007052116

Ms. Maureen Rich
 City of Rohnert Park
 6750 Commerce Boulevard
 Rohnert Park, CA 94928

Dear Ms. Rich:

Sonoma Mountain Village - Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the DEIR and have the following additional comments to offer.

Highway Operations

1. The Traffic Impact Study (TIS) was only a partial submittal. Please submit the final TIS for review and comment. 5-1
2. Please include the US-101 ramp intersections at West Sierra Avenue in the TIS. What are the existing and future volumes, levels of service (LOS) and expected project impacts at these intersections? 5-2
3. If 21% of project trips are headed towards the south side of the freeway, which ramps are they likely to use? Please include this in the TIS. In addition the trip assignment should show a schematic of the project trip distribution. 5-3
4. According to the TIS, Table 8, "Cumulative Conditions" indicates that the eastbound approach at Railroad Avenue and Old Redwood Highway will be at LOS F, even with mitigation. Will this scenario cause a backup that extends to the ramp terminal (i.e. Railroad Avenue and US-101)? If so, this would be a significant impact and should be studied in more detail. 5-4
5. What was the basis of the ideal capacity (2300 vphpl) used in calculating the volume to capacity ratio? 5-5
6. All proposed mitigation measures affecting access to and from US-101 should be coordinated with the Department and completed prior to the completion of the project. 5-6

Ms. Maureen Rich
October 14, 2009
Page 2

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State Right of Way (ROW) requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.



5-7

Office of Permits, California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

See the website link below for more information.
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Should you have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

LISA CARBONI
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

Letter 5: CALIFORNIA DEPARTMENT OF TRANSPORTATION

Response to Comment 5-1

The commentor suggests that only a portion of the Traffic Impact Study was submitted with the EIR. As a result, a formal request for the complete TIS is made. The Draft EIR contains the *City of Rohnert Park Traffic Operations Consistency Study, Draft Report, November 25, 2008* (Appendix K), which is the full and final transportation impact study prepared for the Sonoma Mountain Village project and other major active development projects (Southeast Specific Plan and Northeast Specific Plan). A separate stand alone “Traffic Impact Study (TIS)” for the Sonoma Mountain Village project was not prepared and is therefore not available. The transportation section of the Draft EIR includes all items required by City and Appendix A of the *Caltrans Guide for the Preparation of Transportation Impact Studies*. Therefore, what is provided in the EIR is the whole and final version of that particular document. The comment has been duly noted and forwarded to the decision makers for their consideration.

Response to Comment 5-2

The commentor requests the inclusion of the US 101 ramp at West Sierra Avenue in the TIS. The Draft EIR’s study intersections were chosen through an evaluation of the City of Rohnert Park’s General Plan, the project’s anticipated trip generation and distribution, other studies done for nearby projects, and through discussions with City staff knowledgeable about traffic conditions in and around the study area. The US-101 ramp intersections at West Sierra Avenue were not selected for analysis due to the low levels of project traffic expected at these intersections. The analysis shows that these ramp intersections would serve approximately forty total project-related vehicles during the worst case PM peak hour, corresponding to less than one vehicle per minute. As the project’s contribution to traffic levels at these intersections was identified as low, they were not included in the Draft EIR’s traffic analysis. The analysis requested by the Caltrans would have required the incorporation of speculative assumptions inconsistent with the findings of the transportation model. The City of Rohnert Park intends to take feasible actions necessary to ensure that the proposed project reduce potential effects on adverse cumulative traffic conditions. The comment is duly noted and forwarded to the decision makers for their consideration.

Response to Comment 5-3

The commentor requests additional information regarding trip distribution. The project’s trip distribution pattern is shown in Figure 3.13-10a, and the assignment of Project volumes to study intersections is shown in Figure 3.13-11. This includes trips specific to the south freeway movements. As shown in the figures, the greatest majority of trips with origins and destinations from south of the Project site would use the ramps at Old Redwood Highway. Some would use the West Railroad Avenue northbound off ramp and the southbound on ramp at Pepper Road. It is unclear where the 21 percent quoted in the comment originates from. The comment has been duly noted and forwarded to the decision makers for their consideration.

Response to Comment 5-4

As noted by the comment, the stop controlled intersection of Railroad Avenue/Old Redwood Highway would function at LOS F under Cumulative and Cumulative plus Project conditions. This would constitute a significant impact prior to the implementation of mitigation measures. Mitigation Measure 3.13-9 requires that this intersection be signalized. After mitigation (signalization), the Railroad Avenue/Old Redwood Highway intersection would operate at LOS B in both peak hours. The eastbound approach to the intersection would operate acceptably, and would not result in queuing that would spill into upstream intersections, or onto freeway ramps. As stated in the Draft EIR, the signalization mitigation cannot be enforced by the City of Rohnert Park, because the intersection is within Sonoma County's jurisdiction. As a result, a significant and unavoidable impact determination was made in the Draft EIR. As queue reporting is not required by either City or Caltrans requirements, therefore this was not included as part of the Consolidated Traffic Operations Study. Any potential queuing impacts onto US 101 ramps associated with the project would be indirect impacts related to an increase in LOS at the identified freeway on ramps. These impacts have already been disclosed as a part of the Draft EIR and would be eliminated after implementation of the proposed mitigation measure. The comment has been duly noted and forwarded to the decision makers for their consideration.

Response to Comment 5-5

The commentor would like clarification on the use of the ideal capacity used in the volume to capacity ratio calculations. The ideal capacity used in our freeway segment calculations is based on the information provided in Exhibit 21-2 of the Transportation Research Board's *2000 Highway Capacity Manual*. Assuming a free flow speed of 65 miles per hour, the Maximum Service Flow Rate would be adjusted to 2,300 vehicles per hour per lane. It should be noted that this value was also used in the previously approved Stadium Area Master Plan EIR.

Response to Comment 5-6

The commentor states that mitigation measures impacting access to or from US 101 should involve coordination with Caltrans. The comment has been duly noted and forwarded to the decision makers for their consideration.

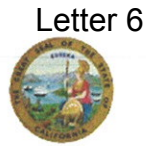
Response to Comment 5-7

The commentor states that work within the State Right of Way would require an encroachment permit from Caltrans. Traffic-related mitigation measures would be incorporated into the construction plans during the encroachment permit process. The comment has been duly noted and forwarded to the decision makers for their consideration.



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
 Bay Delta Region
 Post Office Box 47
 Yountville, California 94599
 (707) 944-5500
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor
DONALD KOCH, Director



September 23, 2009

Ms. Maureen Rich
 City of Rohnert Park
 130 Avram Avenue
 Rohnert Park, CA 94928

Dear Ms. Rich:

Subject: Sonoma Mountain Village, Draft Environmental Impact Report, SCH #2007052116,
 City of Rohnert Park, Sonoma County

The Department of Fish and Game (DFG) has reviewed the draft Environmental Impact Report (EIR) for the Sonoma Mountain Village Project (Project). This draft EIR discusses the environmental impacts associated with the development of a 175-acre site located immediately south and southwest of the intersection of Valley House Drive and Bodway Parkway in southeast Rohnert Park.

The project location is within the Santa Rosa Plain. The Santa Rosa Plain and adjacent areas are characterized by vernal pools, seasonal wetlands, and associated grassland habitat, which support the federally threatened and State candidate California tiger salamander (CTS), and four plant species that are both federally endangered and State endangered or threatened: Burke's goldfields, Sonoma sunshine, Sebastopol meadowfoam, and many-flowered navarretia. Development of the land could have a substantial adverse impact to these and other listed species. The project proponent should consult *The Santa Rosa Plain Conservation Strategy* (Conservation Strategy). The Conservation Strategy provides a framework for mitigation, conservation, translocation, and appropriate minimization measures for these species.

6-1

Mitigation Measure 3.3-1(a) states that a qualified biologist will conduct focused surveys for special-status plant species including, but not limited to, Sonoma sunshine, Burke's goldfield, and Sebastopol meadowfoam. The mitigation measure also states that if no special-status plants are located during the surveys then no further mitigation would be required. Seasonal wetlands that are within the range of Burke's goldfields, Sonoma sunshine, and Sebastopol meadowfoam are considered suitable habitat for the listed plants. If surveys have been conducted according to the U.S. Fish and Wildlife Service's (USFWS) protocols and no listed plants have been found, the seasonal wetlands on-site will be treated as suitable habitat. The Project would need to mitigate for these impacts following the *Programmatic Biological Opinion for U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain*.

6-2

Ms. Maureen Rich
 September 23, 2009
 Page 2

Mitigation Measures 3.3-2(a) discusses the impacts the Project could have on CTS and that the Project sponsor will consult with the USFWS. On February 5, 2009, the Fish and Game Commission accepted for consideration the petition submitted to list CTS as endangered. CTS is now a candidate species as defined by Section 2068 of the Fish and Game Code. The California Endangered Species Act (CESA) prohibits unauthorized take of a candidate species, just as it prohibits such take of threatened and endangered species. All activities, whether new or ongoing, that will cause incidental take of the candidate species is in violation of CESA, unless the take is authorized in regulations adopted by the Commission pursuant to Fish and Game Code Section 2084 or DFG authorizes the take through the issuance of a Permit under Fish and Game Code Section 2081 or by other means authorized by CESA. Please be advised that if CTS is listed under CESA after the close of the candidacy period, separate authorization from DFG will be required for any subsequent take of CTS. Issuance of a CESA Permit is subject to the California Environmental Quality Act (CEQA); therefore, the CEQA document must describe impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA-listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

6-3

Mitigation Measure 3.3-3(a) discusses preventing take of burrowing owls through conducting surveys in the winter and spring and again 30 days prior to construction. DFG does not favor passive eviction during the breeding season. Initial pre-construction surveys should be conducted during the non-breeding season (September 1 through January 31) but as close as possible to the date that ground-disturbing activities will begin. Initial pre-construction surveys should be conducted no more than 30 days prior to ground-disturbing activities. The time lapse between surveys and site disturbance should not exceed seven days. Additional surveys are necessary when the initial disturbance is followed by periods of inactivity or the development is phased spatially and/or temporally over the project area.

6-4

Mitigation Measure 3.3-3(b) states that the buffer zones for burrowing owls shall be a minimum of 100 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of 160 feet from an occupied burrow during the breeding season (February 1 through August 31). The mitigation measure as stated does not follow the *Interim Guidance for Burrowing Owl Conservation*. This mitigation measure should be revised to state that the buffer zones for burrowing owls shall be a minimum of 160 feet from an occupied burrow during the non-breeding season (September 1 through January 31) and a minimum of 250 feet from an occupied burrow during the breeding season (February 1 through August 31).

6-5

Projects that impact breeding and/or non-breeding habitat may negatively affect burrowing owl population persistence, increase energetic costs, lower reproductive success, increase vulnerability to predation, and decrease the chance of procuring a mate. Projects impacting owls and owl habitat should mitigate all significant impacts to nesting, foraging, wintering, and dispersal habitat to a level less-than-significant. Projects impacting burrowing owls or owl habitat should provide compensation that is roughly proportional to the impacts of the project.

6-6

Ms. Maureen Rich
September 23, 2009
Page 3

Mitigation Measure 3.3-4 discusses conducting raptor nesting surveys 30 days prior to construction at the project site and establishing buffers around active raptor nests. The measure states that pre-construction breeding-season surveys will be conducted within 30 days of when construction is planned to begin. DFG recommends conducting surveys for nesting raptors no earlier than 14 days prior to construction.

6-7

Table 1-1, Sonoma Mountain Village Project DEIR Summary of Impacts and Mitigation Measures, lists the impacts to burrowing owls again under Impact Criterion #3. Impact Criterion #3 should address project impacts on federally protected wetlands. This table should be revised to accurately state the impacts and mitigation measures.

6-8

Section 1.5, Required Approvals, states that DFG allows USFWS to take the lead in the management of sensitive species but reviews any needed permits to ensure compliance with CESA. While DFG works cooperatively with USFWS in developing mitigation requirements for project impacts to State and federally listed species, any take of state listed species which has not been specifically authorized by DFG is prohibited by CESA. Projects that impact listed State species should consult with DFG regarding mitigation for their impacts. Projects that may result in take of state listed species should either be modified to avoid take or obtain take authorization through an Incidental Take Permit or other means provided under CESA.

6-9

If you have any questions, please contact Ms. Stephanie Buss, Environmental Scientist, at (707) 944-5502; or Mr. Richard Fitzgerald, Coastal Habitat Conservation Supervisor, at (707) 944-5568.

Sincerely,

for Charles Armor
Regional Manager
Bay Delta Region

cc: State Clearinghouse

Response to Comment 6-1

The project area does occur within the boundaries of the Santa Rosa Plain Conservation Strategy (Conservation Strategy) Study Area. A discussion of the Conservation Strategy has therefore been added under the heading *Applicable Policies and Regulations* in the Biological Resources section.

Although the Conservation Strategy identifies the entire project area to be within the potential range of California tiger salamander, Figure 1 of the Conservation Strategy (*Santa Rosa Plain Conservation Strategy Study Area*) shows that the project occurs within designated Urban Growth Boundaries. Additionally, the northern portion of the project is shown in Figure 3 (Revised) of the Conservation Strategy as Already Developed (no potential for impact), and the southern portion is shown as designated as Future Development.

The Conservation Strategy has established a series of Conservation Areas. The project area occurs within the Southeast Cotati Conservation Area. According to the description of the Southeast Cotati Conservation Area, “No listed plant populations have been reported within this conservation area.”

To clarify this concern, Mitigation Measures 3.3-1 and 3.3-2, as well as Impact Criterion #6 on page 3.3-31 of the Draft EIR, have been revised to reflect compliance with the Conservation Strategy. Please see Chapter 2, Revisions to the Draft EIR for the new mitigation language.

Response to Comment 6-2

The project area occurs in the Southeast Cotati Conservation Area. The description of the Southeast Cotati Conservation Area in the Conservation Strategy states that, “No listed plant populations have been reported within this conservation area.” If a special-status plant survey is conducted to USFWS protocol standards, and no special-status plants are found, then additional mitigation should not be required since these species have otherwise never been demonstrated to occur in this area. While seasonal wetlands could be considered suitable habitat, it would be speculative to presume mitigation that are in direct conflict with the findings of the protocol survey. If mitigation is to be required regardless of whether protocol surveys show positive results or not, then the purpose of such surveys are devalued and project sponsors would be required to assume presence in all areas of suitable habitat. Therefore, no changes to the prescribed mitigation have been included as a part of this response. The comment has been duly noted and forwarded to the decision makers for their consideration.

Response to Comment 6-3

Mitigation Measures 3.3-2(a) and 3.3-2(b) have been revised to reflect requirements to comply with CESA for any impacts on CTS or its habitat. See below for details.

Mitigation Measure 3.3-2

Implementation of the following mitigation measure would reduce impact 3.3-2 to a less-than-significant level through avoidance of loss of individual CTS, or compensate for the loss of individuals or their habitat, should they move into the area prior to construction.

- 3.3-2(a) Prior to the issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate an informal consultation with the USFWS to discuss measures to avoid a potential take of CTS during construction. Additionally, since CTS became a Candidate for listing as Endangered under CESA on February 5, 2009, the project sponsor shall include CDFG in all informal consultations with the USFWS to discuss potential impacts on and avoidance measures for CTS.

Although details of these measures would be developed in consultation with the USFWS and CDFG, they would likely include:

- Retaining a qualified biologist, approved by the City, to conduct a preconstruction survey of the project site area to ensure that no potential upland retreat habitat has been created (i.e., through ground squirrel activity) since the 2004 habitat assessment,
- Seasonal restrictions on grading and construction to avoid the wet season dispersal period (i.e., October through March),
- Installation of drift fences around the perimeter of the construction area to prevent any CTS from moving into the area,
- Providing compensation for loss of CTS upland habitat, as required by the USFWS and CDFG (either through avoidance, or purchase of mitigation credits at a USFWS/CDFG approved bank), if any suitable habitat is found during the preconstruction surveys referenced above, and
- Retaining qualified biologists, approved by the City, to monitor the project site area during construction to ensure that no CTS would be harmed.

Assuming complete avoidance can be achieved, no incidental take permit from either CDFG or USFWS would be required. However, if CTS are discovered to be present in the project site area, and a “take” of the species cannot be avoided, Mitigation Measure 3.3-2(b) shall be required pursuant to the Santa Rosa Plain Conservation Strategy.

- 3.3-2(b) Prior to construction or issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate consultation with the USFWS (pursuant to Section 7 of the Federal Endangered Species Act), and CDFG (pursuant to Section 2081 of the California Endangered Species Act) to obtain an incidental take permits for loss of any individual CTS. Details of the requirements of the Incidental Take Permits would be

developed during consultation with the USFWS and CDFG, but would likely include (but not be limited to) the following.

