2. RESPONSES TO COMMENTS

2.1 INTRODUCTION

This chapter contains responses to comments received at City Commission meetings and comment letters from other agencies and interested persons submitted during the public comment period for the Village Farms Davis Project (Proposed Project) Draft EIR and the Partially Recirculated Draft EIR.

2.2 MASTER RESPONSES

Many of the commenters raised similar concerns regarding the Proposed Project and/or the Biological Resources Preservation Alternative (BRPA). For such concerns, the City has prepared master responses. Through master responses, the City can address the common topics in a comprehensive manner and without duplication in the individual responses.

Summary of Master Responses

The following is a summary of the master responses provided below.

- Master Response 1: Non-CEQA Comments
- Master Response 2: Alternatives
- Master Response 3: Hazards
- Master Response 4: Drainage and Flooding
- Master Response 5: Transportation
- Master Response 6: Grade-Separated Crossings
- Master Response 7: Biological Resources
- Master Response 8: Partially Recirculated Draft EIR Public Comments
- Master Response 9: Wastewater Treatment Capacity

Master Response 1 - Non-CEQA Comments

The CEQA Guidelines frame the scope and focus of review and the extent, nature and scope of responses by a lead agency to comments on a Draft EIR. This Final EIR addresses specific comments pertaining to environmental impact analyses contained within the EIR and acknowledges comments not related to environmental impact and analysis. However, a number of comments received expressed the commenter's opinion on approval or denial of the Proposed Project/BRPA and/or general environmental concerns. The discussions below provide a response to such thematic comments, which are either too general to allow for a detailed response or unrelated to the project's impacts on the physical environment.

> **CEQA Guidelines Section 15204. FOCUS OF REVIEW**
>
> (a) In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is

> reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.
>
> (c) Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Notwithstanding the above guidelines language, CEQA Guidelines section 15204(e) states that these limitations should "not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section."

Comments on Merits of Project

The environmental review process provides an impartial evaluation of the environmental impacts should the Proposed Project/BRPA be implemented. The environmental review does not provide an opinion regarding whether the project should be approved or denied. The City is the public agency with land use authority and the Community Development Department is the primary City department providing information and recommendations on land development to the Planning Commission and City Council. These appointed and elected decision-makers weigh factors outside the scope of the EIR, including public support, taxes, jobs, economic and social benefits, and other non-environmental factors, in considering approval of a project.

Comments in general support/opposition of the project that do not convey significant environmental issues within the meaning of CEQA are hereby noted and referred to the decision-makers for consideration in their deliberations for approval or denial of the project.

Pursuant to the CEQA Guidelines, in reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. When responding to comments, lead agencies need only respond to significant environmental issues. This master response recognizes that many public comments submitted on the Draft EIR are outside of the scope of CEQA; and thus, do not require a specific response from the City. Nevertheless, this Final EIR includes all comments for the record and review and consideration by the decision-makers.

Social or Economic Concerns

The scope of an EIR is limited to a local agency's evaluation of potentially significant environmental impacts of a project, which by definition are limited to physical conditions, rather than social or economic conditions. (Public Resources Code [PRC] Section 21060.5; CEQA Guidelines Section 15360.) The analysis of social or economic impacts unrelated to a physical change is not included within an EIR because such potential impacts are not considered to be effects on the environment. (CEQA Guidelines Sections 15064(e), 15131(a), 15358(b), 15382.) Therefore, potential social or economic impacts that do not contribute to, or are not caused by,

physical impacts on the environment, are not substantial evidence of a significant environmental effect. (PRC Section 21080(e)(2); CEQA Guidelines Section 15064(f)(6).)

General Comments Pertaining to Environmental Concerns

Comments that voiced general opposition to or support for the Proposed Project/BRPA often were combined with other general statements about environmental concerns (e.g., related to air quality, biological resources, noise, traffic, etc.). According to CEQA Guidelines Section 15088, "The level of detail contained in the response, however, may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment." Thus, when a commenter expresses general concerns like the Proposed Project/BRPA would result in "more traffic," "increased traffic safety hazards," "increased air pollution," or "increased noise," a specific response is not offered. Rather, the commenter is referred to those sections of the Draft EIR where the referenced general concern is evaluated in detail, or if applicable, a master response in this Final EIR addressing such topic(s). For example, project-related impacts to biological resources, including but not limited to protected species and aquatic habitats are evaluated in Chapter 4.4, Biological Resources. The project-related increase in air quality criteria pollutant emissions and greenhouse gas emissions, and the related effect on the environment, is addressed in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy; and potential impacts related to noise and vibration associated with construction and operation of development associated with the Proposed Project/BRPA are addressed in Chapter 4.10, Noise, of the Draft EIR, etc. Traffic and potential traffic safety hazards are evaluated in Chapter 4.13, Transportation, of the Draft EIR, with a subset of traffic topics address in Master Response 5.

Master Response 2 – Alternatives

The City has received several comments stating that the Draft EIR does not include adequate analysis of a project alternative with a reduced acreage and fewer significant impacts.

Discussion

As discussed on page 7-1 of Chapter 7, Alternatives Analysis, of the Draft EIR, the primary intent of the alternatives evaluation in an EIR, as stated in Section 15126.6(a) of the CEQA Guidelines, is to "[…] describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." In the context of CEQA Guidelines Section 21061.1, "feasible" is defined as:

> [...]capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.

Section 15126.6(f) of CEQA Guidelines states, "The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Section 15126.6(f) of CEQA Guidelines further states:

> The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determined could feasibly attain most of the basic objectives of the project.

A set number of alternatives is not necessary to constitute a legally adequate range of alternatives. As has been stated, "The scope of alternatives comprising a reasonable range of alternatives will vary from case to case depending on the nature of the project under review. The lead agency has the discretion to determine how many alternatives will constitute a reasonable range."[1] Here, for the Village Farms Davis EIR, the City evaluated six alternatives, including one (BRPA alternative) at an equal level to that of the Proposed Project.

1. Biological Resources Preservation Alternative (BRPA);
2. No Project (No Build) Alternative;
3. Lower Number of Units – Same Footprint Alternative;
4. Agricultural Resource Preservation Alternative;
5. Higher Number of Units – Same Footprint Alternative; and
6. Off-Site Project Alternative.

