

This chapter summarizes the purpose of the Environmental Impact Report (EIR) for the Theta Xi Fraternity Redevelopment Project (the “project”). The following discussion addresses the environmental procedures that are to be followed according to State law, the intended uses of the EIR, the project’s relationship to the City’s General Plan, the EIR scope and organization, and a summary of the agency and public comments received during the public review period for the Notice of Preparation (NOP).

1.1 PURPOSE AND INTENDED USES OF THE EIR

The City of Davis, as lead agency, determined that the proposed Theta Xi Fraternity Redevelopment Project is a "project" within the definition of CEQA. CEQA requires the preparation of an environmental impact report prior to approving any project that may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development. CEQA further requires public agencies to balance a variety of public objectives, including economic, environmental, and social factors in making a decision to approve a development project with significant and unavoidable environmental impacts.

The City of Davis, as the lead agency, has prepared this Draft EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from construction and operation of the Theta Xi Fraternity Redevelopment Project. The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used by the City to determine whether to approve, modify, or deny the Theta Xi Fraternity Redevelopment Project and associated approvals in light of the project’s environmental effects. The EIR will be used as the primary environmental document to evaluate full project development, along with all associated infrastructure improvements, and permitting actions associated with the Theta Xi Fraternity Redevelopment Project. All of the actions and components of the proposed project are described in detail in Chapter 2.0 of this Draft EIR.

1.2 TYPE OF EIR

This EIR is a Project EIR as defined in Section 15161 of the State CEQA Guidelines. A Project EIR is an EIR which examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction and operation. The Project EIR approach is appropriate for the Theta Xi Fraternity Redevelopment Project because it allows comprehensive consideration of the reasonably anticipated scope of the project, as described in greater detail in Chapter 2.0.

1.3 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

As required by CEQA, this EIR defines lead, responsible, and trustee agencies. The City of Davis is the “Lead Agency” for the project because it holds principal responsibility for approving the project. The term “Responsible Agency” includes all public agencies other than the Lead Agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a “Trustee” agency has jurisdiction by law over natural resources that are held in trust for the people of the State of California (CEQA Guidelines Section 15386).

The following agencies are considered Responsible or Trustee Agencies for this project, and may be required to issue permits or approve certain aspects of the proposed project:

- Central Valley Regional Water Quality Control Board (CVRWQCB) - Storm Water Pollution Prevention Plan (SWPPP) approval prior to construction activities;
- Yolo-Solano Air Quality Management District - Approval of construction-related air quality permits.

1.4 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION AND INITIAL STUDY

The City circulated an Initial Study and NOP of an EIR for the proposed project on February 25, 2019 to trustee agencies, the State Clearinghouse, and the public. A public scoping meeting was held on March 18, 2019 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. The NOP comment period ended at 5:00 p.m. on March 26, 2019, and a total of nine comments were received. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses to the NOP by interested parties are presented in Appendix A.

DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. This Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in this EIR. The City has filed the Notice of Completion (NOC) with the State Clearinghouse of the Governor's Office of Planning and Research to begin the public review period on this Draft EIR.

PUBLIC NOTICE/PUBLIC REVIEW

The City has provided a public notice of availability for the Draft EIR, and invites comment from the general public, agencies, organizations, and other interested parties. Consistent with CEQA, a forty-five (45) day review period is required for this Draft EIR. Public comment on the Draft EIR will be accepted in written form and orally at a public meeting before the Davis Planning Commission. All comments or questions regarding the Draft EIR should be addressed to:

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RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period and to oral comments received at a public hearing during such review period.

It is noted that the California Department of Fish and Wildlife (CDFW) submitted a NOP comment letter on March 26, 2019 regarding the project's potential impacts to Swainson's hawk, white-tailed kite, and special-status bat species. The CDFW's NOP comment letter includes requested revisions and additions to the mitigation measures included in Section IV, Biological Resources, of the Initial Study that was prepared for the proposed project. The Initial Study and NOP comment letters are included as Appendix A of this Draft EIR. The requested revisions and additions to the mitigation measures included in Section IV, Biological Resources, of the Initial Study are reflected in this EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete", the City Council may certify the Final EIR in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

