Proposed Appendix N: Infill Environmental Checklist Form

NOTE: This form is intended to assist lead agencies in assessing infill projects according to the procedures provided in Section 21094.5 of the Public Resources Code. Lead agencies may customize this form as appropriate, provided that the content satisfies the requirements in Section 15183.3 of the CEQA Guidelines.

1. Project title: **University Research Park Mixed Use**

2. Lead agency name and address: **City of Davis, 23 Russell Boulevard, Davis, California 95616**

3. Contact person and phone number: **Jessica Lynch, Senior Planner 530-757- 5610**

4. Project location: **1770 Research Park Drive, CA, 95616 (Figure 1)**

5. Project sponsor's name and address: David Nystrom, Fulcrum Properties, 1530 J Street, Sacramento CA 95814

6. General plan designation **Mixed Use**
7. Zoning: **Planned Development**

8. Prior Environmental Document(s) Analyzing the Effects of the Infill Project (including State Clearinghouse Number if assigned): **City of Davis General Plan EIR (SCH#1999072014). The Sacramento Area Council of Governments (SACOG) EIR for the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (SCH#2014062060) is also used as a reference document, and its relationship to the project and General Plan EIR is described in more detail below.**

9. Location of Prior Environmental Document(s) Analyzing the Effects of the Infill Project: **Department of Community Development & Sustainability, 23 Russell Boulevard Suite 2. Davis, 95616; Sacramento Area Council of Governments website: https://www.sacog.org/general-information/final-2016-mtpscs-environmental-impact-report**

10. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.): **University Research Park Mixed Use project consists of construction of four buildings, each with four floors of residential apartment units over one floor of non residential space. The 160 dwelling units would include 32 studio units, 96 one-bedroom units, and 32 two-bedroom units. The project would provide 138,431 square feet of residential space and 26,912 square feet of of open plan tech space. The maximum building height would be 60 feet.**

11. Surrounding land uses and setting: Briefly describe the project's surroundings, including any prior uses of the project site, or, if vacant, describe the urban uses that exist on at least 75% of the project's perimeter: **The project site is an infill site surrounded on all sides by urban uses. To the north of the project site is Interstate 80 and the University of California Davis's Office of Research. To the west is a hotel and retail uses. To the**

south is another hotel. And to the east is the Yolo Hospice center and the Yolo Solano Air Quality Maintenance District.

12. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): **N/A**

Figure 1
Project Location

SATISFACTION OF APPENDIX M PERFORMANCE STANDARDS

Provide the information demonstrating that the infill project satisfies the performance standards in Appendix M below. For **mixed-use projects**, the predominant use will determine which performance standards apply to the entire project.

1. Does the non-residential infill project include a renewable energy feature? If so, describe below. If not, explain below why it is not feasible to do so.

   The proposed project is a mixed use project. The project will be required to comply with the California Reach Code. The City of Davis requires solar photovoltaics on all new non-residential buildings and any proposed high-rise, multi-family dwellings. The ordinance also includes electric vehicle charging for new development. Required solar photovoltaic systems must be sized to offset approximately 80% of electricity used on site or 15 DC watts per square foot of "solar zone," meaning roof area amenable to a solar installation.

2. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, either provide documentation of remediation or describe the recommendations provided in a preliminary endangerment assessment or comparable

document that will be implemented as part of the project:

The project is not located on any list compiled pursuant to Section 65962. A Preliminary Endangerment Assessment has also been completed for the project. (See Appendix A)

3. If the infill project includes residential units located within 500 feet, or such distance that the local agency or local air district has determined is appropriate based on local conditions, a high volume roadway or other significant source of air pollution, as defined in Appendix M, describe the measures that the project will implement to protect public health. Such measures may include policies and standards identified in the local general plan, specific plans, zoning code or community risk reduction plan, or measures recommended in a health risk assessment, to promote the protection of public health. Identify the policies or standards, or refer to the site specific analysis, below. (Attach additional sheets if necessary.):

   The potential for exposure of future occupants of the project to significant health hazards from Interstate 80 is below the screening cancer level threshold. The near roadway health risk experienced by residents of the University Research Park project is not expected to be significant. Implementation of the proposed project design features would further reduce the already less than significant impacts (See Appendix B)

4. For **residential** projects, the project satisfies which of the following?

   ✖ Located within a low vehicle travel area, as defined in Appendix M. (Attach VMT map.)
   Refer to Figure below. The project site is located within traffic analysis zone (TAZ) 107 in the Sacramento Area Council of Governments (SACOG) SACMET regional travel demand model developed for the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). Under base year (2012) conditions, TAZ 107 generates 12.65 VMT per capita, less than the SACOG regional average of 27.7 VMT per capita. Therefore, the project site is located within a "low vehicle travel area" as defined for residential infill projects in Appendix M of the CEQA Guidelines.

   ✖ Located within 1/2 mile of an existing major transit stop or an existing stop along a high quality transit corridor. (Attach map illustrating proximity to transit.)
   Refer to Figure below

   ☐ Consists of 300 or fewer units that are each affordable to low income households. (Attach evidence of legal commitment to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.)

5. For **commercial** projects with a single building floor-plate below 50,000 square feet, the project satisfies which of the following? **N/A**

   ☐ Located within a low vehicle travel area, as defined in Appendix M. (Attach VMT map.)

☐ The project is within one-half mile of 1800 dwelling units. (Attach map illustrating proximity to households.)

6. For **office building** projects, the project satisfies which of the following?

   X Located within a low vehicle travel area, as defined in Appendix M. (See Figure 2 below.)

   X Located within 1/2 mile of an existing major transit stop or within 1/4 of a stop along a high quality transit corridor. (See Figure 3 below.)

7. For **school** projects, the project does all of the following: **N/A**

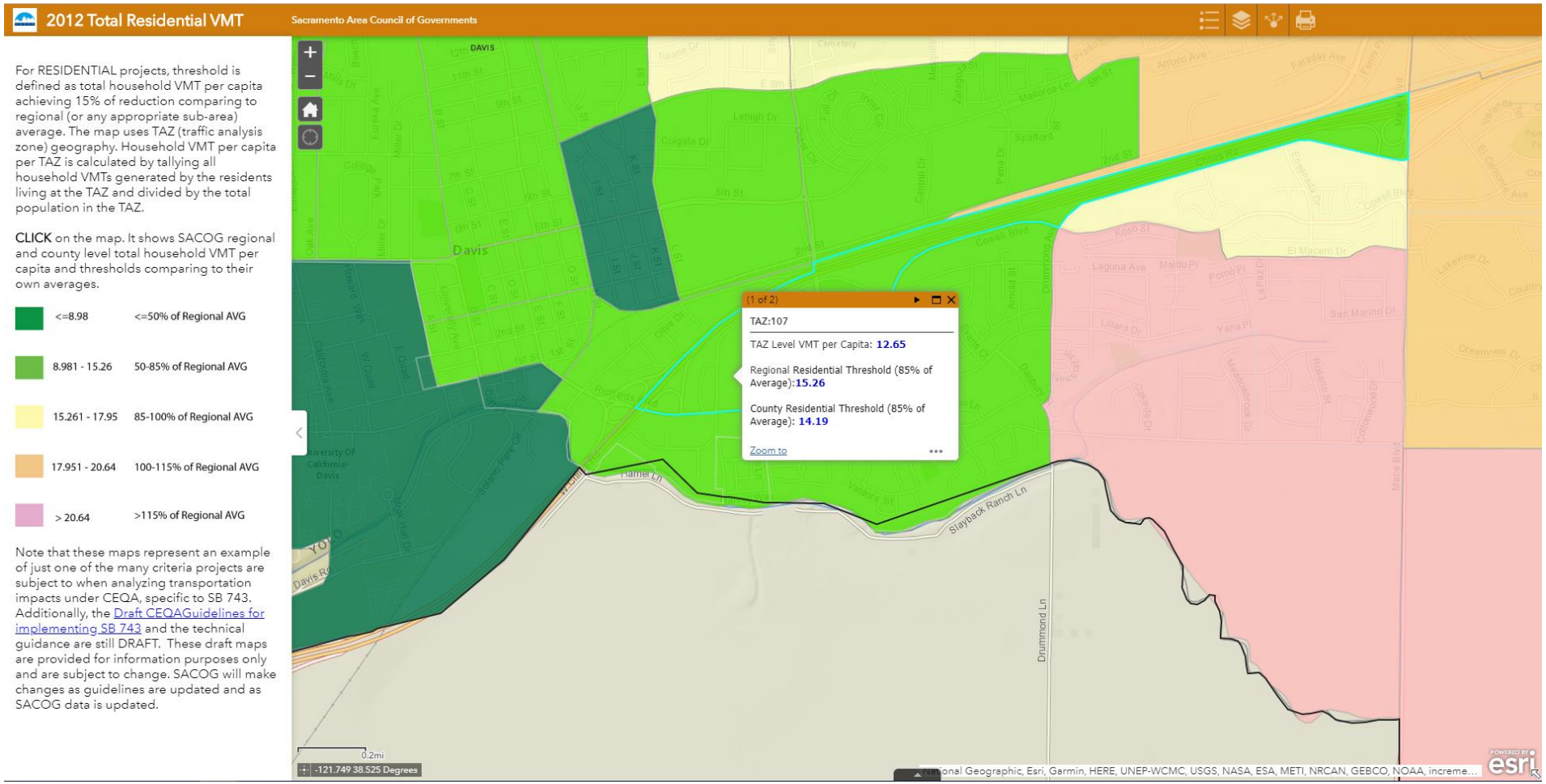
   ☐ The project complies with the requirements in Sections 17213, 17213.1 and 17213.2 of the California Education Code.

   ☐ The project is an elementary school and is within one mile of 50% of the student population, or is a middle school or high school and is within two miles of 50% of the student population. Alternatively, the school is within 1/2 mile of an existing major transit stop or an existing stop along a high quality transit corridor. (Attach map and methodology.)

   ☐ The project provides parking and storage for bicycles and scooters.

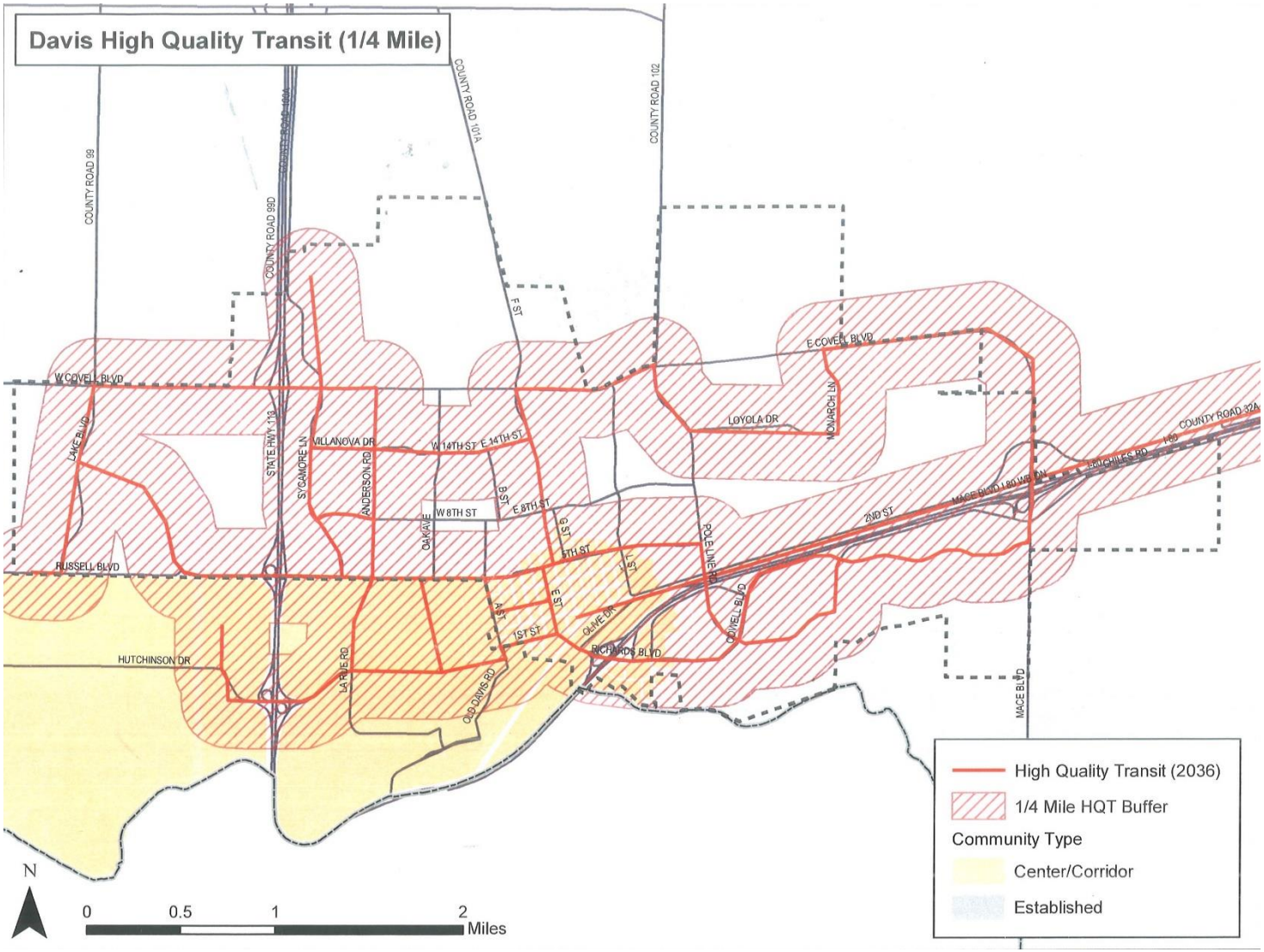
8. For **small walkable community projects**, the project must be a residential project that has a density of at least eight units to the acre or a commercial project with a floor area ratio of at least 0.5, or both.

Figure 2
VMT per Capita Comparison



Source: Fehr & Peers, 2019.

Figure 3
High Quality Transit



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The infill project could potentially result in one or more of the following environmental effects:

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

DETERMINTION: On the basis of this initial evaluation:

✖ I find that the proposed infill project WOULD NOT have any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects. A Notice of Determination (Section 15094) will be filed.

☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. With respect to those effects that are subject to CEQA, I find that such effects WOULD NOT be significant and a NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITI ES ENVIRONMENTAL ASSESSMENT, will be prepared.

☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that although those effects could be significant, there will not be a significant effect in this case because revisions in the infill project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION, or If the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.

☐ I find that the proposed infill project would have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that those effects WOULD be significant and an infill ENVIRONMENTAL IMPACT REPORT Is required to analyze those effects that are subject to CEQA.

_____	March 27, 2020
Signature	Date
Sherri Metzker	City of Davis
Printed Name	For

EVALUATION OF THE ENVIRONMENTAL IMPACTS OF INFILL PROJECTS:

1) No Impact. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Analyzed in Prior EIR. For the purposes of this checklist, “prior EIR” means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents. “Planning level decision” means the enactment or amendment of a general plan, community plan, specific plan, or zoning code. (Section 15183.3(e).)

4) Once the lead agency has determined that a particular physical impact may occur as a result of an infill project, then the checklist answers must indicate whether that impact has already been analyzed in a prior EIR. If the effect of the infill project is not more significant than what has already been analyzed, that effect of the infill project is not subject to CEQA. The brief explanation accompanying this determination should include page and section references to the portions of the prior EIR containing the analysis of that effect. The brief explanation shall also indicate whether the prior EIR included any mitigation measures to substantially lessen that effect and whether those measures have been incorporated into the infill project.

5) Substantially Mitigated by Uniformly Applicable Development Policies. If the infill project would cause a significant adverse effect that either is specific to the project or project site and was not analyzed in a prior EIR, or is more significant than what was analyzed in a prior EIR, the lead agency must determine whether uniformly applicable development policies or standards that have been adopted by the lead agency, or city or county, would substantially mitigate that effect. If so, the checklist shall explain how the infill project’s implementation of the uniformly applicable development policies will substantially mitigate that effect. That effect of the infill project is not subject to CEQA if the lead agency makes a finding, based upon substantial evidence, that the development policies or standards will substantially mitigate that effect.

6) If all effects of an infill project were either analyzed in a prior EIR or are substantially mitigated by uniformly applicable development policies or standards, CEQA does not apply to the project, and the lead agency shall file a Notice of Determination.

7) Significant. Effects of an infill project that either have not been analyzed in a prior EIR, or that uniformly applicable development policies or standards do not substantially mitigate, are subject to CEQA. With respect to those effects of the infill project that are subject to CEQA, the checklist shall indicate whether those effects are significant, less than significant with mitigation, or less than significant. If there are one or more "Significant Impact" entries when the determination is made, an infill EIR is required. The infill EIR should be limited to analysis of those effects determined to be significant. (Sections 15128, 15183.3(d).)

8) **"Less Than Significant With Mitigation Incorporated"** applies where the incorporation of mitigation measures will reduce an effect of an infill project that is subject to CEQA from" Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how those measures reduce the effect to a less than significant level. If the effects of an infill project that are subject to CEQA are less than significant with mitigation incorporated, the lead agency may prepare a Mitigated Negative Declaration. If all of the effects of the infill project that are subject to CEQA are less than significant, the lead agency may prepare a Negative Declaration.

9) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to an infill project's environmental effects in whatever format is selected.

10) The explanation of each issue should identify:
    a) the significance criteria or threshold, if any, used to evaluate each question; and
    b) the mitigation measure identified, if any, to reduce the impact to less than significance.

It should be noted that the thresholds used in this analysis are presented prior to the discussion for each environmental resource areas. Where specific thresholds are not identified in previous environmental analyses, the thresholds included in the Appendix N checklist are applied.

Appendix List

The following appendices are included herein:

Appendix No.	Contents
A.	Preliminary Endangerment Assessment, Geosyntec Consultants, May 2019
B.	Qualitative Assessment of Near Roadway Air Quality Impacts Foulweather Consulting February 2019
C.	SACOG Letter/ University Research Park Project Consistency Finding w/ 2016 Metropolitan Transportation Plan / Sustainable Communities Strategy, October 2018
D.	Project consistency with General Plan mitigation measures, performance standards, and criteria
E.	CalEEMod Air Quality and Greenhouse Gas Emissions Modeling Results, December 2019
F.	University Research Park, Civil Utility Summary, Cunningham Associates, August 2018
G.	University Research Park Transportation Study, Fehr and Peers, November 2018

Introduction

The applicant is proposing to construct University Research Park Mixed Use project, which consists of construction of four buildings, each with four floors of residential apartment units over one floor of office/ research space. The 160 dwelling units would provide 32 studio units, 96 one-bedroom units, and 32 two-bedroom units. The project would provide 138,431 square feet of residential space and 26,912 square feet of of open plan tech space. The maximum building height would be 60 feet. The necessary land use entitlements include:

- General Plan Amendment;
- Rezone;
- Planned Development Amendment/Final Plan Development
- Lot Line Adjustment;
- Development Agreement; and
- Architectural Site Plan and Design Review.

The total project site is 6.2 acres in size, though only 4.5 acres is proposed for development as part of the project, and is located at 1770 Research Park Drive. The proposed lot line adjustment would result in a 4.5-acre lot that would be developed with proposed project and a 1.7-acre lot that is not proposed for development at this time. The site is surrounded on all sides by urban uses, including Interstate 80 and the University of California Davis's Office of Research to the north, a hotel and retail uses to the west, another hotel to the south, and the Yolo Hospice Center and the Yolo Solano Air Quality Management District office to the east. The site was previously used for agriculture purposes until the University Research Park was built in the early 1980s. Since that time, it has been a vacant lot.

Purpose of this Environmental Checklist

Public Resources Code section 21094.5, adopted per SB 226, along with its implementing regulations (Section 15183.3 and Appendices M and N of the CEQA Guidelines) provide a streamlined CEQA process for projects that qualify as infill development.

In order to qualify for coverage under the Infill Streamlining provisions, a project site must either be in an urban area that has been previously developed or the project site must have qualifying urban development, defined as any one or a combination of residential, commercial, public institutional, transit or transportation passenger facility, or retail use on at least 75 percent of the site perimeter. The project site is located within an urbanized area of the City.

The CEQA Guidelines, in Appendix M, include a set of performance standards as required by SB 226, which a qualifying project must satisfy in order to be eligible for the Infill Streamlining process.

As discussed on pages one through five of this document, the proposed project satisfies all applicable performance standards and thresholds for the Infill Streamlining process.

Compliance with the Appendix M performance standards leads to the next step in the Infill Streamlining process, which is completion of the environmental checklist provided in CEQA Guidelines Appendix N. The Appendix N Infill Environmental Checklist (the "Appendix N Checklist") provides a tool to evaluate a development project and document its eligibility to use the Infill Streamlining process. The Appendix N Checklist also assists the lead agency in identifying and summarizing project-specific effects and how those effects are or are not

addressed in a prior programmatic level document or by uniformly applicable development policies:

> *Once the lead agency has determined that a particular physical impact may occur as a result of an infill project, then the checklist answers must indicate whether that impact has already been analyzed in a prior EIR. If the effect of the infill project is not more significant that what has already been analyzed, that effect of the infill project is not subject to CEQA. The brief explanation accompanying this determination should include page and section references to the portions of the prior EIR containing the analysis of that effect. The brief explanation shall also indicate whether the prior EIR included any mitigation measures to substantially lessen that effect and whether those measures have been incorporated into the infill project.*

In order to substantiate that the proposed project qualifies for Infill streamlining, it is necessary to document that the impacts of the proposed project fall within the impacts evaluated in prior EIRs, in this case, the City of Davis General Plan EIR (State Clearinghouse #1999072014). This checklist analyzes whether the proposed project impacts fall within the impact forecast contained in the City of Davis General Plan EIR and, where applicable, also identifies uniformly applicable development policies or standards that apply to the infill project's specific impacts and will substantially mitigate its effects. For purposes of this Environmental checklist, "uniformly applicable development policies or standards" include policies and standards adopted or enacted by the City or State that reduce one or more adverse environmental impacts. Such policies and standards can include, without limitation, local and state building codes, design guidelines, impact fee programs, traffic impact fees, policies for the reduction of greenhouse gasses contained in adopted land use plans, policies or regulations and ordinances for the protection of trees or historic resources (see Section 15183.3 (f)(7) of the CEQA Guidelines).

The Sacramento Area Council of Governments (SACOG) provides transportation planning and funding for the six-county Sacramento region, and the cities therein, including Yolo County and the City of Davis. SACOG provides long-range planning that integrates various issues including transportation, land use, housing, and air quality. In February of 2016, SACOG released the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS),[1] as well as an associated EIR (State Clearinghouse Number 2014062060).[2] The MTP/SCS integrates land use planning with transportation investments in order to reduce greenhouse gas emissions within the region, as well as addressing the region's housing needs and air quality impacts. The MTP/SCS EIR analyzes potential impacts related to implementation of the MTP/SCS, which includes increased infill development and higher density development within Center and Corridor Communities throughout the SACOG area. The MTP/SCS EIR has been incorporated by reference into this document, pursuant to CEQA Guidelines Section 15150.

The City, as lead agency, has determined, based on substantial evidence contained in the documents and records regarding the proposed project, that the proposed project is eligible for Infill streamlining pursuant to Public Resources Section 21094.5. In addition, on October 11, 2018, SACOG provided the City of Davis with a confirmation that the proposed project would be consistent with the MTP/SCS (Appendix C), so it is identified as a Transit Priority Project and is eligible for CEQA exemption pursuant to Public Resources Code Sectyion 21155.1. A separate analysis has been completed for that exemption and is included in Appendix D. In general, Transit

[1] Sacramento Area Council of Governments. *2016 Metropolitan Transportation/Sustainable Communities Strategy*. February 18, 2016.

[2] Sacramento Area Council of Governments. *2016 Metropolitan Transportation/Sustainable Communities Strategy Environmental Impact Report*. February 18, 2016.

Priority Projects are defined as projects that include a mix of residential and nonresidential uses, have a minimum net density of 20 dwelling units per acrea, area located within 0.5 mile of a major transit stop or high-quality transit corridor, and are are consistent with the land use desigations, density, building intensity, and applicable policies of a Sustainable Community Strategy.[3]

The SACOG letter shows that the entire project site is located within one-quarter mile of a high-quality transit corridor, and that the proposed project would develop the site for mixed use with residential uses at a density of approximately 35.9 units per acre. The MTP/SCS EIR is used in this checklist to, where applicable, provide support for the conclusion that the proposed project's impacts are no greater than the impacts identified in the City of Davis General Plan EIR. In addition, where applicable, this checklist requires the proposed project adopt mitigation measures included in the MTP/SCS EIR as uniformly applicable development standards to substantially mitigate effects of the proposed project. Where applicable, the checklist also identifies other uniformly applicable development standards, such as measures set forth in the City's Municipal Code or General Plan, to substantially mitigate effects of the proposed project. All General Plan policies identified herein as applicable to the proposed project would be implemented through project design or conditions of approval. In addition, the proposed project's consistency with General Plan mitigation measures, performance standards, and criteria has been prepared for the proposed project and is included as Appendix D of this document.

[3] Sacramento Area Council of Governments. *SB 375 Streamlining.* https://www.sacog.org/sb-375-ceqa-streamlining Accessed February 26, 2020.

Evaluation of Environmental Impacts:

I. AESTHETICS. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Have a substantial adverse effect on a scenic vista?	☐	☐	✖	✖ (MTP/SCS EIR pp. 3-31 through 3-39; GP EIR 5A-33 through 5A-35)	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	✖	✖ (MTP/SCS EIR pp. 3-31 through 3-39)	☐
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	✖ (MTP/SCS EIR pp. 3-39 through 3-45; Davis GP EIR 5A-33 through 5A-35)	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	✖ (MTP/SCS EIR pp. 3-17 through 3-24; Davis GP EIR 5A-36 through 5A-38)	☐

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- The General Plan was determined to have a significant impact on aesthetics if potential development proposed in the plan would substantially degrade the existing visual character or quality of the site and its surroundings (see Question c below); or
- The General Plan was determined to have a significant impact if it would create a new source of substantial light or glare that would adversely affect daytime or nighttime vies in the area (see Question d below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Block panoramic views or views of significant landscape features or landforms (mountains, rivers, bays, or important man-made structures) as seen from public viewing areas, including state-designated scenic highways (see Questions a and b below).

Discussion

a,b. A scenic vista is an area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, State, or local agency. Federal and State agencies have not designated any such locations within the City of Davis for viewing and sightseeing. Similarly, the City of Davis, according to the City of Davis General Plan Program EIR, has determined that the Planning Area of the General Plan has no officially designated scenic highways, corridors, vistas, or viewing areas.[4] Because scenic resources do not exist within the City's Planning Area, the City of Davis General Plan Program EIR concluded that infill development within the City does not have the potential to alter scenic views as infill development is surrounded by urban uses that limit views through the sites. As a result, the proposed project would not result in any new specific effects or effects that are greater than were already analyzed in the General Plan EIR.

In addition, the MTP/SCS EIR noted that infill development within Center and Corridor and Established Communities throughout the region would typically not change views found in such areas, and infill development in Center and Corridor and Established Communities would only have the potential to affect scenic resources where such resources exist and are not adequately protected by local policies. In such instances that development under the MTP/SCS occurred in areas with scenic resources that were not protected by local policies, implementation of the MTP/SCS would have the potential to result in significant impacts. As such, the MTP/SCS EIR included Mitigation Measure AES-4, which was designed to protect panoramic views and views of significant landscape features or landforms. The proposed project involves infill development within a Center and Corridor Community, and, as noted above, scenic resources do not exist within the City's Planning Area. Considering that the proposed project would be considered infill development within Center and Core Community where significant scenic resources do not exist, there would be no new specific effects as a result of the proposed project and implementation of MTP/SCS EIR Mitigation Measure AES-4 would not be required for the project.

Moreover, it should be noted that aesthetic impacts associated with the proposed project are not, as a matter of law, potentially significant environmental impacts of the project pursuant to Public Resource Code section 21099. Specifically, section 21099 provides, in part, that "[a]esthetic and parking impacts of a residential, mixed-use residential, or

[4] City of Davis. *Draft Program EIR* [pg. 5-2]. 2001.

employment project on an infill site within a transit priority area[5] shall not be considered significant impacts on the environment." (Pub. Resources Code, § 21099, subd. (d)(1).)