An additional alternative (Buildout Within City Limits Alternative) was considered but dismissed. Of the six alternatives evaluated within the Draft EIR, two include a reduced number of units; these include the Lower Number of Units – Same Footprint Alternative (1,395 units) and the Agricultural Resource Preservation Alternative (1,330 units). The range of six alternatives included in the Village Farms Draft EIR constitutes a reasonable range and permits a reasoned choice amongst the decision-makers, thus meeting the requirement of CEQA Guidelines 15126.6(f).

City Council Process

The City of Davis staff has, as a matter of practice, sought preliminary input from the City Council on the type and range of alternatives to a proposed project early in the CEQA process. This approach is based on previous requests by the decision-makers to have input on the prospective CEQA alternatives. Alternatives cannot be fully formulated until much of the environmental analysis is complete and a project's significant environmental impacts are identified; this is because, by definition, an alternative must avoid or substantially lessen any of the significant impacts of the proposed project. Notwithstanding, early input and direction from the Davis City Council can provide prospective parameters for City staff to consider when identifying a range of reasonable alternatives, based on a project's significant impacts. At the December 12, 2023 City Council hearing, staff presented alternatives concepts for Council consideration. These included:

- No Project Alternative
- Lower Number of Units-Same Footprint Alternative
- Agricultural Resource Preservation Alternative
- Biological Resource Preservation Alternative
- Higher Number of Units-Same Footprint Alternative
- Offsite Project

These alternative concepts were only generally defined in the December 12, 2023 City Council staff report. While the same alternatives concepts were retained in the Draft EIR, the alternatives were further refined based on the project-specific environmental impacts analysis contained in the Draft EIR. For example, the Agricultural Resource Preservation Alternative concept, as described in the December 12, 2023 City Council staff report, was identified for 1,800 units. Based

[1] Stephen L. Kostka and Michael H. Zischke. *Practice Under the California Environmental Quality Act*, Volume 1 (March 2024 Update), pg. 15-21.

on the refined conceptual site plan in the Draft EIR, and delineation of the on-site Prime Farmland area, the number of units for this Alternative was reduced to 1,330 units in the Draft EIR.

Request for Reduced Acreage Alternative

Multiple commenters claim that the Draft EIR should have included a reduced acreage alternative and point to the Covell Village Project Draft EIR, which included an evaluation of a Reduced Acreage Alternative (Alternative 8), wherein development would be restricted to the portion of the site south of Channel A.

Contrary to many of the comments, the Village Farms Draft EIR includes an evaluation of a reduced acreage alternative in the form of the Agricultural Resource Preservation Alternative. The Agricultural Resource Preservation Alternative reduces the overall project site acreage by approximately 102 acres, which represents the on-site area of Prime Farmland along Pole Line Road. The reduced acreage would in turn reduce the number of residential units from 1,800 to 1,330, 470 fewer than the Proposed Project. The Agricultural Resources Preservation Alternative would substantially lessen the project's significant impact to agricultural resources, and thus, would meet the requirements for an alternative pursuant to CEQA Guidelines. Furthermore, the Agricultural Resource Preservation Alternative would result in reduced impacts than the Proposed Project related to aesthetics, greenhouse gas (GHG) emissions, biological resources, cultural and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and population and housing.

Evaluation of other forms of a reduced acreage alternative could be included in the Draft EIR, but such is not necessary, as an EIR is not required to consider multiple variations on a particular alternative. When the relative advantages and disadvantages of other alternatives can be assessed from a review of the alternatives presented in an EIR, the EIR is not defective for not discussing variations on each theme.[2] Furthermore, some of the purported advantages of the Reduced Acreage Alternative in the Covell Village EIR are no longer considered CEQA issues. For example, some commenters claim that the Reduced Acreage Alternative should be considered because it would eliminate land use incompatibilities with the Old Davis Landfill. While this point is acknowledged in the Covell Village Draft EIR (pg. 5-11), the City prepared said EIR in 2004 prior to when the courts clarified that CEQA should consider the environmental effects of a project on the surrounding environment, and not vice versa. The consideration of potential effects of the Old Davis Landfill onto future residents at the project site/BRPA site, while an important consideration, is not relevant to CEQA. For this, please see Master Response 3 for more detail. Therefore, the claim that restricting development south of Channel A to avoid land use incompatibilities with the Old Davis Landfill is not a relevant consideration for the Draft EIR's CEQA alternatives analysis.

Also noteworthy is that the Reduced Acreage Alternative considered in the Covell Village Draft EIR does not avoid the alkali playa and alkali wetland features within which federally endangered vernal pool tadpole shrimp were found. Thus, the primary meaningful advantages of the Reduced Acreage Alternative would seem to focus on reducing the size of the Proposed Project in both acreage and units, which is similarly accomplished by the Agriculture Resource Preservation Alternative in the Village Farms Draft EIR.

[2] Practice Under the California Environmental Quality Act, pg. 15-22.

High Density Alternative

The Village Farms Draft EIR includes a High Density Alternative entitled "Higher Number of Units – Same Footprint Alternative". As stated on page 7-26 of the Draft EIR:

> The Higher Number of Units – Same Footprint Alternative would include the development of 900 additional residences, for a total of 2,700 residential units, as well as the same non-residential uses included in the Proposed Project. The 2,700-unit count was selected for the Alternative in order to reduce per capita VMT below both City and regional average VMT thresholds.[4] As such, the residential density under the Alternative would increase to 13.78 du/ac.[5]

Many commenters have questioned the validity of increasing density to reduce VMT. This concern is addressed in detail in Master Response 5.

Inclusion of a High Density Alternative in EIRs is not uncommon. In fact, the 2004 Covell Village EIR, often referred to by commenters, also included a High Density Alternative, which was evaluated at an equal weight to that of the then-current project. The High Density Alternative included in the Covell Village EIR was comprised of a total of 1,990 residential units, in comparison to the 1,515 unit total for the Covell Village project.

The Palomino Place Subsequent EIR, recently certified by the City of Davis, included an Increased Density Alternative, comprised of a total of 260 residential units, in comparison to the project's proposed 175 units. This represents an approximately 33 percent increase in density. Other examples of EIRs that included higher density alternative are provided in Practice Under the Environmental Quality Act (Section 15.12). To take an example, in *Sequoyah Hills Homeowners Ass'n v. City of Oakland* (1993), the City's EIR for the project included a 63-unit increased density alternative for a 46-unit project.