- Preparation of a Biological Assessment pursuant to Section 7 of the FESA for submission to the USFWS for their review.
- Retaining qualified, permitted biologists to monitor for, and potentially move CTS outside of the project site area.
- Payment of mitigation fees, and/or purchase of mitigation land to compensate for the loss of CTS and their habitat

If CTS should be elevated from Candidate to Endangered status under CESA, an additional and separate authorization from CDFG will be required.

Response to Comment 6-4

Mitigation Measures 3.3-3(a), 3.3-3(b), and 3.3-3(c) have been revised to reflect compliance with CDFG requirements regarding seasonality of surveys and relocation of burrowing owls. See below for details.

Mitigation Measure 3.3-3

3.3-3(a) Prior to the issuance of a grading permits for the project (Phases 1B, 1C, 2, and 3), the project sponsor shall hire a qualified biologist, approved by the City, to conduct both nesting and wintering season surveys for burrowing owl to determine if the site is used by this species. The timing and methodology for the surveys are based on the CDFG/Burrowing Owl Consortium Survey Guidelines and are detailed below. CDFG may require that these surveys be repeated annually if project construction is expected to span over two or more years.

- Winter (Non-Breeding) Season (~~December~~ September 1 through January 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. These initial surveys shall be conducted as close as possible to the initiation of construction (preferably no more than 30 days prior to ground breaking).
- Nesting Season (February 1 to August 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. At least two of the surveys shall be conducted during the peak nesting season between April 15 and July 15.

In addition to the wintering and nesting season surveys, pre-construction surveys shall be conducted by an ~~experienced~~ qualified biologist, approved by the City, within ~~30-7~~ 7-days prior to the start of work activities where land conversions are planned in known or suitable habitat areas. If construction activities would be delayed for more than ~~30-7~~ 7 days after the preconstruction surveys, then a new preconstruction survey would be required. All surveys shall be conducted in

accordance with the CDFG/Burrowing Owl Consortium survey protocols (Burrowing Owl Consortium, 1993).

If the above survey does not identify any burrowing owls on the project site, no further mitigation would be required. However, should any individual burrowing owls or burrowing owl nests be located, Mitigation Measure 3.3-4(b), Mitigation Measure 3.3-4(c), and Mitigation Measure 3.3-4(d) shall be implemented.

- 3.3-3(b) If burrowing owls are discovered in the project area, the project sponsor shall notify the City and CDFG. A qualified biologist, approved by the City, shall implement a routine monitoring program and establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion zone until such time that the burrows are determined to be unoccupied. The buffer zones shall be a minimum of ~~400~~ 160 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of ~~160-250~~ feet from an occupied burrow during the breeding season (February 1 through August 31).
- 3.3-3(c) The project sponsor shall provide appropriate passive relocation mitigation for project-related effects on the burrowing owl in consultation with CDFG. No relocation shall occur during the breeding season (i.e., passive relocation of burrowing owls can only be conducted during the non-breeding season). Mitigation can be conducted either on the project site, or at an off-site location that is approved by the CDFG. Preference is for on-site within open space areas, if possible.

Response to Comment 6-5

Please see Response to Comment 6-4. The comment has been duly noted and forwarded to the decision makers for their consideration.

Response to Comment 6-6

As described under Responses to Comments 6-4, 6-5, and 6-7, avoidance of, and/or mitigation for loss of burrowing owls or their habitat has been revised to provide avoidance or compensation measures in compliance with CDFG standards. The comment has been duly noted and forwarded to the decision makers for their consideration.

Response to Comment 6-7

Mitigation Measure 3.3-4(a) will be revised to correct the pre-construction survey period for nesting raptors as shown below.

- 3.3-4(a) If construction is to occur between March 15 through August 30, the project sponsor, as required by the CDFG, shall conduct a pre-construction breeding-season survey of the project site within ~~30-14~~ days of when construction is planned to begin. The

survey shall be conducted by a qualified biologist, approved by the City, to determine if any birds are nesting on or directly adjacent to the project site.

Response to Comment 6-8

Impact 3.3-3 and Mitigation Measures 3.3-3(a) through (d) were inadvertently labeled Impact 3.3-4 and Mitigation Measures 3.3-4(a) through (d) and duplicated in Table 1-1 of the Sonoma Mountain Village DEIR Summary of Impacts and Mitigation Measures on pages 1-21 through 1-23. Impact 3.3-3 and the corresponding mitigation measures are included earlier in Table 1-1; therefore this misplaced text has been deleted from Table 1-1. Please see Chapter 2 for a list of the text changes.

Response to Comment 6-9

The commentor notes that the ‘take’ of any state listed species not authorized by CDFG is prohibited by CESA. Mitigation Measure 3.3-2(a) and (b) has been revised to require that the project sponsor consult with CDFG in addition to the USFWS regarding the potential for the take of species that receive protection under CESA. Please see Chapter 2 for a list of the text changes.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



September 2, 2009

RECEIVED

SEP 4 2009

CITY OF ROHNERT PARK

Maureen Rich
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

RE: SCH#2007052116 Sonoma Mountain Village EIR; Sonoma County.

Dear Ms. Rich:

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) §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 artifacts, 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, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

A handwritten signature in blue ink that reads 'Katy Sanchez'.

Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

Native American Contact
Sonoma County
September 2, 2009

Letter 7

The Federated Indians of Graton Rancheria
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The Federated Indians of Graton Rancheria
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Jenner , CA 95450 Pomo
(707) 865-2248

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

Distribution of this list does not relieve any person of 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# 2007052116 Sonoma Mountain Village EIR; Sonoma County.

Letter 7: NATIVE AMERICAN HERITAGE COMMISSION

Response to Comment 7-1

The comment makes recommendations to ensure that cultural resources are addressed adequately in the EIR, including conducting a records search with the appropriate archaeological Information Center, preparing a professional report, and consultation with the Native American Heritage Commission for a Sacred Lands File Check and a list of appropriate Native American contacts. The comment also states that lack of surface evidence of archaeological resources does not preclude their existence and suggests mitigation for the accidental discovery of such resources.

Section 3.4, Cultural Resources, of the Draft EIR addresses these issues and is based on a records search that was performed for the project site, a professional cultural resources report prepared by Peak and Associates, and field surveys, consistent with the recommendations of the comment letter. In addition, the Cultural Resources section of the Draft EIR recognizes that unknown subsurface archaeological resources may exist within the project site. For this reason, Mitigation Measure 3.4-1 requires that earthmoving activities conducted during site development are monitored by a qualified archaeologist, and Mitigation Measure 3.4-2 outlines procedures to deal with the discovery of previously undiscovered human remains. Both of these measures meet the recommendations set forth in the comment as well as the requirements of CEQA and all other applicable laws.

City of Cotati

Sonoma County, California



October 1, 2009

City of Rohnert Park
Attn: Suzie Azevedo
130 Avram Avenue
Rohnert Park, CA 94928-2486

SUBJECT: Sonoma Mountain Village Draft Environmental Impact Report

Dear Suzie;

The City of Cotati appreciates the opportunity to comment on the Sonoma Mountain Village Draft EIR. We ask that the three previously submitted letters regarding the Southeast Specific Plan and the University District EIR be included as part of this response letter.

Four Cotati intersections were analyzed as a part of the Draft E.I.R.:

- Old Redwood Highway and East Cotati Avenue
- East Cotati Avenue and La Salle
- Old Redwood Highway and Gravenstein Highway
- East Cotati Avenue and Lancaster Avenue

Formal Request to add two intersections

Please also analyze the intersections located at the **US Highway 101 ramps at West Sierra Avenue**. While the Draft EIR analyzed adjacent Hwy 101 segments, it failed to analyze these impacted intersections. Caltrans has concluded that under future cumulative conditions, and due to impacts outside the City of Cotati, these intersection will require mitigation. The City of Rohnert Park has been identified, within the Sonoma County model, as the single major contributor to the increase in traffic at both of these intersections. We request that the fair share allocations and funding mechanisms be determined prior to specific plan adoption and EIR certification.

8-1

In addition, the traffic models indicate that the Lancaster and Adrian East Cotati Avenue intersections will also require signal linking.

Use of Overriding Considerations

According to CEQA, the City of Rohnert Park has an obligation to do more to cause the installation of the mitigation measures identified in the DEIR but located within Cotati. As mentioned numerous times within the DEIR, the Rohnert Park General Plan long ago identified Rohnert Park's responsibility to work cooperatively with Cotati to establish each jurisdiction's fair share of regional mitigation measures. The City of Cotati has never been approached regarding appropriate mitigation or a fair share analysis. The feasibility and effectiveness of the proposed mitigation measures has already been acknowledged within this Draft EIR. There are numerous options for installing the necessary mitigation measures. The time to develop this analysis is before the adoption of the specific plan and EIR certification. The mitigation measure should direct payment of fees to the City of Cotati to the time of issuance of building permits for each structure.

8-2

Sonoma Mountain Village
City of Rohnert Park
Comments on Sonoma Mountain Village
Specific Plan EIR
October 1, 2009

Mitigation Measures for all Cotati Intersections Analyzed

The Draft EIR acknowledges four intersections for which mitigation from the City of Rohnert Park would be appropriate. All of the Cotati intersections analyzed require a fair share analysis and a funding mechanism. For all four intersections plus the two that are requested above (West Sierra on and off ramps), the City of Cotati requests that that City of Rohnert Park implement their General Plan policies TR-21A and TR-21B and:


1. Organize a multi-jurisdictional fair share analysis review for East Cotati Avenue.
2. Ask Cotati for the costs of the identified improvements (mitigation measures).
3. Amend the mitigation measures to require Cotati's mitigation fees to be paid at time of building permit issuance.

8-3

Thank you for receiving these comments and for receiving additional comments within the next two weeks.

Should you have any questions regarding these comments, please do not hesitate to contact me at (707)665-3638. We continue to look forward to working cooperatively with you.

Sincerely,



Marsha Sue Lustig
Acting Community Development Director

cc: Dianne Thompson, City Manager
City Council

Letter 8: CITY OF COTATI

Response to Comment 8-1

The comment suggests that the Draft EIR does not adequately address cumulative traffic impacts of the project on US 101 ramps on West Sierra. Please see Response to Comment 5-2. The cumulative traffic analysis assumptions were reviewed by City of Rohnert Park's Department of Development Services and provided to Caltrans as a part of the public scoping process and the Draft EIR public review. Based on the anticipated project trip generation identified in the City's *Traffic Operations Consistency Study*, it was determined that the Sonoma Mountain Village project could potentially impact 26 intersection within the vicinity, including the intersection of Old Redwood Highway and West Sierra/East Cotati (see Figure 3.13-5). The US-101 ramp intersections at West Sierra Avenue were not selected for analysis due to the low levels of project traffic expected at these intersections. The analysis shows that these ramp intersections would serve approximately forty total project-related vehicles during the worst case PM peak hour, corresponding to less than one vehicle per minute. As the project's contribution to traffic levels at these intersections was identified as low, they were not included in the Draft EIR's traffic analysis.

In addition, the evaluation of project impacts to the intersection of US 101 and West Sierra was not requested during the public scoping process. The Draft EIR identifies the potential for transportation impacts during PM peak hours for impacted intersections and prescribes mitigation measures to the maximum extent feasible. The transportation impact analysis scope met CEQA's requirement of providing a "good faith effort" of disclosing impacts associated with the proposed project. In addition, Table 9 of the *Traffic Operations Consistency Study* (see Appendix K of the Draft EIR) provides a percentage breakdown of project contributions to improvements, which can be used to help establish fair share allocations. The specific fair share analysis for improvements to US 101 and West Sierra requested by the City of Cotati would have required the incorporation of speculative assumptions inconsistent with the findings of the project traffic model. Due to limited project impacts, as stated in Response to Comment 5-2, a formal analysis of cumulative project impacts on US 101 and West Sierra was not conducted. The City of Rohnert Park intends to take feasible actions necessary to ensure that the proposed project reduce potential effects on adverse cumulative traffic conditions. The comment is duly noted and incorporated in the record.

The Draft EIR traffic analysis shows that both the Adrian Drive/East Cotati Avenue and Lancaster Drive/East Cotati Avenue intersections would operate at LOS B during both the AM and PM peak hour under cumulative conditions. As such, signal linking would not be necessary.

Response to Comment 8-2

The commentor expresses concern that the City of Rohnert Park has an obligation to do more to ensure the implementation of mitigation measures within the City of Cotati prior to the approval of the project and/or the certification of the CEQA document with overriding considerations. As a lead agency, the City of Rohnert Park only has the ability to implement mitigation within its jurisdiction. While the EIR can

provide information on how a project could impact facilities controlled by other jurisdictions, any assumption of implementation of proposed mitigation measures outside the lead agency's jurisdiction would be speculative. Consistent with Policies TR-21A and TR-21B in the Rohnert Park General Plan, the Sonoma Mountain Village EIR identifies mitigation measures for regional traffic problems triggered by construction or operation of the proposed project. These measures would require cooperation amongst neighboring jurisdictions and contribution of a fair share of the total mitigation costs by the lead agency in order to adequately relieve the anticipated impact. Currently there is no Regional Facilities Fee Program in place that is structured in a manner that would facilitate the implementation of the aforementioned mitigation measures. Because such a program is not yet adopted and the City of Rohnert Park and Caltrans determined that analysis of the identified intersections and roadway segments was required under this EIR, it was necessary to characterize cumulative project impacts on segments outside of the City of Rohnert Park's jurisdiction as significant and unavoidable. The mitigation monitoring and reporting program included in Chapter 5 of the FEIR includes all of the proposed improvements to ensure that all feasible measures are implemented upon construction of the proposed project.

Response to Comment 8-3

The comment expresses the City of Cotati's desire to coordinate with Rohnert Park regarding implementation of the mitigation measures for the impacts identified within their city limits. The comment specifically calls for the formation of a multi-jurisdictional fair share analysis review for East Cotati Avenue, the development of a payment plan for the implementation of the identified mitigation measures, and the required payment of fair share fees at the time of building permit issuance. Table 9 of the *Traffic Operations Consistency Study* (see Appendix K of the Draft EIR) provides a percentage breakdown of project contributions to improvements, which can be used to help establish fair share allocations. However, no applicable multi-jurisdictional organization is currently in place to implement any sort of joint fee agreement. As stated in Response to Comment 8-2, the City of Rohnert Park has no jurisdiction within the Cotati city limits and as a result, cannot formally address the City's request at this time. However, the City of Rohnert Park intends to take feasible actions where necessary to ensure that the proposed project reduce potential effects on adverse cumulative traffic conditions. This comment is noted and forwarded to the decision makers for their consideration.

City of Rohnert Park
Planning Department
130 Avram Avenue
Rohnert Park CA. 94928

Sept 28,2009

RE: Sonoma Mountain Village Environment Impact Report

We are the homeowners on Mariner Place and are concerned with the temporary and permanent noise levels the SMV project will generate. This development will have approximately 1900 homes at two cars per household this will bring approximately 3600 vehicles for the homes alone this does not include the vehicles from the business employees that will be working there, the service trucks from the suppliers or the vehicular traffic from outside that will be using the services within SMV. The homes on Mariner Place between Magnolia and Manchester are the only homes that do not have a sound barrier wall they only have wooden fences. The Environmental Impact Report does address this issue in impact Criterion #3, Impact Criterion #4 both state to mitigate the increased sound that will be generated that we should have a sound wall installed we want to insure that this wall does in fact get installed and that the wall is installed prior the commencement of the construction. Also it appears from figure 2-4 "Proposed Final Development Plan Rendering" that the north end of SMV on Camino Colegio between Manchester and Magnolia will be residential homes assuming they too will have a sound wall to protect them from the increased traffic noise we want the City of Rohnert Park to be sure that the proper sound wall is installed whether it be a sound reflective or a sound absorptive (not just the cheapest) wall there are seven two story homes on Mariner Place and we do not want excessive noise reflecting off a wall from SMV and coming over the top of a sound wall behind our homes.