For the purposes of Public Resources Code section 21099, an infill site is a site "located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." The project site meets this definition because the site is surrounded by adjacent development (excluding public right-of-ways) on more than 75 percent of its perimeter. Furthermore, as shown in the October 11, 2018 letter from the Sacramento Area Council of Governments (SACOG), the project site is located directly adjacent to, and less than ¼ mile from, the Cowell Blvd high-quality transit corridor. Thus, the proposed project qualifies for the streamlining provisions included in Public Resources Code section 21099, subdivision (d). As a result, any aesthetic impacts associated with the proposed project do not, as a matter of law, constitute a potentially significant impact on the environment pursuant to CEQA.

c. The General Plan EIR determined that development of infill sites generally surrounded by urban uses would not significantly degrade existing views. As a project proposed on an infill site surrounded by urban uses, the proposed project would not result in a more significant impact than disclosed in the General Plan EIR.

Furthermore, as noted in the MTP/SCS EIR, Center and Corridor and Established Communities are already more dense and compact than other community types, and the visual landscape of Center and Corridor and Established Communities is, therefore, dominated by existing urban developments. Considering the existing condition of Center and Corridor and Established Communities, the MTP/SCS EIR concluded that further infill development in such areas would not have the potential to impact the visual character of Center and Corridor and Established Communities. The proposed infill project would include development of the vacant project site with four five-story mixed use buildings. The proposed building height is necessary to achieve densification and infill development.

In order to ensure that the proposed project is visually compatible with the surrounding uses, consistent with Mitigation Measure AES-6, AES-12, and AES-13 from the MTP/SCS EIR, the proposed project would include landscaping with native, drought-tolerant plants, retention of existing mature street trees along the project's Research Park Drive frontage, as well as landscaped areas throughout the project. The project would be conditioned for final approval of elevations by the City.

Consistent with Mitigation Measure AES-8 from the MTP/SCS EIR, which requires implementation of specific actions to reduce visibility of construction-related activities, the project applicant would be required to submit a construction impact management plan including a project development schedule and "good neighbor" information for review and approval by the Community Development and Public Works Departments. Work and/or storage of material or equipment within a City right-of-way would be reviewed on a case-by-case basis and would be subject to review and approval by the City Engineer. Consistent with Mitigation Measure AES-11, the project applicant would be required, as a

[5] A Transit Priority Area is an area within one-half mile of a major transit stop (existing or planned light rail, street car, or train station) or an existing or planned high-quality transit corridor (with a fixed bus route with service ingtervals no longer than 15 minutes during peak commute hours) that is included in the MTP/SCS.

condition of approval, to submit an Erosion Control Plan prior to commencement of construction which includes methods for revegetating denuded earth slopes.

The proposed project will not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR. Nevertheless, as discussed above, relevant measures from the MTP/SCS EIR have been incorporated into the proposed infill project and the effect of the infill project is not more significant than what has already been analyzed.

It should be noted that in addition to the foregoing conclusions based on the MTP/SCS EIR and General Plan EIR, the City of Davis has a process for conducting Design Review of proposed projects, which includes consideration of the visual quality of projects being reviewed. The proposed project would be subject to design review by the City, as required by the City of Davis' Municipal Code Section 40.31. The City's design review would rely on existing City standards to analyze the proposed structure's architectural and landscape character in isolation and in consideration of the surrounding developments. Design review of the proposed project would also include consideration of the suitability of the project for the project site, the materials proposed for use, and the relationship of the structure to other structures within the City.

Finally, as discussed in Section a.b. above, the analysis and uniformly applicable development standards discussed herein, exceed the requirements of CEQA because, pursuant to Public Resources Code section 21099, aesthetic impacts associated with the proposed project do not, as a matter of law, constitute a potentially significant impact on the environment.

d. The General Plan EIR considered whether infill development has the potential to increase daytime/nighttime light and glare. The General Plan EIR found that infill development would introduce additional sources of light and glare into areas that are primarily surrounded by lighted development (e.g., streetlights). Because infill development would not introduce land uses or structures that would contribute a substantial amount of new nuisance light or glare into an area that currently has minimal light or glare, the impact would be less than significant. As a project proposed on an infill site surrounded by urban uses, the proposed project will not result in a more significant impact than previously analyzed in the General Plan EIR.

Furthermore, as noted in the MTP/SCS EIR, light and glare are dominant landscape features within Center and Corridor and Established Communities, such as the project site. Considering the prevalence of light and glare within Center and Corridor and Established Communities, the MTP/SCS EIR concluded that infill development and development within Center and Corridor and Established Communities would not have the potential to result in substantial localized impacts related to the creation of light and glare. Per conditions of approval placed on the project by the City, and consistent with Mitigation Measures AES-2 and AES-3 in the MTP/SCS EIR identified for potential regional impacts, the proposed building would be constructed with non-reflective material (e.g., a combination of tile and stucco). Outdoor lighting would be required to be low wattage, the minimum necessary to light the intended area, and would be fully shielded to minimize off-site glare. A detailed on-site lighting plan, including a photometric diagram and details of all exterior light fixtures will be reviewed and approved by the Department of Community Development & Sustainability and Police Department prior to the issuance of permits. Considering the project's location within Center and Corridor Community, consistent with

the conclusions presented in the MTP/SCS EIR, the proposed project would not have the potential to result in substantial localized impacts related to the creation of light and glare. Therefore, the proposed project will not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

It should be noted that in addition to the foregoing conclusions, the City of Davis maintains City specific requirements related to the creation of new sources of light and glare. The proposed project would be required to comply with the City's Outdoor Lighting Control policies. Consistency with the City's Municipal Code would be ensured during the site plan and architectural review process. Section 8.17.030 of the City's Municipal Code includes general requirements for outdoor lighting. For example, the Municipal Code requires all outdoor lighting to be fully shielded and the direction of lighting be considered to avoid light trespass and glare onto surrounding properties.

Finally, as discussed in Section a.b. above, the analysis and uniformly applicable development standards discussed herein, exceed the requirements of CEQA because, pursuant to Public Resources Code section 21099, aesthetic impacts associated with the proposed project do not, as a matter of law, constitute a potentially significant impact on the environment.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure AES-2: *Design structures to avoid or reduce impacts resulting from glare.*

The implementing agency shall require measures that would minimize and control glare from land use and transportation projects through the adoption of project design features that reduce glare. These features include:

- *limiting the use of reflective materials, such as metal;*
- *using non-reflective material, such as paint, vegetative screening, matte finish coatings, and masonry;*
- *screening parking areas by using vegetation or trees;*
- *using low-reflective glass; and*
- *complying with applicable general plan policies or local controls related to glare.*

Mitigation Measure AES-3: *Design lighting to minimize light trespass and glare.*

The implementing agency shall require measures that would impose lighting standards that ensure that minimum safety and security needs are addressed and minimize light trespass and glare. These standards include the following:

- *minimizing incidental spillover of light onto adjacent private properties and undeveloped open space;*
- *directing luminaries away from habitat and open space areas adjacent to the project site;*
- *installing luminaries that provide good color rendering and natural light qualities; and*
- *minimizing the potential for back scatter into the nighttime sky and for incidental spillover of light onto adjacent private properties and undeveloped open space.*

Mitigation Measure AES-6: *Design projects to be visually compatible with surrounding areas.*

The implementing agency shall require measures that minimize contrasts in scale and massing between the project and surrounding natural forms and developments. Strategies to achieve this include:

- *avoiding large cuts and fills when the visual environment (natural or urban) would be substantially disrupted;*
- *siting or designing projects to minimize their intrusion into important viewsheds;*
- *using contour grading to match surrounding terrain;*
- *developing transportation systems to be compatible with the surrounding environments (e.g., colors and materials of construction material; scale of improvements);*
- *avoiding the use of non-native landscaping; if exotic vegetation is used, it should be used as screening and landscaping that blends in and complements the natural landscape;*
- *protecting or replacing trees in the project area;*
- *using grading that blends with the adjacent landforms and topography;*
- *landscaping new slopes and embankments with compatible grasses, shrubs, and trees to soften cuts and edges; and*
- *designing new structures to be compatible in scale, mass, character, and architecture with existing structures.*

Mitigation Measure AES-8: *Reduce the visibility of construction-related activities.*

The implementing agency shall reduce the visibility of construction-related activities by taking the following (or equivalent) actions:

- *restricting construction activities to permitted hours in accordance with local jurisdiction regulations;*
- *locating materials and stationary equipment such as generators, compressors, rock crushers, cement mixers, etc. as far from sensitive receptors as possible;*
- *locating materials and stationary equipment in such a way as to prevent glare, light, or shadow from impacting surrounding uses and minimize blockage of scenic resources; and*
- *reducing the visibility of construction staging areas by fencing or screening these areas with low-contrast materials consistent with the surrounding environment.*

Mitigation Measure AES-11: *Re-vegetate exposed earth surfaces.*

The implementing agency shall minimize short-term visual impacts of construction by requiring project sponsors to re-vegetate slopes and exposed earth surfaces at the earliest opportunity during construction.

Mitigation Measure AES-12: *Minimize contrasts between the project and surrounding areas.*

The implementing agency shall ensure that projects use natural landscaping to minimize contrasts between the projects and surrounding areas. Wherever possible, the implementing agency shall develop interchanges and transit lines at the grade of the surrounding land to limit view blockage. Project designs shall contour the edges of major cut-and-fill slopes to provide a more natural-looking finished profile.

Mitigation Measure AES-13: *Replace and renew landscaping along roadway corridors and development sites.*

The implementing agency shall ensure that project sponsors replace and renew landscaping to the greatest extent possible along corridors with transportation improvements and at development sites. The implementing agency shall ensure that landscaping is planned in new corridors and developments to respect existing natural and man-made features and to complement the dominant landscaping of surrounding areas.

Applicable Davis General Plan Policies

Policy UD 2.1 Preserve and protect scenic resources and elements in and around Davis, including natural habitat and scenery and resources reflective of place and history.

Policy UD 3.2 Provide exterior lighting that enhances safety and night use in public spaces, but minimizes impacts on surrounding land uses.

Policy HAB 1.4 Preserve and protect scenic resources.

II. Agriculture and Forest Resources. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	☐	☐	✖	✖ (MTP/SCS EIR pp. 4-21 through 4-27; Davis GP EIR pp. 5A-31 through 5A-33)	☐
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	✖	☐ (MTP/SCS EIR pp. 4-27 through 4-34.)	☐
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined	☐	☐	✖	☐ (MTP/SCS EIR pp. 4-34 through 4-38)	☐

II. Agriculture and Forest Resources. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
by Government Code section 51104(g))?					
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	✖	☐ (MTP/SCS EIR pp. 4-45 through 4-49)	☐
e. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	☐	☐	✖	✖ (MTP/SCS EIR pp. 4-38 through 4-45; Davis GP EIR pp. 5A-31 through 5A-33)	☐

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- The General Plan was determined to have a significant impact on agricultural lands if it was determined to convert prime agricultural land (with potential use for viable farming), to nonagricultural uses (see Questions a and e below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Conflict with existing zoning or general plan land use designations for agricultural use, or a Williamson Act contract (see Question b below).
- Conflict with existing zoning or land use designation for, or cause rezoning of, forest land (as defined in Pub. Resources Code, § 12220(G)), timberland (as defined by Pub. Resources Code, § 4526), or timberland zoned Timberland Production (as defined by Gov. Code, § 51104(G)) (see Question c below).
- Result in the loss of "Forest Land" as defined in the California Forest Legacy Act of 2007 (Pub. Resources Code, § 12220(G)) or conversion of Forest Land into nonforest use (see Question d below).

Discussion

a-e. The City of Davis General Plan EIR concluded that a significant impact on agricultural lands would occur if build out of the General Plan "would convert prime agricultural land (with potential use for viable farming), to nonagricultural uses."[6]

The proposed project site was does not contain any farmland and is not in proximity to existing farmland. In addition, the General Plan EIR considered the potential for development to convert agricultural land to urban use, and concluded only that development of the Covell Center site, unrelated to this proposed project site, would result in a significant impact. Therefore, the General Plan EIR concluded the development of this site does not result in any impacts to agriculture. Consistent with the General Plan EIR analysis, development of the proposed project will not result in any impact relating to conversion of agricultural land to urban uses.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that development within Center and Corridor and Established Communities would have the potential to impact farmland, but, since forest land or timberland does not exist within Center and Corridor and Established Communities the MTP/SCS EIR concluded that development within Center and Corridor and Established Communities would not have the potential to impact forest land or timberland. Although the MTP/SCS EIR concluded that potential conversion of farmland due to development within Center and Corridor and Established Communities could occur and would require implementation of Mitigation Measures AG-5 and AG-6, the proposed project site was previously developed, does not represent farmland, and is not in proximity to existing farmland. Therefore, the proposed project would not result in conversion of farmland, forest land, or timber land and would not involve changes that would cumulatively result in the loss of farmland to non-agricultural uses. Considering that the proposed project would not result in such impacts, Mitigation Measures AG-5 and AG-6 of the MTP/SCS EIR are not considered applicable. Therefore, the proposed project will not result in a new significant effect or an effect that is more significant than what was already analyzed in the General Plan EIR.

III. Air Quality *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	✖ (MTP/SCS EIR pp. 5-43 through 5-45; Davis GP EIR pp. 5E-14 through 5E-16)	☐

[6] City of Davis. *Draft Program EIR* [pg. 5A-31]. 2001.

III. Air Quality *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	✖ (MTP/SCS EIR pp. 5-43 through 5-45; Davis GP EIR pp. 5E-16 through 5E-21)	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	✖ (MTP/SCS EIR pp. 5-43 through 5-45; Davis GP pp. 5E-16 through 5E-21)	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	✖ (MTP/SCS EIR pp. 5-45 through 5-62; Davis GP pp 5E-19 through 5E-21)	✖
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☐ (MTP/SCS EIR pp. 5-62 through 5-66)	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to air quality (see Questions a through d below).
- Under this [the General Plan EIR] analysis specific criteria developed by the YSAQMD were used in determining the significance of project-related air quality impacts. Project-related emissions were considered significant if emissions exceeded the YSAQMD thresholds of:
    - 82 pounds per day (ppd) of ozone precursor, ROG,
    - 82 ppd of ozone precursor, NO_X, or
    - 82 ppd of PM_{10} (see Questions a through c below).
- The proposed land use map alternative was determined to have a significant impact if the

alternative would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation or expose sensitive receptors to substantial pollutant concentrations.

Under this analysis specific criteria developed by the YSAQMD were used in determining the significance of project-related air quality impacts. Project-related emissions were considered significant if emissions exceeded the YSAQMD thresholds of:

- 550 ppd of CO.

Additionally, a specific project was considered to have a significant impact if it would:

- Result in predicted CO concentrations that exceed the state 1-hour standard of 220 ppm (or the federal 1-hour standard of 35 ppm) at any receptor that does not exceed this standard without the project,
- Result in predicted CO concentrations that exceed that state and federal 8-hour standard of 9 ppm at any receptor that does not exceed this standard without the project, or
- Increase CO concentrations at any receptor that already exceeds any of the above standards without the project. (see Question d below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Create objectionable odors affecting a substantial number of people, including those from construction or operations (see Question e below).

Discussion

a. The City of Davis is located within the Sacramento Valley Air Basin (SVAB) and under the jurisdiction of the Yolo-Solano Air Quality Management District (YSAQMD). The federal Clean Air Act (CAA) and the California Clean Air Act (CCAA) require that federal and State ambient air quality standards (AAQS) be established, respectively, for six common air pollutants, known as criteria pollutants. The SVAB is designated nonattainment for the federal particulate matter 2.5 microns in diameter ($PM_{2.5}$) and the State particulate matter 10 microns in diameter (PM_{10}) standards, as well as for both the federal and State ozone standards.

The CAA requires each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The SIPs are modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins, as reported by their jurisdictional agencies. Due to the nonattainment designations, YSAQMD, along with the other air districts in the SVAB region, periodically prepares and updates air quality plans that provide emission reduction strategies to achieve attainment of the federal AAQS, including control strategies to reduce air pollutant emissions via regulations, incentive programs, public education, and partnerships with other agencies.

The General Plan EIR analyzed the consistency with the SIP by considering whether the development anticipated under the General Plan would exceed any applicable YSAQMD thresholds. The General Plan EIR concluded that construction and operation emissions

resulting from development under the General Plan would exceed PM_{10}, ROG, and NO_X thresholds. The General Plan EIR also determined development would exceed state CO standards only at Richards Boulevard and First Street. Although the General Plan EIR identified that buildout of the General Plan would result in an exceedance of state CO standards at Richards Boulevard and First Street, the General Plan EIR acknowledged that mitigation was not feasible to avoid such an exceedance, and, as a result, mitigation measures to reduce the foregoing impact were not imposed in the General Plan EIR. As described below, the proposed project would not result in any project specific air quality effects or air quality effects that are more significant than analyzed in the General Plan EIR because project-related air pollutant emissions would be below YSAQMD's thresholds of significance and the project would be consistent with the MTP/SCS, which is anticipated to reduce regional VMT and pollutant emissions associated with regional vehicle use. Emission inventories used in the SIPs are developed based on projected increases in population, employment, regional VMT, and associated area sources within the region, which are based on regional projections. The MTP/SCS integrates much of the information used to inventory emissions for SIPs, and provides a unified platform for addressing population growth, employment trends, transportation, and land use. An anticipated effect of the MTP/SCS is a reduction in VMT across the SACOG region as a greater proportion of the region's population is able to access alternative modes of transportation and dependence on single-passenger automobile transportation is reduced regionally. Mobile sources of emissions of pollutants, such as automobiles, constitute one of the largest sources of pollutants for which the SVAB is in nonattainment. Thus, by reducing VMT, the MTP/SCS would result in reductions in pollutant emissions, which would comply with the applicable air quality plans for the region.

The MTP/SCS EIR determined that implementation of the MTP/SCS, including growth within Center and Corridor and Established Communities, would result in emissions of CO, NO_X, ROG, and PM_{10} within the approved emissions budgets established by the relevant State Implementation Plans (SIPs) for such pollutants. In fact, the MTP/SCS EIR concluded that because implementation of the MTP/SCS would result in a reduction in VMT across the region, the MTP/SCS would reduce emissions from the foregoing pollutants from the levels approved in the SIPs. The proposed project would be anticipated to contribute to regional reductions in VMT per capita as the proposed project VMT per capita (12.64) would be substantially lower than the regional average within the SACOG region (27.7).[7]

The proposed project would include an infill development within a Center and Corridor Community in compliance with the MTP/SCS. Because the proposed infill development would be consistent with the growth projections used in the MTP/SCS and analyzed in the MTP/SCS EIR for Cetner and Corridor Communities, the proposed project would not have the potential to conflict with or obstruct implementation of any air quality plans, would not result in the violation of air quality standards, and would not result in a cumulatively considerable net increase in any criteria pollutants for which the SVAB is in nonattainment. Consequently, the proposed project would not result in any new significant effects or effects that are more significant than what was already analyzed in the MTP/SCS EIR or the General Plan EIR.

b, c. The General Plan EIR considered whether development under the General Plan would exceed YSAQMD thresholds and concluded that some development would result in

[7] Fehr & Peers. Transportation Study. May 2018, p. 26.

significant and unavoidable construction and operational increases in PM_{10}, ROG, and NO_X. The General Plan EIR also considered whether development would exceed the YSAQMD threshold for carbon monoxide (CO) and concluded that build out of the General Plan would result in CO emissions in excess of the YSAQMD's thresholds at the intersection of Richards Boulevard and First Street. Although the General Plan EIR concluded that buildout of the General Plan would result in an impact related to CO emissions, the General Plan EIR further concluded that feasible mitigation to reduce the identified impact did not exist, and the General Plan EIR did not impose any mitigation measures for the impact related to CO emissions at the intersection of Richards Boulevard and First Street. As demonstrated by the data and analysis below, subsequent analysis consistent with YSAQMD thresholds demonstrates that the proposed project does not violate any air quality standards or contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase in any criteria air pollutants. Therefore, the analysis demonstrates that proposed project will not result in project-specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Due to the nonattainment designations of the area, YSAQMD has developed plans to attain the State and federal standards for ozone and particulate matter. The plans include the 2013 Ozone Attainment Plan, the $PM_{2.5}$ Implementation/Maintenance Plan, and the 2012 Triennial Assessment and Plan Update. Adopted YSAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. Thus, by exceeding the YSAQMD's mass emission thresholds for operational or construction emissions of ROG, NO_X, or PM_{10}, a project would be considered to conflict with or obstruct implementation of the YSAQMD's air quality planning efforts. The YSAQMD mass emission thresholds for operational and construction emissions are shown in Table 1 below.

Table 1
YSAQMD Thresholds of Significance

Pollutant	Construction Thresholds	Operational Thresholds
ROG	10 tons/yr	10 tons/yr
NO_X	10 tons/yr	10 tons/yr
PM_{10}	80 lbs/day	80 lbs/day

Source: YSAQMD. Handbook for Assessing and Mitigating Air Quality Impacts. July 11, 2007.

To assess the proposed project's potential impacts related to construction and operational emissions of the pollutants presented in Table 1 above, the proposed project's operational emissions were estimated by using of the California Emissions Estimator Model (CalEEMod). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including GHG emissions, from land use projects.

Where project-specific information is available, such information should be applied in the model. Based on information provided by the project applicant, the proposed project's modeling assumed the following:

- Construction would begin in June 2021;

- Construction would occur over an approximately 15-month period, ending in August 2022;
- Demolition would not be required;
- A total of 4.5 acres of the 6.2-acre project site would be disturbed;
- There would be no woodstoves or fireplaces;
- The project site would be located in an urbanized area; and
- The project would exceed Title 24 energy efficiency standards by 10 percent.

The project-specific trip generation and VMT data provided by Fehr & Peers was also applied to the project modeling.[8] Combining the trip generation rates and VMT estimation allowed for a more accurate estimation of the transportation-related emissions that would result from implementation and operation of the project.

Construction Emissions

The proposed project's estimated construction-related emissions are presented in Table 2. As shown in the table, the proposed project's construction emissions ROG, NO_X, and PM_{10} would be below the applicable YSAQMD thresholds of significance.

Table 2
Maximum Project Construction-Related Emissions

Pollutant	Project Emissions	YSAQMD Thresholds of Significance
ROG	1.1825 tons/yr	10 tons/yr
NO_X	1.4110 tons/yr	10 tons/yr
PM_{10}	20.2414 lbs/day	80 lbs/day

Source: CalEEMod, December 2019 (see Appendix E).

Therefore, the proposed project's construction-related emissions would not result in a contribution to the region's nonattainment status of ozone or PM and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the proposed project would not result in construction emissions that are more significant than what was already analyzed in the General Plan EIR.

All projects within the YSAQMD, including the proposed project, are required to comply with all YSAQMD rules and regulations for construction, regardless of whether they exceed the threshold, including Rule 2.1 (Control of Emissions), Rule 2.28 (Cutback and Emulsified Asphalts), Rule 2.5 (Nuisance), Rule 2.14 (Architectural Coatings), and Rule 2.11 (Particulate Matter Concentration). The rules and regulations are not readily applicable in CalEEMod and are, therefore, not included in the project-specific modeling. Because compliance with the rules and regulations would likely result in some additional reduction in emissions, construction emissions from the project would likely be slightly reduced from what is presented in Table 2 due to compliance with the rules and regulations.

The YSAQMD CEQA Handbook recommends that all projects under YSAQMD jurisdiction incorporate best management practices to reduce dust emissions.[9] In recognition of

[8] Fehr & Peers. *University Research Park Transportation Study.* November 2018.

[9] Yolo-Solano Air Quality Management District. *Handbook for Assessing and Mitigating Air Quality Impacts* [pg 14]. Adopted July 11, 2007.

YSAQMD recommendations, the City requires, as a uniformly applicable development standard, that projects comply with the following temporary actions during construction to minimize temporary air quality impacts (dust):

a. An effective dust control program should be implemented whenever earth-moving activities occur on the project site. In addition, all dirt loads exiting a construction site within the project area should be well watered and/or covered after loading.
b. Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the project onto streets.
c. Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour).
d. Outdoor storage of fine particulate matter on construction sites shall be prohibited.
e. Contractors shall cover any stockpiles of soil, sand and similar materials.
f. Construction-related trucks shall be covered and installed with liners and on the project site shall be swept at the end of the day.
g. Revegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the project.
h. Vehicle speeds shall not exceed 15 miles per hour on unpaved surfaces.

Additionally, in order to minimize the release of ozone precursors associated with construction, the YSAQMD recommends, and the City requires as a uniformly applicable development standard, implementation of the following standard requirements during construction:

a. Construction equipment and engines shall be properly maintained.
b. Vehicle idling, including diesel equipment, shall be kept below 5 minutes.
c. Construction activities shall utilize new technologies to control ozone precursor emissions, as they become available and feasible.
d. To the extent possible, construction equipment shall be equipped with catalysts and filtration (diesel particulate filters). Where an option exists between two similar pieces of equipment, the newer and/or more controlled piece of equipment shall be used.
e. During smog season (May through October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time.

As discussed above, while the proposed project's construction-related emissions would not result in a contribution to the region's nonattainment status of ozone or PM and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation, the foregoing uniformly applicable development standards have been applied to the proposed project as Condition of Approval X and would further reduce the proposed project's construction-related emissions.

Operational Emissions

The proposed project's estimated operational-related emissions are presented in Table 3. As shown in the table, the proposed project's operational emissions ROG, NO_X, and PM_{10} would be below the applicable YSAQMD thresholds of significance. Therefore, the proposed project's operational-related emissions would not result in a contribution to the region's nonattainment status of ozone or PM and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the proposed project will not result in operational emissions that are project specific or more significant than what was already analyzed in the General Plan EIR.

Table 3
Maximum Project Operational Emissions

Pollutant	Project Emissions	YSAQMD Thresholds of Significance
ROG	1.1707 tons/yr	10 tons/yr
NO_X	2.865 tons/yr	10 tons/yr
PM_{10}	7.2087 lbs/day	80 lbs/day

Source: CalEEMod, December 2019 (see Appendix E).

Cumulative Emissions

The proposed project site is within an area currently designated as nonattainment for Ozone, PM_{10}, and $PM_{2.5}$. By nature, air pollution is largely a cumulative impact. Thus, the proposed project, in combination with other proposed and pending projects in the region would significantly contribute to air quality effects within the SVAB, resulting in an overall significant cumulative impact. However, any single project is not sufficient enough in size to, alone, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's incremental impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, YSAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds that project's emissions would be cumulatively considerable, resulting in a significant adverse air quality impact to the region's existing air quality conditions. As discussed above, implementation of the proposed project would result in construction-related and operational emissions below YSAQMD's thresholds of significance. Therefore, based on the project's consistency with YSAQMD's thresholds of significance, the proposed project would not be anticipated to result in an incrementally significant contribution to the cumulatively significant impact. Therefore, the proposed project will not result in cumulative emissions that are project-specific or more significant than what was already analyzed in the General Plan EIR.

Conclusion

Based on the above, the proposed project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase in any criteria air pollutant. Consequently, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

d. The General Plan EIR assessed the potential for buildout of the General Plan to result in increased local CO emissions due to traffic increases within the City. In general, concentrations of CO approaching the ambient air quality standards are only expected where background levels are high, and traffic congestion levels are high. The General Plan EIR determined that buildout of the General Plan would result in exceedance of state CO standards at one intersection within the City, the intersection of Richards Boulevard and First Street, which is the intersection within the City that has the highest level of traffic congestion. However, mitigation to reduce the foregoing impact was not feasible and the General Plan EIR did not impose any mitigation regarding CO emissions at the intersection of Richards Boulevard and First Street. The proposed project site is not in close proximity to the intersection of Richards Boulevard and First Street and operation of the proposed project would not be anticipated to add a substantial amount of traffic to the intersection of Richards Boulevard and First Street during peak traffic hours when congestion is most severe. Therefore, as discussed below, the proposed project would not result in any project-specific effects or effects more significant than analyzed in the General Plan EIR related to CO emissions.