Conclusion

Based on the above, the alternatives analysis presented in the Draft EIR satisfies the applicable CEQA requirements.

Master Response 3 – Hazards

The City has received several comments stating that the Draft EIR does not include adequate analysis of potential hazards and hazardous materials.

Effects of Environment on the Project

In *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (*CBIA*), the California Supreme Court held that "agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment—and not the environment's impact on the project—that compels an evaluation of how future residents or users could be affected by exacerbated conditions." (*Id.* at pp. 377-378.) As a result, the existence of contaminated soil or groundwater within the vicinity of a proposed project, "without any accompanying disturbance or other physical change" to the contamination, is not considered "a significant impact requiring CEQA review and mitigation." (*Parker Shattuck Neighbors v. Berkeley City Council* (2013) 222 Cal.App.4th 768, 781 [holding development of a project on a site identified on the Cortese list and that included contaminated soil would only

constitute a significant impact for the purposes of CEQA if the proposed project disturbed the contaminated soil].) For example, in *East Sacramento Partnerships for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 281, the petitioner argued that the EIR failed to analyze health risks associated with "potential for off-site subsurface gas (methane) migration" from an adjacent former landfill site. (*Id*. at pp. 295-297.) Citing the *CBIA* decision, the Third District Court of Appeal rejected petitioner's argument because concerns that a project would be "an unhealthy place to live" exceeds CEQA's scope. (*Id*. at p. 296.) In reaching its holding, the court stated "nowhere in the [CEQA] statute is there any provision … plainly delegating power for the agency to determine whether a project must be screened on the basis of how the environment affects its residents or users." (*Ibid*., quoting *CBIA*, *supra*, 62 Cal.4th at p. 387.)

In light of the California Supreme Court's recent decision and related appellate decisions discussed above, the presence of contaminated groundwater or soils would only be considered to result in a significant CEQA impact if the Proposed Project/BRPA would exacerbate the existing conditions. As demonstrated below, construction and operation of the Proposed Project/BRPA would not exacerbate existing hazardous conditions.

Old Davis Landfill

As described in Geocon's *Phase I ESA Report* (February 14, 2024), the Old Davis Landfill is owned by the City of Davis and is an open cleanup program case adjoining the site to the north. The landfill has impacted groundwater with relatively low concentrations of volatile organic compounds (VOCs), metals such as manganese and selenium, and per- and polyfluoroalkyl substances (PFAS). The groundwater from beneath the landfill flows beneath the site and the adjacent Wildhorse residential subdivision. Because contaminants in groundwater may pose a potential threat to human and ecological health in the case of routine, long-term exposure to groundwater (i.e., ingestion of or dermal contact with the groundwater), the Project has been designed to avoid the extraction or use of the impacted groundwater. The relatively low concentrations of the contaminants in groundwater are not expected to have a significant effect on indoor air quality based on the currently available vapor intrusion models and toxicological criteria.

Previous monitoring of VOCs in soil vapor is described in Geocon's Phase I ESA Report (February 14, 2024) included in Appendix F of the Draft EIR. In 1993, Lowry/Krazan installed two double-nested soil vapor wells (VP1 and VP2; two probes at different depths in each well) along the eastern portion of the northern site boundary to evaluate methane and VOCs in soil vapor adjacent to the Old Davis Landfill. Each well had probes screened at shallow (8 to 10 feet) and deep (20 and 22 feet) intervals. Results of the well installation, soil vapor sample collection, and laboratory analysis were presented in a Limited Site Characterization Investigation report dated November 2, 1993. Soil contamination was not encountered during drilling. Four soil vapor samples were collected and analyzed for methane and VOCs. Methane was not detected, and VOC concentrations in soil vapor were less than the screening levels for residential indoor air divided by a conservative attenuation factor of 0.03; therefore, the detected VOC concentrations in soil vapor are not expected to pose a significant threat to indoor air quality, based on the current vapor intrusion model parameters and toxicological criteria. Geocon sampled the onsite vapor wells on September 22, 2004. Each of the vapor samples were analyzed for methane by United States Environmental Protection Agency (USEPA) Test Method 3C, and two of the vapor samples were analyzed for hydrogen sulfide by ASTM Method D-5504. Methane and hydrogen sulfide were not detected in the soil vapor samples.

The USEPA has deemed some PFAS compounds as volatile at standard temperature and pressure and when present at high enough concentrations, could migrate into an overlying building and pose an inhalation risk to building occupants. To date, the USEPA is still in the initial phase of researching the potential risk associated with a vapor intrusion pathway for PFAS compounds and has not issued toxicity values that would enable characterizing the vapor intrusion risk associated with these volatile PFAS compounds.

A letter from the California Regional Water Quality Control Board (RWQCB) dated July 26, 2023, states that the RWQCB "does not believe a risk is posed to the residential and commercial properties proposed for development if the development is connected to the existing City municipal water system and the City water system is the sole means of water used by the development." The Project will not extract or use groundwater and is to be supplied by the municipal water system. Other unauthorized groundwater use will not be permitted.

Development within 1,000 feet of the Old Davis Landfill may be subject to landfill post-closure requirements set forth in Title 27 of the California Code of Regulations (CCR Title 27 Section 21190(g)). The lead regulatory agency for these regulations is the California Department of Resources Recycling and Recovery (CalRecycle), and the Yolo County Environmental Health Department (YCEHD) serves as the Local Enforcement Agency (LEA). As discussed in Geocon's *Phase I ESA Report* (February 14, 2024), project correspondence from circa 2005 suggests that the YCEHD determined that action was not required under CCR Title 27 Section 21190(g). In Geocon's *Phase II ESA Report* (February 14, 2024), Geocon recommended that confirmation be obtained from the YCEHD documenting that the proposed development is not subject to landfill post-closure requirements associated with CCR Title 27 Section 21190(g). While the presence of methane is not likely based on previous investigation performed at the site, if methane is determined to be present based on studies required by the YCEHD, additional on-site methane monitoring or waste delineation will be performed as required by the LEA.

In addition, as discussed within Chapter 4.7, Hazards and Hazardous Materials, of the Draft EIR, implementation of Mitigation Measures 4.7-2(a) through 4.7-2(f) would ensure that the Proposed Project/BRPA does not exacerbate existing hazardous conditions.