9-1

Joseph K McLoan
Kathleen E McLoan
1437 MARINER PLACE
ROHNERT PARK CA 94928

Wayne Van Hoesen
Lisa Van Hoesen
1421 Mariner Pl.
Rohnert Park, CA. 94928

Camela Mahuku
1413 Marina PL
Rohnert Park CA
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W R Ben
1405 - Marina place
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Margaret Wan - Margaret Wan
1409 Mariner Place
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Eui Wan
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Michael Lee
1417 Mariner PL.
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Michael Lee

Rob & Diane Ruddell

1425 MARINER PL.

ROHNERT PARK, CA 94928

Christian and Elena Forver

8088 Mitchell Dr.

Rohnert Park, CA 94928

John & Maria Larsen

1441 MARINER PLACE

ROHNERT PARK, CA 94928

Maria Jensen

Letter 9: MARINER PLACE HOMEOWNERS ASSOCIATION

Response to Comment 9-1

The comment expresses concern about noise generated by the proposed project. The comment confirms the desire of the Mariner Place Homeowners Association to see that the mitigation measure identified in Draft EIR to reduce temporary and permanent noise impacts associated with the construction and operation of the Sonoma Mountain Village Project along Mariner Place, between Magnolia Avenue and Manchester Avenue be addressed. Mitigation Measure 3.9-1 of the Draft EIR calls for the construction of a 7 to 8-foot high solid concrete/masonry wall along the north side of Camino Colegio adjacent to the property that faces Camino Colegio, between Manchester Avenue and Mitchell Drive to reduce traffic noise. Currently the area has wooden fences which the commenter believes is not sufficient to reduce noise levels that impact sensitive receptors along Camino Colegio. The analysis in the EIR is consistent with the commenter's assertion and as a result Mitigation Measure 3.9-1 is required to ensure that noise levels are reduced in a manner that is consistent with City policy. As noted on page 3.9-15 of the Draft EIR, Mitigation Measure 3.9-1 would ensure that exterior noise levels in the backyards of the homes located along Camino Colegio between Manchester Avenue and Mitchell Drive would not exceed the City standard, and would reduce the noise impact to a less-than-significant level.

The City's General Plan includes a policy (Policy NS-6) that requires buffers or site planning techniques for all new development within the 65 dB L_{dn} noise contours. Policy NS-6 also discourages visible sound walls in the city except along US 101 and along the railroad right-of-way. Chapter 17.14.20 of the City of Rohnert Park Municipal Code allows for the construction of six to eight foot high masonry walls when the side or rear yard of a residential lot abuts a commercial, industrial, or multi-family residential property. In this instance the rear lots of the existing homes on the north side of Camino Colegio between Manchester Avenue and Mitchell Drive would be in close proximity to the proposed multi-family housing within the project site. The General Plan discourages the construction of sound walls, but does allow for exceptions consistent with the Municipal Code. Therefore, construction of masonry walls would be consistent with the City's Municipal Code and the General Plan.

Implementation of Mitigation Measure 3.9-1 would reduce project noise levels at homes along Mariner Place and the concrete/masonry noise attenuation walls would be designed in a manner that is consistent with the surrounding area. The language of the mitigation measure has been slightly revised to clarify the location and timing of construction. The comment is duly noted and forwarded to the decision makers for their consideration.

Mitigation Measure 3.9-1 on page 3.9-15 is revised to read:

Mitigation Measure 3.9-1

- 3.9-1 ~~Construct a~~ Construct a seven- to eight-foot-high solid concrete/masonry wall along the property line on the north side facing of Camino Colegio between Manchester Avenue and Mitchell Drive shall be constructed prior to commencement of construction activities on the SMV project site adjacent to Camino Colegio. The

wall shall be designed to be similar to the existing wall along Camino Colegio between Manchester Avenue and Mainsail Drive. ~~This would reduce Impact 3.9-1 for residents along Camino Colegio to a less than significant level. No mitigation measure is available to reduce the noise impact for residences facing East Railroad Avenue.~~

COHOUSING SONOMA COUNTY, PO BOX 515, VINEBURG CA 95487

September 27, 2009

Regarding DRAFT E I R, SONOMA MOUNTAIN VILLAGE

Comments.

Our forming cohousing community, with a commitment to locate at Sonoma Mountain Village, fully supports acceptance of the final EIR so that SMV can move forward.

We believe that approval of this internationally recognized ONE PLANET COMMUNITIES program will reflect favorably on Rohnert Park.

10-1

Respectfully,

Members from Solano, Sonoma, and Marin counties in California and members in Connecticut.

RECEIVED

SEP 30 2009

CITY OF ROHNERT PARK

Letter 10: COHOUSING SONOMA COUNTY

Response to Comment 10-1

The comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document.

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 Rohnert Park, CA 94928
 ph 888.768.3550
 ph 707.795.3550
 fx 707.665.2882
 Coddling.com



October 2, 2009

City of Rohnert Park Planning Division
 ATTN: Suzie Azevedo
 130 Avram Avenue
 Rohnert Park, CA 94928-2486

Re: Comment on Draft Environmental Impact Report for Sonoma Mountain Village

Dear Ms. Azevedo:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (“**DEIR**”) for Sonoma Mountain Village (“**SMV**”). As the project applicant, we appreciate the time and detail which has gone in to preparation of this document, and we are grateful for the devotion that City staff have shown toward this project.

Our review of the DEIR finds that it presents a thorough analysis of project-related issues. However, we note the following key concerns which deserve further consideration:

PROJECT SITE AND PHASING

The project site can be roughly divided into two parts: (1) a northerly portion, which is currently paved and fully-improved for office/industrial use (the “**North Portion**”); and (2) a southerly portion, which is unpaved, unimproved vacant pastureland (the “**South Portion**”). As reflected in Section 2.3 of the DEIR, the project will be phased such that development on the North Portion will occur first, prior to any development of the South Portion. Following completion of project phases on the North, development of South Portion phases will commence.

Section 2.3 of the DEIR should more clearly indicate the differing character of the North Portion from the South Portion. Additionally, the timing for commencing development in each Portion should be more clearly specified: as currently drafted, the DEIR does not specify that development of the Southern Portion may not occur until **after** the North Portion has been fully developed. The lack of such distinction causes certain Mitigation Measures to be inappropriately timed, as described in this letter below.

While Section 2.3 identifies the project Phases, further clarification should be provided in order to indicate which Phases apply to the North Portion and which apply to the South Portion, and when development is anticipated to occur. The following is a summary:

Phase	Area Affected	Period for Development
1A	North Portion	Up to 5 years
1B	North Portion	Up to 5 years
1C	Both Portions	Up to 3 years
1D	North Portion	1 year
2	South Portion	Up to 2 years
3	South Portion	Up to 4 years

11-1

City of Rohnert Park Planning Division / Suzie Azevedo
 Re: Comment on Draft Environmental Impact Report for Sonoma Mountain Village
 October 2, 2009
 Page 2 of 8

As indicated, Phases 1A, 1B, and 1D are located exclusively on the North Portion of the project site. Because development of the initial Phases (1A and 1B) may take several years to complete, and because development of subsequent Phases (1C, 2, and 3) may not commence until **after** those Phases are completed, impacts which are associated only with the undeveloped Southern Portion would not be realized until several years after project approval. Mitigation Measures should be modified to account for this, especially when the Measures are relevant only to impacts associated with the Southerly Portion (see below).

11-1
(cont.)

TIMING OF MITIGATION FOR BIOLOGICAL IMPACTS

Project phasing is critical when considering the timing of Mitigation Measures for potentially significant biological impacts (Mitigation Measures 3.3-1(a) through 3.3-6). The DEIR identifies potentially significant impacts to special-status plant species, California Tiger Salamander (“CTS”), and other biological resources, **but these potential impacts are almost exclusively related to development on the South Portion only**. The DEIR does not explain that such impacts will be less than significant during development of Phases 1A and 1B, which will occur exclusively on the North Portion over the first several years of the project. The DEIR also does not explain that Phases 1A and 1B may be completed prior to any development on the South Portion.

11-2

As noted, only the South Portion of the project site is vacant unimproved land. Because the North Portion is currently paved and fully improved, development of the North Portion (Phases 1A, 1B, and 1D) may occur without any potential impacts to biological resources. Thus, the project may be developed for five years or more without any biological impacts occurring on the South Portion of the project site, whatsoever.

This requires important changes in the timing of Mitigation Measures provided in the DEIR. As currently drafted, numerous Measures must be completed “prior to the issuance of a grading permit,” **even though those measures are properly applied to the South Portion only, and should be inapplicable to the North Portion**. For example, Mitigation Measure 3.3-2(a), which seeks to mitigate for potential impacts to CTS, requires consultation with USFWS, and possibly securing an incidental take permit, “[p]rior to the issuance of a grading permit....” If applied to the entire project site, the effect of this Measure would be to **bar any grading of the North Portion** (Phases 1A, 1B, and 1D) until **after** USFWS clearance is first completed (including potential issuance of an incidental take permit and other requirements). Not only would that process be unreasonably long (consultation would likely be one year or more), it would be infeasible because development on the South Portion (Phases 1C, 2, and 3) may not commence **until five or more years after Phases 1A and 1B have been completed**.

11-3

Given the time that Phases 1A and 1B are projected to take, and the fact that those Phases may be developed before any construction on Phases 1C, 2, and 3 commences, the DEIR creates the infeasible obligation of requiring biological clearance for land which may remain vacant for years before development commences. Not only is this requirement impractical (USFWS and other State and Federal oversight agencies would not permit a five-year time lag between biological clearance and commencement of work; see below), it is in disaccord with CEQA requirements. CEQA jurisprudence holds that lead agencies are subject to the “rule of

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reason” when formulating mitigation measures, such that mitigation measures should be focused on **feasible** means of reducing potentially significant impacts.¹ Imposing Mitigation Measure 3.3-2(a), and related Mitigation Measures,² against Phases of the project which are confined exclusively to the North Portion appears to violate this “rule of reason.”

11-3
(cont.)

We also note that, under CEQA, “feasible” mitigation measures are only those which are “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.”³ Mitigation measures which are “facially infeasible” should not be part of an EIR.⁴ As currently drafted, Mitigation Measure 3.3-2(a) and related Measures are “facially infeasible” because they would require SMV to secure biological and wetlands permits from USFWS, the Army Corps of Engineers, and other overseeing State and Federal agencies several years **prior** to any development in potentially impacted areas, even though **those very agencies will not honor those permits by the time development on the South Portion of the project site commences.**⁵ Stated simply, in order for SMV to commence development on the North Portion of the project site, the Mitigation Measures require SMV to secure biological clearance for the South Portion of the site even though such biological clearance will have expired by the time development on the South Portion is set to commence. This violates CEQA’s requirements against infeasible Mitigation Measures.

11-4

To correct these problems, the DEIR should be amended to distinguish between development on the North Portion and development on the South Portion. Restrictions on the issuance of grading permits, commencement of construction, etc., should apply only as to project Phases which potentially impact biological resources on the South Portion. In particular:

- The EIR should acknowledge that potentially significant biological resources are confined to the South Portion, and that development which is confined exclusively to the North Portion will have a less than significant impact on biological resources.
- The Mitigation Measures should specify that they do not limit or restrict commencement of grading, construction, or development which occurs exclusively on the North Portion, due to the fact that activities which are confined exclusively to the North Portion will have a less than significant impact on biological resources.

11-5

11-6

¹ See, e.g., *Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School District* (1994) 24 Cal.App.4th 826, 841.

² In addition to Mitigation Measure 3.3-2(a), the following other Mitigation Measures likewise have language which would make implementation infeasible: 3.3-1(a), 3.3-2(b), 3.3-3(a), 3.3-4(a) (listed twice in the DEIR; see footnote 3, *ante*), 3.3-5(a), and 3.3-6.

³ Pub. Resources Code § 21061.1; CEQA Guidelines § 15354.

⁴ *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1030.

⁵ For example, a wetlands delineation required for a Section 404 Wetlands Fill Permit is valid for no more than five years, pursuant to Army Corps of Engineers guidelines; and surveys for CTS, burrowing owl, and other species are generally valid for no more than two years.

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- Mitigation Measures 3.3-1(a), 3.3-2(a), 3.3-2(b), 3.3-3(a), 3.3-4(a), 3.3-5(a), and 3.3-6 should be amended to embody these points. The following proposed amendments to these Mitigation Measures is submitted as one means to accomplish this (additions in ***bold-italic***; deletions in **~~bold-strikethrough~~**):

Mitigation Measure 3.3-1(a):

The project sponsor shall retain a qualified biologist to conduct focused surveys ***on all undeveloped/unimproved project areas*** for special-status plant species including, but not limited to, Sonoma sunshine, fragrant fritillary, Burke's goldfields, Sebastopol meadowfoam, and showy Indian clover during the appropriate time of year (generally February through July), prior to construction or issuance of a grading permit ***for Phase 1C, 2 or 3 of the project***. If no special-status plants are located during the surveys, no further mitigation would be required.

Mitigation Measure 3.3-2(a):

Prior to the issuance of a grading permit ***for Phase 1C, 2 or 3 of the project***, the project sponsor and/or their representatives shall initiate an informal consultation with the USFWS to discuss measures to avoid a potential take of CTS during construction. Although details of these measures would be developed in consultation with the USFWS, they would likely include:

Mitigation Measure 3.3-2(b):

Prior to construction or issuance of a grading permit ***for Phase 1C, 2 or 3 of the project***, the project sponsor and/or their representatives shall initiate consultation with the USFWS pursuant to Section 7 of the Federal Endangered Species Act to obtain an incidental take permit for loss of any individual CTS. Details of the requirements of the Incidental Take Permit would be developed during consultation with the USFWS, but would likely include (but not be limited to) the following.

Mitigation Measure 3.3-3(a):

Prior to the issuance of a grading permit ***for Phase 1C, 2 or 3 of the project***, the project sponsor shall hire a qualified biologist to conduct both nesting and wintering season surveys ***on all undeveloped/unimproved project areas*** for burrowing owl to determine if ***any undeveloped or unimproved areas of the site*** ~~is~~ used by this species. The timing and methodology for the surveys are based on the CDFG/Burrowing Owl Consortium Survey Guidelines and are detailed below. CDFG may require that these surveys be repeated annually if project construction is expected to span over two or more years.

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Mitigation Measure 3.3-4(a):

If construction **of Phase 1C, 2 or 3 of the project** is to occur between March 15 through August 30, the project sponsor, in consultation with the CDFG, shall conduct a pre-construction breeding-season survey of ~~the all undeveloped/unimproved project-site area~~ within 30 days of when construction is planned to begin. The survey shall be conducted by a qualified biologist to determine if any birds are nesting on or directly adjacent to the project site. If the above survey does not identify any nesting raptor species on the project site, no further mitigation would be required. However, should any active bird nests be located, Mitigation Measure 3.3-3(b) shall be implemented.

Mitigation Measure 3.3-4(a):⁶

The project sponsor shall hire a qualified biologist to conduct both nesting and wintering season surveys **on all undeveloped/unimproved project areas** for burrowing owl to determine if **any undeveloped or unimproved areas of the site** ~~is~~ are used by this species. The timing and methodology for the surveys are based on the CDFG/Burrowing Owl Consortium Survey Guidelines and are detailed below. CDFG may require that these surveys be repeated annually if **project construction of Phase 1C, 2 or 3 of the project** is expected to span over two or more years.

Mitigation Measure 3.3-5(a):⁷

Prior to the issuance of a grading permit **for Phase 1B, 1C, 2 or 3 of the project**, the project sponsor shall retain a qualified biologist to conduct a re-verification of the 2002 wetland delineation at the site in accordance with the 1987 Manual. This delineation should also be expanded to include **that portion of** the northern half of the project area ~~(i.e., to include the comprising a~~ detention basin in the northwest corner of the site). The delineation report shall be updated and submitted to the Corps for re-verification prior to the commencement of construction. If it is

11-6
(cont.)

⁶ It appears that "Impact 3.3-4" is listed twice in the DEIR, for two separate categories of impacts (see DEIR at pp. 1-20 and 1-21, each listing "Impact 3.3-4" for separate impact categories). Mitigation Measures 3.3-4(a) and 3.3-4(b) are likewise listed twice (see DEIR at pp. 1-20 through 1-22). This appears to be a typographical misnumbering of the impacts. The Mitigation Measure reflected in this footnote is that appearing at DEIR p. 1-21.

⁷ Proposed changes to Mitigation Measure 3.3-5(a) include Phase 1B, which concerns development on the western portion of the North Portion. The remaining portions of the North Portion (Phases 1A and 1D) should not be subject to this Mitigation Measure, as they are currently paved and fully improved. Additionally, the requirement for "removal and replacement mitigation" is deleted in order to ensure flexibility in meeting any Army Corps wetland mitigation requirements. Mitigation Measure 3.3-5(a) should not foreclose SMV's option to avoid removal of wetlands.