1.0 INTRODUCTION

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

The level of detail contained throughout this EIR is consistent with Section 15151 of the CEQA Guidelines and recent court decisions, which provide the standard of adequacy on which this document is based. The Guidelines state as follows:

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Following review and consideration of the Final EIR, the City may take action to approve, modify, or reject the project. A statement of overriding considerations will be prepared at the Final EIR stage. A statement of overriding considerations that reflects the ultimate balancing of competing public objectives (including environmental, legal, technical, social, and economic factors) will be prepared for the City Council for consideration during the Final EIR certification stage. A Mitigation Monitoring Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring Program will be designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

1.5 ORGANIZATION AND SCOPE

Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Discussion of the environmental issues addressed in the Draft EIR was established through review of environmental and planning documentation developed for the project, environmental and planning documentation prepared for recent projects located within the City of Davis, applicable local and regional planning documents, and responses to the NOP.

This Draft EIR is organized in the following manner:

EXECUTIVE SUMMARY

This Executive Summary summarizes the characteristics of the proposed project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the project's environmental impacts and possible mitigation measures. This chapter identifies alternatives that reduce or avoid at least one significant environmental effect of the proposed project.

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead, trustee, and responsible agencies, summarizes the process associated with preparation and certification of an EIR, and identifies the scope and organization of the Draft EIR.

CHAPTER 2.0 – PROJECT DESCRIPTION

Chapter 2.0 provides a detailed description of the proposed project, including the location, intended objectives, background information, the physical and technical characteristics, including the decisions subject to CEQA, related infrastructure improvements, and a list of related agency action requirements.

CHAPTER 3.0 – ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Chapter 3.0 contains an analysis of environmental topic areas as identified below. Each subchapter addressing a topical area is organized as follows:

Environmental Setting. A description of the existing environment as it pertains to the topical area.

Regulatory Setting. A description of the regulatory environment that may be applicable to the project.

Impacts and Mitigation Measures. Identification of the thresholds of significance by which impacts are determined, a description of project-related impacts associated with the environmental topic, identification of appropriate mitigation measures, and a conclusion as to the significance of each impact after the incorporation of mitigation measures.

The following environmental topics are addressed in this EIR:

- Cultural and Tribal Resources; and
- Land Use.

CHAPTER 4.0 – OTHER CEQA-REQUIRED TOPICS

Chapter 4.0 evaluates and describes the following CEQA required topics: impacts considered less-than-significant, significant and irreversible impacts, growth-inducing effects, cumulative, and significant and unavoidable environmental effects.

CHAPTER 5.0 – ALTERNATIVES TO THE PROJECT

State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project. Chapter 5.0 provides a comparative analysis between the environmental impacts of the project and the selected alternatives.

CHAPTER 6.0 – REPORT PREPARERS

Chapter 6.0 lists all authors and agencies that assisted in the preparation of the EIR, by name, title, and company or agency affiliation.

CHAPTER 7.0 – REFERENCES

Chapter 7.0 lists all source documents used in the preparation of the EIR.

APPENDICES

The appendices include all notices and other procedural documents pertinent to the EIR, as well as technical material prepared to support the analysis. The EIR appendices are available in electronic format. The appendices can be viewed online at:

<https://cityofdavis.org/city-hall/community-development-and-sustainability/development-projects/theta-xi-redevelopment-project>

1.6 SIGNIFICANCE CRITERIA

In general, CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial” adverse change in the physical environment. A potential impact is considered significant if a project would substantially degrade the environmental quality of land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance (CEQA Guidelines §§15360, 15382).

Definitions of significance vary with the physical condition affected and the setting in which the change occurs. The CEQA Guidelines set forth physical impacts that trigger the requirement to make “mandatory findings of significance” (CEQA Guidelines §15065).

This CEQA document relies on three levels of impact significance:

1. Less-than-significant impact, for which no mitigation measures are warranted;
2. Significant impact that can be mitigated to a level that is less than significant; and
3. Significant impact that cannot be mitigated to a level that is less than significant. Such impacts are significant and unavoidable.

Each resource area uses a distinct set of significance criteria. The significance criteria are identified at the beginning of the impact discussion for each resource area. These significance criteria

promote consistent evaluation of impacts for all alternatives considered, even though significance criteria are necessarily different for each resource considered.