The YSAQMD's preliminary screening methodology for localized CO emissions provides a conservative indication of whether project-generated vehicle trips would result in the generation of CO emissions that would contribute to an exceedance of AAQS. Per the YSAQMD screening methodology, if either of the following results at any street or intersection affected by a project, after implementation of mitigation,[10] the project has the potential to result in localized CO emissions that could violate CO standards:

- The project would reduce peak-hour level of service (LOS) on one or more streets or at one or more intersections to an unacceptable LOS (typically LOS E or F); or
- The project would increase a traffic delay by 10 or more seconds on one or more streets or at one or more intersections in the project vicinity where a peak hour LOS of F currently exists.

As discussed in Transportation Study prepared for the proposed project by Fehr & Peers, the proposed project would not have the potential to result in the reduction of peak hour LOS from an acceptable LOS to an unacceptable LOS, nor would the project result in an increase in traffic delay of 10 seconds or more at an intersection operating at LOS F currently or in the cumulative setting.[11] As such, the proposed project would not result in increased local CO emissions that are more significant than what was already analyzed in the General Plan EIR.

Although the General Plan EIR only assessed potential impacts related to CO, excess concentrations of toxic air contaminants (TACs)[12] are also of concern. Accordingly, a project-specific health risk assessment (HRA, Appendix B) was prepared to analyze potential impacts related to TACs. Implementation of the proposed project has the potential to both result in exposure of future residents to concentrations of TACs in excess of local standards from existing nearby sources of emissions, and the potential for

[10] Yolo-Solano Air Quality Management District. *Handbook for Assessing and Mitigating Air Quality Impacts* [p. 21]. July 11, 2007.

[11] Fehr & Peers. *University Research ParkTransportation Study*. November 2018.

[12] A Toxic Air Contaminants (TAC) is defined by Section 39655 of the California Health and Safety Code as "an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health."

construction activity related to implementation of the proposed project to result in exposure of nearby residents to pollutants in excess of local standards. The ARB identifies various TACs generated from common sources such as vehicle exhaust, gasoline dispensing, ports, and dry cleaners.

Although a variety of TACs are emitted by fossil fueled combustion engines and other sources, the cancer risk due to diesel particulate matter (DPM) exposure generally represents a more significant risk than other TACs.[13] Thus, the primary TAC of potential concern for future residents and residents of the existing residences in close proximity to the project site is DPM. DPM is a subset of particulate matter pollution with a diameter equal to or less than 2.5 microns, known as $PM_{2.5}$. In addition to DPM, $PM_{2.5}$ includes ultra-fine particles (UFPs) as well as other solid material less than 2.5 microns in diameter. Thus, the emissions of $PM_{2.5}$ related to existing sources of TACs in the project vicinity as well as sources of TACs related to implementation of the proposed project were estimated. The maximum concentration of $PM_{2.5}$ at the project site and nearby residences were estimated using the BAAQMD May 2017 California Environmental Quality Act Air Quality Guidelines. The results of the screening analysis show that the $PM_{2.5}$ annual average would be 0.600 ug/m^3 annually, and the cancer risk is calculated at 44.77 persons per million (see Appendix B). The values shown are below the applilable BAAQMD significance thresholds for cumulative impacts of 0.8 ug/m^3 for annual average $PM_{2.5}$ concentrations and an excess cancer risk of 100 in one million.

Exposure of Future Residents to Existing Sources of TACs

The YSAQMD maintains thresholds for the exposure of existing receptors to new stationary sources of TACs. The emission of TACs from a new stationary source would be considered significant if a new source of TACs would exceed either of the following thresholds:

- Probability of contracting cancer for the Maximally Exposed Individual (MEI) equals to 10 in one million or more; and
- Ground-level concentrations of non-carcinogenic TACs would result in a Hazard Index equal to 1 for the MEI or greater.

Although YSAQMD's thresholds do not directly apply to the exposure of new sensitive receptors to existing TACs, other nearby air districts have adopted thresholds for such uses. For instance, the nearby Bay Area Air Quality Management District (BAAQMD) has established thresholds related to the exposure of sensitive receptors to existing sources of TACs. The BAAQMD's thresholds include a cumulative approach to assess health risks from all existing sources of TACs in the vicinity of proposed projects. In particular, a project would have a cumulatively considerable impact if the aggregate total of all sources of TACs within a 1,000-foot radius from the fence line of a receptor, plus any contribution from a project result in an excess cancer risk level of more than 100 in one million or a chronic non-cancer hazard index (from all local sources) greater than 10.0, or an annual average concentration of $PM_{2.5}$ in excess of 0.8 micrograms per cubic meter.[14] In the recent court case *Mission Bay Alliance et al. v. Office of Community Investment and Infrastructure et al., GSW Arena LLC et al*, the Superior Court of the City and County of

[13] California Air Resources Board. *Reducing Toxic Air Pollutants in California's Communities*. February 6, 2002.

[14] Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. May 2017.

San Francisco upheld the validity of the use of the 100 in one million threshold for use in cumulative analyses of TACs.[15] The foregoing decision was subsequently upheld by the Court of Appeals of California.[16] Because the YSAQMD's thresholds apply only to the effect of new stationary sources on existing receptors, but the proposed project would not involve the long-term operation of any substantial sources of TACs in proximity to existing receptors.

It should be noted that future residents of the proposed project site would be anticipated to use vehicles in the project area. Fossil fueled combustion engines, including those used in cars, trucks, and some pieces of construction equipment, release at least 40 different TACs. However, TAC emissions from resident operated vehicles would not be considered subject to the YSAQMD's thresholds nor would emissions from such vehicles be considered a substantial source of TACs. Vehicles are considered a mobile source of TACs, but the YSAQMD's thresholds apply only to new stationary sources of TACs. The ARB only considers motor vehicles to constitute a substantial source of TACs in freeways or urban roadways with more than 100,000 vehicles/day.[17] The proposed project would only be anticipated to generate approximately 1169 daily vehicle trips. Therefore, the proposed project would not generate a substantial amount of vehicle traffic and project-related vehicle usage would not be considered a substantial source of TACs.

The ARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook)[18] was used to determine if any existing sources of TACs are within 500 feet of the project site. Of the potential sources of TACs listed in the ARB's handbook the only sources of TACs within the project vicinity is Interstate 80.

As such, the proposed project would not expose new residents to substantial health hazards due to existing sources of TACs.

Interstate 80 Emissions

As discussed above, the YSAQMD's thresholds are intended for use when a project would involve siting a new stationary source of TAC emissions. The primary TAC of concern would be the potential for exposure of future occupants of the project to significant health hazards from Interstate 80 and if so, whether the impacts could be mitigated to a level of insignificance. As such, an HRA for near road air quality exposure was prepared. Preparation of the HRA relied on the use of the Bay Area Air Quality Monitoring District's Roadway Screening Analysis Calculator to estimate potential worst case health risks from mobile sources at new receptor locations. The assumptions used in the calculator included Solano County, East West Road Direction, South side of the Road, 110 feet from Roadway, 136,700 Average Daily Trips. Explanations of these assumptions are included in the Foulweather Consulting Study (Appendix B).

It should be noted that the estimations are overstated as to provide the most conservative and worst-case approach to exposure of nearby residents. The reasons these values are

[15] City and County of San Francisco Superior Court. *Mission Bay Alliance et al. v. Office of Community Investment and Infrastructure et al., GSW Arena LLC et al*. Filed November 29, 2016.

[16] Court of Appeals of California, First District, Division Three. *Mission Bay Alliance et al. v. Office of Community Investment and Infrastructure et al, GSW Arena LLC et al*. November 29, 2016.

[17] California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.

[18] California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.

overstated are as follows:

1. Distances from the roadway to the development are supposed to be from the center of the roadway to the development. In this study, the distance from the nearest travel lane to the fence line of the property was used. The actual distance includes another 142 to the nearest building.
2. The Screening Analysis Calculator uses emissions from vehicles on California roadways in 2014; emission rates will be lower at the time the project becomes occupied.
3. The Screening Analysis Calculator does not reflect the benefits of the 15 foot wide vegetative barrier between Interstate 80 and the project, which is a mitigating factor.

The results of the screening analysis are 0.600 ug/m3 of the Annual Average PM 2.5 Concentration and 44.77 cases per million of Excess Cancer Risk (see Table 4). Both calculations are below the screening cancer level risk thresholds.

Table 4
Results of Screening Analysis

	BAAQMD Significance Thresholds	**Project Calculations**
Annual Average PM 2.5 concentration	0.8 ug/m3	0.600 ug/m3
Excess Cancer Risk	100 in one million	44.77 in one million
Source: Foulweather Consulting, February 2019, Appendix B.		

e. The General Plan EIR did not discuss potential odor impacts resulting from development. However, mixed uses, such as the proposed project, are not typically associated with the creation of substantial objectionable odors. As a result, the proposed project operations would not create any objectionable odors that would affect a substantial number of people.

Diesel fumes from construction equipment are often found to be objectionable; however, odors from construction would likely only occur over portions of the improvement area at a time and would be substantially mitigated by the following uniformly applicable development policies: 1. would be restricted to daytime hours per Chapter 24 of the City's Municipal Code restricting construction to daytime hours: 2. the ARB's In-Use Off-Road Diesel Vehicle Regulation; 3.) all applicable YSAQMD rules and regulations, particularly associated with permitting of air pollutant sources, and the YSAQMD recommended construction measures imposed on the proposed project by Condition of Approval X. The aforementioned uniformly applicable development policies would substantially mitigate air pollutant emissions as well as any associated odors related to operation of construction equipment. Considering the short-term nature of construction activities, as well as the regulated and intermittent nature of the operation of construction equipment, construction of the proposed project would not be expected to create objectionable odors affecting a substantial number of people.

The MTP/SCS EIR concluded that regional growth would have the potential to result in the exposure of new or existing receptors to odors. Therefore, the MTP/SCS EIR implemented Mitigation Measure AIR-2, which requires lead agencies to assess new and existing odor sources for individual land use projects. The proposed project would not be

considered a new odor source affecting existing nearby receptors, nor would the project expose future on-site receptors to objectionable odors. As a result, the example mitigation measures identified within Mitigation Measure AIR-2 are not applicable to the proposed project.

As discussed above, the proposed project would not expose future residents to existing sources of objectionable odors. Nevertheless, any potential impacts would be substantially mitigated by uniformly applicable development policies including Chapter 24 of the City's Municipal Code, the In-Use Off-Road Diesel Vehicle Regulation, YSAQMD rules and regulations (including but not limited to Regulation IX, Rule 3-13, and Rule 3-25), and Mitigation Measure AIR-2 in the MTP/SCS EIR. Therefore, any potential impacts from the implementation of the proposed project are substantially mitigated by uniformly applicable development policies.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure AIR-1: *Adhere to ARB Handbook siting guidance to the maximum extent possible.*

Where sensitive land uses or TAC sources would be sited within the minimum ARB-recommended distances, a screening-level HRA, and, if warranted, a site-specific HRA shall be conducted to determine, based on site-specific and project-specific characteristics, all feasible mitigation and best practices. Identified feasible mitigations and best practices shall be implemented. The HRA protocols of the applicable local air districts shall be followed or, where a district/office does not have adopted protocols, the protocol of SMAQMD or CAPCOA shall be followed. Best practices shall be applied as recommended and applicable, to reduce the impact to a less-than-significant level where feasible. The HRA should give particular attention to the nature of the receptor, recognizing that some receptors are particularly sensitive (e.g., schools, day care centers, assisted living and senior centers, and hospitals) and may require special measures. Examples of best practices that studies have suggested to be effective include:

- *install, operate, and maintain in good working order a central heating, ventilation, and air conditioning (HVAC) system or other air intake system in the building, or in each individual unit, that meets or exceeds a minimum efficiency reporting value (MERV) of 13 and includes either high efficiency particulate air (HEPA) filters or American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE) certified 85 percent or higher;*
- *install passive (drop-in) electrostatic filtering systems, especially those with low air velocities (i.e., 1 mile per hour [MPH]) as a part of the HVAC project HVAC system(s);*
- *maintain, repair, and/or replace the HVAC system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HVAC system and the filter, for inclusion in the Covenants, Conditions and Restrictions (CC&Rs) for residential projects and a separate homeowners manual;*
- *orient air intakes away from TAC sources or provide shields or buffers to the maximum extent possible; maintain a vegetative barrier between new residential units consisting of tree species with year-round foliage and a porosity of 20 or 40 percent wherever feasible; and*

- *use tiered tree planting between roadways and sensitive receptors wherever feasible, using native, needled (coniferous) species, ensure a permanent irrigation source, and provide permanent funding to maintain and care for the trees.*

Additionally, implementing agencies should contact SMAQMD and/or CAPCOA for the most current list of best practices for limiting exposure of sensitive receptors to substantial TAC concentrations consistent with the ARB Handbook.

Applicable General Plan Policies

Policy AIR 1.1 Take appropriate measures to reach and exceed the YSAQMD thresholds for air pollution levels.

Policy ENERGY 1.3 Promote the development and use of advanced energy technology and building materials in Davis.

Policy ENERGY 1.4 Continue to enforce landscaping requirements that facilitate efficient energy use or conservation.

Policy ENERGY 1.5 Encourage the development of energy-efficient subdivisions and buildings.

IV. Biological Resources. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	✖ (MTP/SCS EIR pp. 6-39 through 6-85; Davis GP EIR pp. 5H-9, 5H-35 through 5H-40)	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	✖ (MTP/SCS EIR pp. 6-39 through 6-85; Davis GP EIR pp. 5H-26 through 5H-29)	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling,	☐	☐	☐	✖ (MTP/SCS EIR pp. 6-39 through 6-85; Davis GP EIR pp. 5H-26	☐

IV. Biological Resources. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
hydrological interruption, or other means?				through 5H-34)	
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	☐	☐ (MTP/SCS EIR pp. 6-85 through 6-94)	✖
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	✖ (MTP/SCS EIR pp. 6-94 through 6-94; Davis GP EIR pp. 5H-24 through 5H-26 and 5H-42 through 5H-43)	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☐	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to biological resources (see Questions a through f below).
- The General Plan would have a significant impact if it would adversely affect sensitive natural communities, including riparian communities, wetlands, or other sensitive habitats (see Question b and c below).
- Adversely affect sensitive natural communities, including riparian communities, wetlands, or other sensitive habitats (see Question b and c below); or
- Substantially reduce the acreage of any agricultural crop, or common natural community that serves as valuable foraging or nesting habitat (see Questions a, b, and d below).
- The General Plan was determined to have a significant impact if implementation of the the General Plan could result in the filling or other disturbance of jurisdictional wetlands (see Question c below).
- Based on the State CEQA Guidelines and professional judgement, it was determined that

implementation of the General Plan update would result in a significant impact on biological resources if it would substantially affect a special-status plant or wildlife species or the species' habitat (see Question a below).
- The General Plan was determined to have a significant impact if it was determined that implementation of the General Plan would adversely affect locally designated landmark trees or heritage oak trees (see Question e below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- 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 (see Question d below).
- Conflict with the provisions of an adopted habitat conservation plan (HCP), natural communities conservation plan (NCCP), or other approved local, regional, or state habitat conservation plan (see Question f below).

Discussion

a, b. The General Plan EIR considered whether development under the General Plan had the potential to significantly impact sensitive plant and wildlife species and concluded that significant impacts to special status plants are only likely to occur at the Covell Center site, unrelated to the proposed project. The General Plan EIR determined that development under the General Plan may result in disturbance or nest failure of Swainson's hawks; mortality or displacement of western burrowing owls; and impacts to the giant garter snake. Compliance with General Plan policy HAB 1.1 and associated standards, intended to preserve existing natural habitat areas, is imposed as a condition of approval and will reduce the foregoing impacts identified in the General Plan EIR. The proposed project's potential impact is not more significant than was considered in the General Plan EIR because the proposed project site is located in an urbanized area within the City of Davis and is subject to the Policy HAB 1.1 and associated standards. John McNerney, Biologist for the City of Davis, did an on site reconnaissance survey in May, 2018. The site had been previousely disked and he noted there were no sensitive biological resources on the site. However, he did note that there may be Swainsons Hawks nesting within 1/4 mile of the site. If so, construction during the nesting season could have an impact on those nests, if active. This can be mitigated by starting work outside of the nesting season and doing a pre construction survey to determine the presence of the birds. Consequently, the proposed project will have no project specific effect or effect more significant than analyzed in the General Plan EIR.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

As discussed in the MTP/SCS EIR, Center and Corridor and Established Communities within the SACOG region may contain habitat types suitable for use by special-status plant

and wildlife species. Development of such habitats would have the potential to affect any special-status species using the habitat being disturbed through development. In particular, the MTP/SCS EIR identifies red-legged frog, delta smelt, chinook salmon, steelhead, vernal pool fairy shrimp and valley elderberry longhorn beetle as special-status species that could use habitats present within Center and Corridor and Established Communities. The MTP/SCS EIR did not identify any special-status plants with the potential to exist within Center and Corridor and Established Communities. Considering the potential existence of special-status species within Center and Corridor and Established Communities, the MTP/SCS EIR included Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-1d, and BIO-1e, which minimize impacts to special-status species, and sensitive natural communities, where such species or communities exist. BIO-1a, BIO-1c, BIO-1d, and BIO-1e are not applicable to the project due to the lack of suitable habitats on-site.

The proposed project's potential impact is not more significant than was considered in the MTP/SCS EIR because the proposed project site is located in an urbanized area within the City of Davis. The project site is currently characterized as a highly disturbed, vacant lot, with scattered ornamental trees and shrubs and ruderal vegetation. The site is surrounded by existing urban development. Considering the disturbed nature of the site, and the location of the site within a heavily urbanized portion of the City, the project site does not have significant value as wildlife habitat and does not support special-status plant species.

A search of the California Department of Fish and Wildlife's Natural Diversity Database for the Merritt and Davis 7.5-minute USGS topographic quadrangles was performed by staff (January 2020). No records of threatened or endangered plants were identified within the search area. A few records of plants having either a California Native Plant Society 1 or 2 rank were identified. However, the species types require habitats that do not occur on-site (e.g., vernal pools, valley and foothill grassland, chenopod scrub, alkali meadow), and the majority of occurrences are old records in locations where suitable habitats have since been removed.

John McNerney, Biologist, City of Davis conducted a reconnaissance survey of the project site and perimeter areas in May, 2018. No evidence of active nests were found on the property.[19] The MTP/SCS EIR includes Mitigation Measure BIO-1b: Avoid, minimize, and mitigate impacts on special-status wildlife species. Among the requirements, those applicable to the proposed project include preconstruction surveys for nesting raptors, including Swainson's hawk. The applicable mitigation measures (Mitigation Measures BIO-1b, BIO-2, and BIO-3) of the MTP/SCS EIR have been required in the project conditions of approval. Therefore, the project applicant will be required to retain a qualified biologist to conduct preconstruction surveys for wildlife, and if protected species are found on-site, appropriate avoidance and minimization measures shall be implemented.

In summary, the General Plan EIR included mitigating policies to substantially lessen effects to special-status species and other biological resources and those applicable measures have been incorporated into this infill project. The proposed project's effect would not be more significant than what was already analyzed in the General Plan EIR. Nevertheless, applicable mitigation measures (Mitigation Measures BIO-1b, BIO-2, and BIO-3) from the MTP/SCS EIR are also being incorporated as uniformly applicable

[19] John McNerney, City of Davis. *Personal Observation*. May, 2018.

development standards to further reduce the proposed project's effect.

c. The General Plan EIR concluded that the City's planning area, which encompasses the entire developed area of the City as well as land surrounding the City, contains both riparian woodland areas and wetland areas. Buildout of the General Plan would have the potential to result in impacts to both riparian woodlands and wetlands within the City's Planning Area. The General Plan EIR concluded that implementation of Policy HAB 1.1: Protect existing natural habitat areas, including designated Natural Habitat Areas, Policy HAB 1.2: Enhance and restore natural areas and create new wildlife habitat areas, and the updated General Plan Standards included as mitigation in the General Plan EIR would ensure that implementation of the General Plan would not result in significant impacts to riparian woodlands and wetland areas. Although Policy HAB 1.2 is not considered applicable to the proposed project, Policy HAB 1.1 is applicable to the proposed project and the project has been conditioned to comply with Policy HAB 1.1 and the relevant standards.

   John McNerney, Biologist, City of Davis conducted a reconnaissance survey of the project site and perimeter areas in May, 2018. No evidence of riparian woodlands, wetlands, or other sensitive natural communities were observed within the project site. Therefore, development of the proposed project would not have the potential to result in project-specific impacts to riparian woodlands, wetlands, or other sensitive natural communities or impacts greater than those analyzed in the General Plan EIR.

d. The General Plan EIR did not consider whether the proposed project would interfere substantially with the movement of any resident or migratory fish or wildlife species. However, the MTP/SCS EIR identified 1,126,376 acres of Essential Connectivity Areas (ECAs) within the MTP/SCS Plan area. Less than 0.1 percent of the identified ECAs overlaps with the areas identified as Center and Corridor Communities within the MTP/SCS plan area. As such, development within Center and Corridor Communities throughout the MTP/SCS plan area would have the potential to convert ECAs to urban uses. In response to potential conversion of ECAs by development within Center and Corridor Communities, the MTP/SCS EIR included Mitigation Measure BIO-2. Mitigation Measure BIO-2 requires lead agencies to ensure that projects shall be designed to avoid direct and indirect impacts to wildlife corridors and/or native wildlife nursery sites, where such features exist.

   Figure 6.2, Essential Connectivity Areas, on page 6-22 of the MTP/SCS EIR, shows that the City of Davis does not include any ECAs. As discussed above, the proposed project site consists of vacant, disturbed land, with limited ruderal vegetation and perimeter ornamental trees, surrounded by urban uses. Thus, the project site does not represent a wildlife nursery site nor does the site serve as an ECA, and implementation of the proposed project would not result in adverse effects to wildlife nursery sites or wildlife connectivity corridors. Nevertheless, the proposed project would be required to implement the uniformly applicable Mitigation Measure BIO-2 of the MTP/SCS EIR. Mitigation Measure BIO-2 requires that projects avoid, minimize, and mitigate impacts to wildlife corridors or native wildlife nursery sites. Because the project site does not contain a wildlife corridor or native wildlife nursery site the proposed project would not have the potential to impact such resources and would be considered consistent with Mitigation Measure BIO-2 through avoiding development that may otherwise occur on a different site containing such habitat.

While this impact was not addressed in the General Plan EIR, Mitigation Measure BIO-2 serves as a uniformly applicable development standard that demonstrates the proposed project's effect can be substantially mitigated.

e. The General Plan EIR considered whether build out of the General Plan would adversely affect locally designated landmark trees or heritage oak trees and determined that with the imposition of General Plan policies and standards HAB 1.1.a (heritage oak and biological resource protection) and LU A.1 (preserving green street in infill projects) the impact would be less than significant. These policies are included in the project as conditions of approval. The proposed project's potential impact is not more significant than was considered in the General Plan EIR because the proposed project site is located in an urbanized area within the City of Davis.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that development within Center and Corridor Communities under the MTP/SCS would have the potential to result in conflicts with local policies or ordinances protecting biological resources. As such, the MTP/SCS EIR included Mitigation Measure BIO-3. Mitigation Measure BIO-3 requires that biological resources assessments be prepared for areas containing, or likely to contain, locally protected biological resources.

For the reasons discussed above, the proposed project does not include sensitive habitat features, but does include vegetation related to previous landscaping of the project site. Mitigation Measure BIO-3 requires that projects comply with relevant local guidelines related to potential impacts to protected resources, such as trees.

Article 37.03.060 of the City's Municipal Code requires approval of a valid tree removal request and/or tree modification permit prior to cutting down, pruning substantially, encroaching into the protection zone of, or topping or relocating any landmark tree or tree of significance. Furthermore, Article 37.05 contains protection procedures to be implemented during grading, construction, or other site-related work. Such procedures, include, but are not limited to, inclusion of tree protection measures on approved development plans and specifications, and inclusion of tree care practices, such as the cutting of roots, pruning, etc., in approved tree modification permits, tree preservation plans, or project conditions. Per Article 37.03, the project applicant is required to obtain a tree removal permit and provide for (1) on-site replacement, (2) off-site replacement, and/or (3) payment of in-lieu fees. Implementation of the mitigation contained within Article 37.05 of the City's Municipal Code would satisfy the conditions of MTP/SCS Mitigation Measure BIO-3. In summary, the proposed project would not result in any new specific impacts or effects that are more significant than what was already analyzed in the General Plan EIR as related to the creation of conflicts with any local policies or ordinances protecting biological resources. Nonetheless, the proposed project complies with the uniformly applicable development standard in Mitigation Measure BIO-3 of the MTP/SCS EIR.

f. At the time the General Plan EIR was prepared, there was only one adopted HCP in the MTP/SCS area, the Natomas Basin HCP (NBHCP), which is outside of the City's Planning

Area and, thus, is not applicable to the proposed project. The project site is within the Yolo HCP/NCCP, recently adopted by the Conservancy Board and all member agencies, including the City of Davis; thus, consistency with the Yolo HCP/NCCP was not analyzed in the General Plan EIR or the MTP/SCS EIR. The project site is designated Urban/Developed in the Yolo HCP/NCCP.

Developed areas are dominated by pavement and building structures. Vegetation in developed areas generally consists of vegetated corridors (e.g., vegetation maintained adjacent to highways) and patches of mostly ornamental vegetation, such as tree groves, street strips, shade trees, lawns, and shrubs that are typically supported by irrigation. Urban lands cover 45,700 acres, or seven percent, of the Yolo HCP/NCCP Area. This area includes urban vegetation and all areas with structures, graded lots, road and highway medians, anthropogenic drainage canal vegetation, rail rights-of-way, and sewage treatment ponds that do not provide habitat.

Although the proposed project is identified as a developed area in the Yolo HCP/NCCP, the project site currently consists of vacant disturbed land with minimal ornamental vegetation. The Yolo HCP/NCCP considers general urban development within the City of Davis to be a covered activity and includes various Avoidance and Minimization Measures (AMMs) that constitute uniformly applicable development policies that substantially mitigate the potential impact. These are AMM1, Establish Buffers; AMM5, Control Fugitive Dust; AMM6, Conduct Worker Training; AMM7, Control Night-Time Lighting of Project Construction Sites; and AMM15, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. Such AMMs are uniformly applicable to qualifying projects within the Yolo HCP/NCCP area. Further explanation of these mitigation measures is set forth in the Yolo HCP/NCCP.

In summary, the potential of the proposed project to conflict with the adopted Yolo HCP/NCCP is substantially mitigated by uniformly applicable development policies.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure BIO-1b: *Avoid, minimize, and mitigate impacts on special-status wildlife species.*

Measures that shall be implemented, where feasible and necessary to avoid site-specific impacts, to reduce the impacts to special-status wildlife species include but are not limited to:

- *Projects covered by conservation plans or that are able to utilize take permits under such plans shall abide by the terms of the plan/permit. For all other projects and for non-covered species the following shall apply, dependent on the findings of the project specific biological resources assessment.*
- *A biological resources assessment for specific project proposed will be prepared in areas containing, or likely to contain, habitat for special-status species in areas where potentially suitable habitat would be removed or disturbed by project activities.*
- *Where federally or stated listed species will be affected by construction activities, the project applicant will adhere to regulatory guidelines and policies that identify specific avoidance and minimization measures to insure that these actions do not result in the take of a listed species, except as authorized under a USFWS Biological Opinion or Incidental Take Permit or a CDFG Incidental Take Permit.*

- *If special-status species or their habitat are found and cannot be avoided during construction, the project applicant will consult with CDFW, USFWS, and/or NMFS, as appropriate depending on species status, to determine the appropriate avoidance, minimization and mitigation measures for direct and indirect impacts that could occur as a result of project construction and will implement the measures to minimize the impact. Minimization and mitigation measures may include implementation of seasonal work windows to avoid or minimize impacts to wildlife species, implementation of a workers environmental awareness training, implementation of buffer areas to minimize disturbance, biological construction monitoring, and preservation, restoration, or creation of special-status wildlife habitat, where appropriate and feasible. If habitat compensation is required, mitigation will occur at an agency approved mitigation bank or through individual mitigation locations as approved by USFWS and/or CDFW. Examples of representative minimum replacement rations are presented below in Table [Table 6.12 of the MTP/SCS EIR]. A mitigation and monitoring plan will be developed describing how unavoidable losses of special status wildlife will be compensated. The mitigation and monitoring plan will include how the site will be monitored and the duration of monitoring until the mitigation is considered to be successful.*
- *All mitigation areas should be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency, establishment of a preserve management plan, and guaranteed long-term funding for site preservation through the establishment of a management endowment.*

The implementing agency would require applicants to mitigate at the above ratios or greater depending on habitat quality, other impacts to the species, and other factors deemed important by the agencies.