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determined by the Corps that these features are jurisdictional, then the project sponsor would have two options: avoidance, ~~or~~ removal and replacement mitigation, **or a combination thereof. Due to the scope of the project which includes development of the entire site, avoidance is not assumed as an option in this case, although avoidance is the preferred option. Therefore, replacement mitigation shall be implemented for the project of any wetland determined to be jurisdictional such that there would be no net loss of wetland acreage.**

Mitigation Measure 3.3-5(b):

- (i) Wetland mitigation shall be developed as a part of the Section 404 CWA permitting process, or for non-jurisdictional wetlands, during permitting through the RWQCB and/or CDFG. **Mitigation for any wetlands identified on that portion of the northern half of the project area (comprising a detention basin in the northwest corner of the site) is to be provided prior to construction of Phase 1B of the project. Mitigation for any wetlands identified on undeveloped/unimproved project areas (located on the southern half of the project area) is to be provided prior to construction of Phase 1C, 2 and 3 of the project.** Mitigation could include purchase of the appropriate amount of credits from a Santa Rosa Plain mitigation bank. The exact mitigation ratio is variable, based on the type and value of the wetlands that would be affected by the project, but agency standards typically require a minimum of 1:1 for preservation and 1:1 for the construction of new wetlands. In addition, a wetland mitigation and monitoring plan shall be developed that includes the following:
- (ii) Prior to the issuance of grading permits by the City **for Phase 1B of the project**, the sponsor shall acquire all appropriate wetland permits **which might be required by the Corps, RWQCB, and/or CDFG for development of that Phase. Prior to the issuance of grading permits by the City for Phase 1C, 2 and 3 of the project, the sponsor shall acquire all appropriate wetland permits which might be required by the Corps, RWQCB, and/or CDFG for development of those Phases.** These permits *may* include a Section 404 Wetlands Fill Permit from the U.S. Army Corp of Engineers, or a Report of Waste Discharge from the RWQCB, a Section 401 Water Quality Certification from the Regional Water Quality Control Board, and, if necessary, a Section 1601 Streambed Alteration Agreement from the California Department of Fish and Game.

11-6
 (cont.)

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Mitigation Measure 3.3-6:

To insure the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance under Impact Criterion #5, prior to the issuance of a grading permit **for any portion of the project site which would require the removal of existing trees**, the project sponsor shall hire a licensed and certified arborist to inventory all non exempt trees on the project site slated to be removed and assess their value based on ISA standards including size, health, species and location. This evaluation shall be provided to the City of Rohnert Park Community Development Director or his/her designee for review. The project sponsor shall then comply with the provisions of the Tree Removal Permit issued by the Community Development Director, including tree replacement and the protection of any trees to be retained during construction.

11-6
(cont.)

We note that this approach is consistent with the mandate under CEQA, which requires mitigation only for impacts that may “significant[ly] effect on the environment.”⁸ Under the CEQA Guidelines, a “significant effect on the environment” is limited to “a substantial, or potentially substantial, adverse change in any of the physical conditions affected by the project...”⁹ Because biological impacts are largely of no concern as to the North Portion of the project site, segregating Mitigation Measures to the South Portion comports with CEQA’s requirements.

11-7

We also note that the foregoing revisions are consistent with Section 17.06.260 of the Rohnert Park Municipal Code, which requires that each phase of a Planned Development must be capable of existing independently.¹⁰ Because Phase 1A, 1B, and 1D must be capable of being developed independent of all other Phases, and because none of these Phases pose a potentially significant impact on biological resources (because they do not involve development on the South Portion), they each should be developed independently, apart from biological clearances required for the South Portion of the project site. Requiring otherwise would tie these Phases to mitigation for impacts which are entirely beyond their scope.

11-8

ADDITIONAL CONSIDERATIONS

The following are additional miscellaneous comments concerning the DEIR:

- Impact 3.1-1 (scenic vistas) is listed as “significant” even though the noted views (“east facing views of the Sonoma Mountains”) has not been confirmed. The impact should be listed as “potentially significant” or “less than significant,” as the determination of a

11-9

⁸ Pub. Resources Code § 21002.

⁹ CEQA Guidelines § 15382.

¹⁰ RPMC § 17.06.260(A) (“Each individual component of the development [must] exist as an independent unit capable of creating an environment of sustained desirability and stability.”).

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- “significant” impact is not supported by substantial evidence. Mitigation Measure 3.1-1 should be similarly revised to conform with the evidence. ↑ 11-9 (cont.)
- The Figures on pages 3.2-17 and 3.2-18 appear to be misnumbered. ↑ 11-10
- Section 3.3 should reference the Programmatic Biological Opinion for U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Listed Plant Species on the Santa Rosa Plain (November 9, 2007) (the “**Programmatic**”). ↑ 11-11
- The DEIR should note that, pursuant to Enclosure 1 of the Programmatic, the entire project site lies within an area not designated to affect listed plant species. Pursuant to the Programmatic, to the extent seasonal wetlands exist on the project site, they are not considered suitable habitat for listed plants species, and should not require mitigation as such. ↑ 11-12
- The City should consider amending sections concerning hydrology, water quality, stormwater, and similar provisions of the DEIR to reflect project phasing (as discussed above). To the extent a Mitigation Measure addresses impacts which are expected to occur exclusively on the South Portion of the project site, the City should consider revising the Measures so as to exempt the North Portion from its requirements. ↑ 11-13

CONCLUDING REMARKS

We appreciate the opportunity to submit the above-listed comments on the DEIR, and we thank you for your efforts in evaluating this project. Should you have any questions concerning these comments, please do not hesitate to contact the undersigned.

Best regards,



Richard E. Pope
Director
Coddling Enterprises

Letter 11: CODDING ENTERPRISES

Response to Comment 11-1

The commentor raises concerns about the difference in characterization of the northern and southern portion of the project site. In addition, the commentor provides recommendations on how to more clearly convey the proposed project's phasing plan to the public. The comment is noted and has resulted in text changes to Section 2.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-2

The commentor questions whether the timing of the biological resource mitigation measure implementation, specifically the California Tiger Salamander (CTS) impact mitigation can be tied to the specific impacted phase of the project. Due to the programmatic nature of the Sonoma Mountain Village Project, it is entirely appropriate to tie the timing of certain biological resource mitigation measures, in this case CTS, to the specific development phase of anticipated impacts, which in this case is the southern portion of the project site. As a result, the mitigation language has been revised to reflect revised timing implementation, which would allow the northern portion of the project (Phases 1A, 1B and 1D) to move forward prior to implementation of the CTS mitigation measures. Please note that the timing of Mitigation Measures 3.3-1, 3.3-3, 3.3-5, and 3.3-6 addressing impacts to special-status plant species, burrowing owls, wetlands, and sensitive tree resources, respectively, has also been revised to tie completion of the mitigation to receipt of grading permits for those impacted areas of the site (depending upon the resource being affected). The comment is noted and has resulted in text changes to Section 3.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-3

The comment addresses the feasibility of mitigation measure timing between the northern and southern portion of the project site as it relates to the remainder of the biological resources. Please see Response to Comment 11-2. The comment is noted and has resulted in text changes to Section 3.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-4

The comment addresses the feasibility of the mitigation measure timing between the northern and southern portions of the project site. Please see Response to Comment 11-2. Please note that the timing of Mitigation Measure 3.3-5 addressing impacts to wetlands could still cause delays to the development of Phase 1B of the project, due to the presence of the an approximately 0.10 acre wetland with the phase boundary. The comment is noted and has resulted in text changes to Section 3.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-5

The comment addresses the converse relationship between the northern and southern portions of the project site in regards to biological resources and contests the assertion that sensitive biological resources exist in the northern portion. As stated in Response to Comment 11-2, burrowing owls, wetlands, and sensitive tree resources all either exist or have the potential to exist within the undeveloped portions of Phase 1B, in the northern portion of the project site. Due to the potential presence of sensitive resources in the undeveloped portions of the project site, in the phases near the existing developed areas, it would be inaccurate to state that development in the northern portion would uniformly have a less-than-significant impact. As noted above, the timing of Mitigation Measures 3.3-1, 3.3-3, 3.3-5, and 3.3-6 addressing impacts to special-status plant species, burrowing owls, wetlands, and sensitive tree resources, respectively, has been revised to tie completion of the mitigation to receipt of grading permits for those impacted areas of the site (depending upon the resource being affected). The comment is noted and has resulted in text changes to Section 3.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-6

The comment addresses the project sponsor's concern about the timing of proposed biological resource mitigation measures for Impacts 3.3-1 through 3.3-6. Please see Response to Comment 11-2. The comment is noted and has resulted in text changes to Section 3.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-7

The comment raises a concern regarding consistency with the CEQA Guidelines as it relates to the project sponsor's approach to the proposed biological resources mitigation measures for Impacts 3.3-1 through 3.3-6. The City concurs with the assertion that a significant impact determination be limited to "a substantial, or potentially substantial, adverse change in any of the physical conditions affected by the project." Please see Response to Comment 11-2. The comment is noted and has resulted in text changes to Section 3.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-8

The comment addresses consistency with the City's Municipal Code as it relates to the project sponsor's approach to the proposed biological resources mitigation measures for Impacts 3.3-1 through 3.3-6. Please see Response to Comment 11-2. The comment is noted and has resulted in text changes to Section 3.3 of the Draft EIR. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-9

The comment addresses Impact 3.1-1 and the EIR's determination that the project's proposed buildings could impact scenic views to the Sonoma Mountains east of the project site, resulting in a significant impact. The impact discussion concludes that development of structures on the project site would

obstruct views of the Sonoma Mountains, a Sonoma County designated Scenic Landscape Unit, from areas west of the project site. In addition, views from the project site itself would be obstructed due to the construction of structures onsite. As stated on page 3.1-26, implementation of Mitigation Measure 3.1-1 would reduce any potential impacts to a less-than-significant level. The comment is noted and has resulted in text changes to Section 3.1 of the Draft EIR. The language in Impact 3.1-1 has been changed to say that there would be a “potentially significant impact;” the resulting text changes can be found in Chapter 2.

Response to Comment 11-10

Figures 3.2-1 and 3.2-2 were erroneously labeled Figures 3.14-1 and 3.14-2. The comment is noted and has resulted in text changes to Section 3.2 of the Draft EIR. The resulting figures changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-11

The commentor requests that Section 3.3 include references to the programmatic Biological Opinion for US Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Listed Plant Species on the Santa Rosa Plain. The Draft EIR analysis did not rely on the report listed. However, after publication of the Draft EIR and in response to comment 6-1, the Santa Rosa Plain Conservation Strategy was reviewed and information from the Conservation Strategy was incorporated into text changes and responses to comments. Please also see Response to Comment 6-1. The resulting text changes can be found in Chapter 2, Revisions to the Draft EIR.

Response to Comment 11-12

The commentor questions the potential for wetland plant species to exist in the identified wetland areas. The 2002 Special Status Survey concludes that the proposed project site contains potential jurisdictional wetlands with “wetland classified species,” indicating that the project site could support special status plant species. The commentor’s objection to the mitigation is noted.

Response to Comment 11-13

The comment is expressing an opinion and does not concern the adequacy of the EIR nor the City’s compliance with CEQA and thus does not warrant further response in this document. While neither a response nor revisions to the text is required to comply with CEQA, the City shall evaluate the mitigation timing approach in order to ensure feasible implementation in the spirit of the applicable laws and/or regulations. The commentor’s objection to the mitigation is noted and forwarded to the City’s decision-makers for their consideration.

October 2, 2009

To: Rohnert Park Planning Commission
Re: Sonoma Mountain Village Draft EIR

The Rohnert Park Planning Commission is considering a development on the old Agilent site, a sprawling 200 acre former business office campus that was set down amidst the hay fields 30 years ago, originally as Hewlett-Packard. Agilent was spun off from H.P. with great fanfare in the heyday of high-tech innovation, and then abandoned some 20 years later as the economy began to contract and such jobs were being outsourced to third-world countries with lower wages and laxer environmental requirements. I remember when it was being built on the other side of the railroad tracks, a short bicycle ride from our place, feeling alarmed and powerless. The floodgates had been opened, our idyllic property, 5 minutes from town but surrounded by grasslands and open space was doomed it seemed. Nothing much came of it then. A high-tech campus is a pretty quiet one, and the empty buildings that remained after Agilent left proved to be sentinels that kept Rohnert Park's hunger for more land for more houses at bay. Until now. Over the last few years the property was bought by local developers and plans were rolled out which touted an out-sized development as a lofty experiment in "New Urbanism" and "Smart Growth". There are plans for almost 2,000 homes, from condos to mansions, hundreds of business offices, restaurants, a school, movie theatre, fitness center, a town square, grocery store and more. In other words, in an agricultural area surrounded by properties like ours that are zoned for no more than 1 home and a granny unit on 2 acres minimum; an area of federally protected habitat for the endangered California tiger Salamander and disappearing wetlands; an area that struggles with enough water to serve the needs of the homes and businesses already here, a new town, re-zoned for high-density residential is to be built.

12-1

To be sure, "New Urbanism" is a laudable concept, a wave that might finally move profit-oriented developers toward building livable places, "sustainable" and "green", more for people than automobiles. But this is the wrong place.

At the same time, on the west side of us, the Cotati City Council is considering approval for 64 homes to be built on a less than 10 acre parcel that includes historic buildings. It once had a magnificent stand of nearly 100 year old Cypress trees that provided a viewshed and summer shade to the homes behind it and habitat for countless birds and other animals. In an end run, on a holiday when City Hall was closed, the developer ordered the trees to be clear cut, without the knowledge of the Design Review Committee, ostensibly to prevent the vandalism that plagued the historic buildings. The overwhelming feeling of the community is that the trees were simply an inconvenience to the developer. The following year, while the process of approval dragged through the system, one, and then another of the buildings burned down, at least one of them under "suspicious circumstances". Even so, it looks like approval of this project is inevitable. These developments on either side of us are 2 handles of a vice grip that's squeezing us into a smaller and smaller space. At this rate our neighborhood may be an historical park, a museum, one day. "This is how people used to live before the sprawl," they'll say. "Isn't it quaint?"

12-2

I go to the library to look at the Sonoma Mountain village Draft Environmental Impact Report, a daunting bound document with several hundred pages of small print, photographs and charts. I thumb through the 600 plus pages looking for any reference to our neighborhood. Have they considered us at all?

On the satellite maps the edge of our neighborhood is visible just to the east of the project. It's dismissed, along with the farms and ranches that surround it as "...a semi-rural area with no...sense of place." My heart drops and a slow burn churns up the acid in my stomach. "No sense of place."

This morning, sitting in our 10x10 screen house where I go to write and Tess comes to meditate I hear the crows cawing and gurgling back and forth from the 80 year old Cypress trees that line the road. The late September fog is thick today. The Willow on the eastern boundary of our property is a dark green impression against the gray-white backdrop. Western bluebirds wheel in tight arcs around the Willow, where they light and rest until their next go-round. Goldfinches perch on the spindly upper branches, then let go and fall like acrobats on a high wire without a net, swooping up before they touch the ground and disappear again among the yellowing leaves. The lone oak on Anita's 6 acres east of that is a ghost in the distance and the hills aren't visible at all today. The fog has been an unexpected gift this week, allaying the hundred degree weather that had been predicted. A young red-shouldered hawk kree-krees low across the sky and lands in the top of one of the towering pines on Larry's property to the north-east. Three ducks paddle silently through the air, then another three. The fields are brown and hard-packed now, but with the first rains the nascent grasses and wildflowers will push through the adobe soil once again and another cycle of life and death will begin.

The remnants of our summer gardens spill untidily out of the raised beds under faded Tibetan prayer flags. Pink cosmos and bright red tomatoes hold their color against the embrace of the cooling air. Fallen oak and maple leaves cover the ground; acorns hunker down to wait for the winter rains and their chance to send up shoots of new trees in the spring. If the oaks had their way, I think, and weren't cut down and disked back into the soil every summer, they would take over these clear cut fields and return this valley to its original glory, the way I imagine it was when the original inhabitants lived on and loved this land.

A sense of home, of belonging, of history - indeed, a sense of place - reverberate through the crisp autumn morning in palpable waves.

Lindee Reese
460 Eucalyptus Avenue
Cotati CA 94931
707-794-7913

Letter 12: LINDEE REESE

Response to Comment 12-1

The comment does not include specific comments or concerns that address the adequacy of the EIR nor the City's compliance with CEQA and thus does not warrant further response in this document. The comment is noted and forwarded to the decision makers for their consideration.

Response to Comment 12-2

The comment indirectly expresses concern about the urban sprawl components of the proposed project. Section 3-11 Draft EIR specifically addresses the growth components of the project and how the City's Growth Management Plan "Trigger Cap" formula ensures that a phasing cap on residential development is established based on a project's consistency with the City's Land Use and Growth Management Element of the General Plan. In addition, the Draft EIR determined that no cumulatively adverse population or housing growth impacts would occur and that the City's jobs/housing balance would remain essentially at a 1:1 level upon buildout. The comment is noted and forwarded to the decision makers for their consideration.

Response to Comment 12-3

The comment does not include specific comments or concerns that address the adequacy of the EIR nor the City's compliance with CEQA and thus does not warrant further response in this document. The comment is noted and forwarded to the decision makers for their consideration.