Arsenic

As stated in Geocon's Phase II ESA Report for the agricultural buffer area (March 22, 2024), the agricultural buffer area has been used for agricultural purposes since prior to 1937. No records of unregulated chemical use were identified. Persistent pesticides such as arsenical pesticides or organochlorine pesticides (OCPs) typically were not used on row and grain crops such as those grown at this site, and thus residuals from these pesticides are not expected to be present, and in fact were not detected by the investigations.

The Department of Toxic Substances Control (DTSC) Human Health Risk Assessment Note Number 3 (2022) identifies that risk-based screening levels for arsenic in soil "are often below naturally occurring (background) concentrations." Consequently, the DTSC (2022) "strongly recommends consideration of site-specific background concentrations of inorganic constituents" such as arsenic. Additional guidance is provided by the DTSC guidance Selecting Inorganic Constituents as Chemicals of Potential Concern (1997) and Arsenic Strategies (2009) and the Interstate Technology and Regulatory Council (ITRC) Soil Background and Risk Assessment (2022). For example, the DTSC Human Health Risk Assessment Note Number 11 (2020) determined that background and ambient arsenic concentrations at 81 school sites in southern

California commonly exceed the risk-based screening level and set an "upper bound" value of 12 milligrams per kilogram (mg/kg) for arsenic for southern California schools.

Arsenic was detected in soil samples obtained from the ground surface in the Urban Agricultural Transition Area (UATA)[3] at concentrations ranging from 6.1 to 8.0 mg/kg. These concentrations are greater than the DTSC-screening level (DTSC-SL; 0.11 mg/kg) for arsenic in residential soil. Similar arsenic concentrations were detected in the subsurface soil samples obtained from borings B24-01 through B24-04 (refer to Draft EIR Appendix I - Figure 2) at depths up to ten feet. Because the soil arsenic concentrations are consistent with depth, and because they are within the typical background range for Great Valley sediment, they are not believed to be caused by historical pesticide application at the ground surface.

Since the arsenic concentrations are considered to be naturally occurring background concentration, transport of arsenic contaminants is unchanged by the project development. The UATA and the areas around Channel A are subject to surface water flows from existing storm water and flood waters resulting in storm water contact and interaction with the existing soil and the background arsenic levels. The project proposed to maintain storm water flows through the UATA and Channel A resulting in the same storm water interaction with soils. Thus, the Proposed Project/BRPA would not transport contaminants downstream.

Geocon's Phase II ESA Report (February 14, 2204) of the adjoining development area, which has also been cultivated since prior to 1937, also did not identify significant pesticide residues in soil in the agricultural fields. However, in response to public comments, Geocon performed supplemental soil sampling to obtain additional soil arsenic data from both the development area and the UATA for comparison of arsenic concentrations at the two areas. The results of the supplemental soil sampling are provided in Appendix A to this Final EIR.[4]

Based on Geocon's supplemental soil sampling, arsenic was detected in the soil samples obtained from the development area at concentrations ranging from 4.6 to 8.6 mg/kg, with a mean detected concentration of 7.1 mg/kg. The arsenic concentrations detected in the 45 soil samples obtained from the UATA in 2024 and 2025 ranged from 4.8 to 8.7 mg/kg, and the mean detected concentration was 7.0 mg/kg. Statistical evaluation of the soil arsenic data indicates that the data are representative of background, and therefore, Geocon does not consider arsenic to be a contaminant of concern (DTSC, 2008B), and further assessment and/or mitigation of arsenic in soil is not warranted.

Contrary to the characterization in some comments, the soil in the agricultural buffer area is not "arsenic laden." The arsenic concentrations are consistent with depth and are representative of naturally occurring background arsenic concentrations.

Toxaphene

As stated in Geocon's Phase II ESA Report for the proposed development area (February 14, 2024), Geocon performed post-demolition soil sampling at the former structure area in the southern end of the proposed development area, and laboratory analysis for lead and OCPs pursuant to DTSC (2006) guidance for evaluation of school sites for contamination related to lead-based paint and OCPs. Lead was detected at one surface soil sample location at the northern end of the former residence/trailer area at a concentration exceeding the DTSC-SL for lead in

[3] Now referred to as the "Northern Agricultural Area", as discussed in Master Response 4.
[4] Geocon Consultants, Inc. *Soil Arsenic Characterization, Village Farms Davis*. Revised April 14, 2025.

residential soil. The OCP toxaphene (historically used as a termiticide) was detected in surface soil samples at the former barn/shed area, and at the northern end of the former residence/trailer area (near the barn), at concentrations exceeding the corresponding DTSC-SL for toxaphene in residential soil. Lead and OCPs were not detected in any of the subsurface (2.0 to 2.5 feet) samples at concentrations exceeding the DTSC-SLs.

As identified in Mitigation Measure 4.7-2(a) prior to issuance of a demolition permit for the onsite tank house, the soil impacted by toxaphene within the project site/BRPA site shall be removed of and disposed offsite in accordance with federal, State and local regulations at an appropriate Class I or Class II facility permitted by the DTSC, or other options implemented as deemed satisfactory by YCEHD and/or DTSC. Pursuant to Mitigation Measure 4.7-2(a), the soil removal shall be performed under the oversight of the YCEHD, unless the YCEHD defers oversight to a State agency.

Groundwater Interaction

The excavation for the proposed channel improvements would not exceed the depth of the existing Channel A crossing the site from west to east, which reportedly does not intercept groundwater (reporting based on correspondence from the farmer of the property and the City of Davis who manage the existing channel through the project site/BRPA site and upstream and downstream connections to the channel). The groundwater conditions beneath the site appear to be homogeneous and are similar to those at the adjacent Wildhorse residential subdivision and golf course east of the site, which is also downgradient from the landfill. Based on historic and current directional flow of the groundwater gradient, the groundwater flows to the east, varying between northeast and southeast. This is consistent with the topographic gradient across the site. In order to provide isolation between the on-site storm water and the groundwater, the Proposed Project/BRPA would include a geotextile or low permeability liner (infiltration rate of 2.4×10^{-5} inches per minute) within the channel excavation areas within the drainage channel located south of the Old Davis Landfill. The proposed liner would extend from the projection of the west property boundary of the Old Davis Landfill to Pole Line Road and be placed within all excavation areas for the drainage basin and channel excavated below elevation 31-feet above mean sea level (AMSL) (i.e., the channel bottom, which would remain at 26.5 AMSL, would be lined, and the sides of the channel would be lined up to an elevation of 31 feet AMSL). The highest historic groundwater recorded in the area was 29.6-feet ASML in 2019 (refer to Figure 4.8-3 of the EIR). This reading is four years after the City of Davis transitioned from groundwater to surface water for domestic use in the City. Since the change in domestic water source for the City, the groundwater level appears to have normalized consistent with historic levels prior to the City's shift from groundwater use. However, the future groundwater depths are not known; thus, due to the potential for increase in groundwater levels resulting from the shift to surface water for domestic use, the liner would be placed up to an elevation 31-feet AMSL to provide protection and isolation between the groundwater and the storm water. Overall, the Proposed Project/BRPA would not exacerbate existing conditions related to contaminated groundwater.