1.7 TOPICS FOUND IN INITIAL STUDY TO BE LESS THAN SIGNIFICANT OR LESS THAN SIGNIFICANT WITH MITIGATION

CEQA Guidelines Section 15128 provides that “[a]n EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study.”

An Initial Study was prepared for the proposed project (February 2019). The Initial Study is included as Appendix A to this Draft EIR. Included below is a brief summary of findings from the Initial Study on environmental topics that were either found to have no impact, be less than significant, or be less than significant with implementation of the mitigation measures included in the Initial Study, and thus are not included within individual sections of the Draft EIR. Appendix A contains the full Initial Study findings and individual topics found to be less than significant through the Initial Study process.

AESTHETICS

Federal and State agencies have not designated any scenic vistas or locations within the City of Davis for viewing and sightseeing. Similarly, the City of Davis has determined that the Planning Area of the General Plan has no officially designated scenic highways, corridors, vistas, or viewing areas. Further, there are no other identified scenic resources nearby that would be affected by development of the proposed project, including trees, rocks, outcroppings, and historic buildings. Given that established scenic vistas or scenic resources are not located on or adjacent to the proposed project site, the proposed project would have **no impact** related to scenic vistas or scenic resources.

Various temporary visual impacts could occur as a result of construction activities as the project develops, including grading, equipment and material storage, and staging. Though temporary, some of these impacts could last for several weeks or months during any single construction phase. The loss of existing landscaping and trees would also be a temporary impact until new landscaping matures. Because impacts would be temporary and viewer sensitivity in the majority of cases would be slight to moderate, significant impacts are not anticipated. Therefore, impacts related to degradation of the visual character of the site and its surroundings would be **less than significant**.

Adherence to the City’s Municipal Code would result in a development that is cohesive, well-designed, and visually pleasing. Although project implementation would alter the existing visual character of the project site, this alteration would not substantially degrade the visual quality of the project site. The proposed project would be consistent with the City of Davis General Plan, and would adhere to the requirements of the City’s site plan and architectural approval process.

There is a potential for the implementation of the proposed project to introduce new sources of light and glare into the project area. However, the project will be required to comply with the City's Outdoor Lighting Control Ordinance which includes provision of a lighting plan as part of the construction documents as a standard City requirement. Compliance with the City of Davis Outdoor Lighting Control Ordinance would ensure that all exterior lighting associated with the project is properly shielded and directed downward in order to eliminate light spillage onto adjacent properties, and reduce impacts to "dark skies" to the greatest extent feasible. Therefore, impacts related to light and glare would be *less than significant*.

AGRICULTURE AND FORESTRY RESOURCES

The project site is currently developed and there is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the project site. The project site is not currently used for agricultural operations, and has not been used for agricultural operations in many decades. There are no agricultural operations or agriculturally zoned lands in the vicinity of the project site. The project site is not zoned for agricultural use nor is it under a Williamson Act contract. Therefore, the project would have *no impact* related to agricultural resources.

The project site is not forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526). The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, the project would have *no impact* related to forestry resources.

AIR QUALITY

Project generated emissions during both construction and operation would be below the Yolo-Solano Air Quality Management District (YSAQMD) thresholds for reactive organic gases, oxides of nitrogen, particulate matter 10 micrometers or less in diameter, and carbon monoxide. Impacts related to air quality plan conflicts, criteria pollutant increases, and substantial pollutant concentrations would be *less than significant*. Additionally, operation of the proposed project would not generate notable odors. Diesel fumes from construction equipment and delivery trucks are often found to be objectionable; however, construction of the proposed project would be temporary and diesel emissions would be temporary and regulated. Implementation of the proposed project would have a *less than significant* impact relative to odors.

BIOLOGICAL RESOURCES

Special-status plant or wildlife species have not been recorded on the project site. The project site is currently developed and disturbed. There is no riparian or other sensitive habitat types located on-site. Although various special-status plant species have been documented within five-miles of the site, none are present on the project site. Therefore, the proposed project would have *no impact* on special-status plants.