Azevedo, Susan

From: mavisjukes@aol.com
Sent: Friday, October 02, 2009 1:52 PM
To: Azevedo, Susan
Subject: Sonoma Mountain Village Environmental Impact Report

Dear Ms. Azevedo,

I skimmed all approximate 600 pages of the Environmental Impact Report for Sonoma Mountain Village and it looks OK to me, except for the following:

After Hewlett-Packard sunk wells many years ago, I am aware that certain people in the surrounding rural community (Eucalyptus Avenue, Willow Avenue, Fern and East Railroad) expressed concern that groundwater levels were being interfered with. My well wasn't affected. However, I recently heard that a legal action of some sort was initiated in the Sonoma County Court system many years ago by a group in Penngrove, and that as a result, Hewlett-Packard was required to stop using the wells until the ground water levels rose. I have no way of confirming this. **But I do want you to be aware that there has been a suggestion in the past that there is a correlation between use of the Hewlett-Packard wells and people running out of water for periods of time, and also a suggested correlation between use of the wells and people having to drill new wells in the area of Fern and Willow. I cannot vouch for this. I ask that you please look into it. I would like to raise it as an issue that should be fully investigated and studied and included as a part of the Environmental Impact Report.**

13-1

I would like to respectfully request that people who live the area of Eucalyptus Avenue, Willow Avenue, Fern and Railroad Avenue (East and West) be added to your notification list. This area is to be impacted heavily by Sonoma Mountain Village. Perhaps the area is outside of the boundaries of those who **MUST** be notified, but under the circumstances and in the spirit of fairness, I think people in the area **SHOULD** be notified and invited to give input and ideas.

13-2

I have lived here for 33 years. I expect that Railroad Avenue will be an artery leading to Sonoma Mountain Village from Highway 101. It's reasonable to expect this to be an immediate impact on the community -- and not one that will occur after the project has been "built out." This is because Railroad Avenue is logically the fastest way to get to the project for anyone traveling North on Highway 101! (There is a Railroad Avenue exit and the road cuts straight over to Petaluma Hill Road.)

13-3

Likewise, people traveling North on Old Redwood Highway will undoubtedly use Railroad Avenue to cut over to Petaluma Hill Road -- it's only logical. Why would people go through the town of Penngrove? They won't.

West Railroad Avenue is a narrow, winding treacherous, dangerous road between the 101 exit and Old Redwood Highway. After crossing Old Redwood Highway, Railroad remains dangerous because of the huge open ditches on either side. It gets better east of the railroad tracks. But cars travel very fast in that section.

13-4

For the safety of the entire community, including those people who are traveling to and from their homes in Sonoma Mountain Village, this situation regarding Railroad Avenue bears more investigation -- in my view. It's not just a matter of installing traffic lights. The road itself is dangerous.

13-5

Please make a note of these comments in the record.

My best,

Mavis Jukes
392 Eucalyptus Avenue
Cotati, CA
94931

Letter 13

Letter 13: MAVIS JUKES

Response to Comment 13-1

The comment expresses concerns that the proposed project would have an impact on well levels due to the use of on-site wells that were previously used by Hewlett Packard. No well water usage is assumed as a part of the proposed project (please see Appendix E of the Draft EIR). The water use model for Sonoma Mountain Village accounted for project demand sources (irrigation, residential, commercial and cooling) and evaluated the available supply using the following four potential water sources: (1) municipal reclaimed water from the City of Santa Rosa Subregional System, (2) on-site rainwater harvesting, (3) potable water from the Rohnert Park municipal water supply, and (4) on-site gray water reuse. The evaluation of the availability of the previously mentioned water supply sources, in comparison to the anticipated project demand identified that adequate supply would exist and no significant impacts to the water table would occur. The project has been designed in a manner that would ensure that no net increase in water usage would occur upon buildout. As a result there would be no correlation between the development of the proposed project and the availability of well water in the surrounding community. Please see Section 3.14 Public Utilities for a detailed discussion.

Response to Comment 13-2

The commentor requests that additional addresses be added to the distribution list. The City is more than happy to accommodate the request for increased project notification. In order to ensure document delivery, the City requests that specific addresses be forwarded to the Development Services Department. In addition, electronic versions of the EIR are available on the City of Rohnert Park's Development Services Department website.

Response to Comment 13-3

The commentor expresses concern that vehicles travelling to the Sonoma Mountain Village project will use Railroad Avenue as a primary arterial. The Draft EIR provided a complete transportation analysis that is included in Section 3.13 and supported by background information included in Appendix K. Using existing driving patterns, proposed project uses, and incorporated anticipated future projects assumed in the Rohnert Park 2020 Traffic Model and the SCTA Countywide 2020 Traffic Model, the transportation analysis included accurate modeling of anticipated project trips to and from the site, which can be seen in Figures 3.13-10a and 3.13-10b. While the City's traffic analysis conflicts with the commentor's assertion regarding whether the majority of trips would end up on Railroad Avenue, the City agrees that the project would contribute trips to Railroad Avenue that would trigger significant impacts prior to cumulative buildout. Impact 3.13-3 of the Draft EIR specifically acknowledges that significant traffic impacts would occur at the intersection of East Railroad Avenue and Old Redwood Highway under Existing plus Project conditions. While the mitigation measures proposed in the Draft EIR could reduce the LOS from F to B during the PM Peak hour at the Old Redwood Highway/East Railroad Avenue intersection, this intersection and other portions of Railroad Avenue are outside of the City of Rohnert Park's jurisdiction. Therefore the City does not have jurisdiction and cannot guarantee this mitigation would be implemented.

As a result, the impact determination in the Draft EIR was significant and unavoidable. The City of Rohnert Park will do its best to comply with General Plan Policies TR-21A and TR-21B, which call for cooperation amongst jurisdictions when addressing regional traffic concerns. Should mitigation measures be implemented, all timing issues would be addressed in the Mitigation Monitoring and Reporting Program and/or the DA. While the City remains committed to identifying a fair, reasonable, and implementable solution to the project generated traffic issues along Railroad Avenue, it would be speculative at this point to presume that the mitigation prescribed in the EIR would be implemented.

Response to Comment 13-4

The commentor expresses concern about the safety of West Railroad Avenue between Highway 101 and Old Redwood Highway, due to road width and fast car speeds. The City of Rohnert Park's Impact Criterion #2 in section 3.13 Traffic and Circulation in the Draft EIR specifically requires the analysis to clarify whether a proposed project would generate hazards from design features. The analysis identified no significant hazards. However, implementation of Mitigation Measure 3.13-15 would ensure that no design hazards would be created on the project site as the project's components refined in the future.

Response to Comment 13-5

Please see response to comment 13-4. The comment has been duly noted and forwarded to decision makers for their consideration.

City of Rohnert Park
Planning Commission
130 Avram Ave.
Rohnert Park, CA 94928

RECEIVED

Sept 21, 2009

SEP 23 2009


Planning Commission

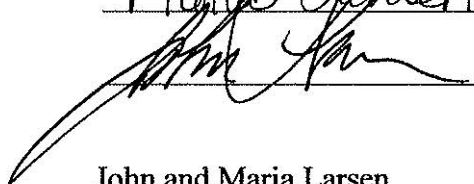
CITY OF ROHNERT PARK

Our names are John and Maria Larsen and we reside at 1441 Mariner Place in Rohnert Park. In regards to the development of Sonoma Mountain Village, our major concern is the large permanent traffic/noise and the temporary construction noise increase this project will generate. After reading the Environmental Impact Report, it specifically addresses this concern, as to mitigate the increased long term ambient and construction noise, a 7 to 8 sound barrier wall should be installed. We sincerely hope that the Planning Commission, as a condition of the development of Sonoma Mountain Village, have the developer install such a wall. The homes on Mariner Place between Manchester and Magnolia are the only homes in the area that have a wooden fence. All the other homes on Camino Colegio and Bodway Parkway corridors have sound walls installed to protect them. The other issue at hand is that there will apparently not be a grammar school included in this development, which means that these children will be attending Monte Vista Elementary School. This also means that Manchester Avenue would be carrying the bulk of vehicle traffic as it is the most direct route to the school located on Magnolia. The property lines of our home are on both Manchester Avenue and Camino Colegio and we would like to ask to have the developer extend the sound wall around to the eastern easement line of our property since there is a stop sign southbound on the corner of Manchester Avenue and Camino Colegio, because it is our understanding that a great majority of vehicular noise is generated during acceleration. Thank you very much for your time and consideration in this matter.

14-1

Sincerely,





John and Maria Larsen
1441 Mariner Place
Rohnert Park, CA 94928

Letter 14: JOHN AND MARIA LARSEN

Response to Comment 14-1

The comment expresses a desire that the project sponsor work with the City to install a sound barrier or noise attenuation wall prior to construction along the rear property line of homes on Mariner Place (Camino Colegio), between Magnolia Avenue and Manchester Avenue. The commentor expressed heightened concern regarding AM Peak Hour noise, due to the increased number of vehicular school trips generated by the project. In regards to project noise impacts on Mariner Place, the noted area currently has wood fences, which is consistent with existing City policy, but is limited in its effectiveness as a noise attenuator. The City's Zoning Ordinance Chapter 17.14.20 allows for the construction of a 6 to 8 foot concrete/masonry wall for homes that back up to commercial, industrial, or multi-family residential property, such as the Sonoma Mountain Village project. As stated on page 3.9-17 of the Draft EIR, Mitigation Measure 3.9-1, which requires the construction of a 7- to 8-foot high masonry wall between Manchester Avenue and Mitchell Drive in order to reduce noise levels to City approved levels is consistent with the City's Zoning Ordinance and appropriately mitigates the anticipated noise impacts. In response to comments, Mitigation Measure 3.9-1 has been revised to specify that construction of the wall shall commence prior to construction activities on the project site adjacent to Camino Colegio. Therefore, the proposed mitigation measure would address the commentor's concerns related to project noise. Implementation of the measure is ensured through the incorporation of the Mitigation Monitoring Plan. Please see Response to Comment 9-1 for more specific information pertaining to this issue.

In regards to the concern about traffic associated with school trips to Monte Vista Elementary School, all trip types were included in the traffic model and are subsequently reflected in the traffic analysis of the EIR. As shown on Tables 3.13-11 and 3.13-12 of the Draft EIR, no intersections along Manchester Avenue or Magnolia Avenue would operate below LOS C during AM Peak Hour conditions under baseline and cumulative conditions. Please see Section 3.13 of the Draft EIR for more details related to the project's traffic impacts and anticipated mitigation measures. The comments are duly noted and forwarded to the decision makers for their consideration.



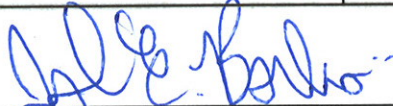
**ROHNERT PARK PLANNING COMMISSION
MINUTES
THURSDAY, September 24, 2009**

The Planning Commission of the City of Rohnert Park met this date in a regular session commencing at 7:00 p.m. in the City Hall Council Chambers, 130 Avram Avenue, with Chairperson Borba presiding.

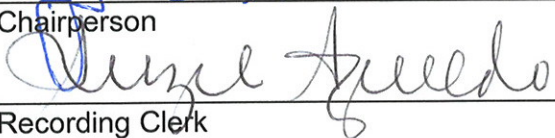
<i>Call To Order</i>	Chairperson Borba called the meeting of the regular session to order at approximately 7:00 p.m. with Chairperson Borba leading the pledge.
<i>Roll Call</i>	<p>Present (5) Commissioners: Chairperson Borba, Commissioner Nordin, Commissioner Armstrong, Commissioner Ahanotu and Commissioner Nilson were present.</p> <p>Development Services Director, Darrin Jenkins, Asst. City Attorney, Susanne Brown and Recording Clerk Suzie Azevedo were present.</p>
<i>Acknowledgement of Public Noticing</i>	Chairperson Borba acknowledged the posting of the Agenda of this meeting in three (3) public places, per the requirements of the Brown Act.
<i>Unscheduled Public Appearances</i>	None.
<i>Approval of Minutes</i>	Approval of minutes for the August 27, 2009 meeting was continued to the next regularly scheduled Planning Commission meeting.
<i>Comment Session for Sonoma Mountain Village Draft EIR</i>	<p>Alicia Giudice, Contract Planner, provided the Commission with a brief overview of the Sonoma Mountain Village project and status of the EIR review. Ms. Giudice introduced the EIR Consultant, Jose Bodipo-Memba of PBS&J, who gave a brief presentation on the specifics of the Sonoma Mountain Village EIR process to date.</p> <p>Chairperson Borba spoke briefly about the proceedings of the comment session and informed the audience that a three (3) minute time limit will be imposed on all comments. Chairperson Borba also encouraged those in attendance to submit comments in writing.</p> <p>Chairperson Borba opened the meeting for public comment. The following comments were presented:</p> <p>Nick Castor, Sonoma County Young Democrats, spoke in favor of the Sonoma Mountain Village Project and made comment regarding benefits of community agreement to provide shuttle service. 15-1</p> <p>Joe McGoran, 1437 Mariner Place, inquired and made comment about the need for soundwall abutting M section. 15-2</p>

	<p>David Grabill, Sonoma County Housing Advocacy, spoke about income housing levels incorporated into the project and the great opportunity the Sonoma Mountain Village project provides for residents to live where they work. 15-3</p> <p>Michael Allen, 219 Mockingbird Circle, spoke highly of the Coddling commitment to a quality project and the one planet community concept. 15-4</p> <p>Eric Anderson, 380 Pleasant Ave., NY spoke in support of the Sonoma Mountain Village project and the affordable housing component of the project. 15-5</p> <p>Kevin Kellogg, spoke to the uniqueness of the project with regard to sustainability. 15-6</p> <p>Claudette Josephson, 19A Tilden Court, San Rafael, spoke in favor of the project and the minimum impacts to the environment. Looks forward to purchasing a home when the development is underway. 15-7</p> <p>Jean Spier, 1405 Mariner Place, also spoke in regards to the need for a soundwall adjacent to M Section housing. 15-8</p> <p>John Lloyd, 2525 Cleveland Ave, Ste. B, spoke in favor of the project and the statewide exposure the project will bring. 15-9</p> <p>Dennis Rosatti, 540 Pacific Ave., Santa Rosa spoke to the environmental amenities of the project. 15-10</p> <p>Tom Jacobsen, Sonoma State University, spoke in regards to the relationship of CEQA to the Sonoma Mountain Village project. Mr. Jacobsen was encouraged to see that the project was designed with environmental concerns that CEQA is based upon. 15-11</p> <p>Alita Erwin, 9001 Willow Avenue, spoke of concern regarding the impact development will have on water tables. 15-12</p> <p>Marlene Dehlinger, Santa Rosa, spoke in favor of the project with respect to the physical and social environment and the holistic consideration of living it will provide. 15-13</p> <p>Chairperson Borba called attention to the letter submitted by M.R. Wolfe requesting an extension of the public comment period due to a delay in the availability of documents requested. A brief discussion between staff, the City Attorney and the Planning Commission was held. 15-14</p> <p>Motion was made by Chairperson Borba, seconded by Commission Armstrong to extend the public comment period an additional 15 days. The public comment period will expire at 5:00 p.m. on Friday October 23, 2009. The motion passed with a 5-0 vote.</p>
<p>Comment Session for Walmart Expansion EIR</p>	<p>Contract Planner, Alicia Giudice, provided the Commission with a brief overview of the Walmart Expansion project and status of the EIR review. Ms. Giudice introduced the EIR consultant, Grant Gruber, Brandman and Associates who provided the Commission with a status report on EIR process to date.</p>

	See attached report by Diane Dearmore, Esquire, CA CSR No. 12736 for complete transcript of the Comment Session for the Walmart Expansion Project EIR.
Matters from Commissioners	None.
Matters from Planning Staff	The Planning Commission will be notified of the next regularly scheduled meeting.
Adjournment	There being no further business, Chairperson Borba adjourned the meeting at 8:10 pm.



Chairperson



Recording Clerk

Letter 15: ROHNERT PARK PLANNING COMMISSION

Response to Comment 15-1

Nick Castor's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-2

Joe McGoran's comment addresses the need for a noise attenuation wall along Mariner Place. Please see Responses to Comments 9-1 and 14-1. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-3

David Grabill's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-4

Michelle Allen's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-5

Eric Anderson's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-6

Kevin Kellog's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-7

Claudette Josephson's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-8

Jean Spier's comment addresses the need for a noise attenuation wall along Mariner Place. Please see Responses to Comments 9-1 and 14-1. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-9

John Lloyd's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-10

Dennis Rosatti's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-11

Tom Jacobsen's comment identifies a number of positive attributes of the Draft EIR in relation to its interpretation of CEQA. Since this comment does not question the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-12

Alita Erwin's comment expressed concern about the project's impact on the water table. Please see Response to Comment 13-1. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-13

Marlene Dehlinger's comment identifies a number of positive attributes of the proposed project, which speak to the project's merits. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-14

MR Wolfe's comment letter requested that the comment review period be extended 15 days due to the delay in the availability of the documents. The comment period was extended to Friday, October 23, 2009. This comment period extension and availability of the Draft EIR to the public are in compliance with CEQA. Since this comment does not concern the adequacy of the EIR nor the City's compliance with CEQA, it does not warrant further response in this document. The comment has been duly noted and forwarded to decision makers for their consideration.