The following are species specific mitigation measures typically implemented and implementation will be dependent on the findings of project-specific biological resources assessment.

Table 5
Examples of Minimum Replacement Ratios and Typical Mitigation for Wildlife Habitat

Species	***Creation/Restoration Mitigation Component***
Vernal pool fairy shrimp and vernal pool tadpole (would mitigate for other vernal pool species)[1]	*Preservation: 2:1 (for direct or indirect impacts) in approved banks, 3:1 in non-bank.** *Creation/ Restoration: 1:1 (2:1 if based on Service evaluation of site-specific conservation values) in approved banks, 2:1 in non-bank.** **Mitigation ratios for non-bank mitigation may be adjusted to approach those for banks based on Service evaluation.*
Valley elderberry longhorn beetle[2]	*Transplant directly affected shrubs to a USFWS approved conservation bank and purchase conservation credits depending on stem size and shrub location* *Plant seedlings and associated riparian at stem placement ratios from 1:1 to 8:1, depending on stem size and shrub location.*
California tiger salamander	*No net loss of habitat through restoration, preservation, or compensation.*
California red-legged frog	*No net loss of habitat through restoration, preservation, or compensation.*
Sierra Nevada yellow-legged frog	*No net loss of habitat through restoration, preservation, or compensation.*

Giant garter snake[3]	*Preservation: All replacement habitat must include both upland and aquatic habitat at a ratio of 2:1 upland acres to aquatic acres Creation/Restoration: From 1:1 to 3:1 depending on nature of impact.*
Burrowing owl[4]	*Varies depending on site conditions, consultation with CDFW is required. Create artificial burrows if necessary. Prepare a mitigation management plan and vegetation management goals in consultation with CDFW.*
Swainson's hawk[5]	*Depending on nest location with respect to project (typically 0.5:1 to 1.5:1), or participate in County sponsored Swainson's Hawk Mitigation Program if developed.*

[1] Mitigation ratios are based on the Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans Within the Jurisdiction of the Sacramento Field Office, California (Service file number 1-1-96-F-1) (USFWS, 1996).

[2] Conservation Guidelines for Valley Elderberry Longhorn Beetle (USFWS, 1999).

[3] Programmatic Consultation with the U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California (Service file number 1-1-F-97-149) (USFWS, 1997).

[4] Staff Report on Burrowing Owl Mitigation (CDFG, 2012).

[5] Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California (CDFG, 1994).

Source: Compiled by Ascent Environmental in 2015.

Birds

If the proposed project identifies potential for burrowing owl or identifies burrowing owl burrows to be affected by project activities, the following measures will be implemented where feasible and necessary to address site-specific impacts:

- *Pre-construction surveys for burrowing owls will be conducted in areas supporting potentially suitable habitat and within 30 days prior to the start of construction activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site will be resurveyed. The project Biologist will conduct surveys for burrowing owls in accordance with protocols established in the Staff Report on Burrowing Owl Mitigation (CDFG, 2012).*
- *If burrowing owls are detected, disturbance to burrows will be avoided during the nesting season (February 1 through August 31. Buffers will be established around occupied burrows in accordance with guidance provided in the Staff Report on Burrowing Owl Mitigation. Buffers around occupied burrows will be a minimum of 656 feet (200 meters) during the nesting season, and 160 feet (100 meters) during the non-breeding season.*
- *Outside of the nesting season (February 1 through August 31), passive owl relocation techniques will be implemented if approved by CDFW. Owls would be excluded from burrows in the immediate impact zone within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors will be in place at least 48 hours prior to excavation to insure the owls have departed.*
- *The work area will be monitored daily for one week to confirm owl departure from burrows prior to any ground-disturbing activities.*
- *Where possible, burrows will be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe will be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.*

Swainson's hawk minimization measures:

If the proposed project identifies potential for Swainson's hawk or identifies Swainson's hawk nest(s) to be affected by project activities, the following measures will be implemented where feasible and necessary to address site-specific impacts:

- *If construction activities occur between February 1 and August 31, the implementing agencies will conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee 2000 guidelines (SHTAC, 2000), or current guidance. Surveys will cover a minimum of a 0.5-mile radius around the construction area. If nesting Swainson's hawks are detected, a 0.5-mile no disturbance buffer will be established. Buffers will be maintained until a qualified Biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival.*
- *If potential nesting trees are to be removed during construction activities, removal will take place outside of Swainson's hawk nesting season and the implementing agencies will develop a plan, in consultation with CDFW, to replace known nest trees at a ratio of 3:1. If replacement planting is implemented, monitoring will be conducted annually for five years to assess the mitigation's effectiveness. The plan will include a performance standard for the mitigation that results in a no net loss of nesting habitat.*
    - *If available, the implementing agencies will participate in a Swainson's Hawk Mitigation Program to compensate for loss of foraging habitat. If no such program exist, the implementing agencies will consult with CDFW so that affected foraging habitat is replaced at a ratio that results in a no net loss of foraging habitat.*

Other raptors (e.g., white-tailed kite, northern harrier, owls), minimization measures:

In order to eliminate or reduce impacts to nesting raptor the following mitigation measures are required where feasible and necessary to address site-specific impacts:

- *Conduct construction related activities near suitable raptor nesting habitat in the non-breeding season (August 16 to February 14) to the extent practicable.*
- *If project construction activities, including ground disturbing activities, vegetation trimming or tree removal are scheduled to occur between February 15 and August 15, a pre-construction survey will be conducted within a 500-foot radius of the site to survey for nesting raptors, including ground-nesting raptors (i.e., northern harrier). The survey(s) will occur within seven days of start of construction. If no nesting raptors are found, then no further mitigation is required. If nesting raptors are found the following measures will be implemented:*
- *If nesting raptors are found, the nests and nest trees will be protected with a no construction buffer determined by the project Biologist so that "no take" occurs. The no construction buffer will remain until the young have fledged and are no longer reliant on the nest site or parental care or until the project Biologist determines that the nest is no longer in use.*
- *If MBTA protected species are found nesting, the nests and nest tree/shrub/structure will be protected by a no-construction buffer as determined by the project Biologist so that "no take" occurs and/or until young have fledge and are no longer reliant on the nest site or parental care.*

If nests are detected, the implementing agencies will establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by

construction. No-disturbance buffers around active nests will be a minimum of 250 feet, unless a qualified Biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until a qualified Biologist has determined that young have fledged and are no longer reliant upon the nest or parental care for survival.

Mitigation Measure BIO-2: *Avoid, minimize, and mitigate impacts to wildlife corridors or native wildlife nursery sites.*

Measures that shall be implemented at a project-level, where feasible and necessary to address site-specific impacts to wildlife corridors or native wildlife nursery sites include but are not limited to:

- *Projects covered by conservation plans or that are able to utilize take permits under such plans shall abide by the terms of the plan/permit. For all other projects and for non-covered species the following shall apply.*
- *Implementing agencies will design projects such that they avoid and minimize direct and indirect impacts to wildlife corridors and/or native wildlife nursery sites. Design considerations may include but would not be limited to the following:*
    - *constructing wildlife friendly overpasses, underpasses, bridges and/or culverts that are integrated with appropriate roadside fencing that maintains animals off the road and direct them towards crossing structures;*
    - *using wildlife friendly fences that allow larger wildlife such as deer to get over, and smaller wildlife to go under;*
    - *limiting wildland conversions in identified wildlife corridors or native wildlife nursery sites; and*
    - *retaining wildlife friendly vegetation in and around developments,*
    - *avoid the nursery season during construction.*
- *For projects that cannot avoid significant impacts to wildlife movement corridors or wildlife nursery areas, implementing agencies will consult with CDFW to determine appropriate measures to minimize direct and indirect impacts that could occur as a result of the proposed project and will implement measures to mitigate impacts to wildlife corridors or native wildlife nursery sites.*
- *For projects that require the placement of stream culverts in a fish spawning stream, the implementing agencies will follow the USACE, NMFS, USFWS and CDFW permit conditions and design requirements to allow fish passage through the culverts.*
- *For projects in or adjacent to riparian corridors, project design will maximize distance of lighting from riparian corridors and direct light sources away from the riparian corridor. Night lighting of trails along riparian corridors should be avoided.*

Mitigation Measure BIO-3: *Avoid, minimize, and mitigate for impacts on protected trees and other biological resources protected by local ordinances.*

Measures that shall be implemented, where feasible and necessary to address site-specific impacts, to ensure that the proposed project is consistent with local ordinances protecting trees and other biological resources include but are not limited to:

- *Projects covered by conservation plans or that are able to utilize take permits under such plans shall abide by the terms of the plan/permit. For all other projects and for non-covered species the following shall apply.*
- *A biological resources assessment for specific projects proposed will be prepared in areas containing, or likely to contain, protected trees or other locally protected biological resources (e.g., streams, wetlands, and sensitive natural communities).*
- *Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to protected trees and other locally protected resources where feasible, as defined in Section 15364 of the CEQA Guidelines.*
- *At a minimum, qualifying protected trees (or other resources) will be replaced at ratios included in the local general plan, local policies, city or county codes in locally approved mitigation sites.*
- *As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans. Review of these documents and compliance with their requirements will be demonstrated in project-level environmental documentation.*

Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation.

Applicable Davis General Plan Policies

Policy HAB 1.1 Protect existing natural habitat areas, including designated Natural Habitat Areas.

Standard 1.1a Heritage oak trees and City-designated signature trees shall be protected. Riparian corridors and wetlands should be protected.

Standard 1.1b Project design shall demonstrate that avoidance of sensitive resources has been integrated into project design. Where avoidance is not feasible, the project proponent shall compensate for the loss of disturbance within Yolo County. The type and amount of compensation shall be determined in conjunction with the appropriate local, state, and/or federal regulatory agency involved.1

Standard 1.1i The City shall require a biological survey be prepared by a qualified biologist for proposed development areas that may contain sensitive resources as defined by the City or appropriate state or federal regulatory agencies. The biological study shall be prepared as a requirement of the environmental assessment of a given project unless the City's Planning Director determines, based on previous studies or other evidence, that the site's current state would preclude the finding of sensitive resources. Agricultural use or plowing of a site does not eliminate the probability of sensitive resources. Such studies, when required, shall include:

- Surveys and mapping of special-status plants and wildlife during the appropriate identification periods;
- mapping and quantification of sensitive habitat loss; and
- delineation and quantification of waters of the U.S., including vernal pools, swales, alkali wetlands, seasonal wetlands, and other wetlands shall be done using the current USACE wetland delineation manual.

For areas of non-native grassland, rural, developed, or agricultural lands that are determined to contain no special-status species, inclusions of alkali grassland, meadow and scrub, native perennial grassland, or wetlands, no further mitigation will be required. If sensitive habitats are identified, please refer to the mitigation measure(s) below pertaining to that resource to avoid, minimize, or compensate significant effects on these resources accordingly.

Standard 1.1j If a biological study of a site determines the presence of sensitive biological resources, the project proponent will retain a qualified biologist, approved by the agency(s) with regulatory responsibility, to monitor construction activities in sensitive biological resource areas.

Standard 1.1k. Sensitive biological resources located in or adjacent to the construction area will be protected by placing orange construction barrier fencing, or stakes and flags, including buffer zone (where appropriate and depending on the type of resource). Adjacent resources that may require protection include oak woodland, riparian woodland and scrub vegetation, drainages, vernal pools and swales, other wetlands, native grassland, special status species populations, and elderberry shrubs.

Standard 1.1q In order to avoid or minimize impacts from noxious weeds, the City, land manager, or project proponent should implement the following steps.

- The City shall work with regulatory agencies to develop a plan to identify and manage those weed species or weed infestation areas which pose the greatest threat to sensitive biological resources, agricultural areas, or other high priority resources.

Project proponents will be required to survey and implement prevention measures, abatement measures, and post-project monitoring of noxious weeds as a component of land management or land development projects. All measures

should be consistent with other City policies (e.g. minimization of pesticide use).

Policy LU A.1 In infill projects, respect setback requirements, preserve existing greenbelts and greenstreets, and respect existing uses and privacy on adjacent parcels.

Applicable Yolo HCP/NCCP AMMs

***AMM1, Establish Buffers*.** Project proponents will design projects to avoid and minimize direct and indirect effects of permanent development on the sensitive natural communities specified in Table 4-1 [of the HCP/NCCP] (herein referred to as *sensitive natural communities*) and covered species habitat specified in Table 4-1 by providing buffers, as stipulated in the relevant sensitive natural community AMMs (Section 4.3.3 [of the HCP/NCCP]) and covered species AMMs (Section 4.3.4 [of the HCP/NCCP]). On lands owned by the project proponent, the project proponent will establish a conservation easement, consistent with Section 6.4.1.3, *Land Protection Mechanisms* [of the HCP/NCCP], to protect the buffer permanently if that land is being offered in lieu of development fees, as described in Section 4.2.2.6, Item 6: HCP/*NCCP Fees or Equivalent Mitigation* [of the HCP/NCCP].

The project proponent will design buffer zones adjacent to permanent residential development projects to control access by humans and pets (AMM2, Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces).

Where existing development is already within the stipulated buffer distance (i.e., existing uses prevent establishment of the full buffer), the development will not encroach farther into the space between the development and the sensitive natural community.

This AMM does not apply to seasonal construction buffers for covered species, which are detailed for each species in Section 4.3.4, Covered Species.

A lesser buffer than is stipulated in the AMMs may be approved by the Conservancy, USFWS, and CDFW if they determine that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose (e.g., if the purpose of the project is to provide a stream crossing or replace a bridge, the project may encroach into the buffer and the natural community or species habitat to the extent that is necessary to fulfill the project purpose).

***AMM5, Control Fugitive Dust*.** Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands

AMM6, Conduct Worker Training. All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by the project proponent. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. The training may be accomplished through the distribution of informational materials with descriptions of sensitive biological resources, photographs of covered species, and regulatory protections to construction personnel prior to initiation of construction work.

AMM7, Control Night-Time Lighting of Project Construction Sites. Workers will direct all lights for night-time lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.

AMM15, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. The project proponent will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent, with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000) within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated onsite biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks. For covered operations and maintenance activities that involve pruning or removal of a potential Swainson's hawk nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

V. Cultural Resources. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	✖	✖ (MTP/SCS EIR pp. 7-52 through 7-57; Davis GP EIR pp. 5J-13 through 5J-14)	☐
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	☐	☐	☐	✖ (MTP/SCS EIR pp. 7-58 through 7-64; Davis GP EIR	☐

V. **Cultural Resources.** *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
				pp. 5J-15 through 5J-18)	
c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?	☐	☐	☐	✖ (MTP/SCS EIR pp. 7-64 through 7-68, Davis GP EIR pp. 5J-15 through 5J-18)	☐
d. Disturb any human remains, including those interred outside of formal cemeteries.	☐	☐	☐	☐ (MTP/SCS EIR pp. 7-68 through 7-70)	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to cultural resources (see Questions a through c below).
- The General Plan would have a significant impact if potential development proposed in the plan would result in the damage or destruction of known and/or unknown cultural resources (see Questions a through c below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Disturb any human remains, including those interred outside of formal cemeteries (see Question d below).

Discussion

a. The General Plan EIR considered whether development under the General Plan would have an impact on historic resources and concluded the potential impact was less than significant because the General Plan contains policies intended to preserve, restore and protect historic and prehistoric archaeological resources in Davis. The proposed project is consistent with the applicable General Plan policies and standards related to historic resources: Policy HIS 1.2, HIS 1.3 and HIS 1.4. The proposed project would not have any impacts to historical resources because the site is a previously disturbed infill site and as

described below, a Historic Resource Analysis Study performed prior to the demolition of the structure previously occupying the site, was not historically significant. Completion of the Historical Resources Analysis Study satisfies all applicable General Plan policies and standards related to historic resources, ensuring that the proposed project would not result in any new specific impacts or any effects that are more significant than what was already analyzed in the General Plan EIR as related to historic resources.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that implementation of the MTP/SCS could result in impacts to historical resources throughout the MTP/SCS plan area through direct permanent impacts resulting from construction, direct permanent impacts resulting from new operational changes, indirect permanent impacts resulting from new visual elements, and indirect temporary or permanent impacts resulting from noise and vibration associated with construction and operation of projects under the proposed MTP/SCS. To reduce such impacts the MTP/SCS EIR included Mitigation Measure CR-1, which requires lead agencies to assess a project's potential to result in impacts to historic resources. If projects under the MTP/SCS are found to have the potential to impact historic resources, Mitigation Measure CR-1 includes mitigation sufficient to reduce such impacts to a less-than-significant level.

As stated in MTP/SCS EIR MM CR-1, if no significant historic built environment resources are identified in the Historic Resource Assessment Report or prior survey of the project study area that may be directly or indirectly impacted by project activities, then mitigation for built environment resources is complete, and there is no adverse change to documented historical built environment resources for the project.

The project site is currently vacant. The existing structures to the east and west of the project site are of relatively recent design and are not identified as historic resources by the City of Davis. Furthermore, construction of the proposed project would be limited to site work within the project site and would not directly or indirectly impact any existing nearby developments.

Considering that the project site is currently vacant and the City of Davis has not identified any historic resources in the project area, the proposed project would not have the potential to adversely affect historical resources and implementation of the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

b. As a result of previous farming activity on the site, the proposed project site is unlikely to contain any archeological resources. The General Plan EIR considered whether the impact of development under the General Plan would have an impact on known or unknown cultural resources and concluded that buildout of the General Plan would result in a significant impact to unknown cultural resources as a result of ground disturbance associated with infrastructure development and construction of new structures. General Plan Policy HIS 1.2 and associated standards call for the incorporation of measures to protect and preserve historic and archaeological resources into all planning and

development. The requirements of Policy HIS 1.2 and the associated standards serve as uniformly applicable mitigation for all development within the City. The proposed project is required to adhere to the foregoing policy and Condition of Approval X has been imposed upon the proposed project to implement Policy HIS 1.2 and the associated standards. Consistent with General Plan Standard HIS 1.2b, Condition of Approval X requires historic and archaeologic resources found prior to development or during construction shall be evaluated before development takes place or construction continues. In particular, Condition of Approval X requires if subsurface historic remains, prehistoric or historic artifacts, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find shall cease, the City of Davis Department of Community Development and Sustainability shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If tribal resources are found during grading and construction activities, the applicant shall notify the Yocha Dehe Wintun Nation. The condition further outlines the requirements should anything be found.

The project site has been previously disturbed through agricultural activities and previous development of the site. As such, the project site is not anticipated to contain any arceheaological resources. Nevertheless, the City's General Plan Policy HIS 1.2 and associated standards serve as uniformly applicable mitigation measures to ensure that impacts to archaeological are reduced to the maximum extent feasible. General Plan Policy HIS 1.2 and associates standards would be implemented with the proposed project through implementation of Condition of Approval X. Considering the history of disturbance of the project site during past agricultural activity, the proposed project would not be anticipated to result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

As discussed in the MTP/SCS EIR should archaeological resources exist in Center and Corridor Communities, such resources are likely to have been previously documented. However, the potential persists that unknown archaeological resources could exist within Center and Corridor Communities. Further development under the MTP/SCS could result in impacts to archaeological resources in three ways: direct permanent impacts resulting from construction, direct permanent impacts resulting from new operational changes, and indirect permanent impacts resulting from access-related damage associated with construction and operation of projects under the proposed MTP/SCS. Consequently, the MTP/SCS EIR included Mitigation Measures CR-2 and CR-3, which generally require project-specific archaeological resource studies where necessary and require projects to reduce visibility or accessibility of historical or unique archaeological resources. However, as discussed above, the City's General Plan Policy HIS 1.2 and associated standards require the identification and protection of cultural resources, including archaeological resources, and the proposed project would be required to adhere to the City's policies and standards. Adherence to the foregoing City policies and standards would fulfill the requirements of Mitigation Measures CR-2 and CR-3. Thus, the City's uniformly applicable mitigation measures would ensure that the proposed project would not result in any new specific effects or effects that are more significant than what was previously analyzed in

the MTP/SCS EIR.

c. As a result of the previous disturbance of the project site, the project site is unlikely to contain any paleontological resources. The General Plan EIR considered whether development under the General Plan would have an impact on known or unknown cultural resources. The General Plan EIR concluded that the impact would be significant as a result of ground disturbance associated with infrastructure development and construction of new structures. The proposed project would not have more significant effects than analyzed in the General Plan EIR because the proposed project site is a previously disturbed infill site

   Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

   Geologic features with the potential to contain paleontological resources or unique geologic features exist throughout the MTP/SCS plan area. The MTP/SCS EIR concluded that development throughout the MTP/SCS plan area would have the potential to directly or indirectly destroy paleontological resources and/or unique geologic features, and, as such, the MTP/SCS EIR included Mitigation Measure CR-4. However, as noted above, the project site is unlikely to contain any paleontological resources and the proposed project would be conditioned to include specific language on all construction documents to ensure that impacts to paleontological resources do not occur. Considering the disturbed nature of the project site and the application of General Plan Policy HIS 1.2 and relevant standards, the proposed project would not result in adverse impacts to paleontological resources and would not result in any new specific effects or effects that are more significant than what was already analyzed in the MTP/SCS EIR.

d. The General Plan EIR did not analyze the potential for buildout of the General Plan to result in disturbance of human remains. However, compliance with uniformly applicable development policies contained within the Health and Safety Code and Public Resources Code will substantially mitigate any potential impact. Remains of indigenous Californians and non-Native Americans have been discovered throughout the MTP/SCS plan area, outside of formal cemeteries. Sites where such remains exist are difficult to predict given the history of the region, including alluvial deposition of material, past agricultural activities, and previous developments. The proposed project must comply with uniformly applicable development standards in the form of state and federal regulations which will substantially mitigate any potential impact related to the inadvertent discovery of human remains. These regulations are Health and Safety Code Sections 7050-7052, Public Resources Code Section 5097.98 – Disturbance of Human Remains, Health and Safety Code Sections 8010-8011 – California Native American Graves Protection and Repatriation Act, and the federal Native American Graves Protection and Repatriation Act (NAGPRA) of 1990.

   Although the potential exists for development activity within the MTP/SCS plan area, including the proposed project, to result in the discovery of human remains interred outside of formal burial grounds, state and federal regulations exist, which set forth specific requirements to address the inadvertent discovery of human remains. The MTP/SCS EIR concluded that compliance with the state and federal regulations listed above would ensure that implementation of the MTP/SCS would not result in significant impacts related

to the inadvertent discovery of human remains. These uniformly applicable development standards will substantially mitigate any potential impacts related to the disturbance of human remains.

Applicable Davis General Plan Policies

Policy HIS 1.2 Incorporate measures to protect and preserve historic and archaeological resources into all planning and development.

Standard HIS 1.2b A cultural resources survey shall be required for development sites where cultural resource conditions are not known (as required by the Planning and Building Department). Resources within a project site that cannot be avoided should be evaluated. Additional research and test excavations, where appropriate, should be undertaken to determine whether the resource(s) meets CEQA and/or NRHP significance criteria. Impacts to significant resources that cannot be avoided will be mitigated in consultation with the lead agency for the project. Possible mitigation measures include:

- a data recovery program consisting of archaeological excavation to retrieve the important data from archaeological sites;
- development and implementation of public interpretation plans for both prehistoric and historic sites;
- preservation, rehabilitation, restoration, or reconstruction of historic structures according to Secretary of Interior Standards for Treatment of Historic Properties;
- construction of new structures in a manner consistent with the historic character of the region; and
- treatment of historic landscapes according to the Secretary of Interior Standards for Treatment of Historic Landscapes.

California State Regulations

Health and Safety Code Sections 7050-7052, Public Resources Code Section 5097.98 – Disturbance of Human Remains

Disturbance of human remains without the authority of law is a felony (Health & Saf. Code, § 7052). According to state law (Health & Saf. Code, § 7050.5; Pub. Resources Code, § 5097.98), if human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- *the coroner of the county has been informed and has determined that no investigation of the cause of death is required, or*
- *if the remains are of Native American origin, one of the following has occurred: o the descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of with appropriate dignity the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or*
- *the NAHC was unable to identify a descendent or the descendent failed to make a recommendation within 48 hours after being notified by the commission.*

According to the Health and Safety Code, six or more human burials at one location constitute a cemetery (Health & Saf. Code, § 8100), and disturbance of Native American cemeteries is a felony (Health & Saf. Code, § 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC within 24 hours; the NAHC then has jurisdiction over the Native American remains (Health & Saf. Code, § 7052.5c; Pub. Resources Code, § 5097.98).

Health and Safety Code Sections 8010-8011 – California Native American Graves Protection and Repatriation Act

California Native American Graves Protection and Repatriation Act of 2001 (Health & Saf. Code, §§ 8010-8011) establishes a state repatriation policy that is consistent with and facilitates implementation of the federal NAGPRA. This law strives to ensure that all California Indian human remains and cultural items are treated with dignity and respect and encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California.

Federal Regulations

Native American Graves Protection and Repatriation Act (NAGPRA) of 1990

The intent of NAGPRA (25 U.S. Code, § 3001) is to identify Native American affiliation or lineal descent and ensure the rightful disposition, or repatriation, of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony that are in federal possession or control. The regulations implementing the requirements of NAGPRA relating to the inadvertent discovery of human remains and objects of cultural patrimony of Native American origin on federal or tribal lands are described in 43 Code of Federal Regulations Section 10.4.

VI. Geology and Soils. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					

VI. Geology and Soils. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	☐	☐	☐	✖ (MTP/SCS EIR pp. 9-26 through 9-28; Davis GP EIR pp. 5I-10 through 5I-11)	☐
ii. Strong seismic ground shaking?	☐	☐	☐	✖ (MTP/SCS EIR pp. 9-28 through 9-29; Davis GP EIR pp. 5I-10 through 5I-11)	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	✖	✖ (MTP/SCS EIR pp. 9-29 through 9-31; Davis GP EIR pp. 5I-4 through 5I-5)	☐
iv. Landslides?	☐	☐	✖	✖ (MTP/SCS EIR pp. 9-31 through 9-33; Davis GP EIR pp. 5I-4 through 5I-5)	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	✖ (MTP/SCS EIR pp. 9-33 through 9-36; Davis GP EIR pp. 5I-2 through 5I-8)	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-	☐	☐	☐	☐	✖

VI. Geology and Soils. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				(MTP/SCS EIR pp. 9-36 through 9-38)	
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?	☐	☐	☐	✖ (MTP/SCS EIR pp. 9-38 through 9-39; Davis GP EIR 5I-11 through 5I-13)	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	✖	✖ (Davis GP EIR pp. 5I-4 through 5I-5)	☐

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to soils, geology, or mineral resources resources (see Questions a through e below).
- The General Plan was determined to hava a significant impact if potential development proposed in the map would expose people, structures, or property to major geologic hazards such as earthquakes or ground failures (see Questions a through b below).
- The General Plan was determined to have a significant impact if map would result in deformation of foundations or damage to structures by soils that exhibit moderate to high shrink-swell characteristics (see Question d below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Locate a project on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse (see Question c below).
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water (see Question e below).

Discussion

ai. The General Plan EIR concluded that the risk of development exposing people or structures to major geologic hazards such as earthquakes or ground failure was less than significant because development would be required to comply with General Plan Policy HAZ 2.1, requiring enforcement of the Uniform Building Code which was intended to protect structures from collapse or major property damage during a seismic event. Since adoption of the City's General Plan EIR, the Uniform Building Code has been superseded by the California Building Standards Code (CBSC). The impacts of the proposed project would not be more significant than those analyzed in the General Plan EIR because the proposed project would be required to comply with the CBSC.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that while buried thrust faults and inferred faults are located within the boundaries of the MTP/SCS, such faults do not have surface ruptures and are not officially recognized. Therefore, the risk of surface fault rupture in the MTP/SCS plan area was determined to be generally low because of the scarcity of active faults. Mitigation was not required. Therefore, the proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault. Considering that the proposed project would not result in such impacts, the project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR or the MTP/SCS EIR.

aii. The General Plan EIR concluded that the risk of development exposing people or structures to major geologic hazards such as earthquakes or ground failure was less than significant because development would be required to comply with General Plan Policy HAZ 2.1, requiring enforcement of the Uniform Building Code. The impacts of the proposed project would not be more significant than those analyzed in the General Plan EIR because the proposed project would be subject to the CBSC as discussed above.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that because development within the MTP/SCS plan area would be subject to the current seismic design provisions of the International Building Code (IBC) and the California Building Code (CBC) through Title 24 of the California Code of Regulations, as well as various local building code requirements and standard industry practices, the potential for adverse ground shaking impacts would be less than significant. Mitigation was not required. Given that the proposed project would be subject to such guidelines and standards related to seismic design, the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Considering that the proposed project

would not result in such impacts, the project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

aiii,aiv.

c. The Davis General Plan EIR considered whether development under the General Plan could result in landslide hazards, liquefaction hazards, seismically induced liquefaction, or hazards from other soil or land instability and concluded that the City's predominantly flat topography precludes the potential for development within the City to be subject to such hazards and no impact would occur. Because the conclusion applies to the entire City, the development of the proposed project will not have more significant effects than analyzed in the prior EIR.