Historical and continuing site disturbance and urban activities makes the presence of many special-status animals on the project site unlikely. However, nesting birds can utilize the on-site trees. The

bird species which have been documented to occur within five miles of the project site include: burrowing owl (*Athene cunicularia*), northern harrier (*Circus hudsonius*), Swainson's hawk (*Buteo swainsoni*), tricolored blackbird (*Agelaius tricolor*), western snowy plover (*Charadrius alexandrinus nivosus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), and white-tailed kite (*Elanus leucurus*). Suitable habitat for ground-nesting burrowing owl species is not present on the project site. Although not likely, due to the size of the on-site trees and documented occurrences of Swainson's hawk in the project area, suitable nesting habitat for Swainson's hawk may be found on the project site. Given the project site's urban surroundings, and lack of appropriate wetland habitat, tricolored blackbird is not anticipated to be found on the project site.

There are a variety of raptors and/or birds protected by the Migratory Bird Treaty Act that could utilize the on-site trees for nesting. Because the site does not contain open fields or grassland type habitats, the project would not eliminate foraging habitat on the project site. However, development of the project would require the removal of some on-site trees. Mitigation Measure Bio-1 is consistent with Avoidance and Mitigation Measure 16 of the Yolo Natural Heritage Program. Mitigation Measure Bio-2 is consistent with the standard industry practices to avoid and/or minimize potential impacts to protected birds. Implementation of Mitigation Measures Bio-1 and Bio-2 would reduce the potential impact to birds to a **less than significant** level.

Additionally, the project site may provide potential roosting habitat for special-status bat species. There are a variety of areas within the project site where bats could roost. Roosts commonly include: tree/shrub foliage, hollow trees, barns, attics, inoperable vehicles, bridges, rocks, and debris piles. Mitigation Measure Bio-3 is consistent with the standard industry practices to avoid and/or minimize potential impacts to bat roosts. Implementation of Mitigation Measure Bio-3 would reduce the potential impact to bats to a **less than significant** level.

The project site does not support any riparian habitat or sensitive natural communities. As such, implementation of the proposed project would result in a **less than significant** impact. Similarly, the proposed project does not include any construction activities that are within or immediately adjacent to wetlands, creeks, drainages, or other water bodies. These resources are not present on the project site, or in the immediate vicinity of the project site. As such, implementation of the proposed project would have **no impact** relative to this issue. Further, the site does not serve as a wildlife corridor, or nursery site. The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Implementation of the proposed project would result in a **less than significant** impact relative to this topic.

The site currently contains approximately 28 trees, including those located along the frontages of First Street and D Street. The trees surrounding the TX Main House are not anticipated for removal; however, the trees surrounding the Jackson House and Bryson House, which are proposed for demolition, would be removed. The project would landscape the site in conjunction with construction of the proposed three-story building. Compliance with the City's Tree Ordinance would be addressed by a standard City condition of approval which requires preparation of a Tree Protection Plan for trees being preserved and approval of Tree Modification Permit for trees being

removed with standard measures for tree replacement or payment for the appraised value of the trees. The Tree Protection Plan would include measures to ensure that all trees to be preserved would be protected during construction of the project. This would ensure that the project would have a **less than significant** impact relative to local policies and ordinances protecting biological resources.

The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Implementation of the proposed project would have a **less than significant** impact relative to this topic.

ENERGY

The proposed project would not result in any significant adverse impacts related to project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the project including construction, operations, maintenance, and/or removal. PG&E, the current electricity and natural gas provider to the site, maintains sufficient capacity to serve the proposed project. Overall, the proposed project would not be expected cause an inefficient, wasteful, or unnecessary use of energy resources. This is a **less than significant** impact.

GEOLOGY AND SOILS

There will always be a potential for groundshaking caused by seismic activity anywhere in California, including the project site. In order to minimize potential damage to the buildings and site improvements, all construction in California is required to be designed in accordance with the latest seismic design standards of the California Building Code. Design in accordance with these standards would reduce any potential impact to a **less than significant** level.

Additionally, the project site has a low potential for liquefaction, lateral spreading, subsidence, and landslides. However, given that fill was encountered at the site, and the lack of information on the compaction and placement history of the fill, Mitigation Measure Geo-1 would be required. Overall, it was determined that the project site was suitable for development, and with implementation of Mitigation Measure Geo-1, this potential impact would be **less than significant**.