Response to Comment 15-15

Please see response to comment 15-14. The comment has been duly noted and forwarded to decision makers for their consideration.

Chapter 5

Mitigation Monitoring and Reporting Program

INTRODUCTION

The California Environmental Quality Act (CEQA) requires the adoption of feasible mitigation measures to reduce the severity and magnitude of significant environmental impacts associated with project development. The Environmental Impact Report for the proposed Sonoma Mountain Village Project (proposed project) includes mitigation measures to reduce the potential environmental effects of the proposed project.

CEQA also requires reporting on and monitoring of mitigation measures adopted as part of the environmental review process (Public Resources Code section 21081.6). This Mitigation Monitoring and Reporting Program (MMRP) is designed to aid the City of Rohnert Park in its implementation and monitoring of measures adopted from the Sonoma Mountain Village Draft EIR.

The mitigation measures are taken from the Sonoma Mountain Village Draft EIR, as revised in the Final EIR. Mitigation measures in this MMRP are assigned the same number they had in the Draft EIR. The MMRP is presented in table format and it describes the actions that must take place to implement each mitigation measure, the timing of those actions, the entities responsible for implementing and monitoring the actions, and verification of compliance.

RESPONSIBILITIES AND DUTIES

The City's Development Services Department (DSD) would be responsible for ensuring that design and construction contracts contain the relevant mitigation measures included in the EIR, and that mitigation measures are implemented during the design and construction phases of the project. The Public Works Department (PW) will be responsible for monitoring compliance with measures related to transportation and the City's Utilities Department is responsible for monitoring compliance with measures related to hydrology and water quality and public services and utilities (except for sewer). Individual project applicants and contractors shall be responsible for implementation of all mitigation measures, unless otherwise noted.

In general, monitoring will consist of verifying that mitigation measures are implemented and ensuring that the following occurs:

- Specific issues are considered in the design development phase
- Construction contracts include the specified provisions
- Certain actions occur prior to construction
- The required measures are implemented during construction of the project

MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

All project-specific mitigation measures included in the EIR would be monitored to ensure consistency with the MMRP for the proposed project. The following MMRP Matrix includes all of the applicable mitigation and monitoring information for the proposed project.

Mitigation Monitoring and Reporting Program for the Sonoma Mountain Village Project EIR				
Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
3.1 Aesthetics and Urban Design				
3.1-1	The project sponsor shall prepare a view corridor analysis in order to determine whether revised maximum building setback and height limits should be established within the T-4 General Urban Zone transect, so as not to obstruct views of the Sonoma Mountains from existing properties immediately west of the project site. The revised building height and setback restrictions should be limited to the extent lines of sight to the Sonoma Mountains from properties immediately west of the project site would not be obstructed by new buildings on the project site. Storey-poles shall be erected in the field prior to building construction to demonstrate that existing views would not be adversely affected. If required, the revised height and setback restrictions would be included as a Condition of Approval and would apply only to the affected properties.	Prepare corridor analysis. Implement applicable height and setback restrictions.	Project sponsor Project sponsor	On-going during demolition, grading and construction DSD DSD
3.1-2	The stockpiling and storage of construction materials and equipment prior to installation and use, as future phases of the project would be implemented, shall be minimized to the extent practicable by the project sponsor. Although construction staging areas have not been designated at this time, such staging areas shall be located internal to the project site. The staging areas shall be located away from Camino Colegio and Bodway Parkway, and as close to or within the areas of construction as possible, out of the way of community traffic, pedestrian use, and local views.	Minimize on-site construction equipment storage.	Project sponsor Onsite contractors	On-going during demolition, grading and construction DSD
3.1-3	a) All new street and other public area lighting shall include fixtures that focus the light downward and include shields to prevent light spill to surrounding properties, sky glow, and glare, to the extent feasible. b) Reflective surfaces in public areas shall be kept to a minimum using non-reflective material wherever possible. The use of non reflective paints, solar treatments, and finishing materials will be encouraged during the development process.	Light fixtures shall be designed to cast low angle illumination and shield spillover. Non reflective materials will be used where possible.	Project sponsor Project sponsor	Prior to construction DSD Prior to construction DSD
3.2 Air Quality				
3.2-1	a) The project sponsor shall implement recommended dust control measures. To reduce particulate matter emissions during project excavation and construction phases, the project contractor(s) shall comply with the dust control strategies developed by the BAAQMD. The project sponsor shall include in construction contracts the following requirements or measures shown to be equally effective.	Implement listed dust control measures.	Contractor	On-going during demolition, grading, and construction PW

Notes: PW = Public Works – Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
 SCDHS = Sonoma County Department of Health Services

SWCA = Sonoma County Water Agency
 DSD = Development Services Department

DA = Development Agreement
 CDFG = California Department of Fish & Game

**Mitigation Monitoring and Reporting Program for the
Sonoma Mountain Village Project EIR**

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose construction and demolition debris from the site, or require all such trucks to maintain at least two feet of freeboard; • Water all exposed or disturbed soil surfaces in active construction areas at least twice daily; • Use watering to control dust generation during demolition of structures or break-up of pavement; • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved parking areas and staging areas; • Sweep daily (with water sweepers) all paved parking areas and staging areas; • Provide daily clean-up of mud and dirt carried onto paved streets from the site; • Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.); • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Replant vegetation in disturbed areas as quickly as possible; • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); • Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site; • Install wind breaks at the windward side(s) of construction areas; • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour over a 30-minute period or more; and • To the extent possible, limit the area subject to excavation, grading, and other dust-generating construction activity at any one time. <p>b) The project sponsor shall designate a dust control coordinator. To facilitate control of dust during construction and demolition phases, the project sponsor shall include a dust control coordinator in construction contracts. All construction sites shall have posted in a conspicuous location the name and phone number of a designated construction dust control coordinator who can respond to complaints by suspending dust-producing activities or providing additional personnel or equipment for dust control.</p>	<p align="center">Designate a dust control coordinator.</p> <p align="center">Post contact information for dust control coordinator.</p>	<p align="center">Project sponsor</p>	<p align="center">On-going throughout demolition, grading, and construction</p>	<p align="center">PW</p>

Notes: PW = Public Works – Engineering & Transportation
 BAAQMD = Bay Area Air Quality Management District
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SWCA = Sonoma County Water Agency
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**Mitigation Monitoring and Reporting Program for the
Sonoma Mountain Village Project EIR**

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>c) The project contractor(s) shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site during project excavation and construction phases. The project sponsor shall include in construction contracts the following requirements or measures shown to be equally effective.</p> <ul style="list-style-type: none"> • Keep all construction equipment in proper tune, in accordance with manufacturer’s specifications; • Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the San Francisco Bay Area; • Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is readily available in the San Francisco Bay Area; • Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the San Francisco Bay Area (this does not apply to diesel-powered trucks traveling to and from the site); • Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the San Francisco Bay Area; • Limit truck and equipment idling time to five minutes or less; and • Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible. 	<p>Implement measures identified to reduce diesel powered equipment emissions.</p>	<p>Contractor</p>	<p>Ongoing during grading, demolition, and construction.</p>	<p>PW</p>
<p>3.2-2 The project sponsor shall include in the project design specifications the following minimum energy reduction measures or other measures shown to be equally effective:</p> <ul style="list-style-type: none"> • Use solar or low-emission water heaters in the residential and retail buildings; • Provide energy-efficient heating, cooling, and other appliances, such as cooking equipment, refrigerators, and dishwashers; • Provide energy-efficient and automated controls for air conditioning; • Install ozone destruction catalyst on air conditioning systems, in consultation with the BAAQMD; • Use light colored roof materials to reflect heat; • Where feasible and appropriate, use light colored parking surface materials; • Plant shade trees in parking lots to reduce evaporative emissions from parked vehicles; 	<p>Include energy reducing measures in design specifications.</p>	<p>Project sponsor</p>	<p>Per the DA</p>	<p>DSD/PW</p>

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SWCA = Sonoma County Water Agency
DSD = Development Services Department

DA = Development Agreement
CDFG = California Department of Fish & Game

**Mitigation Monitoring and Reporting Program for the
Sonoma Mountain Village Project EIR**

Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<ul style="list-style-type: none"> • If fireplaces are provided in new residential uses, install the low-emitting commercial fireplaces available at the time of development; and • Require that commercial landscapers providing services at the project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three-years-old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in the San Francisco Bay Area. 				
3.3 Biological Resources				
3.3-1 a) The project sponsor shall retain a qualified biologist, approved by the City, to conduct focused surveys on all undeveloped/unimproved project areas for special-status plant species including, but not limited to, Sonoma sunshine, fragrant fritillary, Burke’s goldfields, Sebastopol meadowfoam, and showy Indian clover during the appropriate time of year (generally February through July), prior to issuance of grading permits for the southern portion of the project (Phases 1C, 2, and 3). If no special-status plants are located during the surveys, no further mitigation would be required.	Retain qualified biologist to conduct appropriate special status plant surveys.	Project sponsor	Prior to issuance of a grading permit for Phases 1C, 2,3	DSD
b) If any state or federally listed special-status plant species are found during the surveys in areas that cannot be avoided during construction, the project sponsor shall consult with the appropriate agency (i.e., USFWS, CDFG, or both) to obtain an incidental take permit for the removal of any state or federally listed plant populations in the project site area. Specific mitigation measures detailing replacement methods and ratios the project sponsor would be responsible for would be developed as required by the agency, but would likely include transplanting existing populations, collection of seed for planting at a mitigation site, and either purchase of mitigation lands where the lost plants will be reestablished, or purchase of mitigation credits at an approved mitigation bank prior to issuance of a grading permits for the southern portion of the project (Phases 1C, 2, and 3), pursuant to the Santa Rosa Plain Conservation Strategy.	If special status plant species are found, obtain the appropriate take permit to replace the species.	Project sponsor’s biologist	Prior to issuance of a grading permit for Phases 1C, 2,3	DSD
c) If any non-listed special-status plant species are found during the surveys in areas that cannot be avoided, the project sponsor shall notify CDFG within 24 hours so that an opportunity can be made available to salvage plants, soil or seed banks, for use in rare plant restoration in mitigation areas prior to issuance of a grading permits for the southern portion of the project (Phases 1C, 2, and 3).	Notify CDFG if avoidance of special status species is not possible.	Project sponsor’s biologist	Prior to issuance of a grading permit for Phases 1C,2,3	DSD

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>3.3-2</p> <p>a) Prior to the issuance of grading permits for the southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate an informal consultation with the USFWS to discuss measures to avoid a potential take of CTS during construction. Additionally, since CTS became a Candidate for listing as Endangered under CESA on February 5, 2009, the project sponsor shall include CDFG in all informal consultations with the USFWS to discuss potential impacts on and avoidance measures for CTS.</p> <p>Although details of these measures would be developed in consultation with the USFWS and CDFG, they would likely include:</p> <ul style="list-style-type: none"> • Retaining a qualified biologist, approved by the City, to conduct a preconstruction survey of the project site area to ensure that no potential upland retreat habitat has been created (i.e., through ground squirrel activity) since the 2004 habitat assessment, • Seasonal restrictions on grading and construction to avoid the wet season dispersal period (i.e., October through March), • Installation of drift fences around the perimeter of the construction area to prevent any CTS from moving into the area, • Providing compensation for loss of CTS upland habitat, as required by the USFWS and CDFG (either through avoidance, or purchase of mitigation credits at a USFWS/CDFG approved bank), if any suitable habitat is found during the preconstruction surveys referenced above, and • Retaining qualified biologists, approved by the City, to monitor the project site area during construction to ensure that no CTS would be harmed. <p>Assuming complete avoidance can be achieved, no incidental take permit from either CDFG or USFWS would be required. However, if CTS are discovered to be present in the project site area, and a “take” of the species cannot be avoided, Mitigation Measure 3.3-2(b) shall be required pursuant to the Santa Rosa Plain Conservation Strategy.</p> <p>b) Prior to construction or issuance of a grading permits for the southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate consultation with the USFWS (pursuant to Section 7 of the Federal Endangered Species Act), and CDFG (pursuant to Section 2081 of the California Endangered Species Act) to obtain an incidental take permits for loss of any individual CTS. Details of the requirements of the Incidental Take Permits would be developed during consultation with the USFWS and CDFG, but would likely include (but not be limited to) the following.</p>	<p>Initiate USFWS/CDFG consultation with a qualified biologist and develop mitigation measures to address potential impacts to CTS.</p> <p>If required, initiate consultation with USFWS Section 7 and CDFG.</p>	<p>Project sponsor/ Project sponsor’s biologist</p> <p>Project sponsor/ Project sponsor’s biologist</p>	<p>Prior to issuance of a grading permit for Phases 1C,2,3</p> <p>Prior to construction or issuance of a grading permit for Phases 1C,2,3</p>	<p>DSD/USFWS/CDFG</p> <p>DSD/USEWS/CDFG</p>

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<ul style="list-style-type: none"> • Preparation of a Biological Assessment pursuant to Section 7 of the FESA for submission to the USFWS for their review. • Retaining qualified, permitted biologists to monitor for, and potentially move CTS outside of the project site area. • Payment of mitigation fees, and/or purchase of mitigation land to compensate for the loss of CTS and their habitat. <p>If CTS should be elevated from Candidate to Endangered status under CESA, an additional and separate authorization from CDFG will be required.</p>				
<p>3.3-3</p> <p>a) Prior to the issuance of grading permits for the project (Phases 1B, 1C, 2, and 3), the project sponsor shall hire a qualified biologist, approved by the City, to conduct both nesting and wintering season surveys for burrowing owl to determine if the site is used by this species. The timing and methodology for the surveys are based on the CDFG/Burrowing Owl Consortium Survey Guidelines and are detailed below. CDFG may require that these surveys be repeated annually if project construction is expected to span over two or more years.</p> <ul style="list-style-type: none"> • Winter (Non-Breeding) Season (September 1 through January 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. These initial surveys shall be conducted as close as possible to the initiation of construction (preferably no more than 30 days prior to ground breaking). • Nesting Season (February 1 to August 31)—Four site visits on separate days, 2 hours before to 1 hour after sunset or 1 hour before to 2 hours after sunrise. At least two of the surveys shall be conducted during the peak nesting season between April 15 and July 15. <p>In addition to the wintering and nesting season surveys, pre-construction surveys shall be conducted by a qualified biologist, approved by the City, within 7-days prior to the start of work activities where land conversions are planned in known or suitable habitat areas. If construction activities would be delayed for more than 7 days after the preconstruction surveys, then a new preconstruction survey would be required. All surveys shall be conducted in accordance with the CDFG/Burrowing Owl Consortium survey protocols (Burrowing Owl Consortium, 1993).</p>	<p>Hire a qualified biologist to conduct nesting and wintering season surveys for burrowing owls in accordance CDFG Guidelines.</p>	<p>Project sponsor/Sponsor's biologist</p>	<p>Prior to the issuance of a grading permit for Phases 1B,1C,2,3</p>	<p>DSD/CDFG</p>

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<p>If the above survey does not identify any burrowing owls on the project site, no further mitigation would be required. However, should any individual burrowing owls or burrowing owl nests be located, Mitigation Measures 3.3-4(b) through (d) shall be implemented.</p>				
<p>b) If burrowing owls are discovered in the project area, the project sponsor shall notify the City and CDFG. A qualified biologist, approved by the City, shall implement a routine monitoring program and establish a fenced exclusion zone around each occupied burrow. No construction activities shall be allowed within the exclusion zone until such time that the burrows are determined to be unoccupied. The buffer zones shall be a minimum of 160 feet from an occupied burrow during the non-breeding season (September 1 through January 31), and a minimum of 250 feet from an occupied burrow during the breeding season (February 1 through August 31).</p>	<p>Notify the City and CDFG of burrowing owls and establish minimum 160-foot buffer zones during non breeding season and 250-foot buffer zones during breeding season.</p>	<p>Project sponsor/ Project sponsor's biologist</p>	<p>Prior to the issuance of a grading permit Buffer zones throughout construction</p>	<p>DSD/CDFG</p>
<p>c) The project sponsor shall provide appropriate passive relocation mitigation for project-related effects on the burrowing owl in consultation with CDFG. No relocation shall occur during the breeding season (i.e., passive relocation of burrowing owls can only be conducted during the non-breeding season). Mitigation can be conducted either on the project site, or at an off-site location that is approved by the CDFG. Preference is for on-site within open space areas, if possible.</p>	<p>Passive relocation for burrowing owls.</p>	<p>Project sponsor/ Project sponsor's biologist</p>	<p>Prior to the issuance of a grading permit</p>	<p>DSD/CDFG</p>
<p>d) The CDFG shall be consulted regarding the implementation of avoidance or passive relocation methods. All activities that would result in a disturbance to burrows shall be approved by CDFG prior to implementation.</p>	<p>Consult CDFG regarding avoidance and passive relocation methods.</p>	<p>Project sponsor/ Sponsor's biologist</p>	<p>Prior to the issuance of a grading permit/potential disturbance to burrowing owls</p>	<p>DSD/CDFG</p>