Master Response 4 – Drainage and Flooding

The City has received several comments stating that the Draft EIR does not include adequate analysis of potential impacts related to drainage and flooding.

Development within the Floodplain

While a portion of the development area is within the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) Zone A, FEMA already has a well established process

to accommodate development within SFHA's. FEMA's Letter of Map Revision-Based on Fill (LOMR-F) process allows for development within the flood plain with approval of the local flood plain administrator (City of Davis) and FEMA. Consistent with Mitigation Measure 4.8-4, a comprehensive drainage report shall identify specific design improvements outlining flood plain management to control runoff from the 200-year 10-day event. Additionally, consistent with Mitigation Measure 4.8-5, the project will obtain approval of a Conditional Letter of Map Revision (CLOMR) through FEMA and the City of Davis.

Northern Agricultural Area

The 118 acres north of the proposed project is referred to as the Northern Agricultural Area. This unincorporated area is currently designated Agriculture by the Yolo County General Plan. These acres will be annexed into the City of Davis in accordance with a pre-zoning that permits their use as agricultural land. As the average quality of the soils in the Northern Agricultural Area is fair-to-poor, it has historically been used for the production of low-value crops, such as wheat. The BRPA project proposal contemplates that fill material up to ten feet deep across approximately 107 acres would be relocated (or "borrowed") from the Northern Agricultural Area and deposited in the residential portions of the project in order to raise the residential lots above the FEMA 200-year flood elevation. Agricultural production is expected to resume in this area after site grading, topsoil replacement and restoration.

In the original application, this area was proposed as a groundwater recharge basin to support the aquifer. However, after multiple meetings with experts, UC Davis, and Yolo County, it was determined that the intended benefits would not occur at this location. In its place, the development team proposed a publicly accessible open space designated as an Urban Agricultural Transition Area. However, during negotiations, City staff expressed concern about General Plan consistency and maintaining such a large sunken area so close to urban areas, and Yolo County staff expressed concern about altering so many acres that are currently in active agricultural production. City staff concluded that the proposed borrow activities would not be permitted under the County's land use designation, but would be under the City's Agriculture General Plan land use designation. Therefore, because the borrow material is needed to raise the residential lots, the City and the developer determined that the best solution was for the entire 118 acres to be annexed, for 107 acres to remain privately owned and restored to agricultural production, thereby retaining a land use designation of Agriculture and for just 11 acres to be dedicated to the City as a publicly accessible open space designated as an Urban Agricultural Transition Area.

To factually support the 107-acre site's continued viability for agricultural purposes post-grading, a study was commissioned to examine the current soil conditions, analyze the proposed uses, and propose feasible remediation measures to return the land to viable agricultural production. The results of this study are detailed in a technical memorandum from House Agricultural Consultants dated August 20, 2025 (House Report), which is available as Appendix B to this Final EIR).[5]

- Removal of Fill Material: Soil material will be transported from the Northern Agricultural Area to the residential portions of the project. In its finished condition, the Northern Agricultural Area will consist primarily of an excavated basin area with depths ranging from

[5] House Agricultural Consultants. *Initial findings for an agricultural study of a 107-acre field following proposed excavation*. August 20, 2025.

approximately eight (8) to ten (10) feet below the original grade and a flat bottom designed to support agricultural use and graded to ensure efficient drainage.

- Soil Quality and Handling: Top soils from the Northern Agricultural Area will be stockpiled during site mass-grading operations, then returned to the Northern Agricultural Area, and ultimately remediated for future agricultural production.
- Restoration: The House Report recommends the preparation and implementation of a detailed soil restoration plan and farm plan to assure the area is restored to a condition suitable for agricultural uses. The House Report includes specific recommendations for these plans and concludes that, if they are developed and implemented, the Northern Agricultural Area should support agriculture at a level roughly similar (though not identical) to its current level of production.
- Access and Maintenance: Farm access ramps will be constructed to allow vehicular and equipment access to the lowered agricultural surface. A farm access road around the perimeter of the restored Northern Agricultural Area will be provided as part of the project. The area will remain in private ownership with all costs of maintenance and operation to be borne by the landowner.

Climate Change

Specific guidance or standards for determining the impacts of climate change on flooding risk do not exist. The hydraulic modeling in the study included a 200-year storm event analysis to evaluate the Proposed Project's impacts on flooding in storm events exceeding the FEMA regulated flooding from the 100-year storm event. The model results, summarized in Section 5.0 of the report,[6] demonstrate that peak flows in the 200-year, 10-day storm event leaving the project site/BRPA site are anticipated to be equal to or reduced compared to the existing condition.

Wildhorse Channel Impacts

Various commenters have questioned the input parameters related to the Wildhorse Channel, downstream of the project area, given existing maintenance and conveyance deficiencies within these reaches downstream of the project site/BRPA site. As summarized in Sections 4.1 and 4.2 of Appendices M and N to the Draft EIR, the existing topography and level of vegetation downstream was based on aerial imagery and a visit to the site on October 4, 2023. The results of that evaluation were consistent with Technical Memorandum from West Yost titled "CIP No. 8276: City of Davis – Evaluation of the Potential for the Covell Drain to Flood the H Street Pump Station Watershed", dated December 2019, which also evaluated the downstream reach through the Wildhorse development. Based on these site investigations and validation by 3rd party reporting covering the same area, the topography and vegetation parameters used within the modeling are expected to appropriately capture the existing conditions within the Wildhorse Channel.