Although the General Plan EIR did not include an explicit analysis of the potential for development within the City to be impacted by soil subsidence, the General Plan EIR did discuss general methods of reducing potential impacts due to unstable soils. For instance, the General Plan EIR identified General Plan Standard HAZ 2.1a as a means of assessing potential impacts relates to soils and seismicity. General Plan Standard HAZ 2.1a requires that a soil report be prepared where soils conditions are not well known or as otherwise required by the City. In compliance with Standard HAZ 2.1a, the proposed project would be required, as a standard condition of approval, to provide a soils report concurrent with submittal of improvement plans and to comply with all recommendations in the report prior to issuance of permits.

Preparation of a soils report and implementation of all recommendations represents implementation of General Plan Standard HAZ 2.1a, which is considered a uniformly applicable mitigation measure for all development within the City. The soils report would serve to substantially mitigate any potential impacts related to soil subsidence. As such, the project would not result in new specific impacts or effects that are more significant than what was already analyzed in the General Plan EIR as related to seismic-related ground failure, including liquefaction and landslides, and would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that the impacts as a result of ground failure, including liquefaction, from development of the land uses improvements in the MTP/SCS area would be addressed through site-specific geotechnical studies required by local jurisdictions to be prepared in accordance with standard industry practices and State-provided guidance, such as California Geological Survey Special Publication 117A, which specifically address liquefaction, landslides, and other geologic hazards. Development would conform to the current seismic design provisions of the International Building Code and CBSC in order to mitigate losses from ground failure as a result of an earthquake. In addition, the MTP/SCS EIR did not identify any areas within the project vicinity that would be subject to substantial landslide hazards. Given required compliance with State and local requirements related to ground failure, landslides, and geologic hazards, the

MTP/SCS EIR determined that associated impacts would be less than significant. Mitigation was not required.

b. The General Plan EIR considered whether development would result in the potential for soil erosion and concluded that given the types of soil present within the City and with the implementation of the General Plan policies, such as Standard AG 3.1a (planting of windbreaks on the edges of urban development), the impact would not be significant. Because the conclusion applies to the entire City, the development of the proposed project will not have more significant effects than analyzed in the prior EIR. However, it should be noted that Standard AG 3.1a applies to areas at the edges of urban development in the City or where deemed necessary by the City, the project site is within an urbanized area of the City and has been determined not to need a windbreak to reduce soil loss. Therefore, Standard AG 3.1a is not considered applicable to the proposed project.

In addition to the above, the City's General Plan identifies policies that provide explicit actions for reducing construction-related water quality impacts, including the erosion of topsoil.[20] The General Plan policies require the continued application and enforcement National Pollutant Discharge Elimination System (NPDES) regulations for sites over one acre. Chapter 30.03.010 of City of Davis Municipal Code adopts by reference the standards of the State of California's NPDES General Permit for Stormwater Discharges Associated with Construction Activity (NPDES General Permit No. CAS000002). Given that the proposed project would result in the disturbance of 4.5 acres, the project would be subject to NPDES regulations. In addition, the proposed project would be required, per conditions of approval, to provide an Erosion Control Plan and comply with the City's Stormwater Management and Discharge Control Ordinance.

In accordance with NPDES regulations, in order to minimize the potential effects of construction runoff on receiving water quality, any construction activity affecting one acre or more must obtain a General Construction Activity Stormwater Permit. Permit applicants are required to prepare a Stormwater Pollution Prevention Plan (SWPPP) and implement Best Management Practices to reduce construction effects on receiving water quality by implementing erosion control measures. Compliance with the City's uniformly applicable requirements for NPDES regulation conformance would substantially mitigate potential impacts related to construction activities resulting in soil erosion. Considering that the proposed project would not result in such impacts, the project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that because grading and soil erosion are protected differently among the various jurisdictions in the MTP/SCS plan areas, implementation of the proposed MTP/SCS had the potential for adverse soil impacts. However, implementation of Mitigation Measure GEO-1 was determined to reduce impacts to less-than-significant levels. Mitigation Measure GEO-1 requires the implementing agency to

[20] City of Davis. *Program EIR for the City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School* [pg. 51-2 to 51-8]. January 2000.

require the development and implementation of detailed erosion control measures, consistent with the CBC and UBC regulations and guidelines and/or the NPDES. In addition, Mitigation Measure GEO-1 requires land use projects to comply with locally adopted grading, erosion, and/or sediment control ordinances. The City's standards and guidelines discussed above related to erosion and sediment control are consistent with the requirements set forth in Mitigation Measure GEO-1. Thus, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the MTP/SCS EIR.

d. The General Plan EIR considered whether development could result in damage from locating on expansive soils and concluded that the impact would be less than significant because General Plan policy HAZ 2.1 and related standards specifically regulate development on expansive soils. Because the conclusion applies to the entire City, the development of the proposed project will not have more significant effects than analyzed in the prior EIR.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

The MTP/SCS EIR concluded that within the MTP/SCS planning area, only the westernmost portion of Yolo County has expansive soils with high swelling potential. In addition, land use projects within the planning area are subject to with standard industry practices and State-provided guidance, such as CGS Special Publication 117A, used to minimize the risk associated with expansive soil hazards. Such measures generally are enforced through compliance with the IBC, the CBC, and local building codes and ordinances. Thus, impacts were determined to be less than significant. Mitigation was not required. Given that the proposed project would be subject to such guidelines and standards related to expansive soils, the project would result in a less-than-significant impact related to being located on expansive soil, as defined in Table 18-1B of the Uniform Building Code. The project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

e. The proposed project would not include the use of septic tanks or alternative wastewater disposal systems. Thus, ***no impact*** related to such would occur.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure GEO-1: *Reduce soil erosion and loss of topsoil through erosion control mitigation and SWPPP.*

The implementing agency shall require the development and implementation of detailed erosion control measures, consistent with the CBC and UBC regulations and guidelines and/or local NPDES, to address erosion control specific to the project site; revegetate sites to minimize soil loss and prevent significant soil erosion; avoid construction on unstable slopes and other areas subject to soil erosion where possible; require management techniques that minimize soil loss and erosion; manage grading to maximize the capture and retention of water runoff through ditches, trenches, siltation ponds, or similar measures; and minimize erosion through adopted protocols and standards in the industry. The implementing agency should also require land use and transportation projects to comply with locally adopted grading, erosion, and/or sediment

control ordinances beginning when any preconstruction or construction-related grading or soil storage first occurs, until all final improvements are completed.

If a local grading, erosion, and/or sediment control ordinance or other applicable plans or regulations do not exist, the jurisdiction should adopt ordinances substantially addressing the foregoing features and apply those ordinances to new development projects.

Applicable Davis General Plan Policies

Policy HAZ 2.1 Take necessary precautions to minimize risks associated with soils, geology and seismicity.

Standards 2.1a A soils report shall be required for development sites where soils conditions are not well known, as required by the Community Development or Public Works departments.

Standards 2.1b. As a condition of approval of development, mitigation of any identified soils hazards shall be required.

Actions 2.1c. Continue to update and enforce Building Code requirements for seismic and geologic safety and to address ground shaking and ground failure.

Actions 2.1d. Continue to monitor studies of seismic activity in the region, and take appropriate action if significant seismic hazards, including earthquake faults, are discovered in the planning area.

VII. Greenhouse Gas Emissions. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☐ (MTP/SCS pp. 8-27 through 8-37)	✖
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	☐	☐	☐	☐ (MTP/SCS pp. 8-27 through 8-37)	✖

General Plan EIR Significance Criteria

The General Plan EIR did not include thresholds of significance related to greenhouse gas (GHG) emissions or analyze the impacts.

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Substantially interfere with achievement of AB 32 goals (see Questions a and b below).
- Conflict with the SACOG region's achievement of SB 375 GHG emissions reduction targets (see Questions a and b below).
- Conflict with applicable local GHG reduction plans (see Questions a and b below).
- Increase GHG emissions from project construction activities resulting from the proposed MTP/SCS in a manner inconsistent with AB 32 (see Questions a and b below).

Discussion

a,b. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

As discussed previously, the MTP/SCS is intended to integrate land use and transportation planning to ensure that new development and existing development area able to meet the GHG reduction goals established in relevant state legislation. The MTP/SCS EIR analyzed the effect that implementation of the MTP/SCS would have on emissions of greenhouse gases (GHGs) and concluded that the overall result would be a regionwide decrease in GHG emissions. The anticipated decreases in GHG emissions would be consistent with the GHG decreases required by Assembly Bill (AB) 32, the then current legislation mandating statewide emissions reductions. Since the preparation of MTP/SCS the California legislature has adopted Senate Bill (SB) 32, which has identified further GHG reduction targets out to the year 2050. Although not required at the time, the MTP/SCS EIR anticipated the adoption of such reduction targets and analyzed GHG emissions out to a target year of 2050. The MTP/SCS EIR concluded that the land use and transportation strategies identified in the MTP/SCS, in combination with other state and federal programs, would be sufficient to reduce GHG emissions throughout the region as required by both AB 32 and SB 32. AB 32 and SB 32 are intended to ensure that statewide GHG emissions do not result in direct or indirect impacts on the environment. Therefore, development in compliance with the MTP/SCS would not result in significant impacts on the environment due to GHG emissions and would be considered with all applicable statewide policies related to GHG emissions.

In the letter transmitted to the City of Davis on October 11, 2018, SACOG (Appendix C) concurred with the City's determination that the proposed project would be consistent with the growth and land use forecasts for Center and Corridor Communities within the MTP/SCS and qualifies as a Transit Priority Project.[21] Considering that the proposed project would be consistent with the MTP/SCS and the MTP/SCS EIR concluded that development of the region consistent with the MTP/SCS would result in regionwide reductions in GHG in compliance with existing State requirements, the proposed project would not result in the generation of GHGs that would directly or indirectly result in significant impacts on the environment, and the proposed project would not result in conflicts with the applicable plans and policies related to reducing the emission of GHGs. Nonetheless, the project's construction-related and operational GHG emissions have been quantitatively analyzed in the context of applicable GHG thresholds in order to provide a conservative analysis.

Although the YSAQMD has not officially adopted any thresholds of significance for GHG emissions, the YSAQMD currently recommends use of the SMAQMD's adopted GHG emissions thresholds of significance. The threshold of significance for both construction and operational GHG emissions is 1,100 $MTCO_2e$/yr. In addition to the 1,100 $MTCO_2e$/yr SMAQMD threshold, the City of Davis had adopted per unit and per capita carbon allowances set a maximum emissions level for the operation of new developments,[22] while maintaining the City's emissions reductions goals.[23]

Construction-Related GHG Emissions

Construction-related GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change, as global climate change is inherently a cumulative effect that occurs over a long period of time and is quantified on a yearly basis. However, construction-related GHG emissions have been estimated for implementation of the project and such emissions have been compared to the applicable threshold of significance, as presented below in Table . Construction-related emissions were modeled using CalEEMod under the assumptions described in Section III, Air Quality, of this document. As shown in the table, the proposed project's maximum annual construction emissions of 244.28 $MTCO_2e$/yr would be below the YSAQMD-recommended 1,100 $MTCO_2e$/yr threshold. In addition, adding emissions from both years of construction, the project's total construction-related GHG emissions would be 464.49, which is also below the 1,100 $MTCO_2e$/yr threshold.

Table 6
Unmitigated Construction-Related GHG Emissions ($MTCO_2e$/yr)

Construction Year	Project Emissions
2021	244.28
2021	220.21
Maximum	**244.28**
Applicable Threshold of Significance	**1,100**

Source: CalEEMod, December 2019 (see Appendix E).

[21] Sacramento Area Council of Governments. *University Research Park Project Consistency with the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy*. October 11, 2018.

[22] City of Davis. *Staff Report: Adoption Davis Climate Action and Adaptation Plan*. June 2, 2010.

[23] Niemeier, Deb. *Carbon Development Allowances*. September 2008.

Because the maximum annual and total construction GHG emissions for the project would be below the applicable threshold of significance, the proposed project would not be considered to generate construction-related GHG emissions that would have a significant impact on the environment.

Operational GHG Emissions

The proposed project's annual operational GHG emissions are presented in Table below. Operational emissions were modeled using CalEEMod under the assumptions described in Section III, Air Quality, of this document. It should be noted that considering the project's compliance with the MTP/SCS and SB 375, the proposed project is within an MTP/SCS identified Transit Priority Area and is considered a Transit Priority Project, and, as such, is eligible for CEQA streamlining. The environmental analysis for projects that are consistent with adopted MTP/SCS need not analyze GHG emissions from cars and light duty truck trips related to the proposed project. Thus, in compliance with CEQA streamlining provisions and SB 375, the project's operational emissions presented in Table do not include mobile-source GHG emissions.

Table 7
Unmitigated Operational GHG Emissions ($MTCO_2e$/yr)

Emission Source	Project Emissions
Area	1.99
Energy	376.27
Solid Waste	38.04
Water	76.43
Total Annual GHG Emissions	**97.93**
Applicable Threshold of Significance	**1,100**

Source: CalEEMod, December 2019 (see Appendix E).

As shown in Table , operation of the proposed project would result in GHG emissions well below the applicable threshold of significance of 1,100 $MTCO_2e$/yr.

While the City of Davis recommends use of the 1,100 $MTCO_2e$/yr threshold for operational GHG emissions, the City has also developed an average baseline GHG "allowance" for each Davis resident and, by extension, each Davis household. The methodology behind the allowances uses peer-reviewed statewide GHG emission totals broken down to the local level and factors in regional growth assumptions and foreseeable statewide initiatives designed to reduce GHG emissions (e.g., low carbon fuel standard). Using the adopted City GHG targets (and State targets), City staff has calculated the allowances for key target years. Such allowances form the basis for establishing GHG emissions standards for new residential development projects.[24]

Proposed projects resulting in carbon emissions equal to or less than the applicable carbon allowances for the target year would not interfere with the City's GHG emissions reductions goals and would be considered consistent with the City's Climate Action and Adaptation Plan (CAAP). The proposed project is anticipated to be operational for a portion of the year 2020, with 2021 being the first full year of operations; therefore, the carbon allowance for year 2020 would apply to per unit emissions from the project. The

[24] City of Davis. *Staff Report: GHG Emissions Thresholds and Standards for New Residential Development*. April 21, 2009.

City's carbon allowance for 2020 requires that GHG emissions from new residential developments do not exceed 3.7 $MTCO_2e$/yr/person, with a preferred emissions level not to exceed 2.7 $MTCO_2e$/yr/person.

Given that the proposed project would include 160 units with 440 total beds, the project would be anticipated to accommodate approximately 440 residents, assuming one resident per bed. Thus, the project's annual operational GHG emissions would be 0.22 $MTCO_2e$/yr/person, which would be well below the maximum and desired carbon allowances for the year 2020. In fact, operational emissions from the project would be below the City's maximum carbon allowance of 0.75 $MTCO_2e$/yr/person for year 2050. Consequently, the proposed project would be considered consistent with the City's CAAP.

The City's maximum allowance of 0.75 $MTCO_2e$/yr/person for developments in 2050 is designed to achieve an 80 percent reduction in GHG emissions from 1990 levels. Achievement of an 80 percent reduction in GHG emissions by 2050 would comply with the State's goal of reducing GHG emissions by 80 percent below 1990 levels by 2050. Therefore, the proposed project would be in compliance with the City's GHG reduction targets, which would also place the project in compliance with the State's reduction targets per SB 32.

Conclusion

Because implementation of the proposed project would result in construction-related and operational GHG emissions below the applicable threshold of significance of 1,100 $MTCO_2e$/yr, the project would not be considered to generate GHG emissions, directly or indirectly, that would have a significant impact on the environment. In addition, given that the proposed project would be in compliance with the City's CAAP GHG reduction targets, which would also place the project in compliance with the State's reduction targets per SB 32, the project would not be considered to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Thus, the project would be consistent with Mitigation Measure ENE-2 in the MTP/SCS EIR, which requires compliance with local climate action plans or GHG reduction strategies. In addition, consistent with Mitigation Measure ENE-1 from the MTP/SCS EIR, the proposed project would include electric vehicle charging stations on-site. Considering that the proposed project would result in emissions below the recommended thresholds of significance and the proposed project would comply with the City's CAAP, implementation of the proposed project would result in no impact.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure ENE-1: *Require new development to provide necessary infrastructure to charge electric vehicles.*

To address this impact, where feasible and necessary to address site-specific impacts, the lead agency shall (1.) require all new single-family residential developments to install conduit necessary for the installation of charging infrastructure for electric vehicles for the use and charging of electric vehicles at the place of residence; and, (2.) require all new multi-family residential developments to install both necessary conduit and charging equipment for electric vehicles. All charging infrastructure and equipment shall be sufficient to meet or exceed electric vehicle supply equipment (EVSE) installation requirements of CALGreen Tier 1.

Mitigation Measure ENE-2: *Require new development to comply with local GHG reduction plans that contain measures identified in the Scoping Plan.*

The implementing agency should require development and transportation projects to comply with locally-adopted GHG reduction plans that, at a minimum, specifically address measures in the Scoping Plan aimed at reducing GHG emissions. Local plans should include local targets to help the state achieve the AB 32 goal of reducing 5 MMtCO_2e from cities and counties, which also will result in reduced reliance on oil and natural gas from residential, commercial, industrial, and public land uses, as well as transportation.

If a local GHG reduction plan does not exist, the jurisdiction should adopt a plan with the foregoing features and apply such plan to new development projects.

VIII. Hazards and Hazardous Materials. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	✖ (MTP/SCS EIR pp. 10-56 through 10-58; General Plan EIR pp. 5A-38 through 5A-39)	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	☐	☐	☐	☐ (MTP/SCS EIR pp. 10-58 through 10-64; General Plan EIR pp. 5A-38 through 5A-39)	✖
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	✖	☐ (MTP/SCS EIR pp. 10-64 through 10-66)	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐ (MTP/SCS EIR pp. 10-66 through 10-69; General Plan EIR pp. 5A-38 through 5A-39)	✖
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or	☐	☐	✖	☐ (MTP/SCS EIR pp. 10-69	☐

VIII. Hazards and Hazardous Materials. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
public use airport, would the project result in a safety hazard for people residing or working in the project area?				through 10-71)	
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	✖	☐ (MTP/SCS EIR pp. 10-71 through 10-73)	☐
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐ (MTP/SCS EIR pp. 10-73 through 10-76)	✖
h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	✖	☐ (MTP/SCS EIR pp. 10-76 through 10-80)	☐

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- The General Plan would have a significant impact if the General Plan would expose construction workers to hazardous materials or if proposed uses involve the delivery, manufacture, or storage of hazardous materials that would pose a public safety threat.

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard

for people residing or working in the project area.

- For a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.
- Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including whether wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Discussion

a. The proposed project would consist of a mix of office/open space tech uses and residential uses and, thus, could be expected to involve the handling of substantial quantities of hazardous materials during operations. During construction of the proposed project, limited amounts of potentially hazardous materials, such as paint, hydraulic fluid, and similar substances could be present on site; however, such materials would be handled and disposed of in accordance with all applicable regulations.

Applicable regulations include the uniformly applicable federal regulations related to the Resource Conservation and Recovery Act, the Toxic Substances Control Act, and the Hazardous Materials Transportation Law. In addition to the foregoing federal regulations, uniformly applicable state laws and regulations relating to hazardous materials include the Hazardous Waste Control Law, and the California Accidental Release Program.

The General Plan EIR considered that the development in the City could involve the uses of hazardous materials during construction-related activities and could expose workers to an increased risk of exposure to materials. The impact was considered significant in the short term. No mitigation measures were proposed. As noted above however, these materials would be handled and disposed of in accordance with applicable regulations.

The regulations listed above would be applicable during both construction and operation of the proposed project. For construction activities in particular, the City's General Plan includes Standard HAZ 4.1a, which requires the proper handling of hazardous materials during construction through the preparation and implementation of a hazardous materials management plan. Implementation of Standard HAZ 4.1a would ensure that construction activity related to the proposed project would not result in the improper handling of hazardous materials, which would reduce the likelihood of an accidental release of such material. Therefore, the proposed project will not result in a project-specific effect or an effect greater than that studied in the General Plan EIR related to the use of hazardous materials during construction-related activities.

The MTP/SCS EIR concluded that with compliance with applicable federal, State, and local regulations related to transport, use, and disposal of hazardous materials, associated impacts would be less than significant. Mitigation was not required. The proposed project would partially consist of technological research uses and, thus, would not be anticipated to involve the handling of substantial quantities of hazardous materials during operations.

During construction of the proposed project, limited amounts of potentially hazardous materials, such as paint, hydraulic fluid, and similar substances could be present on site; however, such materials would be handled and disposed of in accordance with all applicable regulations. Therefore, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

b, d. The General Plan EIR did not consider whether development would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment or be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

However, the impacts are substantially mitigated by uniformly applicable development policies identified in the MTP/SCS EIR. The MTP/SCS EIR concluded that land use projects within the MTP/SCS planning area would be subject to uniformly applicable regulation and monitoring requirements of various federal, State, and local regulations, including the Department of Toxic Substances Control (DTSC) and the Department of Motor Vehicles (DMV), related to accidental release of or exposure to hazardous materials. It should be noted that Mitigation Measure HAZ-1 from the MTP/SCS EIR related to crude oil transport hazards would not apply to the proposed project.

In addition, the MTP/SCS EIR noted that preparation of and compliance with a Phase I Environmental Site Assessment (ESA) for properties at risk of potential hazardous materials and/or waste contamination would avoid associated impacts, including impacts associated with being located on a site which is included on a State or local hazardous materials list. Mitigation Measure HAZ-2 requires that for any listed sites or sites that have the potential for residual hazardous materials as a result of historic land uses, project proponents shall prepare a Phase I ESA that meets ASTM standards.

Consistent with Mitigation Measure HAZ-2, a Phase I ESA was prepared for the proposed project site. The Phase I ESA did not identify evidence of known or suspect recognized environmental conditions on the project site. In addition, per the Phase I ESA, the site is not included on any lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and the site does not show evidence of past contamination with hazardous materials. Thus, the uniformly applicable development policies, including the California Accidental Release Prevention program, the Hazardous Materials Transport Act, and the California Health and Safety Code substantially mitigate the proposed project's potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. It should be noted that preparation of a Phase I ESA for the project site fulfills the requirements of Mitigation Measure HAZ-2.

Furthermore, because the project site is not included on any lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5, no impact would occur related to construction of the project on such a site.

c. The General Plan EIR did not consider impacts related to the emission of hazardous materials within one-quarter mile of an existing or proposed school, however, the nearest school, Merryhill School, is located approximately 0.5 miles southeast of the site.

Therefore, there is no impact. Further, individual hazardous materials emitters or handlers must adhere to permitting requirements (Pub. Resources Code, Section 21151.4) that require evaluation and notification of where potential materials handling and emissions could occur within one-quarter mile proximity of existing or proposed schools. To the extent any impact were possible, it would be substantially mitigated by this uniformly applicable development policy.

The MTP/SCS EIR concluded that because individual hazardous materials emitters or handlers must adhere to permitting requirements (Pub. Resources Code, Section 21151.4) that require evaluation and notification of where potential materials handling and emissions could occur within one-quarter mile proximity of existing or proposed schools, a less-than-significant impact would occur. Mitigation was not required.

e,f. The proposed project site is not located within the vicinity of a public or private airstrip and is not covered by an airport land use plan. Thus, no impact would occur with regard to creation of a safety hazard for people residing or working in the project area.

g. The General Plan did not consider whether development would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. However, the proposed project does not involve any operations or changes to the existing roadway network that would impair implementation or physically interfere with the City's Multi-Hazard Functional Planning Guide or the County's Emergency Operations Plan or Multi-Hazard Mitigation Plan (MHMP). Construction activities affecting any of the identified evacuation routes would be both temporary and subject to traffic controls. Furthermore, the proposed project would be subject to the foregoing guides and plans, and any applicable measures from such guides and plans in the case of an emergency. Although such plans were not evaluated in the General Plan EIR, the plans serve as uniformly applicable mitigation for all development within the City and Yolo County, and compliance with such plans is required for all new developments.

The MTP/SCS EIR concluded that implementation of MTP/SCS could result in increased population levels or development activity in excess of the levels anticipated by existing emergency response plans. Growth in excess of adopted emergency response plans could have the potential to result in blockages of emergency routes, inadequate access to emergency response services, or other conflicts with emergency response. Therefore, the MTP/SCS EIR included Mitigation Measure HAZ-3, which required continued implementation of state and local requirements for ongoing emergency evacuation planning.

According to the City's General Plan, the City of Davis Multi-Hazard Functional Planning Guide states that all major roads are available for emergency evacuation routes in the event of a disaster, depending on the location and type of emergency that arises. Major roads identified for evacuation include Russell Boulevard, SR 113, Interstate 80, Richards Boulevard, County Road (CR) 102/Pole Line Road, Mace Boulevard southbound, CR 32A, Covell Boulevard/CR 31, "F" Street/CR 101A, and North Sycamore Frontage Road. As discussed in further depth in Section XVI, Transportation/Traffic of this Appendix N Analysis, Condition of Approval X for the proposed project requires implementation of construction traffic control measures that would ensure that construction of the proposed project would not interfere with operations of major roadways in the project vicinity. Furthermore, the proposed project does not involve any permanent changes to the circulation network in the vicinity of the project site. Thus, construction and operation of

the proposed project would not result in interference with any of the foregoing evacuation routes. As such, the uniformly applicable Mitigation Measure HAZ-3 would be implemented through Condition of Approval X, which would ensure that the proposed project would not result in any new specific impacts.

h. The project site is located in an urban area and is surrounded by existing development. Wildlands are not located within the project area. Therefore, the proposed project would not expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and no impact would occur.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure HAZ-3: *Implement state and local requirements for ongoing emergency evacuation planning.*

Implementing agencies shall require implementation of state and local requirements regarding evacuation planning and application of recommended applicable mitigation measures as defined by state and local agencies. Examples of mitigation measures should include, but are not limited to, the following:

- *Continue to coordinate locally and regionally based on ongoing review and integration of projected transportation and circulation conditions;*
- *Develop new methods of conveying projected and real time information to citizens using emerging electronic communication tools including social media and cellular networks; and*
- *Continue to evaluate lifeline routes for movement of emergency supplies and evacuation.*

Applicable Davis General Plan Policies

Policy HAZ 4.1 Reduce and manage toxics within the planning area.

Standard 4.1a Before construction starts, a project proponent will submit a hazardous materials management plan for construction activities that involve hazardous materials. The plan shall discuss proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete and sanitary waste, shall be established prior to the commencement of construction-related activities and strictly enforced by the project proponent. A specific protocol to identify health risks associated with the presence of measures to be followed by the workers entering the work area. If the presence of hazardous materials is suspected or encountered during construction-related activities, the project proponent shall complete a Phase I or Phase II hazardous materials study for each identified site.

Policy HAZ 5.1 Reduce the combined load of pollutants generated in the City's wastewater, stormwater, and solid waste streams. Such pollutants include, but are not limited to toxic and hazardous substances.