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>3.3-4</p> <p>a) If construction is to occur between March 15 through August 30, the project sponsor, as required by the CDFG, shall conduct a pre-construction breeding-season survey of the project site within 14 days of when construction is planned to begin. The survey shall be conducted by a qualified biologist, approved by the City, to determine if any birds are nesting on or directly adjacent to the project site.</p> <p>If the above survey does not identify any nesting raptor species on the project site, no further mitigation would be required. However, should any active bird nests be located, Mitigation Measure 3.3-3(b) shall be implemented.</p> <p>b) The project sponsor, as required by CDFG, shall avoid all birds nest sites located in the project site during the breeding season (approximately March 15 through August 30) while the nest is occupied with adults and/or young. This avoidance could consist of delaying construction to avoid the nesting season. Any occupied nest shall be monitored by a qualified biologist to determine when the nest is no longer used. If the construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone shall be approved by the CDFG. The buffer zone shall be delineated by highly visible temporary construction fencing.</p>	<p>Preconstruction survey conducted for nesting raptors.</p> <p>Avoidance measures for nest sites implemented.</p>	<p>Project sponsor</p> <p>Project sponsor</p>	<p>Prior to construction</p> <p>Prior to construction</p>	<p>DSD/CDFG</p> <p>DSD/CDFG</p>
<p>3.3-5</p> <p>a) Prior to the issuance of a grading permit for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B), the project sponsor shall retain a qualified biologist, approved by the City, to conduct a re-verification of the 2002 wetland delineation at the site in accordance with the 1987 Manual. The delineation shall also be expanded to include that portion of the northern half of the project area (comprising a detention basin in the northwest corner of the site). The delineation report shall be updated and submitted to the USACE for re-verification prior to the issuance of grading permits. If it is determined by the USACE that these features are jurisdictional, then the project sponsor would have the following options: avoidance, removal and replacement mitigation, or a combination thereof. If the avoidance option is adopted, a minimum 100 foot wetland buffer zone setback would be established. The project sponsor shall coordinate with the USACE to ensure that the most feasible mitigation option is incorporated.</p>	<p>Retain a qualified biologist to re-verify the 2002 wetland delineation.</p> <p>Mitigate impacts to jurisdictional features (see MM 3.3-5(b)).</p>	<p>Project sponsor</p>	<p>Prior to the issuance of a grading permit for Phases 1C,2,3 and portions of 1B</p>	<p>DSD/USACE</p>

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<p>b) Where avoidance of existing wetlands is not feasible, then mitigation measures shall be implemented for the project related loss of any existing wetlands on site, such that there is no-net loss of wetland acreage or habitat value. Wetland habitat acreage replacement can be greater than the acreage of wetlands that fall under the jurisdiction of the USACE and/or the RWQCB.</p> <p>(i) Wetland mitigation shall be developed as a part of the Section 404 CWA permitting process, or for non-jurisdictional wetlands, during permitting through the RWQCB and/or CDFG. Mitigation is to be provided prior to issuance of grading permits for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B). Mitigation could include purchase of the appropriate amount of credits from a Santa Rosa Plain mitigation bank. The exact mitigation ratio is variable, based on the type and value of the wetlands that would be affected by the project, but agency standards typically require a minimum of 1:1 for preservation and 1:1 for the construction of new wetlands. In addition, a wetland mitigation and monitoring plan shall be developed that includes the following:</p> <ul style="list-style-type: none"> • Descriptions of the wetland types, and their expected functions and values; • Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of five to ten years; • Engineering plans showing the location, size and configuration of wetlands to be created or restored; • An implementation schedule showing that construction of mitigation areas will commence prior to or concurrently with the initiation of project construction; and • A description of legal protection measures for the preserved wetlands (i.e., dedication of fee title, conservation easement, and/or an endowment held by an approved conservation organization, government agency or mitigation bank). 	<p>Implement required mitigation measures as a part of the Section 404 permitting process to address the loss of wetland acreage or habitat value.</p>	<p>Project sponsor</p>	<p>Prior to the issuance of a grading permit for Phases 1C,2,3 and portions of 1B</p>	<p>DSD/USACE</p>
<p>(ii) Mitigation is to be provided prior to the issuance of grading permits by the City for phases with the potential to impact wetlands (Phases 1C, 2, and 3 and undeveloped portions of Phase 1B), the project sponsor shall acquire all appropriate wetland permits. These permits may include but are not limited to a Section 404 Wetlands Fill Permit from the USACE, or a Report of Waste Discharge from the RWQCB, a Section 401 Water Quality Certification from the RWQCB, and, if necessary, a Section 1601 Streambed Alteration Agreement from the CDFG.</p>	<p>Acquire appropriate wetland permits.</p>	<p>Project sponsor</p>	<p>Prior to the issuance of a grading permits for Phases 1C,2,3 and portions of 1B</p>	<p>DSD/USACOE/RWQCB/CDFG</p>

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3.3-6 To insure the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance under Impact Criterion #5, prior to the issuance of grading permits on any portion of the project site, the project sponsor shall hire a licensed and certified arborist to inventory all non-exempt trees on the project site slated to be removed and assess as directed by the City as to size, health, species and location. This inventory shall be provided to the City of Rohnert Park Planning and Building Manager or his/her designee for review. The project sponsor shall then comply with the provisions of the Tree Removal Permit issued by the Planning and Building Manager, including tree replacement and the protection of any trees to be retained during construction.	Comply with the provisions of the Tree removal Permit including mitigation measures requiring tree replacement and the protection of trees retained.	Project sponsor	Prior to the issuance of a grading permit	DSD
3.4 Cultural Resources				
3.4-1 The project sponsor shall provide construction specifications, inclusive of earth-disturbance required for the project, that instruct operators of site-grading and excavation equipment to be observant for unusual or suspect archaeological materials that may surface from below during site-grading and excavation operations. Archaeological materials include features such as concentrations of artifacts or culturally modified (darkened) soil deposits including trash pits older than fifty years of age. In the event that unknown archaeological remains are discovered during subsurface excavation and construction, land alteration work in the vicinity of the find shall be halted and a qualified archeologist consulted. Prompt evaluations could then be made regarding the find and a resource management plan that is consistent with CEQA requirements could then be implemented. If prehistoric archeological deposits are discovered, local Native American organizations shall be consulted and involved in making resource management decisions. All applicable State and local legal requirements concerning the treatment of cultural materials and Native American burials shall be enforced.	Provide construction specifications that instruct construction operators to be observant for unusual or suspect archeological materials. Halt work in close proximity to any archaeological remains discovered. Evaluate resources discovered and consult with local Native American organizations, as necessary.	Project sponsor Project sponsor	Prior to ground breaking Ongoing throughout construction	DSD DSD

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<p>If subsequent investigations result in the recording of prehistoric archeological sites that cannot be avoided and preserved, and the importance of the cultural deposits cannot be determined from surface evidence, then subsurface testing programs shall take place to make such determinations. Testing procedures shall be designed to specifically determine the boundaries of sites, the depositional integrity, and the cultural importance of the resources, as per CEQA criteria. These investigations shall be conducted by qualified professionals knowledgeable in regional prehistory. The testing programs shall be conducted within the context of appropriate research considerations and shall result in detailed technical reports that define the exact disturbance implications or important resources and present comprehensive programs for addressing such disturbances. Measures similar to the ones described below would also apply:</p> <ul style="list-style-type: none"> • Avoidance of an archaeological site through modification of the roadway plan line that would allow for the preservation of the resource • Covering or “capping” sites with a protective layer of fill; this could be a good way of mitigating situations where public access may be increased as a result of development. Archaeological monitoring during the filling process would be recommended. <p>In circumstances where archaeological deposits cannot be preserved through avoidance or capping, data recovery through excavation would be the alternative. This measure would consist of excavating those portions of the site(s) that would be adversely affected. The work shall be accomplished within the context of detailed research and in accordance with current professional standards. The program should result in extraction of sufficient volumes of archaeological data so that important regional research considerations can be addressed. The excavation should be accomplished by qualified professionals and detailed technical reports should result.</p> <p>In considering subsurface testing and excavations of prehistoric archaeological sites, consultation with the local Native American community is essential; all aspects of the programs, including the treatment of cultural materials and particularly the removal, study and reinterment of Native American burials shall be addressed. All applicable State and local legal requirements concerning these issues shall be strictly adhered to.</p>				

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<p>3.4-2 If human remains are discovered during any phase of project construction, all ground-disturbing activities within 50 feet of the remains shall be halted and the County coroner notified immediately. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific discovery site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including excavation and removal of the human remains taking into account the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98, to the satisfaction of the City of Rohnert Park Planning Department. Mitigation Measure 3.4-3 shall be implemented prior to the resumption of ground-disturbing activities within 50 feet of where the remains were discovered.</p>	<p>If human remains are discovered during any construction activities, all ground-disturbing activity within 50 feet of the remains shall be halted immediately, and the County coroner shall be notified immediately.</p>	<p>Project sponsor</p>	<p>Ongoing throughout construction</p>	<p>DSD</p>
3.5 Geology and Soils – There are no significant geology and soils impacts.				
3.6 Hazards and Hazardous Materials				
<p>3.6-1 A Phase II Environmental Site Assessment (ESA) shall be conducted by the project sponsor in areas of known concern identified in the Phase I ESA. These areas are near the chemical storage areas, near the existing diesel UST, near the historic diesel fuel spill site, near the nitrogen above ground storage tank and near the solvent pit tank. This investigation shall involve the collection and analysis of soil and groundwater samples. Sampling shall extend at least to depths proposed for site grading or excavation, and samples shall be tested for elevated levels of petroleum hydrocarbons, volatile organic compounds, or lead. This assessment shall be completed by a Registered Environmental Assessor, Registered Geologist, Professional Engineer, or similarly qualified individual prior to initiating any earth-moving activities at the project site. Soils with concentrations of hazardous substances above regulatory threshold limits shall be disposed of off-site in accordance with California hazardous waste disposal regulations (CCR Title 26) or shall be managed in place with approval of DTSC, Sonoma County Department of Health Services, or the Regional Water Quality Control Board (RWQCB).</p>	<p>Conduct a Phase II ESA within areas identified in the Phase I ESA as being of concern.</p>	<p>Project sponsor</p>	<p>Prior to project grading</p>	<p>DSD/SCDHS</p>

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<p>In the event that residual or unknown contamination is visually discovered during site grading or excavation activities, further investigations shall be completed to verify the extent of contaminated soils and if any necessary remediation actions would be required. Because the contaminated materials could pose a potential health hazard to construction workers, if contaminated soil is confirmed, a comprehensive Site Safety and Health Plan would be required to keep occupational exposure within prescribed limits and to prevent the migration of contaminants beyond the site boundaries (a California Division of Occupational Safety and Health Administration requirement for work at hazardous waste sites).</p> <p>The plan would be prepared by a consultant specializing in the handling of hazardous materials in accordance with regulatory requirements and the Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities.¹ It would identify potential hazards, material handling procedures, dust suppression measures, necessary personal protective clothing and devices, and appropriate equipment. In addition to measures that protect on-site workers, the plan would include measures to minimize public exposure to contaminated soil or groundwater. Such measures would include dust control, appropriate site security, restriction of public access, perimeter air monitoring, posting of warning signs, and would apply from the time of surface disruption throughout the completion of earthwork construction.</p> <p>If elevated levels of hazardous materials are detected, more effective dust control measures would need to be implemented including more frequent watering of excavated materials, or more frequent covering of material that is stockpiled at the point of excavation. If levels of detection at the construction site perimeter do not exceed allowable levels of exposure for workmen at the site, it is unlikely that pedestrians or other members of the general public would be subject to harmful exposures.</p> <p>The Safety and Health Plan would need to be implemented through the direction of a Site Safety Officer.</p>	<p>If required, retain a qualified consultant to prepare a work plan, to be implemented by a Site Safety Officer.</p>	<p>Project sponsor</p>	<p>Throughout project construction</p>	<p>DSD/SCDHS</p>

¹ National Institute for Occupational Safety and Health, U.S. Occupational Health and Safety Administration, U.S. Coast Guard, and U.S. Environmental Protection Agency, *Occupational Safety and Health Guidance Manual for Hazardous Waste and Site Activities*, 1985.

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<p>3.6-2 The project sponsor shall retain a qualified environmental specialist (e.g., a Registered Environmental Assessor) to inspect the buildings. The specialist shall identify any asbestos, polychlorinated biphenyls, mercury, lead, or other hazardous materials present which would then be tested. If found at levels that would require special handling, these materials would need to be managed as required by law and according to federal and state regulations and guidelines, including those of the Bay Area Air Quality Management District, the California Division of Occupational Safety and Health Administration, and the California Department of Toxic Substances Control.</p>	<p>Retain a REA to inspect buildings for hazardous materials.</p> <p>Materials managed as required by local, State, and federal regulations.</p>	<p>Project sponsor</p>	<p>Prior to commencing the demolition, removal and/or remodeling or reconstruction of exterior or interior portions of existing buildings on the project site</p>	<p>DSD/SCDHS</p>
3.7 Hydrology and Water Quality				
<p>3.7-1 Prior to issuance of a grading permit, a Final Drainage Master Plan for all on- and off-site drainage facilities (including water quality facilities - BMPs) shall be prepared by the project sponsor and submitted to the City of Rohnert Park's Department of Public Works and the Development Services Department for review and approval. The Final Drainage Plan shall be prepared by a Registered Civil Engineer and shall be in conformance with the City of Rohnert Park Storm Drain Design Standards, Municipal Code 16.16.020 C. Storm Drains and General Plan goals and policies in Section 7.2 Drainage, Erosion, Stormwater, and Flooding and Section 6.3 Water Quality. The Final Drainage Plan shall include a comparative analysis of stormwater runoff peak flow rate and duration from the site for flow events important to stream geomorphology conditions and flood flow conveyance; from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow event. The Final Drainage plan shall be prepared in accordance with the SCWA and SUSUMP Design Standards and shall include design measures and BMPs that demonstrate that peak flows from under project buildout conditions would not result in a net increase in peak flow rate or duration over pre-development conditions from 20 percent of the 2-year peak flow event up to the pre-project 10-year peak flow event. The post-project flow duration curve shall not deviate above the pre-project flow duration curve by more than 10 percent over more than 10 percent of the length of the curve corresponding to the range of flows to control. Flow control structures may be designed to discharge stormwater at a very low rate that does not threaten to erode the receiving waterbody. This flow rate (also called Qcp138) shall be no greater than 20 percent of the pre-project 2-year peak flow. The Final Drainage</p>	<p>Prepare a Final Drainage Master Plan Map in accordance with SCWA and SUSUMP Design standards.</p>	<p>Project sponsor</p>	<p>Prior to issuance of a grading permit</p>	<p>DSD/PW</p>

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>Plan shall include at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows and volumes, proposed on-site and off-site improvements, on-site water quality facilities, effectiveness of water quality BMPs, operation and maintenance responsibilities, inspection schedules, reporting requirements and shall include specifics regarding the timing of implementation. Grading permits shall be issued following City approval of the proposed Final Drainage Plan.</p> <p>The Drainage Plan shall be coordinated in its development with the Water Quality Management Plan to maximize the efficiency of BMPs for both stormwater detention and water quality treatment.</p>				
<p>3.7-2 a) The project sponsor shall prepare and implement a site-specific Water Quality Management Plan (WQMP) with Best Management Practices (BMPs) targeted to reduce post-construction pollutant loads by the values listed in Table 3.7-4a and Table 3.7-4b, Scenario 1 or Scenario 2, depending upon the final drainage and storage designs.</p> <p>This WQMP shall identify specific stormwater BMPs for reducing potential pollutants in stormwater runoff. Each BMPs or suite of BMPs shall be selected to target removal rates equal to at least the “Required Load Reduction for LTS” values in Table 3.7-5a and Table 3.7-5b Scenario 1 (no water quantity controls), or Scenario 2 (water quantity controls), depending upon the final drainage and storage designs. BMP location, size, design and operation criteria, and pollutant removal rates expected shall be referenced, documented, and incorporated into the WQMP. The WQMP must be approved by a qualified engineer or stormwater management professional of the Rohnert Park Public Works Department prior to the beginning of grading and/or construction activities.</p> <p>The WQMP shall include the following BMPs along with selected BMPs to target pollutant removal rates:</p>	<p>Prepare a site specific WQMP with BMPs.</p>	<p>Project Sponsor</p>	<p>Prior to issuance of a grading permit</p>	<p>DSD/PW</p>

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<ul style="list-style-type: none"> • Waste and materials storage and management (design and construction of outdoor materials storage areas and trash and waste storage areas, if any, to reduce pollutant introduction). • Spill prevention and control. • Slope protection. • Water efficient irrigation practices (Municipal Code 14.52 Water Efficient Landscape; water efficient guidelines and Conceptual Landscape Plan). • Permanent erosion and sediment controls (e.g., hydroseeding, mulching, surface covers). • Routine source control BMPs and activity restrictions to prevent the introduction of pollutants to stormwater runoff. These shall include street sweeping practices, landscape management practices, other operations and maintenance practices, tenant/owner use restrictions, and others. Conditions, Covenants, and Restrictions (CCRs) or lease restrictions shall be defined and implemented as part of deed restrictions or lease agreements. The project sponsor shall prepare the CCRs and lease restrictions and shall be responsible for tenant/home owner education and enforcement of restrictions until such responsibilities are formally transferred to a Property Owners' Association (POA) or similar authority. <p>The project sponsor is encouraged to consider the following BMPs:</p> <ul style="list-style-type: none"> • Minimize directly connected impervious area, including: pervious concrete or other pervious pavement for parking areas (e.g., turf block), pervious pavement for paths and sidewalks, and direction of rooftop runoff to pervious areas. • Incorporation of rain gardens or cisterns to reuse runoff for landscape irrigation. • Wet vaults for subsequent landscape irrigation. • Sand filters for parking lots and rooftop runoff. • Frequent and routine street and parking lot sweeping. • Media filter devices for roof top drain spouts (including proprietary devices). • Biofiltration devices (bioretention features, swales, filter strips, and others). • Drain inlet filters. • Pet waste stations. 				