The modeling results associated with the hydrology within the project area, at the downstream boundary condition and through the Wildhorse Channel use the same input parameters for vegetation as described above; further, the topography downstream of the project area within the Wildhorse Channel is identical between the existing condition and the proposed condition. Because the input parameters associated with the Wildhorse Channel are the same in both the existing and proposed models, the results and conclusions would be consistent across both models (existing and proposed) independent of the underlying topography and vegetation.

[6] Village Farms Davis – Draft EIR - Appendix M -2-dimensional hydraulic modeling (Proposed Project) and Appendix N - 2-dimensional hydraulic modeling (BRPA).

Regarding the flows in the Wildhorse Channel, the project area discharges downstream at two locations as shown on Figure 4.8-5 in Chapter 4.8, Hydrology and Water Quality, of the Draft EIR. One of these discharge locations is to the existing Wildhorse Channel. The peak flows leaving the project site/BRPA site in each of the modeled storm events (10-year 24-hour; 100-year 24-hour; 100-year 10-day; and 200-year 10-day storm events) are anticipated to be equal to or reduced compared to the existing condition (refer to EIR Chapter 4.8, Table 4.8-2).

Additional exhibits showing results of the pre- and post-project hydraulic models are included in Appendix 2 of the report in the Draft EIR[7], including maps of the calculated flooding depths/inundation for each modeled condition. As outlined in the report, the modeled events include the 10-year 24-hour; 100-yr 24-hour; 100-year 10-day; and 200-year 10-day storm events. These exhibits include the flood depths and the limits of flooding within the project area and extend downstream through the Wildhorse development and further east to the Willow Slough Bypass levee. The specific limits of flooding within the Wildhorse Golf Course are included on these figures, as requested by various comments. Additionally, the lower right of these figures includes a scale bar that can be used to evaluate the dimensions from the model flood limits to the existing houses within the Wildhorse Development. Also included in this report are a series of maps in Appendix 1 that show a detailed comparison of pre- and post- project flooding water surface elevations (WSEL) for each of the storm events modeled. This comparison of water surface elevations is provided for the entire hydraulic model area, including the project area and downstream areas to the Willow Slough Bypass. These figures include the comparison within the Wildhorse development.

As noted in the report, the comparison of WSELs indicates an increase in WSELs within a localized portion of the Wildhorse Golf Course. This increase only occurs within the 100-year, 24-hour storm event. The localized increase in WSEL is directly over the pond in the northeast corner of the golf course, as shown in the exhibit in Appendix 1. This increase does not impact any structures within Wildhorse. The modeled increase is approximately 0.2-feet; this same exhibit also shows a decrease in water surface elevation of 0.1 to 0.2 feet within the Wildhorse Channel. In all four storm events modeled, the Wildhorse Channel is shown to have reduced water surface elevations in the post-project condition, particularly in the two more common 24-hour storm events.

Regarding Wildhorse Channel maintenance, the City does not have maintenance responsibilities on the golf course property, but City observations are that the widened channel and flood control measures on the course performed within designed parameters as there were no flooding issues in the residential neighborhoods of Wildhorse during storms. The picture below shows the size of the historical channel (yellow), and what exists after construction (white). The golf course was designed around this flood control feature.

[7] Village Farms Davis – Draft EIR - Appendix M -2-dimensional hydraulic modeling (Proposed Project) and Appendix N - 2-dimensional hydraulic modeling (BRPA).



Overtopping of F Street, Pole Line Road, and North Davis Drainage Channel

The project site/BRPA site is located within the reach of the Covell Drain, a regional drainage facility; lack of maintenance and conveyance capacity of this regional drainage facility is the main contributor to the flooding within the project site/BRPA site. Additionally, the North Davis Drainage Channel, also a regional drainage facility, is also undersized, contributing to the flooding within the northern portion of the site and existing areas of the County. Development proposed at the Village Farms Davis site provides a comprehensive drainage management solution for this reach of the drainage corridor, providing resiliency and protection for both the proposed development and reaches upstream of the project development.

Based on the pre- and post-project hydraulic modeling, which included modeling of the 10-year 24-hour; 100-yr 24-hour; 100-year 10-day; and 200-year 10-day storm events, overtopping of the North Davis Drainage Channel occurs in the 10-year 24-hour; 100-yr 24-hour; 100-year 10-day; and 200-year 10-day storm events. This overtopping occurs under both the existing and proposed conditions.

Additional upstream flows also result in overtopping of F Street caused by flows in the adjacent farm fields and upstream drainage channels. Overtopping of F Street occurs in the 100-yr 24-hour; 100-year 10-day; and 200-year 10-day storm events. This overtopping occurs under both the existing and proposed conditions.

Hydraulic modeling predicts that downstream discharge from the project site/BRPA site is split between discharge into the Wildhorse Channel through the existing box culvert and overtopping flows at the northeast corner of the project site/BRPA site, across Pole Line Road, into the farm fields north of the City of Davis.

The existing condition modeling indicates that there is the potential for flow to overtop Pole Line Road at the location indicated in Figures 4.8-2 and 4.8-5 in Chapter 4.8 of the Draft EIR. Table

4.8-2 of the EIR includes a summary of the flow rates anticipated across Pole Line Road. This overtopping flow is modeled in the current study prepared for Village Farms Davis and previous modeling studies prepared for the Cannery[8]. Based on discussions with the City of Davis Public Works Department, the Yolo County Public Works Department, and the farmer of the subject property, this overtopping has never been witnessed. While this condition has not been observed in the past, this is still a modeled result, and thus is addressed in the Draft EIR, which demonstrates this potential overtopping flow would be reduced as a result of the proposed on-site storm drainage system (See Table 4.8-2 of the Draft EIR). Taking this approach ensures that the Draft EIR includes a conservative analysis with respect to hydrology and localized flooding.

Based on the modeling results, the overtopping of Pole Line Road is being driven by the lack of conveyance in drainage facilities downstream of the Proposed Project site. Therefore, the overtopping cannot be corrected with drainage improvements in the project site/BRPA site. Removing the overflow would require diverting the flow into the Wildhorse development channel, which would have adverse results to the existing City drainage systems and, thus, is not an option. As a result, the proposed stormwater drainage systems for the Proposed Project/BRPA have been designed to match existing drainage patterns for the modeled storm events.

Master Response 5 – Transportation

Master Response 5 addresses several thematic public comments related to transportation.