The project site is relatively flat and there are no major slopes in the vicinity of the project site. Slope instability at the project site, as a result of seismic events, has very low potential because of the lack of relief across the area and its distance from active and potentially active faults. The project site is not located in the foothills, mountain terrain, or along a river bank. As such, the project site is exposed to little or no risk associated with landslides. This is a **less than significant** impact and no mitigation is required.

The project site is currently developed and is not at significant risk of erosion under the existing conditions. The RWQCB requires a project specific Storm Water Pollution Prevention Plan (SWPPP) to be prepared for each project that disturbs an area one acre or larger. The SWPPP will include project specific best management measures that are designed to control drainage and erosion.

The SWPPP and the project specific drainage plan would reduce the potential for erosion. Implementation of the Mitigation Measure Geo-2 would ensure that the proposed project would result in a **less-than-significant** impact relative to erosion and loss of topsoil.

The proposed project would not require the use of septic tanks or alternative waste water disposal systems for the disposal of waste water. Implementation of the proposed project would result in **no impact** relative to septic systems. Additionally, known paleontological resources or sites are not located on the project site. Additionally, unique geologic features are not located on the site. The site is currently developed and surrounded by existing urban development, and the proposed project is considered an infill development. As such, impacts to paleontological resources or unique geologic features would not occur. This is a **less than significant** impact.

GREENHOUSE GAS EMISSIONS

Greenhouse gas emission modeling was completed for the proposed project construction and operation. YSAQMD recommends using 1,100 metric tons of carbon monoxide equivalent (MT CO₂e) per year to analyze construction-related GHG emissions. Peak-year construction-generated greenhouse gas emissions would not exceed YSAQMD's recommended greenhouse gas emissions threshold of 1,100 MT CO₂e for construction of the proposed project. Therefore, this is a **less than significant** impact relative to this topic. Similarly, the operational greenhouse gas emissions resulting from the existing residences are higher than the proposed project. This is likely because the existing residences were constructed in approximately 1912 and, as such, are less energy efficient than the proposed three-story building. Overall, the operational greenhouse gas emissions are not anticipated to increase beyond the existing condition. This is a **less than significant** impact relative to this topic.

HAZARDS AND HAZARDOUS MATERIALS

Onsite reconnaissance and historical records indicate that there are no known underground storage tanks or pipelines located on the project site that contain hazardous materials. Therefore, the disturbance of such items during construction activities is unlikely. Construction equipment and materials would likely require the use of petroleum-based products (oil, gasoline, diesel fuel), and a variety of common chemicals including paints, cleaners, and solvents. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. Therefore, the proposed project would have a **less than significant** impact relative to creation of hazards and release of hazardous materials.

Additionally, the operations of a residential fraternity would not emit hazardous emissions or result in the storage or handling of hazardous or acutely hazardous materials, substances or waste above the level of existing conditions. Implementation of the proposed project would result in a **less than significant** impact relative to emitting hazards near schools. The project is also not located on a site which is included on a list of hazardous materials sites compiled pursuant to

Government Code Section 65962.5. Implementation of the proposed project would result in a ***less than significant*** impact relative to this environmental topic.

Further, the project site is not located near an existing airport and is not within an existing airport land use plan. The project site is not located within the approach or take-off zones of the UC Davis Airport, nor is it located within the overflight zones of the airport. There are no private airstrips within a 2-mile vicinity of the project site. Therefore, ***no impact*** would occur.

Implementation of the proposed project would not result in any substantial modifications to the existing roadway system and would not interfere with potential evacuation or response routes used by emergency response teams. The proposed project would also not interfere with any emergency response plan or emergency evaluation plan. This is a ***less than significant*** impact.

The site is not located within an area where wildland fires occur. The site is surrounded by developed land uses. The surrounding land uses consists of a mix of retail, single family, and apartment developments along First Street, D Street, and E Street. This is a ***less than significant*** impact.

HYDROLOGY AND WATER QUALITY

Implementation of proposed project would not violate any water quality or waste discharge requirements. Implementation of the proposed project would result in a ***less-than-significant*** impact relative to this topic. The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). Therefore, project construction and operation would not substantially deplete or interfere with groundwater supply or quality. This impact would be ***less than significant***.