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<p>Unless sufficient objective studies and review are available and supplied with the WQMP to correctly size devices and to document expected pollutant removal rates the WQMP shall not include:</p> <ul style="list-style-type: none"> Hydrodynamic separator type devices as a BMP for removing any pollutant except trash and gross particulates. Oil and Grit separators. <p>The WQMP shall not include infiltration BMPs unless they comply with design guidelines and requirements specified in TC-1: Infiltration Basins in the <i>California Stormwater Quality Association Stormwater Quality BMPs Handbook for New Development and Significant Redevelopment (2003)</i> and shall meet NPDES Phase 2 General Permit Attachment D minimum requirements including adequate maintenance, and that the vertical distance from the base of any infiltration device to the seasonal high groundwater mark shall be at least 10 feet. Furthermore, prior to infiltration, stormwater should be pre-treated through a system such as a biofilter to minimize potential groundwater pollution.</p> <p>The WQMP shall also identify the responsible party for operations and maintenance of structural BMPs and implementation of non-structural BMPs and compliance with any management or monitoring plans. The responsible party, project sponsor, or POA shall prepare an annual report to the City of Rohnert Park documenting the BMP operations and maintenance activities, implementation of routine source control BMPs, and compliance with any management and monitoring plans. The City of Rohnert Park or their designee shall review the annual reports for compliance with the WQMP and implement enforcement actions as necessary.</p> <p>During the design review process, a qualified stormwater management professional shall review and approve site plans for assuring the effectiveness of stormwater quality BMPs in removing pollutants according to the target pollutant removal rate guidelines noted in Table 3.7-4a and Table 3.7-4b. BMPs will be installed and maintained as stipulated in the City of Rohnert Park SWMP and NPDES Phase 2 General Permit.</p>				

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>b) The project sponsor shall prepare and implement a site-specific Chemical Application Management Plan for both public and private properties to control pesticide and nutrient applications within the proposed project area, including identification of the responsible party for ensuring implementation of the Chemical Application Management Plan, and its incorporation into the WQMP. The Chemical Application Management Plan shall provide guidelines and rates for chemical controls and applications within the Sonoma Mountain Village project area. The emphasis on the Chemical Application Management Plan shall be to minimize use through the correct application and use of chemicals less likely to migrate to the aquatic environment.</p> <p>Synthetic, quick-release fertilizer use shall be restricted through homeowners' associations and leasing agreements. Compost and naturally-derived fertilizers shall be encouraged and slow-release synthetic fertilizers shall be allowed, but their use shall not be encouraged.</p> <p>Pesticide use shall be restricted and label requirements followed. Diazinon use shall not be allowed. The Chemical Application Management Plan shall include homeowner education and guidance to prevent misuse and overuse of pesticides and chemicals.</p> <p>All public area and homeowner association landscape maintenance personnel shall be properly trained in the Chemical Application Management Plan and shall have an appropriate applicator license for restricted-use chemicals that might be applied.</p> <p>Pool and spa treatment methods, chemicals, and drainage restrictions, based on preferred treatment and procedures that minimize environmental degradation shall be incorporated into homeowner association and leasing agreements.</p> <p>Informational guidance and restrictions associated with the Chemical Application Management Plan shall be supplied to homeowners and tenants.</p>	<p>Prepare and implement a site-specific Chemical Application Management Plan</p>	<p>Project sponsor</p>	<p>Prior to issuance of a grading permit</p>	<p>DSD/PW</p>
<p>3.7-3 Water temperature mitigation for the proposed project shall be implemented using one of the following management measures:</p> <ul style="list-style-type: none"> • Stormwater runoff storage may be located in below-ground storage devices where feasible to minimize potential heating during storage. • Any surface water storage area for stormwater may be shaded by trees (preferred) or artificial shading. 	<p>Implement the appropriate water temperature mitigation measures.</p>	<p>Project sponsor</p>	<p>Prior to grading plans</p>	<p>DSD/PW/RWQCB/SCWA</p>

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<ul style="list-style-type: none"> Water conservation shall be practiced to limit the amount of stored water or "nuisance" (uncontrolled) runoff water from entering the storm drain systems. Homeowners' Association and leasing agreements shall include restrictions on water use activities that cause or contribute to nuisance flows. Discharge water temperature monitoring shall be periodically conducted in accordance with a Temperature Monitoring Plan prepared by the project sponsor in consultation with the City of Rohnert Park and the RWQCB. Temperature Monitoring Plan shall be approved by the City of Rohnert Park prior to issuance of a Certificate of Occupancy. Results of the Temperature Monitoring Plan shall be reported annually to the City of Rohnert Park and RWQCB. If project site discharges are determined to have the potential to substantially affect in-stream water temperatures, by either the City of Rohnert Park or the RWQCB, the project sponsor shall consult with the RWQCB, SCWA, and City of Rohnert Park to develop a riparian restoration plan to restore riparian vegetation and trees along a portion or portions of the affected stream. Riparian vegetation would serve to provide shade and mitigate potential increases in water temperature. The City- and RWQCB-approved Temperature Monitoring Plan shall be incorporated into the WQMP. <p>The final determination of the appropriate water temperature management implementation measure will be made by the project sponsor and approved by City staff prior to submittal of final grading plans.</p>				
3.8 Land Use – There are no significant land use policy impacts.				
3.9 Noise				
3.9-1 A seven - to eight-foot-high solid concrete/masonry wall along the property line on the north side of Camino Colegio between Manchester Avenue and Mitchell Drive shall be constructed prior to commencement of construction activities on the SMV project site adjacent to Camino Colegio. The wall shall be designed to be similar to the existing wall along Camino Colegio between Manchester Avenue and Mainsail Drive. a) The project sponsor shall provide a disclosure statement to all prospective residents of the possibility of disruption of sleep due to vibration from ongoing on-site construction activity associated with project development.	Construct wall. Inform future onsite residents that they could be deprived of sleep.	Project sponsor Project sponsor	During construction of Phase 1A Ongoing during construction	DSD/PW DSD/PW

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
3.9-2 Implement Mitigation Measure 3.9-1.	Construct wall.	Project sponsor	During construction of Phase 1A	DSD/PW
3.9-3 The project contractor(s) shall implement measures to reduce noise levels generated by construction equipment operating at the project site during project grading and construction phases. The project sponsor shall include in construction contracts the following requirements or measures shown to be equally effective: <ul style="list-style-type: none"> • Stationary construction equipment that generates noise levels in excess of 65 dBA L_{eq} shall be located as far away from existing residential areas as possible. If required to minimize potential noise conflicts, the equipment shall be shielded from noise sensitive receptors by using temporary walls, sound curtains, or other similar devices • Heavy-duty vehicle storage and start-up areas shall be located a minimum of 150 feet from occupied residences where feasible • An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels • The project sponsor shall inform future on-site residents of the possibility of noise disruption due to ongoing construction activity associated with project development. 	Incorporate construction equipment noise mitigation measures.	Project sponsor	Ongoing during project construction	DSD/PW
3.10 Planning Policy and Relationship to Plans – There are no impacts identified in this section.				
3.11 Population and Housing – Impacts to population and housing were determined to be significant and unavoidable. Therefore, there are no mitigable population and housing impacts.				
3.12 Public Services – There are no significant public services impacts.				
3.13 Traffic and Circulation				
3.13-1 As the Petaluma Hill Road/East Railroad Avenue intersection would meet the requirements of the MUTCD Peak Hour Volume Signal Warrant after project trips have been added, signalization of this intersection is required. The signal shall be built to current Sonoma County standards.	Build signal light at intersection of Petaluma Hill Road and East Railroad Avenue.	Project sponsor	Prior to completion of the first project phase	DSD/PW

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>3.13-2 As acknowledged in the Rohnert Park General Plan, traffic congestion presently exists in the Penngrove community at the Petaluma Hill Road/Adobe Road intersection during AM and PM peak hours. The buildout of the Rohnert Park General Plan would result in additional traffic in this area. One design solution at the Petaluma Hill Road/Adobe Road intersection would be to widen and reconfigure the intersection. The northbound approach could be reconfigured to include one shared through-left turn lane, and one shared through-right turn lane. The eastbound approach could be reconfigured to include a left-turn lane and a shared through-right turn lane. The westbound approach could be reconfigured to include a shared through-left turn lane, and an overlapped right-turn lane. It should be noted that although limited pedestrian facilities are available, pedestrian conditions are of utmost concern at this intersection; especially considering that there is a school located at the northwest corner of the intersection. Thus, the right-of-way acquisition required to complete the necessary widening would need to include space for full pedestrian facilities.</p>	<p>Coordinate with Sonoma County to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	<p>Project sponsor</p>	<p>Prior to issuance of grading permits</p>	<p>DSD/PW</p>
<p>3.13-3 As the Old Redwood Highway/East Railroad Avenue intersection would meet the requirements of the MUTCD Peak Hour Volume Signal Warrant after project trips have been added, signalization of this intersection is required. The signal would be subject to current Sonoma County standards.</p>	<p>Coordinate with the City of Cotati to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	<p>Project sponsor/City of Cotati</p>	<p>Prior to issuance of grading permits</p>	<p>DSD/PW/City of Cotati</p>

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>3.13-4 One design solution at the Old Redwood Highway/East Cotati Avenue intersection would be to reconfigure the southbound and westbound approaches to the intersection (without widening), and updated the traffic signal phasing. The southbound through lane shall be reconfigured into a shared through-left turn lane, and the northbound-southbound signal phasing shall be changed from protected phasing to split phasing. The westbound through-right turn lane shall be reconfigured into an exclusive right turn lane. This reconfigured right turn lane shall be overlapped with the southbound split phase.</p>	<p>Coordinate with the City of Cotati to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	<p>Project sponsor/City of Cotati</p>	<p>Prior to issuance of grading permits</p>	<p>DSD/PW/City of Cotati</p>
<p>3.13-5 As the LaSalle Avenue/East Cotati Avenue intersection would meet the requirements of the MUTCD Peak Hour Volume Signal Warrant with and without the addition of project trips, signalization of this intersection is required.</p>	<p>Coordinate with the City of Cotati to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	<p>Project sponsor/City of Cotati</p>	<p>Prior to issuance of grading permits</p>	<p>DSD/PW/City of Cotati</p>
<p>3.13-6 Implement Mitigation Measure 3.13-1.</p>	<p>Build signal light at intersection of Petaluma Hill Road and East Railroad Avenue</p>	<p>Project sponsor</p>	<p>Upon completion of the first project phase</p>	<p>DSD/PW</p>

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
3.13-7 Implement Mitigation Measure 3.13-2.	Coordinate with Sonoma County to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.	Project sponsor	Prior to issuance of grading permits	DSD/PW
3.13-8 In order to mitigate transportation impacts at the Old Redwood Highway/ US 101 ramp intersection the project sponsor, in conjunction with the City of Rohnert Park, City of Petaluma, and Caltrans, proposes to widen the westbound approach (U.S. 101 northbound off-ramp) to include an additional right turn lane.	Coordinate with the City of Rohnert Park, Caltrans and the City of Petaluma to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements. Determine the feasibility of the mitigation measure implementation given the fiscal constraints.	Project sponsor/City of Rohnert Park/City of Petaluma/Caltrans	Prior to issuance of grading permits	DSD/PW/City of Petaluma/Caltrans

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
3.13-9 Implement Mitigation Measure 3.13-3.	<p>Coordinate with the City of Cotati to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	Project sponsor/City of Cotati	Prior to issuance of grading permits	DSD/PW/City of Cotati
3.13-10 Implement Mitigation Measure 3.13-4.	<p>Coordinate with the City of Cotati to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	Project sponsor/City of Cotati	Prior to issuance of grading permits	DSD/PW/City of Cotati

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
3.13-11 Implement Mitigation Measure 3.13-5.	<p>Coordinate with the City of Cotati to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	Project sponsor/City of Cotati	Prior to issuance of grading permits	DSD/PW/City of Cotati
3.13-12 The project sponsor shall contribute funding to the proposed Marin-Sonoma Narrows HOV 101 Widening Project. The City of Rohnert Park shall cooperate with the appropriate agencies to determine a fair-share portion of funds to improve freeway operation, and if deemed appropriate, collect a fair-share allocation from the developers of the Sonoma Mountain Village Project. Also, future residents and employees of the project shall contribute to freeway projects through payment of Sonoma County's quarter-cent sales tax for transportation improvements.	<p>Coordinate with the Marin Sonoma Narrows HOV 101 Widening Project to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	Project sponsor/City of Rohnert Park/ Marin Sonoma Narrows HOV 101 Widening Project	Prior to issuance of grading permits	DSD/PW/Caltrans

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Mitigation Measure	Action	Implementing Party	Timing	Monitoring Party
<p>3.13-13 The project sponsor shall contribute funding to the proposed Marin-Sonoma Narrows HOV 101 Widening Project. The City of Rohnert Park shall cooperate with the appropriate agencies to determine a fair-share portion of funds to improve freeway operation, and if deemed appropriate, collect a fair-share allocation from the developers of the Sonoma Mountain Village Project. Also, future residents and employees of the Project shall contribute to freeway projects through payment of Sonoma County’s quarter-cent sales tax for transportation improvements.</p>	<p>Coordinate with the Marin Sonoma Narrows HOV 101 Widening Project to determine the appropriate fair-share cost to be allocated to Sonoma Mountain Village in order to implement the recommended improvements.</p> <p>Determine the feasibility of the mitigation measure implementation given the fiscal constraints.</p>	<p>Project sponsor/City of Rohnert Park/ Marin Sonoma Narrows HOV 101 Widening Project</p>	<p>Prior to issuance of grading permits</p>	<p>DSD/PW/ Marin Sonoma Narrows HOV 101 Widening Project</p>
<p>3.13-14 The project sponsor and construction contractor shall develop a construction traffic management plan for review and approval by City staff. Construction traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers shall be provided for in the Plan, which shall include at least the following items and requirements:</p> <ul style="list-style-type: none"> • A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. • Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur. • Location of construction staging areas for materials, equipment, and vehicles (shall be located on the project site). • Identification of haul routes for the movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety. 	<p>Develop a construction traffic management plan.</p>	<p>Project sponsor</p>	<p>Prior to the issuance of each major building permit</p>	<p>DSD/PW</p>

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<ul style="list-style-type: none"> • Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected. • Subject to City review and approval, and prior to start of construction, a construction worker transportation demand management (TDM) program shall be implemented to encourage construction workers to carpool or use alternative transportation modes in order to reduce the overall number of vehicle trips associated with construction workers. • A process for responding to, and tracking, complaints pertaining to construction activities, including the identification of an onsite complaint manager. 				
<p>3.13-15 The project sponsor shall:</p> <ul style="list-style-type: none"> • Design all internal roadways in accordance with Fire Department standards; provide adequate Fire Department turning radii at all intersections; • Provide adequate access for trash collection vehicles; • Avoid dead-end streets, or provide a turnaround at any dead-end street terminus; • Minimize vehicle connections to Camino Colegio. Focus traffic on internal roadways to the two primary intersections; • Avoid acute angle intersections; • Avoid off-set intersections; and • Provide adequate sight distance at all intersections in accordance with City Public Works Department standards. 	<p>Incorporate design measures that are in accordance with Fire Department and Public Works standards.</p>	<p>Project sponsor</p>	<p>Prior to issuance of grading permits</p>	<p>DSD/PW</p>
3.14 Utilities and Service Systems – There are no significant utilities and service systems impacts.				
3.15 Climate Change – There are no significant climate change impacts.				

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