IX. Hydrology and Water Quality. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-99 through 11-104; General Plan EIR pp. 5G-20 through 5G-23)	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., 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)?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-87 through 11-92; Davis General Plan EIR pp. 5G-24 through 5G-25)	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-50 through 11-59; Davis General Plan EIR pp. 5G-15 through 5G-18)	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-50 through 11-59; Davis General Plan EIR pp. 5G-15 through 5G-18)	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-42 through 11-50; Davis General Plan EIR pp. 5G-15 through 5G-18)	☐

IX. Hydrology and Water Quality. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
f. Otherwise substantially degrade water quality?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-93 through 11-99; Davis General Plan EIR pp. 5G-20 through 5G-23)	☐
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-60 through 11-76; Davis General Plan EIR pp. 5G-15 through 5G-20)	☐
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-60 through 11-76; Davis General Plan EIR pp. 5G-15 through 5G-20)	☐
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	☐	☐	☐	✖ (MTP/SCS EIR pp. 11-76 through 11-85; Davis General Plan EIR pp. 5G-15 through 5G-20)	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	✖	☐	☐

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to Hydrology and Water Quality.
- A proposed land use map alternative was determined to have a significant impact if the alternative would result in a substantial increase in the rate or amount of surface runoff in

a manner that would result in on- or off-site flooding;
- or create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage facilities.
- The General Plan was determined to have a significant impact if the General Plan would expose people or property to water-related hazards, such as flooding.
- The General Plan was determined to have a significant impact if the alternative would substantially degrade water quality.
- The General Plan was determined to have a significant impact if the alternative would substantially deplete groundwater resources, degrade groundwater quality, or cause a potential public health hazard.

Discussion

a, f. Development of the proposed project site would require construction activities that would result in a land disturbance greater than one acre. Therefore, the applicant would be required by the State to obtain a Construction General Permit. Compliance with the Permit requires the applicant to file a Notice of Intent (NOI) with the SWRCB and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. The SWPPP would incorporate BMPs in order to prevent, or reduce to the greatest feasible extent, adverse impacts to water quality from point sources and erosion and sedimentation. The foregoing requirements for obtaining a Construction General Permit and preparation of a SWPPP are uniformly applicable to all development projects within California and would ensure that any potential impacts related to the violation of water quality standards or degradation of water quality would be substantially mitigated.

The General Plan EIR determined that construction and grading activities associated with development under the General Plan would not degrade water quality because projects would be required to comply with Policy WATER 2.3 as well as Action WATER 2.3a. In addition to the General Plan policies presented in the General Plan EIR, the General Plan EIR further noted that development projects within the City would also be subject to the City's uniformly applicable grading and erosion control regulations. For instance, the proposed project would be subject to Section VI, Chapter 30.03.010 of City of Davis Municipal Code, which adopts by reference the standards of the State of California's NPDES General Permit for Stormwater Discharges Associated with Construction Activity (NPDES General Permit No. CAS000002). Compliance with the NPDES requires implementation of a SWPPP as in Section VI. Geology and Soils of this Appendix N Analysis. The General Plan EIR concluded that implementation of the foregoing General Plan policies and actions Citywide, as well as the applicabtion of the uniformly applicable mitigation measures included in the City's Municipal Code would ensure that development within the City would not result in impacts to water quality.

The MTP/SCS EIR concluded that given required compliance with the NPDES Construction General Permit requirements, which pertains to pollution from grading and project construction, as well as various other regulations, construction-related water quality impacts would be less than significant. Mitigation was not required.

Because the proposed project would be required to comply with the foregoing uniformly applicable mitigation measures, potential impacts related to implementation of the

proposed project would be substantively mitigated and the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

b. Given that a majority of the City's water supplies are provided by surface water sources, increases in demand for water supplies associated with the proposed project would not be anticipated to substantially deplete groundwater supplies. Furthermore, considering that the project site was developed with impervious surfaces and the project site is surrounded primarily by impervious surfaces, the amount of groundwater recharge currently occurring at the site and in the vicinity of the project site is relatively small as compared to recharge over the entire groundwater subbasin area. Therefore, 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 preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted), and a less-than-significant impact would occur. Considering that the proposed project would not result in such impacts, the project would not result in any new specific effects.

The General Plan EIR considered the impact of development under the General Plan on groundwater resources and concluded that because the General Plan contains policies WATER 1.1, 1.2, and 1.3 as well as Policy WATER 2.2, the impact would be less than significant.

Policies WATER 1.1 directs the City to focus on demand reduction and water conservation over the development of additional water resources while Policy WATER 1.2 requires water conserving landscaping. In compliance with the foregoing policies, the project has been designed with water efficient fixtures and low water use landscaping. As a result of such water efficiency measures, the proposed project would operate with a water demand that would be approximately 70 percent below the average per capita demand for housing within the Sacramento Hydraulic Region and 33 percent more efficient than the average per capita use in the City of Davis. Thus, the proposed project has incorporated and satisfied Policies WATER 1.1 and 1.2.

Policy WATER 1.3 prohibits the City from approving development unless an adequate supply of quality water is available prior to occupancy of development. The City is further directed by Policy WATER 2.2 to protect groundwater resources to preserve quantity and quality. Since the adoption of the City's General Plan EIR, the City has switched primary water supply from groundwater to surface water, which is now provided through the Woodland Davis Clean Water Agency. Consistency with Policy WATER 1.3 is discussed in further depth below.

In 2015, the City prepared a combined Water Supply Assessment (WSA) for buildout of the General Plan, as well as specific large development projects including Mace Ranch Innovation Center, Davis Innovation Center, Nishi Property, and the Triangle Project.[25]

[25] City of Davis. *Mace Ranch Final FEIR* (SCH# 2014112012). Adopted on September 19, 2017.

The WSA showed that after accounting for the four major development projects and development under the City's adopted General Plan, the City has 1,831 ac-ft/yr excess capacity in 2020 and 1,419 ac-ft/year in 2025. Of the four very large projects studied, only Nishi is approved. Therefore, as summariezed in the Civil Utility Summary prepared for the project, the conclusion can safely be made that there is adequate capacity to serve the University Research Park project along with other previously approved but not built projects (See Appendix F).

Furthermore, the Project, together with all approved but not yet built projects can be adequately served with the City's existing water supply while preserving groundwater resources. Consequently, the proposed project is in compliance with General Plan Policies WATER 1.3 and 2.2

Considering the project's compliance with General Plan policies WATER 1.1, 1.2, 1.3, and 2.2, the proposed project will not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

c,d. The General Plan EIR considered whether development under the general plan would generate substantial runoff or substantially modify existing drainage patterns. The General Plan EIR concluded that even with General Plan Policies WATER 3.1 and WATER 3.2 and associated standards and action, buildout of the General Plan would result in a significant impact. However, implementation of mitigation measures included in the General Plan EIR would reduce the potential for buildout of the General Plan to result in significant impacts to drainage patterns to a less-than-significant level. In particular, General Plan EIR Mitigation Measure HYD-2.1 ensured that buildout of the City would not result in development within flood-prone areas of the City. The proposed project is not within a flood-prone area of the City, and, thus, is not subject to General Plan EIR Mitigation Measure HYD-2.1. Similarly, the proposed project would not be subject to the requirements of policies WATER 3.1 and 3.2, because both policies related to citywide drainage infrastructure, rather than project-level considerations. However, the proposed project would be subject to Standard WATER 3.2a, which requires that all new development be designed to accommodate a minimum of a 10-year recurrence design flow while routing 100-year reccurence event flows appropriately. The proposed project will include bioretention planters that are adequately designed to meet the City's standards. Considering that the proposed project would not be located in a flood-prone area and would comply with all applicable General Plan policies and standards identified in the General Plan EIR, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

Per the MTP/SCS EIR, because Center and Corridor Communities are already largely built out, most of the development in these areas would be redevelopment, infill, and

intensification of existing land uses. These types of development usually do not substantially alter the existing drainage pattern of the areas where they locate, especially when they do not add additional impervious surfaces. Notwithstanding, the MTP/SCS EIR concludes that a potentially significant impact could result from future development with respect to substantially altering existing drainage patterns, because SACOG has not independently analyzed the effectiveness of local regulations for addressing impacts related to the pattern or rate of runoff from a project. Also SACOG cannot ensure consistency in content or implementation of grading ordinances, or other related regulatory requirements. These potential issues are addressed for the project by the City of Davis' ability and commitment to do so through existing ordinances.

The proposed project would be required to comply with the City's Stormwater Ordinance, and conditions of approval, to provide stormwater system sizing information, a Stormwater Quality Plan, stormwater calculations, a Stormwater Quality Maintenance Plan, and a Drainage Plan. Site stormwater flows would be treated and attenuated prior to flowing to existing public stormwater conveyance facilities. The proposed treatment and attenuation infrastructure included in the proposed project would result in the improvement of stormwater flows from the project site as compared to the previously-developed condition of the project site. Thus, the project would be consistent with Mitigation Measures HYD-1, HYD-2, and HYD-3 of the MTP/SCS EIR, and would not substantially alter the existing drainage pattern of the site or area, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. The project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

The General Plan EIR considered whether buildout of the General Plan would exceed the capacity of the existing stormwater drainage facilities. General Plan EIR identified that General Plan Policies WATER 3.1 and 3.2 and the associated standards requiring new development to mitigate for drainage and runoff would reduce this impact. However, due to certain developments within the General Plan that are unrelated to the proposed project, specifically development of the Covell Center, the General Plan EIR concluded the impact was nonetheless significant, but mitigation was available to reduce such impacts to a less-than-significant level. In particular, General Plan EIR Mitigation Measure HYD-2.1 ensured that buildout of the City would not result in development within flood-prone areas of the City. The proposed project is not within a flood-prone area of the City, and, thus, is not subject to General Plan EIR Mitigation Measure HYD-2.1. As discussed previously, General Plan policies WATER 3.1 and 3.2 would not directly apply to the proposed project as such policies are intended for implementation on a City-wide level not a project-level. Nevertheless, the proposed project would be subject to Standard WATER 3.2a. As discussed previously, the proposed project would meet the stormwater design standards included in General Plan Standard WATER 3.2a. As such, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR related to exceedance of the capacity of existing or planned stormwater drainage facilities.

Per the MTP/SCS EIR, the impacts associated with runoff water and capacity of stormwater drainage systems related to land use and transportation changes from the implementation of the proposed MTP/SCS in Center and Corridor Communities are considered less than significant due to the already developed condition of the properties. No mitigation is required.

An 18-inch diameter storm drainage main is currently located within Research Park Drive. Following implementation of the proposed project, stormwater will be directed to the foregoing stormwater drainage mains within Research Park Drive. However, prior to discharge to the City's infrastructure, stormwater from the project site would first be directed into bioretention planters proposed for inclusion in the project. The proposed project would be required, as conditions of approval, to provide stormwater system sizing information, a Stormwater Quality Plan, stormwater calculations, a Stormwater Quality Maintenance Plan, and a Drainage Plan. Site stormwater flows would be treated and attenuated prior to flowing to existing public stormwater conveyance facilities.

Incorporation of bioretention planters would ensure compliance of the proposed project with City regulations regarding stormwater. Furthermore, Cunningham Engineering concluded that stormwater outflows from the project site following implementation of the project would be improved as compared to outflows under previous developments, due to inclusion of bioretention planters in the proposed project. Consequently, the existing stormwater drainage infrastructure within Research Park Drive would have adequate capacity to serve the proposed project in conjunction with existing uses (Appendix F).[26] Therefore, the proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. New specific effects or effects that are more significant than what was already analyzed in the General Plan EIR would not occur.

g-i. According to the Flood Insurance Rate Map (FIRM) number 06113C0611G, the proposed project site is located in Zone X, which is an area of minimum flood hazards. As such, the proposed project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, FIRM, or other flood hazard delineation map, place within a 100-year flood hazard area structures that would impede or redirect flood flows, or expose people or structures to significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. Thus, project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such.

The General Plan EIR concluded that although portions of the City are within the 100-year floodplain, the impact is less than significant because the General Plan includes policies HAZ 1.1 and HAZ 1.2 and associated actions that discourage floodplain development and require adherence to standards if an area of the floodplain is development. The proposed project is not located within a floodplain and, thus, General Plan standards HAZ 1.1a and HAZ 1.1c do not apply to the proposed project. Furthermore, the proposed project would include bioretention planters that would ensure that the project does not result in an increase in flood damage at any off-site areas, thus complying with General Plan policies

[26] Cunningham Engineering. *University Research Park – Civil Utility Summary*. August 16, 2018.

HAZ 1.1 and HAZ 1.2, as well as Standard HAZ 1.1b. As such, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR related to development within flood zones and development resulting in increased flood risk.

The MTP/SCS concluded that because some of the growth within the MTP/SCS plan area is located within floodplains, such development could be vulnerable to flooding and flood hazards. However, Mitigation Measure HYD-4, which requires that project-specific hydrology studies are conducted for project within floodplains, was determined to reduce impacts to less-than-significant levels. The proposed project is not located within a floodplain, thus HYD-4 does not apply to the proposed project. New specific effects or effects that are more significant than what was already analyzed in the General Plan EIR would not occur.

j. The General Plan EIR did not address impacts related to seiches, tsunamis, or mudslides. A seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir, which has a destructive capacity that is lesser than that of tsunamis. Seiches are known to have occurred during earthquakes. Tsunamis are defined as sea waves created by undersea fault movement. A tsunami poses little danger away from shorelines; however, when a tsunami reaches a shoreline, a high swell of water breaks and washes inland with great force. Waves may reach fifty feet in height on unprotected coasts. Furthermore, mudflow typically occurs in mountainous or hilly terrain. As the City of Davis is not located near waters subject to tidal changes, closed bodies of water, or hilly or mountainous terrain, no impact related to seiches, tsunamis, or mudflows would occur and further analysis is not required.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure HYD-1: *Manage stormwater runoff and other surface drainage.*

Measures that shall be implemented at a project-level, where feasible and necessary to address site-specific impacts, to reduce the impacts to hydrological resources, include but are not limited to:

- *The implementing agency should require projects to direct stormwater run-off and other surface drainage into an adequate on-site system or into a municipal system with capacity to accept the project drainage. This should be demonstrated by requiring consistency with local stormwater drainage master plans or a project-specific drainage analysis satisfactory to the jurisdiction's engineer of record.*

The implementing agency should develop and implement best management practices (BMPs) for control of stormwater associated with rural residential development not otherwise subject to other runoff and water quality control requirements.

Mitigation Measure HYD-2: *Use best management practices to treat water quality.*

The implementing agency should require the use of BMPs or equivalent measures to treat water quality on-site, prior to leaving the project site, and/or at the municipal system as necessary to achieve local or other applicable standards. This should be demonstrated by requiring consistency with local standards and practices for water quality control and management of erosion and sedimentation, and/or other applicable standards, including the CBC and UBC

regulations and guidelines and/or local NPDES. Implementation of Mitigation Measure GEO-1 will also help mitigate this impact.

Mitigation Measure HYD-3: *Implement Mitigation Measure GEO-1 (Reduce soil erosion and loss of topsoil through erosion control mitigation and SWPPP).*

Applicable Davis General Plan Policies

Policy HAZ 1.1 Site and design developments to prevent flood damage.

Standard HAZ 1.1b Development shall not increase flood hazards or reduce the effectiveness of existing flood control facilities.

Policy HAZ 1.2 Continue to provide flood control improvements that are sensitive to wildlife habitat and open space preservation.

Policy Water 1.1 Give priority to demand reduction and conservation over additional water resource development.

Policy Water 1.2 Require water conserving landscaping.

Policy Water 1.3 Do not approve future development within the City unless an adequate supply of quality water is available or will be developed prior to occupancy.

Policy Water 2.1 Provide for the current and long-range water needs of the Davis Planning Area, and for protection of the quality and quantity of groundwater resources.

Policy Water 2.2 Manage groundwater resources so as to preserve both quantity and quality.

Policy Water 2.3 Maintain surface water quality.

Action WATER 2.3a Continue to Implement best management practices and policies incorporated in the Urban Water Management Plan and other adopted policies.

Policy Water 3.1 Coordinate and integrate development of storm ponds and channels City-wide, to mazimize recreational, habitat and aesthetic benefits.

Policy Water 3.2 Coordinate and integrate design, construction, and operation of proposed stormwater retention and detention facilities City-wide, to minimize flood damage and improve water quality.

Standard 3.2a All new development shall include drainage facilities that are designed to accommodate a minimum of a 10-year recurrence design flow. In addition, all new development shall route the 100-year recurrence event and appropriately mitigate for both the increase in flows from the site due to development, and for runoff volumes which have historically occurred on the site.

Storm drainage facilities with open, naturalistic channels are encouraged, where feasible. Such facilities can minimize impacts on the city's system, add to the water table, and provide an open space amenity, although long term maintenance costs must be considered. In addition, properly designed plantings within and adjacent to drainage facilities can serve to treat urban runoff, reducing downstream impacts.

Standard 3.2b New development's detention and retention facilities shall be designed so as not to cause significant negative impact to other drainage facilities in the watershed.

X. Land Use and Planning. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Physically divide an established community?	☐	☐	✖	☐	☐
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	☐	☐	☐	✖ (MTP/SCS EIR pp. 12-28 through 12-42; Davis General Plan EIR pp. 5A-29 through 5A-30)	☐
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	☐	☐	☐	☐	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if the General Plan alternative or one of its components would conflict with the environmental plans and goals of the local community or other planning regulations (see Question b below).
- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to land use, aesthetics, or hazardous materials (see Question b below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the uniformly applicable development policies from the MTP/SCS EIR as applicable.

- Conflict with the provisions of an adopted habitat conservation plan (HCP), natural communities conservation plan (NCCP), or other approved local, regional, or state habitat conservation plan (see Question c below).

Discussion

a. The General Plan EIR did not analyze the potential for buildout of the General Plan to result in the physical division of an established community. The project site is surrounded by existing non residential uses. Given that the project would be considered infill development, the proposed project would not physically divide an established community. Thus, no impact would occur.

b. The discussions below provide a summary of the project's consistency with the City's General Plan and the MTP/SCS.

General Plan Consistency

The proposed project includes a request for approval of a General Plan Amendment to redesignate the project site from General Commercil to Mixed Use. Although the proposed project includes a request for a General Plan Amendment, the need for such an amendment does not inherently indicate that the proposed project is inconsistent with the General Plan. Rather, despite the need for a General Plan Amendment, the proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, and is consistent with any adopted design guidelines for the district within which the project is located (Davis Code section 40.31.085(a)).

The development conforms to the General Plan in that it implements several General Plan visions including:

- *Value, support and nurture Davis' individuals, families and youth; their quality of life; and the ethic of lifelong learning and contribution [p. 41 of the General Plan]*
    - The project provides housing to support the workforce population.
- *Promote alternative transportation modes such as bicycling, walking, public transit and telecommuting [p. 43 of the General Plan]*
    - The project promotes alternative transportation by developing housing within a short minute walk from Davis Downtown Core; developing housing within the MTP/SCS Transit Priority Area; providing housing within close proximity of a job center; and by providing parking supportive to bicycle transportation.
- *The General Plan indicates that the Residential Category "is intended to allow for residential development emphasizing compact clustered development in new areas and infill in existing neighborhoods, together with a mixture of local-serving retail and institutional uses, to meet housing demands, reduce pressure for peripheral growth and facilitate transit and bicycle/pedestrian travel."*
    - The project increases density at the project site, allowing infill within the existing neighborhood.

- *Policy LU A.1 In infill projects, respect setback requirements, preserve existing greenbelts and greenstreets, and respect existing uses and privacy on adjacent parcels.*

    - The ground floor of the project meets the minimum setback requirements for the zone. The Municipal Code requires setbacks to increase one foot for every three feet of building height over 12 feet. Meeting the standard on this site would preclude the development of the project, which is otherwise consistent with the General Plan and the Council's infill development goals. (See Policy LU 2.1 Develop and implement guidelines for infill development and Finding 12 below.) As a result, the project has been designed to meet the base setback requirements, and to address the goals of the increased setback requirements by creating an open central area which provides clear access to the sky.

- *Policy HOUSING 1.1 Encourage a variety of housing types that meet the housing needs of an economically and socially diverse Davis.*

    - The project will create housing that will provide an opportunity for those working in the project to live nearby and avoid commuting to work in a vehicle.

- *Policy HOUSING 1.2 Strive to maintain an adequate supply of rental housing in Davis to meet the needs of all renters, including students.*

    - The project includes rental units available to all residents and designed to meet the needs of the workforce population.

MTP/SCS Consistency

On October 11, 2018, the Sacramento Area Council of Governments (SACOG) provided the City of Davis with a confirmation that the proposed project would be consistent with SACOG's MTP/SCS (Appendix C). The letter acknowledges that the entire project site is located within one-half mile of a high-quality transit corridor, and that the proposed project would develop the site for a mix of residential and open space tech/office uses at a density of 36 units per acre.

The proposed project is located on an infill site within a Center and Corridor Community designated by the MTP/SCS. SACOG determined that the proposed land uses, densities, and building intensities are consistent with the assumptions of the MTP/SCS for such communities. The project's consistency with the MTP/SCS, location in Center and Corridor Community, and the project's compliance with the land use, density, and transit requirements of the MTP/SCS qualify the proposed project as a Transit Priority Project under the MTP/SCS.

Conclusion

Based on the above, the proposed project would not create new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to inconsistency with applicable land use plans, policies, or ordinances adopted for the purpose of avoiding or mitigating on environmental effect.

c. At the time the General Plan EIR was prepared, there was only one adopted HCP in the MTP/SCS area, the Natomas Basin HCP (NBHCP). The project site is within the Yolo HCP/NCCP, recently adopted by the Conservancy Board and all member agencies, including the City of Davis; thus, consistency with the Yolo HCP/NCCP was not analyzed in the General Plan EIR or the MTP/SCS EIR. The project site is designated Urban/Developed in the Yolo HCP/NCCP.

Developed areas are dominated by pavement and building structures. Vegetation in developed areas generally consists of vegetated corridors (e.g., vegetation maintained adjacent to highways) and patches of mostly ornamental vegetation, such as tree groves, street strips, shade trees, lawns, and shrubs that are typically supported by irrigation. Urban lands cover 45,700 acres, or seven percent, of the Yolo HCP/NCCP Area. This area includes urban vegetation and all areas with structures, graded lots, road and highway medians, anthropogenic drainage canal vegetation, rail rights-of-way, and sewage treatment ponds that do not provide habitat.

The project site currently consists of vacant disturbed land with minimal ornamental vegetation related to previous landscaping, and while the project site does not currently contain development, from a habitat type perspective, the characteristics of the site continue to be consistent with that of developed areas. The Yolo HCP/NCCP considers general urban development within the City of Davis to be a covered activity and includes various Avoidance and Minimization Measures (AMMs) that should be applied where applicable. The AMMs applicable to the proposed project include AMM1, Establish Buffers; AMM5, Control Fugitive Dust; AMM6, Conduct Worker Training; AMM7, Control Night-Time Lighting of Project Construction Sites; and AMM15, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. Such AMMs are uniformly applicable to qualifying projects within the Yolo HCP/NCCP area and serve to substantially mitigate potential impacts from such development, as further described in the Yolo HCP/NCCP.

Given the land cover type, history of development of the project site, the implementation of all uniformly applicable AMMs from the Yolo HCP/NCCP would ensure that development of the proposed project would not conflict with the adopted Yolo HCP/NCCP.

Applicable Davis General Plan Policies

Policy LU 1.1 Recognize that the edge of the urbanized area of the City depicted on the land use map under this General Plan represents the maximum extent of urbanization through 2010, unless modified through the Measure J process.

Action 1.1d Maintain a growth management system that regulates the timing of residential growth in an orderly way considering the following: infrastructure, geographical phasing, local

employment increases, jobs/housing balance, environmental resources, economic factors DJUSD school enrollment and sustainability.

Policy LU 2.1 Develop and implement guidelines for infill development and comprehensive car management strategies immediately following the adoption of the General Plan so that guidelines and strategies will be in place prior to the approval of significant new infill development.

Standard 2.1a Guidelines should recognize various forms and patterns of infill development including:

1. new mixed use, transit oriented development in new neighborhoods developed on urban land zoned for nonresidential uses. (Land designated on the General Plan Land Use Map for uses of agriculture, agriculture buffer, or various open space uses are not to be considered as, nor re-designated as, urban land for infill purposes.)
2. new mixed use, transit oriented development in/near established neighborhoods.
3. residential infill in/near established neighborhoods (e.g., Grande and Wildhorse school sites).
4. densification of existing single family lots.
5. targeted residential infill to help address the needs of UC Davis students and employees, City and school district employees, seniors, lower income households and other special needs groups (e.g., prospective joint UC-City-RDA-private sector sponsored projects).
6. redevelopment of older apartment complexes.

Applicable Yolo HCP/NCCP AMMs

***AMM1, Establish Buffers*.** Project proponents will design projects to avoid and minimize direct and indirect effects of permanent development on the sensitive natural communities specified in Table 4-1 [of the HCP/NCCP] (herein referred to as *sensitive natural communities*) and covered species habitat specified in Table 4-1 by providing buffers, as stipulated in the relevant sensitive natural community AMMs (Section 4.3.3 [of the HCP/NCCP]) and covered species AMMs (Section 4.3.4 [of the HCP/NCCP]). On lands owned by the project proponent, the project proponent will establish a conservation easement, consistent with Section 6.4.1.3, *Land Protection Mechanisms* [of the HCP/NCCP], to protect the buffer permanently if that land is being offered in lieu of development fees, as described in Section 4.2.2.6, Item 6: HCP/*NCCP Fees or Equivalent Mitigation* [of the HCP/NCCP].

The project proponent will design buffer zones adjacent to permanent residential development projects to control access by humans and pets (AMM2, Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces).

Where existing development is already within the stipulated buffer distance (i.e., existing uses prevent establishment of the full buffer), the development will not encroach farther into the space between the development and the sensitive natural community.

This AMM does not apply to seasonal construction buffers for covered species, which are detailed for each species in Section 4.3.4, Covered Species.

A lesser buffer than is stipulated in the AMMs may be approved by the Conservancy, USFWS, and CDFW if they determine that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose (e.g., if the purpose of the project is to provide a stream crossing or replace a bridge, the project may encroach into the buffer and the natural community or species habitat to the extent that is necessary to fulfill the project purpose).

***AMM5, Control Fugitive Dust*.** Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands

AMM6, Conduct Worker Training. All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by the project proponent. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. The training may be accomplished through the distribution of informational materials with descriptions of sensitive biological resources, photographs of covered species, and regulatory protections to construction personnel prior to initiation of construction work.

AMM7, Control Night-Time Lighting of Project Construction Sites. Workers will direct all lights for night-time lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.

AMM15, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. The project proponent will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent, with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000) within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated onsite biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks. For covered operations and

maintenance activities that involve pruning or removal of a potential Swainson's hawk nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

XI. Mineral Resources. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	✖	☐	☐
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	✖	☐	☐

a,b. The General Plan EIR did not address mineral resources. However, the most important mineral resources in the region are sand and gravel, which are mined on Cache Creek and other channels in Yolo County. A survey of aggregate resources by the State Division of Mines and Geology showed that significant deposits of aggregate resources are not located in the City of Davis Planning Area. The only mineral resource known to exist in the City's Planning area is natural gas; however, specific resource areas have not been identified. General Plan policies provide for minimizing resource exploitation. Because of the lack of mineral resources in the project area, no impact to mineral resources would occur and further analysis is not required.

XII. Noise. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	✖ (MTP/SCS EIR pp. 13-22 through 13-37; General Plan EIR pp. 5F-14 through 5F-15; 5F-18 through 5F19)	☐
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☐ (MTP/SCS pp. 13-41 through 13-44)	✖
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	✖ (MTP/SCS pp. 13-22 through 13-37; Davis General Plan EIR pp. 5F-18 through 5F-21)	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	✖ (MTP/SCS pp. 13-41 through 13-44; Davis General Plan EIR pp. 5F-18 through 5F-21)	✖
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	✖	☐	☐
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	✖	☐	☐

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to noise (see Questions a through f below).
- The General Plan was determined to have a significant impact if construction activities could violate provisions of City's Noise Ordinance (Chapter 168, "Noise Regulations" of the City of Davis Municipal Code). Specifically, permitted construction activities between the hours of 7 a.m. and 7 p.m. (Monday through Friday) and 8 a.m. and 8 p.m. (Saturday and Sunday) were considered significant if both of the following measures are exceeded:
    1. No individual piece of equipment shall produce a noise level exceeding 83 dBA at a distance of 25 feet.
    2. The noise level at any point outside the property plane of the project shall not exceed 86 dBA (see Question d below).
- The General Plan was determined to have a significant impact if the potential development proposed in the plan would substantially increase the exposure of existing noise sensitive land uses to noise in excess of exterior and/or interior noise standards specified in Figure 5F-l, of the General Plan EIR (see Questions a and c below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Result in excessive vibration and groundborne noise (see Question b below).