The construction of storm water drainage facilities would not substantially alter the existing drainage pattern of the area, or alter the course of a stream or river. As required by Mitigation Measures Hydro-1, the applicant would be required to submit a plan identifying the stormwater control measures that would be implemented. Additionally, Mitigation Measures Hydro-2 requires documentation that the stormwater runoff from the site is treated per the standards in the California Stormwater Best Management Practice New Development and Redevelopment Handbook and Section E.12 of the Phase II Small MS4 General Permit. Implementation of the proposed project with Mitigation Measures Hydro-1 and Hydro-2 would have a ***less-than-significant*** impact relative to this environmental topic.

The proposed project is shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 06113C0611G dated June 18, 2010. The project site is located within FEMA Zone X (un-shaded), indicating that the site is located outside of the 100-year flood hazard zone. The project would not be subject to tsunamis or seiches. Impacts related to flood hazards, tsunamis and seiches would be ***less than significant***.

LAND USE AND PLANNING

The project site is located within the Davis city limits and is adjacent to developed land on all sides. The project would result in redevelopment of the site, and the proposed use would not change. Development of the project would not result in any physical barriers, such as a wall, or other division, that would divide an existing community, but would serve as an orderly extension of existing utilities. The project would have **no impact** in regards to the physical division of an established community.

MINERAL RESOURCES

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

NOISE

All construction activities will be subject to the requirements of Section 24.02.040 of the City of Davis Municipal Code with respect to limits on construction noise. Additionally, project-related traffic noise level increases under the existing plus project scenario would be a maximum of 0.1 A-weighted decibels (dBA) along First Street and E Street and a 0.0 dBA increase along B Street. This traffic noise increase is very small and not discernible to the human ear. These increases are well below the 3-dBA standard, making it an insignificant increase. Noise from on-site activities would be comparable to the existing condition. The project does not propose any new noise-generating uses beyond those that currently exist, such as a pool or other outdoor facilities. The existing site plan has outdoor lawn areas in the front, rear, and side yards. The proposed site plan would also provide side and rear yards with patio and/or lawn areas. No other noise-generating uses would be constructed. As such, construction and operational noise impacts associated with implementation of the proposed project would be **less than significant**.

Additionally, construction vibration levels anticipated for the proposed project are less than the 0.1 inches per second structural damage criteria at distances of 50 feet. Therefore, construction vibrations are not predicted to cause damage to existing buildings or cause annoyance to sensitive receptors. Implementation of the proposed project would have a **less than significant** impact relative to this environmental topic.

Further, the project site is not located near an existing airport and is not within an existing airport land use plan. As such, project would not expose people residing or working in the project area to excessive noise levels associated with such airport facilities. Implementation of the proposed project would have **no impact** relative to this topic.

POPULATION AND HOUSING

The proposed three-story fraternity building would provide 35 total beds and nine total bathrooms. This would result in three fewer beds and four additional bathrooms compared to the existing houses. The project is consistent with the existing fraternity operations and would not increase the capacity of the project site. The proposed project would not include upsizing of offsite infrastructure or roadways. Implementation of the proposed project would not induce substantial population growth in an area, either directly or indirectly. Therefore, implementation of the proposed project would have a ***less than significant*** impact relative to population growth.

Although the proposed project would reduce the number of beds by three compared to the existing condition, this would not necessitate the construction of replacement housing elsewhere. The existing fraternity houses would be demolished and reconsolidated in order to serve the fraternity. Implementation of the proposed project would have a ***less than significant*** impact relative to displacement of people or housing.

PUBLIC SERVICES

The proposed project would not result in a need to construct a new fire station, police station, or physically alter an existing fire or police station. The Fire Department and Police Department would receive development impact fees from the project for capital improvements and infrastructure costs even though a new facility would not be created. The fair share funds are intended to pay for project financial impacts on fire and police protection service. The proposed project's environmental impact to fire service is considered ***less than significant***.

The future residents of the proposed fraternity building would be enrolled at UC Davis, and would not increase enrollment at any Davis Joint Unified School District schools. The proposed project would not directly, or indirectly increase the student population in the area. The proposed project will not result in intensification of land use, or the addition of structures or uses that would differ from the current General Plan. Therefore, the proposed project would not result in the need for new school facilities, thus it is anticipated to have ***no impact*** relative to this topic.