Level of Service (LOS) vs Vehicle Miles Traveled (VMT) Considerations for CEQA

Pursuant to the CEQA Guidelines Section 15064.3, effective July 1, 2020, environmental documents must use VMT rather than LOS as the metric to analyze transportation impacts. Section 21099(b)(2) of the California PRC states that "automobile delay, as described solely by level of service or similar measures of vehicle capacity or traffic congestion, shall not be considered a significant impact on the environment". Guidance[9] provided by Caltrans on analysis of safety for CEQA indicates that "*automobile congestion or delay itself does not constitute a significant environmental impact (Public Resources Code, Section 21099 (b)(2)), and traffic safety should not be used as a proxy for road capacity".*

Therefore, the analysis included in Chapter 4.13, Transportation, of the Draft EIR focuses on VMT and not on the effects of the currently Proposed Project/BRPA on traffic conditions or congestion along roadways in the project vicinity, such as East Covell Boulevard or Pole Line Road. The State's requirement to transition from LOS to VMT is aimed at promoting infill development, public health through active transportation, and a reduction in GHG emissions.

Nonetheless, while not required by CEQA, the City's General Plan has adopted LOS policies. To evaluate the Proposed Project's consistency with said policies, separate from the CEQA assessment, an analysis of LOS is provided in a separate project-specific Local Transportation Analysis (LTA) prepared by Fehr & Peers. The LTA is available on the City's website at:

https://www.cityofdavis.org/city-hall/community-development/development-projects/village-farms-davis

[8] MacKay and Somps. *Flood Control Master Plan for the Cannery*. November 2, 2012

[9] California Department of Transportation. *Local Development Review Safety Practitioners Guidance*. February 2024.

Cannery Connection

The Cannery subdivision was constructed, as approved by the City of Davis, with a four-way roundabout at the intersection of Cannery Avenue and Cannery Loop. This roundabout has an entrance and exit on its east side facing the Cannery project's eastern boundary, its border with Village Farms Davis. The existing roundabout allows for a future connection to the east, reflecting the Cannery Project design that was approved by the City Council in 2013.

The Proposed Project/BRPA would include a roadway within the site boundaries that would align with the centerline and general configuration of the roadway improvements on the east side of the Cannery Avenue/Cannery Loop roundabout. The new two-lane, east-west street connection from the Proposed Project/BRPA to the Cannery connecting to the roundabout at the intersection of Cannery Avenue/Cannery Loop would provide connectivity for some or all modes between the two neighborhoods, consistent with the Vision and Goals of the General Plan Transportation Element as described in the excerpt below (emphasis added).

> *The local transportation system is best able to meet the needs of Davis residents when destinations are in close proximity to each other. Access to everyday activities can be facilitated by: ensuring that existing neighborhoods are well-connected to shopping centers, employment centers, and the Core area; ensuring future developments improve connectivity to, within, and between neighborhoods; by encouraging mixed-use developments where appropriate; and by discouraging urban sprawl.*

The City may require the Cannery Loop connection as a matter of planning and circulation policy, and consistent with the Cannery's planned road network design and construction. The area where Cannery Loop would connect to the Proposed Project/BRPA is on a City-owned parcel, is currently improved as a paved and gravel roadway, is positioned below the Urban Farm area, and does not impact agricultural operations, pedestrian pathways, or recreational areas.

The new connection between the Proposed Project/BRPA and the Cannery would provide connectivity for residents of both neighborhoods with a travel route that avoids the use of East Covell Boulevard. This would provide residents with a lower-stress access route to commercial, education, and park uses in the two neighborhoods. The proposed connected street network of the Proposed Project/BRPA would also provide alternate routes for access from the proposed on-site fire station to the Cannery and adjacent neighborhoods east of Pole Line Road.

Vehicle trips from the project site/BRPA site would travel along the segment of Cannery Loop between Cannery Avenue and Market Avenue as well as the segment of Cannery Avenue between Cannery Loop and East Covell Boulevard. With the exception of trips made by Cannery residents, trips to and from the project site/BRPA site are not forecast to travel on other portions of the street network within the Cannery neighborhood. For the cumulative scenario during the PM peak hour, the total traffic volume at the Cannery Avenue/Cannery Loop roundabout intersection would be 520 vehicles for Cumulative No Project conditions and 985 vehicles for Cumulative Plus Proposed Project conditions.

Bicycle riders and pedestrians from the project site/BRPA site would use the proposed separated Class I path along the north side of the street that would connect to the existing separated Class I path on the north side of Cannery Loop, with most bicycle riders and pedestrians forecast to travel west to the existing marked crosswalk at the Cannery Loop Elbow to access the underpass of E. Covell Boulevard that provides a grade-separated path to schools and recreation uses (i.e., North Davis Elementary School, Davis High School, Community Park, the Mary L. Stephens Davis

Library, the Davis Arts Center, and the Davis Little League fields) to the west by way of East Covell Boulevard and F Street. The Draft EIR includes Mitigation Measure 4.13-2(e), which requires installation of a Rectangular Rapid Flashing Beacon (RRFB), a pedestrian-actuated LED flashing beacon, on the street approaches to the existing marked crosswalk at the Cannery Loop Elbow.

An east-west bicycle/pedestrian connection between the Cannery and the project site/BRPA site is proposed at the northeast corner of the Cannery neighborhood to the east of the Cannery Loop/Pierce Lane intersection. This bicycle/pedestrian connection would be used by residents of the Cannery and Village Farms Davis neighborhoods who are primarily traveling to and from nearby residential, commercial and parks uses, providing an alternate east-west bicycle/pedestrian connection to the proposed southerly east-west connection at the roundabout at the intersection of Cannery Avenue/Cannery Loop. This northerly connection would link cyclists and pedestrians to Class I bike paths within each neighborhood.

The EIR analyzed the project impacts with an assumed Cannery Loop connection.

Increased Density Effect on VMT

Travel behavior is influenced by a variety of complex factors. Research continues to evolve in an attempt to better understand how transportation, land use, socioeconomic, behavioral science, technological, and other variables influence travel behavior and related transportation metrics such as VMT. With respect to planning for land use patterns and transportation systems that minimize VMT, transportation experts have acknowledged that a multi-faceted approach that uses a variety of strategies related to the foregoing variables above offers the greatest VMT-reduction potential. However, among the various approaches that can be employed to reduce VMT, sufficient research exists that supports the notion that increasing residential densities, in and of itself, presents a viable approach to reducing VMT per capita or unit.