Discussion

a,c. The General Plan EIR considered whether buildout of the General Plan would expose noise sensitive land uses to construction or operation related noise in violation of the City's Noise Ordinance. The General Plan EIR concluded that the impact of construction noise and operation in some areas were significant and unavoidable. In concluding that construction and operational noise in some areas would result in significant and unavoidable impacts, the General Plan EIR considered infill development within the City. The proposed project would represent infill development similar to the type of development generally analyzed in the General Plan EIR. The proposed project would not involve construction-related or operational sources of noise in excess of the sources considered in the General Plan EIR, and, thus, potential impacts related to implementation of the proposed project would not exceed the impacts previously considered by the General Plan EIR.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

As stated in the MTP/SCS EIR, urban areas such as the project site and its surroundings experience noise from any number of of sources associated with living in proximity to other people and amound different land uses. Typical community noise sources include small mechanical devices (e.g., lawn mowers, leaf blowers), parks and playgrounds, restaurants and bars, commercial uses, and industrial plants. Traffic and transportation-related noise is also a dominant noise source in this Community Type. Center and Corridor Communities already experience higher levels of noise than the other Community Types analyzed in the MTP/SCS EIR, and noise is an expected part of life in this Community Type.

Implementation of the proposed MTP/SCS is likely to increase the amount of noise experienced in Center and Corridor Communities because of the increased density in these areas, but concludes that the increase would be less than significant on each of the 140 roadway segments within Center and Corridor Communities analyzed in the MTP/SCS EIR. Therefore, since the project is consistent with the Center and Corridor Communities designation, noise impacts of the project are also considered to be less than significant and no mitigation is required.

While noise impacts of the project would be less than significant and not required mitigation based on the project's consistency with the MTP/SCS and its EIR, in the interest of thorough review, the City considered the potential noise impacts related to the project based on a noise study prepared for a similar, but more intense, project located nearby with similar characteristics to the proposed project. The study, prepared by Saxelby Acoustics for University Research Park for the Plaza 2555 residential project (July 2018) located at the intersection of Research Park Drive and Cowell Boulevard directly south of Interstate 80. That project proposed 170 residential units as close as approximately 100 feet from the edge of Interstate 80. The noise study determined that the project would not result in significant operational noise impacts with the imposition of interior noise control measures. The following provides a summary of the noise study conclusions.

Off-Site Traffic Noise at Existing Sensitive Receptors

Traffic from the proposed project is not predicted to cause exterior noise levels to exceed the City's 60 dBA L_{dn} exterior noise level standard at any existing residential areas where the "no-project" noise levels are less than 60 dBA L_{dn}. The proposed project is not predicted to increase traffic noise levels by more than 1.0 dBA, especially since the nearest residential area is approximately ½ mile away. According to the Fehr and Peers traffic study, the total average daily trips for the project is 1169, with the majority turning toward Interstate 80 on Richards Boulevard, which is away from the nearest residential areas.

Transportation Noise at New Sensitive Receptors – Exterior Areas

Based upon the locational measurements in the Saxelby study, the existing noise countour at 300 feet from the nearest travel lane would be 66 to 68 dB(A). Given that the proposed outdoor activity amenity area in the project's central courtyard is an additional 120 feet away from Interstate 80 (making a total of 420 feet) and are shielded by Buildings 1 and 2, the predicted exterior noise levels would be less than 60 dBA Ldn. This would comply with the City of Davis 60 dBA Ldn normally acceptable exterior noise level standard.

Transportation Noise at New Sensitive Receptors – Interior Areas

The proposed project would be exposed to exterior noise levels of up to 68 dBA L_{dn} at the building facades closest to Interstate 80 (based upon Figure 3 of the Noise Study and Figure 4 below). Modern building construction typically yields an exterior-to-interior noise level reduction of 25 dBA. Therefore, where exterior noise levels are 70 dBA L_{dn}, or less, no additional interior noise control measures are typically required. For this project, exterior noise levels are predicted to be up to 68 dBA L_{dn}, resulting in an interior noise level of 43 dBA L_{dn} based on typical building construction. This would comply with the City's 45 dBA L_{dn} interior noise level standard.

The above demonstrates that the project would not result in operational noise levels that would conflict with standards established in the General Plan. The project would generate no new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

b. The General Plan EIR did not consider construction-related vibration. However, the potential impact is substantially mitigated by the application of generally applicable mitigation measures from the MTP/SCS EIR. The MTP/SCS EIR concluded that construction-related vibration impacts related to land use changes resulting from implementation of the proposed MTP/SCS in Center and Corridor Communities, Established Communities, Developing Communities, and Rural Residential Communities are considered potentially significant. Thus, Mitigation Measure NOI-3 is required. In keeping with the conclusions of the MTP/SCS EIR related to development in Center and Corridor Communities, construction vibration associated with the project has the potential to temporarily impact adjacent structures. The proposed project will comply with Mitigation Measure NOI-3 of the MTP/SCS EIR. NOI-3 requires measures that shall be implemented to reduce noise, vibration, and groundborne noise generated by construction activities, where feasible and necessary to address site-specific considerations.

Considering the above, following implementation of uniformly applicable development standard Mitigation Measure NOI-3 from the MTP/SCS EIR, the potential impact would be substantially mitigated and the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the MTP/SCS EIR.

d. The General Plan EIR considered whether the project would expose noise sensitive land uses to construction or operation related noise in violation of the City's Noise Ordinance. The General Plan EIR concluded that the impact of construction noise and operation in some infill areas were significant and unavoidable. The proposed project would not involve construction-related or operational sources of noise in excess of the sources considered in the General Plan EIR, and, thus, potential impacts related to implementation of the proposed project would not exceed the impacts previously considered by the General Plan EIR.

Although potential impacts were previously analyzed in the General Plan EIR, and, as discussed above, the proposed project would not result in more significant impacts than what was previously considered in the General Plan EIR, further analysis of the proposed project regarding the project's consistency with the MTP/SCS EIR is provided below.

Figure 4
Exterior Noise

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The MTP/SCS EIR concludes that construction-related noise impacts related to land use changes resulting from implementation of the proposed MTP/SCS in Center and Corridor Communities, Established Communities, Developing Communities, and Rural Residential Communities are considered potentially significant. Mitigation Measure NOI-3 is required. Construction noise associated with the project has the potential to temporarily impact adjacent receptors. The proposed project will comply with Mitigation Measure NOI-3 of the MTP/SCS EIR. Mitigation Measure NOI-3 requires measures that shall be implemented to reduce noise, vibration, and groundborne noise generated by construction activities, where feasible and necessary to address site-specific considerations. As will be discussed below, the project will implement construction noise reduction measures in accordance with the uniformly applicable measures contained in NOI-3, and the City's Noise Ordinance.

Construction could result in periods of elevated ambient noise levels and the potential for annoyance. The City of Davis Noise Ordinance, provides provisions for reducing overall noise levels due to construction activities.

Compliance with Existing Law

Section 24 of the City of Davis Municipal Code establishes a maximum noise level standard of 55 dB during the hours of 7:00 AM to 9:00 PM, and 50 dB during the hours of 9:00 PM to 7:00 AM. The Municipal Code makes exemptions for certain typical activities which may occur within the City. The exemptions are listed in Article 24.02.040, Special Provisions, and are summarized below:

a) Normal operation of power tools for non-commercial purposes are typically exempted between the hours of 8 AM and 8 PM unless the operation unreasonably disturbs the peace and quiet of any neighborhood.

b) Construction or landscape operations would be exempt during the hours of 7 AM to 7 PM Mondays through Fridays and between the hours of 8 AM to 8 PM Saturdays and Sundays assuming that the operations are authorized by valid city permit or business license, or carried out by employees or contractors of the city and one of the following conditions apply:

    (1) No individual piece of equipment shall produce a noise level exceeding eighty-three dBA at a distance of twenty-five feet. If the device is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close to twenty feet from the equipment as possible.

    (2) The noise level at any point outside of the property plane of the project shall not exceed eighty-six dBA.

    (3) The provisions of subdivisions (1) and (2) of this subsection shall not be applicable to impact tools and equipment; provided, that such impact tools and equipment shall have intake and exhaust mufflers recommended by manufacturers thereof and approved by the director of public works as best

accomplishing maximum noise attenuation, and that pavement breakers and jackhammers shall also be equipped with acoustically attenuating shields or shrouds recommended by the manufacturers thereof and approved by the director of public works as best accomplishing maximum noise attenuation. In the absence of manufacturer's recommendations, the director of public works may prescribe such means of accomplishing maximum noise attenuation as he or she may determine to be in the public interest.

Construction projects located more than two hundred feet from existing homes may request a special use permit to begin work at 6:00 AM on weekdays from June 15th until September 1st. No percussion type tools (such as ramsets or jackhammers) can be used before 7:00 AM. The permit shall be revoked if any noise complaint is received by the police department.

(4) No individual powered blower shall produce a noise level exceeding seventy dBA measured at a distance of fifty feet.

(5) No powered blower shall be operated within one hundred feet radius of another powered blower simultaneously.

(6) On single-family residential property, the seventy dBA at fifty feet restriction shall not apply if operated for less than ten minutes per occurrence.

c) The City Code also exempts air conditioners, pool pumps, and similar equipment from the noise regulations, provided that they are in good working order.

d) Work related to public health and safety is exempt from the noise requirements.

e) Safety devices are exempt from the noise requirements.

f) Emergencies are exempt from the noise requirements.

The most restrictive standard would be the requirement that construction equipment does not exceed 83 dBA at a distance of 25-feet or 86 dBA at the property plane. Construction noise levels can comply with the City of Davis Municipal Code through the implementation of the strategies contained in the Noise Ordinance.

Specifically, as a means of complying with the requirement of 83 dBA at a distance of 25-feet, the project should employ sound control devices on equipment, muffled exhausts on equipment, and installation of acoustic barriers around stationary equipment which block line-of-sight to the equipment.

As a means of complying with the 86 dBA at the property line, the installation of 6-foot tall barriers at the property line can be employed. These barriers can be constructed of plywood, prefabricated temporary acoustic barriers or tightly fitted straw or hay bales.

A comprehensive list of potential noise reduction strategies is as follows:

- Use of electric construction equipment as an alternative to diesel-powered equipment;

- Sound control devices on equipment;
- Muffled exhaust on construction equipment;
- Staging of construction equipment from nearby residences;
- Limits on idling time for construction equipment and vehicles;
- Installation of acoustic barriers around stationary construction noise sources;
- Installation of temporary barriers between the project site and adjacent sensitive receptors.

Given the requirement for the proposed project to comply with existing law (i.e., Davis Noise Ordinance), and Mitigation Measure NOI-3, the proposed project's construction noise impacts would not be significant.

The City of Davis also includes a standard condition of approval on projects regarding construction noise. This condition requires implementation of noise-reducing construction practices such as requiring all equipment to have sound-control devices. (Condition of Approval X.)

The application of the uniformly applicable requirements of Mitigation Measure NOI-3, the Davis Noise Ordinance and the standard conditions of approval would substantially mitigate potential impacts related to implementation of the proposed project, and, consequently, the proposed project would not result in temporary or periodic increases in ambient noise in excess of the levels previously analyzed in the General Plan EIR or the MTP/SCS EIR.

e,f. The proposed project is located within a two-mile radius of the University Airport. However, the project site is located outside of the 55 dB CNEL noise level contour. Therefore, no impact would occur.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure NOI-3: *Reduce noise, vibration, and groundborne noise generated by construction activities.*

Measures that shall be implemented to reduce noise, vibration, and groundborne noise generated by construction activities, where feasible and necessary to address site-specific considerations, include but are not limited to:

- *restrict construction activities to permitted hours in accordance with local jurisdiction regulations;*
- *properly maintain construction equipment and outfit construction equipment with the best available noise suppression devices (e.g., mufflers, silencers, wraps);*
- *prohibit idling of construction equipment for extended periods of time in the vicinity of sensitive receptors;*
- *locate stationary equipment such as generators, compressors, rock crushers, and cement mixers as far from sensitive receptors as possible; and*
- *predrill pile holes to the maximum feasible depth, provided that pile driving is necessary for construction.*

Applicable Davis General Plan Policies

Policy NOI 1.1 Minimize vehicular and stationary noise sources, and noise emanating from temporary activities.

Standard 1.1a The City shall strive to achieve the “normally acceptable” exterior noise levels as shown in Table 19 [Figure 5F-1 in this EIR] of the General Plan Update and the target interior noise levels as shown in Table 20 of the General Plan update in future development areas and in currently developed areas

Standard 1.1b New development should generally be allowed only in areas where exterior and interior noise levels consistent with Tables 19 [Figure 5F-1 in this EIR] and 20 of the General Plan update can be achieved.

Standard 1.1c New development and changes in use should generally be allowed only if they will not adversely impact attainment within the community of the exterior and interior noise standards shown in Table 19 [Figure 5F-1 in this EIR] and 20 in the General Plan Update Cumulative and project specific impacts by new development on existing residential land uses should be mitigated consistent with the standards shown in Table 19 and 20 of the General Plan Update.

Standard 1.1d Required noise mitigation measures for new and existing housing should be provided with the first stage and prior to completion of new developments or the completion of capacity-enhancing roadway changes wherever noise levels currently exceed or are projected within 5 years to exceed the normally acceptable noise levels shown in Table 19 [Figure 5F-1 in this EIR] of the General Plan update.

Action 1.1h Require an acoustic study for all proposed projects that would have noise exposure greater than normally acceptable as indicated by Figure 37 of the General Plan update.

Action 1.1m The project proponent shall employ noise-reducing construction practices. The following measures shall be incorporated into contract specifications to reduce the impact of construction noise.

- All equipment shall have sound-control devices no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust.

As directed by the City, the contractor shall implement appropriate additional noise mitigation measures including, but not limited to, changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, or installing acoustic barriers around stationary construction noise sources.

Policy NOI 2.1 Take all feasible steps to ensure that interior noise levels can be maintained at the levels shown in Table 20.

XIII. Population and Housing. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	☐	✖ (MTP/SCS EIR pp. 19-4 through 19-8; Davis General Plan EIR pp. 7-16)	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	✖	☐	☐
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	✖	☐	☐

Discussion

a. As discussed previously, the Legislature has adopted several statutory provisions to incentivize infill development within this region of the State for projects that are consistent with the MTP/SCS adopted by SACOG. SACOG has provided a letter to the City of Davis indicating that the proposed project is consistent with SACOG's MTP/SCS. As such, the project qualifies for streamlining benefits, and a discussion of potential impacts related to population growth are not required. Therefore, the proposed project would have a less-than-significant impact related to inducing substantial population growth in an area, either directly or indirectly. The project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such. It should be noted that the General Plan EIR does not specify thresholds of significance for the inducement of population growth. For the purposes of this analysis, the Appendix N checklist question 'a' above has been used as the relevant threshold of significance.

Per the MTP/SCS EIR, the MTP/SCS accommodates growth in a manner substantially consistent with local general plans, regional values and visions, and State and federal laws. The plan accounts for growth likely to occur during the 20-year planning horizon and makes assumptions about location and design that promote regional environmental benefits. Thus, the MTP/SCS EIR concluded that impacts related to inducing substantial population growth were less than significant within implementation of the mitigation measures provided therein.

b, c. The proposed project site is currently vacant and undeveloped. As such, the proposed project would not displace existing housing or people, necessitating the construction of replacement housing elsewhere, and no impact would occur.

XIV. Public Services. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Fire protection?	☐	☐	☐	✖ (MTP/SCS EIR pp. 15-42 through 15-44; Davis General Plan EIR pp. 5C-25 through 5C-30)	✖
b. Police protection?	☐	☐	☐	✖ (MTP/SCS EIR pp. 15-42 through 15-44; Davis General Plan EIR pp. 5C-23 through 5C-25)	✖
c. Schools?	☐	☐	☐	✖ (MTP/SCS EIR pp. 15-42 through 15-44; Davis General Plan EIR pp.	✖

XIV. Public Services. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
				5C-30 through 5C-33)	
d. Parks?	☐	☐	☐	✖ (MTP/SCS EIR pp. 15-42 through 15-44; Davis General Plan EIR pp. 5C-35 through 5C-37)	✖
e. Other Public Facilities?	☐	☐	☐	✖ (MTP/SCS EIR pp. 15-42 through 15-44; Davis General Plan EIR pp. 5C-33 through 5C-35)	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to public services and utilities (see Questions a through e).
- The General Plan was determined to have a significant impact if development would cause a substantive increase in demand for law enforcement services that cannot be responded to by existing plans or General Plan policies (see Question b below).
- The General Plan was determined to have a significant impact if development would cause a substantive increase in demand for fire protection services that cannot be responded to by existing plans or General Plan policies (see Question a below).
- The General Plan was determined to have a significant impact if implementation of the

plan would require the need for additional fire protection infrastructure (other than improvements already planned) in order to maintain acceptable levels of service (as measured by response time) (see Question a below).

- The General Plan was determined to have a significant impact if development would require a substantive expansion of the existing school system that could not be mitigated by plan policies and/or state mandates (see Question c below).
- The General Plan was determined to have a significant impact if development would require substantive expansion of the existing library system and such expansion cannot be provided through existing plans and/or general plan policies (see Question e below).
- The General Plan was determined to have a significant impact if development would require substantive expansion of the existing park and recreation facilities that cannot be responded to by existing plans or General Plan policies (see Question d below).

Discussion

a. The proposed project site is located within the jurisdiction of the Davis Fire Department. The proposed project would include the construction of 160 multi-family residential units, which could increase the demand for fire protection services within the City. The General Plan EIR determined that increased demand for fire protection is less than significant because Policy POLFIRE 3.2 requires all new development include adequate provision for public safety. With the incorporation of POLFIRE 3.2, the impacts of the proposed project are not more significant than was considered by the General Plan EIR.

The proposed structures would be designed in compliance with all applicable provisions of the California Fire Code and would include features such as fire sprinklers and smoke alarms. In addition, the City has a mutual aid agreement with UC Davis Fire Department, which has a ladder truck (Truck 34), capable of reaching the upper floors of taller structures within the City.

Fire Code consistency review would be performed as part of the construction and development review process for the proposed project. The development review and approval process would also include the payment of any necessary fees to the Davis Fire Department.[27] Development review as well as payment of necessary fees represent uniformly applicable standards that would sufficiently mitigate any potential impacts related to implementation of the proposed project regarding fire protection services. Therefore, the proposed project would not result in a need for new, or improvements to existing fire protection facilities, the construction of which could cause significant environmental impacts. The project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

b. The proposed project site is currently located within the jurisdiction of the Davis Police Department. The proposed project would include the construction of 160 multi-family residential units, which could increase the demand for police protection services within the City.

The General Plan concluded that the citywide increase in demand for law enforcement service is less than significant because of the inclusion of General Plan policies POLFIRE

[27] City of Davis. *Fee Schedule*. Available at http://cityofdavis.org/city-hall/finance/fee-schedules. Accessed November, 2019.

1.1 and 1.2 which require that adequate levels of police and fire protection services are in place to accommodate new development. Considering that policies POLFIRE 1.1 and 1.2 act on a citywide level to ensure adequate police protection services are provided to new development, the impacts of the proposed project are not more significant than was considered by the General Plan EIR. It should be noted that both POLFIRE 1.1 and 1.2 are citywide policies that do not directly apply to the proposed project, but act to ensure adequate service levels throughout the City.

Police protection for the project site is currently provided by the Davis Police Department, which maintains a staff of 61 sworn police officers and 34 civilian personnel. The Davis Police Department and the UC Davis campus police have a mutual aid agreement to respond to major incidents within the City and on campus. The Davis Police Department is located approximately 3 miles east of the project site, and the current headquarters is considered sufficient to serve the current and projected police service demands for the City, including development of the proposed project.

The proposed project would be designed in accordance with the City's Security Ordinance, which is contained in the City's Municipal Code as Article 8.14. Article 8.14 includes various minimum requirements for security measures to be included in new multi-family residential structures. Features required for multi-family dwellings include self-locking devices on exterior doors, proper unit identification, properly secured windows, and minimum security standards for doors. Furthermore, Article 8.14 includes regulations to ensure that proper lighting is provided in stairwells, walkways, public areas, and parking lots. The inclusion of such design features would increase the proposed structure's security, which would help to minimize security risks related to the proposed project, and reduce the project's demand on police services. In addition, the City of Davis maintains Development Impact Fees for various types of development within the City, including residential uses. Such fees are based on the anticipated demand, and are periodically reviewed by the City. The proposed project would be required to pay Development Impact Fees.

Because the proposed multi-family structures would be designed in compliance with Article 8.14, Minimum Security Building Standards, and the proposed project would include payment of the applicable Development Impact Fees, the proposed project would not result in a need for new, or improvements to existing police protection facilities, the construction of which could cause significant environmental impacts; as a result, a less-than-significant impact would occur. Adherence to Article 8.14, Minimum Security Building Standards, and the payment of applicable Development Impact Fees represent uniformly applicable standards that would serve to sufficiently mitigate potential impacts related to police protection. Consequently, the project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such.

c. The General Plan EIR considered whether buildout of the General Plan would have an impact on the existing school system and concluded the impact was less than significant based on the payment of SB 50 fees. The proposed project would include residential development, and, thus, could increase the number of students attending local public school facilities. Furthermore, under the provisions of SB 50, a project's impacts on school

facilities are fully mitigated via the payment of the requisite new school construction fees established pursuant to Government Code Section 65995. Thus, payment of the requisite new school construction fees represents uniformly applicable mitigation that would sufficiently mitigate potential impacts related to the proposed project. Through payment of applicable impact fees by the project applicant, the project would not result in any new specific impacts or effects that are more significant than what was already analyzed in the General Plan EIR.

d,e. As noted previously, the City collects impact fees for parks and other public facilities from new development based upon projected impacts from the development. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future facilities demands, assessed on a fair share basis for new development.

The General Plan EIR considered the impact of development on park and recreation facilities would be less than significant with the implementation of policies POS 1.1 (systematic, Citywide planning of parks and facilities), 3.1 (relating to the creation of neighborhood greenbelts in residential developments on land not previously used for residential uses), 3.2 (development of greenbelts in new non-residential development areas), 3.3 (implement specific projects to augment the existing greenbelt/open space system), 4.2 (Construct new parks and recreation facilities), 6.1 (allow local organizations and the private sector opportunities to implement creative recreation programs and facilities), 6.2 (require dedication of land and/or payment of an in-lieu fee for par and recreational purposes), and 7.1 (balance the need for park facilities and open space).

The proposed project is located in an area that was previously developed for non residential uses, and, thus, was not subject to the requirements of policies POS 3.1, 3.2, or 3.3. In compliance with policies POS 4.2 and 6.1, the proposed project includes an amenity plaza located in the center of the project site. The plaza would provide recreational space to future residents in a unique setting in compliance with POS Policy 6.1. Policy POS 6.2, the payment of impact fees is applicable to the proposed project, and as described above, the applicant will pay the applicable impact fees. Payment of such fees will facilitate the City's implementation of Policy POS 1.1 and Policy 7.1. It should be noted that while payment of impact fees would facilitate Polcies POS 1.1 and 7.1, both of the aforementioned policies are citywide policies that would not be directly applicable to the proposed project. Thus, the proposed project would include implementation of all applicable General Plan policies and would support citywide policies.

The payment of applicable impact fees would constitute implementation of uniformly applicable standards that would serve to mitigate any potential impacts to park, recreation, and other governmental resources. New specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to parks, recreation facilities, and other public facilities would not occur.

Applicable Davis General Plan Policies

Policy POLFIRE 3.2 Ensure that all new development includes adequate provision for fire safety.

Policy POS 4.2 Consruct new parks and recreation facilities.

Policy POS 6.1 Give local organizations, the School District, UC Davis, and the private sector opportunities and support for devising and implementing creative solutions for meeting recreation program and facility needs.

Policy POS 6.2 Require dedication of land and/or payment of an in-lieu fee for park and recreational purposes as a condition of approval for subdivisions, as allowed by the Quimby Act (Government Code 66477).

XV. Recreation. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	✖ (MTP/SCS EIR pp. 15-42 through 15-44; Davis General Plan EIR pp. 5C-35 through 5C-37)	✖
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	✖ (MTP/SCS EIR pp. 15-42 through 15-44)	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to public services and utilities (see Questions a and b below).
- The General Plan was determined to have a significant impact if development would require substantive expansion of the existing park and recreation facilities that cannot be responded to by existing plans or General Plan policies (see Qestions a and b below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Result in impacts associated with the construction of new or the expansion of existing facilities required to maintain adequate capital capacity for police protection, fire protection, emergency response, school, library, social, park and recreation services, and/or other public services (see Questions a and b below).

Discussion

a-b. As discussed in Section XIV, Public Services, of this document, the proposed project would not substantially increase demand for parks or facilities and would not affect any recreational opportunities. The project would result in a marginal increase in the use of existing recreational facilities in the area; however, the increase would not cause substantial physical deterioration of such facilities. The project would include an outdoor plaza for group gatherings and bocce ball.

The General Plan EIR considered the impact of development on park and recreation facilities would be less than significant with the implementation of policies POS 1.1, 3.1-3.3, 4.2., 6.1., 6.2., and 7.1. Only POS 6.2, payment of impact fees is applicable to the proposed project, and as describe above, the applicant will pay the applicable impact fees.

As noted previously, the proposed project will pay impact fees calculated based upon projected impacts from the development. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future facilities demands, assessed on a fair share basis for new development. The payment of applicable impact fees would constitute implementation of uniformly applicable standards that would serve to mitigate any potential impacts to park, recreation, and other governmental resources.

Based on the above, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such.

Applicable Davis General Plan Policies

Policy POS 6.2 Require dedication of land and/or payment of an in-lieu fee for park and recreational purposes as a condition of approval for subdivisions, as allowed by the Quimby Act (Government Code 66477).

XVI. Transportation/Traffic. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	✖ (MTP/SCS EIR pp. 16-43 through 16-68; Davis General Plan EIR p. 5D-25 through 5D-29)	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	✖ (MTP/SCS EIR pp. 16-43 through 16-68; Davis General Plan EIR pp. 5D-29 through 5D-32)	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	✖	✖ (MTP/SCS EIR pp. 16-72 through 16-75; Davis General Plan EIR pp. 5D-38 through 5D-39)	☐
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐ (MTP/SCS EIR pp. 16-75 through 16-76)	✖
e. Result in inadequate emergency access?	☐	☐	☐	☐ (MTP/SCS EIR pp. 16-75 through 16-76)	✖
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	✖ (MTP/SCS EIR pp. 16-43 through 16-68; Davis General Plan EIR pp.	☐

XVI. Transportation/Traffic. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
				5D-32 through 5C-34)	

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- FA significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to traffic and circulation (see Questions a through f below).
- A significant impact would occur if policies proposed were not in compliance with the Congestion Management Plan adopted by Yolo County (see Question b below).
- The General Plan was determined to have a significant impact if the alternative exceeded standards contained in the General Plan update as stated in Standard MOB 0.2. In general, a significant impact on roadway segments will occur if ADT volumes reach LOS F in roadways outside the City's core area (see Questions a, b, and f below).
- The General Plan was determined to have a significant impact on bicyclists and pedestrians if the alternative would conflict with any plans or programs that support alternative forms of transportation or would lead to increases in accidents with vehicles (see Questions a and f below).
- The General Plan was determined to have a significant impact on transit services if the alternative would conflict with any plans or programs that support alternative forms of transportation (see Questions a and f below).
- The General Plan would require expansion of transit services that are not convenient or efficient for transit providers (see Question f below).
- The General Plan was determined to have a significant impact on rail and or air service if the alternative would conflict with the development of any future rail facilities and or the operation of any existing rail or air service facilities within the planning area (see Question c below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Result in inconsistency with project design standards related to traffic safety (see Questions d and e below).