Additionally, the project would not directly introduce new residents to the City, and therefore would not substantially increase demand for public park facilities to the extent that modification of existing facilities or construction of new park facilities would be necessary. As such, the proposed project would have a ***less than significant*** impact relative to this topic. Further, the proposed project does not trigger the need for new facilities associated with other public services. The proposed project will not result in intensification of land use, or the addition of structures or uses that would differ from the current General Plan. Consequently, new facilities or other public services are not proposed at this time. Implementation of the proposed project would have a ***less than significant*** impact relative to this issue.

RECREATION

As noted above, the project would not directly introduce new residents to the City, and therefore would not substantially increase demand for public park facilities to the extent that modification of

existing facilities or construction of new park facilities would be necessary. As such, the proposed project would have a ***less than significant*** impact relative to this topic.

TRANSPORTATION

The proposed project would not interfere with any existing pedestrian/bicycle facilities, and would not preclude construction of any future facilities. There are two Unitrans routes that pass the project site: the 'M' line and the 'W' line. The 'M' line provides service to the Memorial Union Terminal and the 'W' line provides service to the Silo Terminal. The project would not increase transit use during peak periods compared to the existing baseline. The amount of transit use would be comparable to the existing baseline. The proposed project would not interfere with any existing transit facilities, and would not preclude construction of any future facilities. Similarly, because the number of residents would be comparable the existing condition, the operations on the nearby project roadways are not expected to degrade. The proposed project would not reduce LOS on any streets or intersections to an unacceptable LOS, or substantially worsen an already existing peak-hour LOS F on any streets or intersections. Therefore, impacts related to conflicts with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, would be ***less than significant***.

According to the air quality modeling outputs for the existing operations, the existing fraternity operations generate approximately 77.49 daily trips. The proposed fraternity operations (i.e., the three-story building with 35 total beds) would generate approximately 71.53 daily trips, and the single-family home which would be vacated and placed for sale or lease to a third party on the open market would generate approximately 9.52 daily trips. As such, the proposed project would result in an increase of 3.56 daily trips compared to the existing baseline condition. Therefore, the number of operational trips would be comparable to the existing baseline. As such, the proposed project would not reduce LOS on any streets or intersections to an unacceptable LOS, or substantially worsen an already existing peak-hour LOS F on any streets or intersections. As such, impacts related to conflicts or inconsistencies with CEQA Guidelines Section 15064.3, subdivision (b) are considered ***less than significant*** relative to this topic.

No site circulation or access issues have been identified that would cause a traffic safety problem/hazard or any unusual traffic congestion or delay that could impede emergency vehicles or emergency access. The project does not include any design features or incompatible uses that pose a significant safety risk. The project would create no adverse impacts to emergency vehicle access or circulation. Therefore, project implementation would have a ***less than significant*** impact relative to this topic.

UTILITIES AND SERVICE SYSTEMS

Limited amounts of water would be necessary during the construction phase of the project, but this would be a temporary use of water for construction related activities, and would not be in substantial amounts. The existing houses provide 38 total beds and five total bathrooms (including seven toilets, ten basins, and nine showerheads). The proposed three-story fraternity building would provide 35 total beds and nine total bathrooms (including ten toilets, eighteen basins, and

nine showerheads). Although the project would increase the number of toilets and basins compared to the existing condition, the proposed appliances and facilities would be more energy- and water-efficient. Additionally, the project would use a low water use landscaping and irrigation system. The proposed project will not result in intensification of land use, or the addition of structures or uses that would differ from the current use. No additional demand for water will be created by the project beyond the existing condition. Therefore, a ***less than significant*** impact would occur related to water supply and water infrastructure.

Similarly, the current capacity of the wastewater treatment would be sufficient to handle the wastewater flow from the proposed project. In addition, the proposed project is required to pay sewer impact fees which would contribute towards the cost of future upgrades, when needed. As a result, the proposed project would not have adverse impacts to wastewater treatment capacity. Because the project applicant would pay City sewer impact fees to redevelop the site, and adequate long-term wastewater treatment capacity is available to serve full build-out of the project, a ***less than significant*** impact would occur related to requiring or resulting in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

No additional demand for landfill, or other waste facilities will be created by the project operation. However, limited amounts of solid waste could be generated during the construction phase of the project, but this would be temporary, and would not be in substantial amounts, and would not interfere with a waste facility's permitted capacity. The project would not interfere with regulations related to solid waste. Implementation of the proposed project would have a ***less than significant*** impact relative to solid waste.