Discussion

a, b, f. The General Plan EIR considered whether:

1. Development would conflict with the environmental plans and goals of the local community or other planning regulation (Impact TC-1)
2. A policy change in the General Plan update would result in substantial adverse

change in the environment related to traffic and circulation (Impact TC-1)

3. A Proposed policy would conflict with the Congestion Management Plan adopted by Yolo County. (Impact TC-1)
4. Development would exceed standards Standard MOB 0.2: Streets, bike paths, bike lanes and trains should generally conform to the City guidelines, as shown in Tables 6 and 7 of the General Plan Update. In general, a significant impact on roadway segments will occur if ADT volumes reach LOS F in roadways outside the City's core area. (Impact TC-2)

The General Plan EIR concluded that with the implementation of General Plan policies relating to mobility and safety (Goal MOB 3; Goal MOB 4; Goal C&T 2; Policy MOB 1.2; Policy MOB 1.4, Policy MOB 1.9) impacts under 1 (related to environmental plans and goals) and 2 (related to traffic and circulation) above would be less than significant. The General Plan EIR concluded impacts under 3 above (related to the Congestion Management Plan adopted by Yolo County) would be significant because the City's standards are lower than the Congestion Management Plan for three roadway segments. The General Plan EIR concluded that impacts under 4 above would be significant and unavoidable because congestion at three intersections would reach LOS F. These are Pole Line Road/Country Road 102 between 5th street and Cowell Boulevard; Richards Boulevard between E Street and East Olive Drive; and Old Davis Road West of A Street.

As described below, and shown in Tables 6 and 8 of the Transportation Study prepared by Fehr & Peers (November 2018, Appendix G) for the project, the traffic impacts will not exceed those analyzed in the General Plan EIR. The trip estimates do not include any specific adjustments for increased levels of bicycling associated with residents and employeesof he project. Given the provision of 216 on site bike parking spaces, travel by bike is expected. Also, the project site is very near a quality bus route. However, there is no credible data on bike mode split for projects of this type nor for bus riders. Therefore, the Levels of Service in the study are likely overstated.

The MTP/SCS integrates land use and transportation planning to provide a cohesive strategy for growth within the MTP/SCS plan area. An overarching goal of the MTP/SCS is to increase the efficiency of the existing transportation system within the region through transportation infrastructure improvements, greater utilization of existing alternative transportation options, and implementation of local plans related to transportation improvements and alternative transportation. As such, the MTP/SCS serves as the overarching plan for transportation, congestion management, bicycle, pedestrian, and transit use throughout the six-County SACOG region. As discussed in the MTP/SCS EIR, implementation of the MTP/SCS would reduce regionwide VMT, through reductions in single-passenger vehicle use. Regionwide reductions in VMT would be anticipated to improve the operation of vehicle transportation systems by reducing congestion. Projects that are consistent with the MTP/SCS would contribute to the regionwide reduction in VMT achieved by the MTP/SCS and would be considered consistent with the transportation and congestion planning for the region.

A Transportation Study was prepared for the proposed project by Fehr & Peers to analyze potential traffic impacts on transportation facilities in the project area (Appendix G). The

Transportation Study included an analysis of the following four intersections in the vicinity of the project site:

1. Richards Blvd./ Cowell Blvd./ Research Park Drive;
2. Research Park Drive/ Project Driveway;
3. Research Park Drive/ Drew Avenue;
4. Research Park Drive / Cowell Blvd.

Trip generation for the proposed project was based on 160 dwelling units and 27,000 square feet of General Office Building. As shown in Table 8, the proposed project would result in approximately 1169 average vehicle trips for the total project, 107 vehicle trips in the AM peak hour, and 103 vehicle trips in the PM peak hour.

Table 8
Vehicle Trip Generation

Land Use	Daily Trips	AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out
Multi Family Housing	871	55	14	41	70	43	27
General Office Bldg.	298	52	45	7	33	5	28
Total	**1169**	**107**	**59**	**48**	**103**	**48**	**55**

Source: Fehr & Peers, 2018.

The project trips were added to the existing volumes to determine resultant intersection levels of service. The proposed project would not change the level of service at the study intersections under Existing Plus Project conditions.

As discussed previously, SACOG concurs with the City of Davis' determination that the proposed project is consistent with the MTP/SCS.[28] Considering that the MTP/SCS is the overarching transportation planning document for the SACOG region, the project's consistency with the MTP/SCS ensures that the proposed project would not conflict with the applicable transportation or congestion management plan for the region. Furthermore, because the MTP/SCS considers alternative modes of transportation and the proposed project is consistent with the MTP/SCS, the proposed project would not conflict with adopted plans regarding transit, bicycle, or pedestrian facilities.

Overall, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to transportation.

c. The General Plan EIR considered whether build out of the General Plan would conflict with the development of any future rail facilities or the operation of any existing rail or air service facilities within the City. The EIR concluded that any future rail expansion would be adjacent to the current Amtrak tracks. The EIR concluded that development under the General Plan did not include any activities that would interfere with the construction or operation of light rail service and would have no effect on regional or local air traffic.

[28] Sacramento Area Council of Governments. *University Research Park Project Consistency with the Metropolitan Transportation Plan/Sustainable Communities Strategy for 2036*. October 11, 2018.

The MTP/SCS EIR concluded that implementation of the MTP/SCS would not result in substantial changes to air traffic patterns within the region. The proposed project would be consistent with the MTP/SCS and the closest airport to the project site would be the UC Davis airport located approximately 1.3 miles from the project site. Consequently, the proposed project would not result in any substantial changes in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks and implementation of the proposed project would result in no impact.

d,e. The General Plan EIR did not consider whether development would substantially increase hazards due to design features or result in inadequate emergency access. The potential impacts of the proposed project related to increased hazards or inadequate emergency access are substantially mitigated by the uniform development standard Mitigation Measure TRN-2 of the MTP/SCS EIR. Consistent with MTP/SCS EIR Mitigation Measure TRN-2, a project condition of approval related to construction traffic management has been included for the proposed project (Condition of Approval X).

As discussed within the MTP/SCS EIR, implementation of the MTP/SCS would result in improvement of the operations of the regional roadway network. The MTP/SCS would not result in changes to applicable design standards within the MTP/SCS plan area, and, as such, the MTP/SCS would not result in inconsistencies with design standards that could result in issues related to traffic safety. The proposed project is consistent with the MTP/SCS and would not result in substantial changes to the existing circulation network of the project area. Project access would be designed in accordance with City standards, and, as a result, the proposed project would not result in any new specific impacts related to increased hazards or inadequate emergency access.

Overall, implementation of uniformly applicable Mitigation Measure TRN-2 implemented via Condition of Approval X would substantially mitigate potential impacts related to safety hazards, and, as a result, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure TRN-2: Apply best practice strategies to reduce the localized impact from construction activities on the transportation system.

Implementing agencies shall require implementation of best practice strategies regarding construction activities on the transportation system impacts and apply recommended applicable mitigation measures as defined by state and federal agencies. Examples of mitigation measures should include, but are not limited to, the following:

- *Apply special construction techniques to minimize impacts to traffic flow and provide adequate access to important destinations in the area.*

- *Develop circulation and detour plans to minimize impacts to local street impacts from construction activity on nearby major arterials. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.*
- *Establish truck "usage" routes that minimize truck traffic on local roadways to the extent possible.*
- *Schedule truck trips outside of peak morning and evening commute hours.*
- *Route truck trips to avoid roadway segments with at risk or failed pavement conditions.*
- *Limit the number of lane closures during peak hours to the extent possible.*
- *Identify detours for bicycles and pedestrians in all areas potentially affected by project construction and provide adequate signage to mark these routes.*
- *Install traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.*
- *Develop and implement access plans for potentially impacted local services such as police and fire stations, transit stations, hospitals, schools and parks. The access plans should be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions should be asked to identify detours for emergency vehicles, which will then be posted by the contractor.*
- *Store construction materials only in designated areas that minimize impacts to nearby roadways.*
- *Coordinate with local transit agencies for temporary relocation of routes or bus stops in works zones, as necessary.*
- *Conduct a public information campaign about how to use transit and other methods to reduce single-occupant vehicle use.*

Applicable Davis General Plan Goals and Policies

Goal C&T 2 Pursue telecommunications as a means to reduce transportation impacts that can improve air quality and personal convenience and reduce dependency on non-renewable resources.

Policy MOB 1.2. Encourage the use of alternative transportation modes.

Policy MOB 1.4 Develop a traffic-calming program and implement traffic-calming measures, where appropriate and feasible, to minimize the impacts on the use of local streets by vehicular traffic and to maintain, or as necessary enhance, livability of the neighborhoods. Consider traffic-calming measures along collector and minor arterial streets, where appropriate and feasible, to slow speeds where needed. Examples of assorted traffic-calming treatments are shown in Figure 20 [of the General Plan].

Goal MOB 3 Increase walking and the use of nonpolluting forms of transportation.

Goal MOB 4 Reduce automobile use by improving transit service and encouraging transit use

Standard TRANS 1.2a Residential and commercial developments and redevelopment projects should achieve transit-supportive densities within ¼-mile of multi-modal corridors. Such densities would consist of ten (10) units per acre or greater, if compatible with neighborhood context.

Goal TRANS #2: The Davis transportation system will evolve to improve air quality, reduce carbon emissions, and improve public health by encouraging usage of clean, energy-efficient, active (i.e. human powered), and economically sustainable means of travel.

- ***Performance Objective #2.1:*** Reduce carbon emissions from the transportation sector 61% [sic] by 2035.
- ***Performance Objective #2.2:*** Reduce vehicle miles traveled (VMT) 39% by 2035.
- ***Performance Objective #2.3:*** Annually increase funding for maintenance and operation needs of the transportation system, until fully funded.

Policy TRANS 1.6 Reduce carbon emissions from the transportation system in Davis by encouraging the use of non-motorized and low carbon transportation modes.

Policy TRANS 1.7 Promote the use of electric vehicles and other low-polluting vehicles, including Neighborhood Electric Vehicles (NEV).

Policy TRANS 2.4 As part of the initial project review for any new project, a project-specific traffic study may be required. Studies shall identify impacted transportation modes and recommend mitigation measures designed to reduce these impacts to acceptable levels.

Policy TRANS 3.3 Require new development to be designed to maximize transit potential.

Policy TRANS 4.4 Provide pedestrian and bicycle amenities.

Policy TRANS 5.2 Existing and future off-street parking lots in development should contribute to the quality of the urban environment and support the goals of this chapter to the greatest extent possible.

XVII. Utilities and Service Systems. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☐ (MTP/SCS pp. 17-61 through 17-65)	✖
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	✖ (MTP/SCS pp. 17-58 through 17-61 and 17-64 through 17-65)	✖
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	✖ (MTP/SCS pp. 11-50 through 11-59; Davis General Plan EIR pp. 5G-15 through 5G-16)	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	✖ (MTP/SCS pp. 17-55 through 17-58; Davis General Plan EIR pp. 5C-37 through 5C-40)	✖
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	✖ (MTP/SCS pp. 17-61 through 17-65; Davis General Plan EIR pp. 5C-37 through 5C-40)	✖
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	✖ (MTP/SCS pp. 17-61 through 17-65; Davis General Plan EIR pp. 5C-43 through 5C-45)	✖

XVII. Utilities and Service Systems. *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☐ (MTP/SCS pp. 17-61 through 17-69; Davis General Plan EIR pp. 5C-43 through 5C-45)	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to public services and utilities (see Questions a through g below).
- The General Plan was determined to have a significant impact if development would cause a substantive increased demand for domestic water supplies that cannot be responded to by existing plans or General Plan policies (see Question d below).
- The General Plan was determined to have a significant impact if development would require substantial expansion of domestic water distribution and storage facilities that cannot be responded to by existing plans or General Plan policies (see Questions b and d below).
- The General Plan was determined to have a significant impact if development would require the substantive extension of sewer mains and capacity, and expansion of treatment facilities that cannot be responded to by existing plans or General Plan policies (see Questions a, b, and e below).
- The General Plan was determined to have a significant impact if development would produce substantive solid waste increases in excess of landfill that cannot be responded to by existing plans or General Plan policies (see Question f below).

MTP/SCS EIR Significance Criteria

In addition to considering whether the GP EIR analyzed the impact, this checklist considers whether the impact was reviewed in the MTP/SCS EIR and imposes the relevant uniformly applicable development policies from the MTP/SCS EIR.

- Exceed the capacity of existing or planned water storage, conveyance, distribution, and treatment facilities (see Questions b and d below.
- Result in the need for the expansion of existing utilities and service system infrastructure required to maintain adequate sewer, wastewater treatment, fire flows, solid waste, power, and telecommunications systems (see Questions a through g below).

Discussion

a,b,d,e. The proposed project's potential impacts related to water and wastewater treatment and conveyance infrastructure are discussed below.

Wastewater Treatment and Conveyance

The City of Davis Public Works Department provides sewer service to the Davis Planning Area. The City's Wastewater Treatment Plant is located approximately 3.3 miles northeast of Davis on County Road 28H, immediately east of the Yolo County Landfill. Sewer service is controlled through the use of connection fees and through requirements contained in the City's sewer ordinance.

The General Plan EIR concluded that development under the General Plan would result in a less-than-significant impact on treatment facilities, based on the treatment plant's capacity of 7.5 MGD. Because the project is more dense than originally designated under the General Plan, it could result in potentially greater impacts to wastewater treatment than analyzed in the General Plan EIR. The impacts however are substantially mitigated by uniformly applicable development policy Mitigation Measure PS-2 in the MTP/SCS EIR.

The MTP/SCS EIR concluded that new development within the MTP/SCS planning area would result in increased demand on local wastewater conveyance and treatment facilities. Mitigation Measure PS-1 from the MTP/SCS EIR requires that adequate utilities be available prior to implementation of a proposed project and that the implementing agency shall ensure that utilities will be available to meet or satisfy applicable service levels. Such availability may be documented in a capacity analysis.

Consistent with the uniformly applicable Mitigation Measure PS-1, Cunningham Engineering conducted an assessment of the utilities provided to the project site by the City of Davis, including sanitary sewer service, storm drainage, and water service. (Appendix F)[29]

The project site is served by an existing ten-inch diameter public sanitary sewer main within Research Park Drive. Cunningham Engineering assessed the adequacy of the existing sewer main from the project site to the nearest existing downstream 15-inch main, which is located at the intersection of Kendall Way and Second Street. Using the City of Davis' methodology for evaluation of City sewer systems, Cunningham Engineering estimated that, following implementation of the proposed project, peak flows within the City's aforementioned existing sanitary sewer infrastructure would meet the City's standard for such infrastructure. Accordingly, Cunningham Engineering concluded that the existing sanitary sewer infrastructure maintains adequate capacity to serve operation of the proposed project in conjunction with existing uses.[30]

Cunningham Engineering further analyzed the increase in wastewater treatment demand that would occur resulting from buildout of the City's General Plan as well as operations of all recently approved projects within the City. Buildout of the City's General Plan, including recently approved projects consistent with the City's General Plan would result in a remaining available capacity of 0.95 million gallons per day (mgd) of treatment

[29] Cunningham Engineering. *University Research Park – Civil Utility Summary*. August 16, 2018.

[30] *Ibid*.

capacity. The Nishi Gateway Project would consume 0.177 mgd, leaving an available capacity of 0.147 mgd. The proposed project would consume less than 0.03 mgd of additional capacity. Therefore, the City's wastewater treatment plant could accommodate the wastewater treatment demand from the proposed project in combination with cumulative buildout of the City.[31]

Considering the above, and the analysis prepared for the proposed project by Cunningham Engineering, adequate wastewater conveyance and treatment capacity exists to serve the proposed project.[32] The project applicant has committed to pay all in-lieu or development fees applicable to the proposed project related to utilities. Thus, implementation of the uniformly applicable Mitigation Measure PS-1 substantially mitigates potential impacts by ensuring that adequate capacity exists to accommodate the proposed project and the proposed project would not result in new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Water Resources

The General Plan EIR considered whether development under the General Plan would cause an increase in demand for domestic water supplies that could not be met, or would require substantial expansion of domestic water distribution and storage facilities that could not be addressed by existing facilities. General Plan policy WATER 1.3 requires adequate levels of water supply and distribution are in place to accommodate new development. Based on this policy, and the City's water conservation efforts, the General Plan concludes the impact is less than significant. The proposed project would result in development of the project site with a greater density than anticipated in the General Plan. MTP/SCS Mitigation Measures USS-2 is applicable to address potential impacts from the proposed increase in development density.

The MTP/SCS EIR concluded that population and employment growth within the MTP/SCS planning area would result in increased demand for water supplies, as well as demand for water storage capacity and conveyance, distribution, and treatment facilities. Mitigation Measure USS-2 in the MTP/SCS EIR requires implementation of PS-1. As noted previously, Mitigation Measure PS-1 requires the implementing agency to ensure that public services and utilities will be provided to meet or satisfy applicable service levels.

Per Cunningham Engineering, the project site is currently served by ten-inch diameter water main located in Research Park Drive. Based on the design of the proposed structure, the California Fire Code requires that a fire flow of 1,500 gallons per minute (gpm) be provided for the proposed project. Per the city of Davis Design Standards, the water infrastructure is required to be designed to provide a minimum Fire Flow of 2500 gpm in non single family residential land uses, which is significantly higher than the required fire flow.

Beginning in June 2016, the City's main source of domestic water switched from groundwater sources to surface water sources. While groundwater will continue to be used within the City during peak demand periods and for some irrigation uses, the primary source of water for the City will be surface water, which will reduce the City's demand on groundwater resources. As noted by Cunningham Engineering, the City of Davis prepared

[31] Cunningham Engineering. *University Research Park – Civil Utility Summary*. August 16, 2018.

[32] *Ibid*.

a Water Supply Assessment (WSA) to assess continued water availability within the City should the City approve four large projects, the Mace Ranch Innovation Center, the Davis Innovation Center, the Nishi Project, and the Triangle Project. The WSA showed that after accounting for increased water demand from growth within the City, including the foregoing large projects, the City would continue to maintain an excess capacity through 2025. Of the four large projects studied in the WSA, only a less intense version of the Nishi Project has been approved. Thus, Cunningham Engineering and the City of Davis, the City have determined that adequate water to serve the needs of the project and cumulative growth within the City.[33]

Based on the above, the project would not require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient water supplies would be available to serve the project from existing entitlements and resources without new or expanded entitlements. Preparation of the Cunningham Engineering Technical Memorandum for the proposed project satisfies uniformly applicable mitigation measures USS2 and PS-1, thus ensuring that the proposed project would not result in new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

c. Stormwater from the site is directed to City infrastructure in Research Park Drive. An 18-inch diameter storm drainage main is currently located within Research Park Drive. Following implementation of the proposed project, stormwater would continue to be directed to the foregoing stormwater drainage mains within Research Park Drive. However, prior to discharge to the City's infrastructure, stormwater from the project site would first be directed into bioretention planters proposed for inclusion in the project. The proposed project would be required, as conditions of approval, to provide stormwater system sizing information, a Stormwater Quality Plan, stormwater calculations, a Stormwater Quality Maintenance Plan, and a Drainage Plan. Site stormwater flows would be treated and attenuated prior to flowing to existing public stormwater conveyance facilities.

Incorporation of bioretention planters would ensure compliance of the proposed project with City regulations regarding stormwater. Furthermore, Cunningham Engineering concluded that stormwater outflows from the project site following implementation of the project would be improved as compared to outflows under previous developments, due to inclusion of bioretention planters in the proposed project. Consequently, the existing stormwater drainage infrastructure within Research Park Drive would have adequate capacity to serve the proposed project in conjunction with existing uses.[34] Currently approved projects within the City are not in proximity to the proposed project site, and would not contribute additional stormwater to the same portion of the City's stormwater system as the proposed project. Therefore, the proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems.

The General Plan EIR considered whether new development would exceed the capacity of existing stormwater drainage facilities and concluded that because General Plan

[33] Cunningham Engineering. *University Research Park – Civil Utility Summary*. August 16, 2018.

[34] *Ibid*.

Policies WATER 3.1 and WATER 3.2 and associated standards and action require new development be designed, constructed, and operation to mitigate for drainage and runoff, the impact was less than significant.

As discussed previously, General Plan policies WATER 3.1 and 3.2 do not directly related to the proposed project as both policies deal with citywide infrastructure considerations. However, the proposed project would be subject to Standard WATER 3.2a, which requires that all new development be designed to accommodate a minimum of a 10-year recurrence design flow while routing 100-year reccurence event flows appropriately. The bioretention planters discussed above are would be designed to meet the City's standards. Considering the above, the proposed proejct would comply with all applicable General Plan policies and standards identified in the General Plan EIR, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Further, per the MTP/SCS EIR, the impacts associated with runoff water and capacity of stormwater drainage systems related to land use and transportation changes from the implementation of the proposed MTP/SCS in Center and Corridor Communities are considered less than significant due to the already-developed condition in the area. No mitigation is required.

Therefore, new project-specific effects related to such would not occur.

f,g. Solid waste services (collection and recycling) are provided to the City of Davis by Davis Recology, a private firm under contract with the City. All non-recyclable wastes collected from the City are disposed of at the 770-acre Yolo County Central Landfill in the northeast portion of the Davis Planning Area.

The General Plan EIR considered whether development under the General Plan would result in solid waste increases in excess of the landfill capacity that could not be addressed by existing plans or General Plan policies. The General Plan EIR concluded that the City would generate approximately 193,677 total pounds of solid waste per day, but that Policy MAT 1.1 and related actions requiring recycling and yard waste reduction would reduce the impact to less than significant. The proposed project involves denser development than was anticipated under the General Plan. As a result, the impact may be greater than analyzed under the General Plan, however, as described below, Mitigation Measure USS-3 would apply to address this impact.

The MTP/SCS EIR concluded that new development within the MTP/SCS planning area, including the City of Davis, would result in increased demand on area landfills. Mitigation Measure USS-3 from the MTP/SCS EIR requires local implementing agencies to undertake project-level review, where feasible and as necessary to address site-specific impacts, in order to provide CEQA clearance for landfills and other large utility facilities. Although the proposed project involves denser development than was anticipated under the General Plan, the proposed project would not require construction of new or physical expansion of existing landfills and a project-level CEQA review of such new or expanded facilities would, as a result, not be required.

The proposed project would include development of the site with residential uses and office/tech spaces, which would result in short-term solid waste generation associated with construction activities, as well as long-term solid waste generation associated with continued occupation of the site. However, the City has previously anticipated development of the site with non residential uses and associated solid waste generation. In order to reduce construction waste generated by new development, the City of Davis has adopted Tier 1 of the California Green Building Standards Code, which requires applicable projects to divert at least 65 percent of all construction and demolition debris through recycling, reuse and/or waste reduction. In addition, the City has implemented an organics program to collect yard waste, food scraps, and food soiled paper for composting. Food scraps, food soiled paper and non-recyclable organic materials comprise over 30 percent of the City's existing waste stream; therefore, the operational waste presented above could be reduced by as much as 30 percent due to the project's operational participation in the City's organics program.

Given that the proposed project has been previously anticipated for development with non residential uses by the City and the project would be subject to existing rules and regulations related to solid waste diversion, the proposed project would be serviced by a landfill with adequate capacity and would not violate any relevant statutes related to solid waste disposal. New project-specific effects related to such would not occur.

Applicable MTP/SCS EIR Mitigation Measures

Mitigation Measure PS-1: *Ensure adequate public services and utilities will be available to satisfy applicable service levels.*

The implementing agency shall ensure that public services and utilities will be available to meet or satisfy applicable service levels. This shall be documented in the form of a capacity analysis or provider will-serve letter.

Mitigation Measure USS-3: *Perform project-level CEQA environmental review for new wastewater treatment plants, landfills, and similar large utility facilities.*

The implementing agency shall undertake project-level review, where feasible and as necessary to address site-specific impacts, in order to provide CEQA clearance for new wastewater treatment plants, landfills, and similar large utility facilities.

Mitigation Measure USS-2: *Implement Mitigation Measure PS-1.*

Applicable Davis General Plan Goals and Policies

Policy MAT 1.1 Promote reduced consumption of non-renewable resources.

Goal Water 1 Minimize increases in water use.

Policy Water 1.2 Require water conserving landscaping.

Policy Water 1.3 Do not approve future development within the City unless an adequate supply of quality water is available or will be developed prior to occupancy.

Policy Water 2.1 Provide for the current and long-range water needs of the Davis Planning Area, and for protection of the quality and quantity of groundwater resources.

Policy Water 3.1 Coordinate and integrate development of storm ponds and channels City-wide, to maximize recreational, habitat and aesthetic benefits.

Policy Water 3.2 Coordinate and integrate design, construction, and operation of proposed stormwater retention and detention facilities City-wide, to minimize flood damage potential and improve water quality.

Standard Water 3.2a All new development shall include drainage facilities that are designed to accommodate a minimum of a 10-year recurrence design flow. In addition, all new development shall route the 100-year recurrence event and appropriately mitigate for both the increase in flows from the site due to development, and for runoff volumes which have hisotricaly occurred on the site.

Policy Water 5.1 Evaluate the wastewater production of new large-scale development prior to approval to ensure that it will fall within the capacity of the plant.

XVIII. **Mandatory Findings of Significance.** *Would the project:*	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	✖ (MTP/SCS EIR pp. 8-27 through 8-37; Davis General Plan EIR pp. 7-8 through 7-16)	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	✖ (MTP/SCS EIR pp. 8-27 through 8-37; Davis General Plan EIR pp. 7-8 through 7-16)	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	✖ (MTP/SCS EIR pp. 8-27 through 8-37; Davis General Plan EIR pp. 7-21 through 7-24)	☐

a. As discussed, *supra*, Section IV, and as supported by the analysis and conclusions in the General Plan EIR and MTP/SCS EIR, the proposed project will not 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 reduce the number or restrict the range of a rare or endangered plant or animal. As discussed, *supra*, Section V, and as supported by the analysis and conclusions in the General Plan EIR and MTP/SCS EIR, the proposed project would not eliminate important examples of the major periods of California history or prehistory.

b-c. Potential cumulative impacts of development, including infill projects such as the proposed project, were analyzed in the General Plan EIR and MTP/SCS EIR. The General Plan EIR identified potentially significant and unavoidable cumulative impacts associated with the cumulative conversion of agricultural lands to non-agricultural uses, cumulative fire

protection service impacts, cumulative school facility impacts, cumulative roadway system impacts, and cumulative construction-related and local CO emission impacts. The proposed project's contribution to these cumulative impacts would not be more significant than analyzed in the General Plan EIR. First, as discussed, *supra*, Section II, the proposed project has no impact on agricultural lands.

Second, with respect fire protection services, the central location of the project site and access from Research Park Drive, inclusion of fire sprinklers, and the City's existing mutual aid agreement with UC Davis Fire Department demonstrate that the proposed project's contribution to this cumulative impacts would not be greater than development contemplated in the General Plan EIR. Moreover, uniformly applicable development policies and standards, including standard Davis Fire Department fees for new development as well as Mitigation Measure PS-1 from the MTP/SCS EIR, ensure that the proposed project's contribution to this cumulative impact is substantially mitigated.

Third, with respect to school facilities, uniformly applicable development policies and standards, including statutory school construction fees established pursuant to Government Code Section 65995, ensure that the proposed project's contribution to this cumulative impact is substantially mitigated. Therefore, the proposed project's contribution to this cumulative impact would not be greater than development contemplated in the General Plan EIR.

Fourth, with respect to roadway system impacts, under Cumulative conditions, the Transportation Study determined that all study intersections would operate at LOS C or better for the overall intersection LOS. As a result, the proposed project's contribution to this cumulative impact would not be greater than development contemplated in the General Plan EIR.

Finally, with respect to construction-related and local CO emission, the proximity to transit resources ensure that the proposed project's contribution to this cumulative impacts would not be greater than development contemplated in the General Plan EIR. Moreover, as discussed, *supra*, Section III, the proposed project does not exceed any of YSAQMD's construction or operation screening standards for air quality impacts. In developing thresholds of significance for air pollutants, YSAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. Thus, uniformly applicable development policies and standards, including YSAQMD's air quality screening standards, ensure that the proposed project's contribution to this cumulative impact is substantially mitigated.

Appendix A

Preliminary Endangerment Assessment

Appendix B

Qualitative Assessment of Near Roadway Air Quality Impacts
Foulweather Consulting February 2019

Appendix C

Davis General Plan Mitigation, Performance Standards, and Criteria

Appendix D

SACOG Letter of Project Consistency with MTP/SCS

Appendix E

CalEEMod Air Quality and Greenhouse Gas Modeling Outputs

Appendix F

Civil Utility Summary

Appendix G

Transportation Study