WILDFIRE

Implementation of the proposed project would not result in any substantial modifications to the existing roadway system and would not interfere with potential evacuation or response routes used by emergency response teams. No additional demand for fire protection will be created by the project. Implementation of the proposed project wouldn't require additional demands for fire protection services from the City of Davis Fire Department beyond the existing condition. The project would not exacerbate fire risk, or require the installation or maintenance of infrastructure that may exacerbate fire risk. Additionally, because the site is essentially flat and located in an existing urbanized area of the City, downstream landslides would not occur. Overall, impacts related to wildfire would be ***less than significant***.

MANDATORY FINDINGS OF SIGNIFICANCE

The proposed project would not: have the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of a rare or endangered plant or animal. Special-status plant or wildlife species have not been recorded on the project site. The project site is currently developed and disturbed. There is no riparian or other sensitive habitat

types located on-site. Although various special-status plant species have been documented within five-miles of the site, none are present on the project site. Therefore, the project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. This impact would be ***less than significant***.

As discussed above, the construction phase could affect surrounding neighbors through increased air emissions and noise. With the implementation of the conditions of approval, regulatory standards, and best management practices, the project impacts would be less than significant related to these topics. The operational phase of the project would be comparable to the existing baseline condition. As discussed throughout the Initial Study, the proposed project would not cause substantial adverse effects on human beings. The proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. As such, a ***less than significant*** impact would result.

1.8 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received nine written comment letters on the NOP for the proposed Theta Xi Fraternity Redevelopment Project Draft EIR. A brief summary of each comment is provided in the list below. A copy of each letter is provided in Appendix A of this Draft EIR. A public scoping meeting was held on March 18, 2019 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Oral comments received at the NOP scoping meeting are also included in Appendix A.

The comment letters include the following:

1. Cynthia Goldberg (March 16, 2019):
 - Expressed concerns for a different fraternity regarding noise, trash, and general disturbances in the front yard area of a different fraternity located at corner of A Street and First Street, which is not Theta Xi fraternity.
2. Bob Testa and Skip Metzger (March 24, 2019) (project proponents):
 - Concerns regarding the structural stability and efficiency of the existing structures.
3. Todd Rogers, California Department of Transportation (February 28, 2019): No concerns listed.
4. Stephanie Buss, California Department of Fish and Wildlife (March 26, 2019):
 - Suggested revisions and additions to the mitigation measures in the Initial Study pertaining to biological resources (including birds and bats).
5. Gregor Blackburn, Federal Emergency Management Agency (March 6, 2019):
 - Summary of the National Flood Insurance Program requirements.
6. Burnam Lowell, Sr., Tribal Historic Preservation Officer, Yocha Dehe Wintun Nation (March 26, 2019) and Laverne Bill, Cultural Resources Manager, Yocha Dehe Wintun Nation (March 27, 2019):

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- Request for tribal monitors during all ground disturbance and cultural sensitivity training before all work begins.
 - Recommends including cultural monitors during development and ground disturbance, including backhoe trenching and excavations.
7. Steven Quinn, Native American Heritage Commission (March 6, 2019):
- Summary of the requirements of Assembly Bill 52, Senate Bill 18, and recommendations for cultural resources assessments.
8. Jordan Hensley, Central Valley Regional Water Quality Control Board (March 19, 2019):
- Summary of the regulatory requirements pertaining to surface and groundwater (including the Basin Plan, Clean Water Act, Waste Discharge Requirements, National Pollutant Discharge Elimination System, dewatering permit, commercially irrigated agriculture)
9. Yolo-Solano Air Quality Management District (March 5, 2019):
- Request for compliance with District Rule 9.9, Asbestos, for renovation and/or demolition projects.

1.9 POTENTIAL AREAS OF CONCERN

Aspects of the proposed project that could be of public concern include the following:

- The noise, trash, and general disturbances in the front yard areas.
- The structural stability and efficiency of the existing structures.
- The proposed mitigation measures related to biological resources (specifically related to special-status birds and bats).
- The proposed mitigation measure related to tribal cultural resources.
- The demolition of the existing structures as related to hazardous materials.