To quantify the VMT-reduction effects of the Proposed Project and BRPA Alternative, the Draft EIR uses the California Air Pollution Control Officers Association (CAPCOA) Handbook for Assessing GHG Emission Reductions, Climate Vulnerabilities, and Health and Equity (CAPCOA Handbook). The CAPCOA Handbook is a widely accepted guide for local governments, communities, and project developers to identify and quantify strategies to reduce GHG emissions. The CAPCOA Handbook is grounded in extensive academic and industry research and provides data and methods to help practitioners effectively apply its strategies. CAPCOA Handbook Strategy T-1 (Increase Residential Density) establishes that every one percent increase in residential density results in a 0.22 percent decrease in project VMT, with a maximum reduction potential of 30 percent.

The underlying research supporting the foregoing strategy indicates that higher residential densities are associated with lower vehicle ownership, less driving, and less VMT on a per capita basis. Other underlying research posits that residential self-selection is a factor that contributes to less driving activity.[10] Residential self-selection refers to choosing to live in a particular neighborhood in part because of the type of transportation options it permits, such as when people who like to drive choose to live in auto-oriented neighborhoods or when people who like to walk choose to live in pedestrian-oriented neighborhoods. People with preferences to live close to destinations may have a difficult time finding such housing, so they can be forced to live in a less-dense, more-auto-oriented neighborhood than they would prefer that is also located further away

[10] Journal of the American Planning Association. *Does Compact Development Make People Drive Less?* 2016.

from the destinations to which they want or need to travel. With the foregoing conditions, people would be required to drive more and travel longer distances, thus increasing the amount of VMT they generate. A hypothetical example of this in the context of the currently Proposed Project is an existing employee of the University of California, Davis (UC Davis) who prefers to live close to work in Davis but instead must live in other communities such as Woodland, Elk Grove, or Roseville, due to a lack of viable housing opportunities in Davis.

Importantly, it should be noted that the VMT analysis for the residential components of the Proposed Project/BRPA use the project-generated residential VMT per capita metric. This metric captures VMT associated with all vehicle travel activity that would start or end at the Proposed Project/BRPA residential uses and divides that VMT value by the number of project residents. This, in turn, creates a VMT-generation rate on a per resident basis. When significant impacts to VMT are identified for a residential project, as is the case for the Proposed Project/BRPA in the Draft EIR, mitigation measures aim to reduce project-generated residential VMT per capita to the extent feasible. Use of this VMT metric and analysis approach is consistent with the recommended procedures for VMT impact analysis for residential projects as described in the Governor's Office of Land Use and Climate Innovation (LCI) (formerly the Office of Planning and Research [OPR]) Technical Advisory on Evaluating Transportation Impacts in CEQA.

Residential VMT per capita is different than other VMT metrics, such as total VMT, which includes VMT on roadways within a given geographic area associated with both project-related trips and all background trips generated by other uses. The foregoing different VMT metrics are not to be compared to each other, as they present an "apples-to-oranges" comparison.

Higher Number of Units – Same Footprint Alternative

The calculations used to derive the Higher Number of Units – Same Footprint Alternative VMT findings are presented below, which are based on the CAPCOA Handbook Strategy T-1 data and formula to quantify project VMT reduction associated with increased residential densities (see Figure 2-1). Because the subject of this analysis is the project residential component, by definition, project VMT as defined by CAPCOA is identical to project-generated residential VMT.

$$-11\% = \frac{\text{13.8 dwelling units/net acre} - \text{9.2 dwelling units/net acre}}{\text{9.2 dwelling units/net acre}} \times (-0.22)$$

Where:

A = -11 percent. This is the computed value of the percent of project VMT reduction achieved by CAPCOA Handbook Strategy T-1.
B = 13.8 dwelling units/net acre. This value is derived based on the Higher Number of Units – Same Footprint Alternative site plan by dividing 2,700 dwelling units by 195.9 net acres allocated to residential uses.
C = 9.2 dwelling units/net acre. This value is derived based on the proposed site plan and by dividing 1,800 dwelling units by 195.9 net acres allocated to residential uses.
D = -0.22. This is the elasticity value presented in CAPCOA Handbook Strategy T-1.

Figure 2-1
CAPCOA Handbook Strategy T-1 Data and Formula

GHG Reduction Formula

$$A = \frac{B - C}{C} \times D$$

GHG Calculation Variables

ID	Variable	Value	Unit	Source
Output				
A	Percent reduction in GHG emissions from project VMT in study area	0–30.0	%	calculated
User Inputs				
B	Residential density of project development	[ ]	du/acre	user input
Constants, Assumptions, and Available Defaults				
C	Residential density of typical development	9.1	du/acre	Ewing et al. 2007
D	Elasticity of VMT with respect to residential density	-0.22	unitless	Stevens 2016

Further explanation of key variables:

- (C) – The residential density of typical development is based on the blended average density of residential development in the U.S. forecasted for 2025. This estimate includes apartments, condominiums, and townhouses, as well as detached single-family housing on both small and large lots. An acre in this context is defined as an acre of developed land, not including streets, school sites, parks, and other undevelopable land. If reductions are being calculated from a specific baseline derived from a travel demand forecasting model, the residential density of the relevant transportation analysis zone should be used instead of the value for a typical development.
- (D) – A meta-regression analysis of five studies that controlled for self-selection found that a 0.22 percent decrease in VMT occurs for every 1 percent increase in residential density (Stevens 2016).

The 11 percent reduction identified above represents the reduction in project-generated residential VMT. To account for changes to the number of project residents associated with the Higher Number of Units – Same Footprint Alternative, further calculations must be applied to derive the reduction in project-generated residential VMT capita that would result from CAPCOA Handbook Strategy T-1. Table 2-1 summarizes those changes. Table 2-2 summarizes the VMT thresholds of significance.

As shown in Table 2-1, the currently Proposed Project's residential VMT per capita of 31.0 would exceed both the local and regional significance thresholds, whereas the Higher Number of Units – Same Footprint Alternative's 18.4 residential VMT per capita would be below both significance thresholds. Based on the above, the calculations used to derive the Higher Number of Units – Same Footprint Alternative VMT findings are based on widely accepted research and methods, and the Draft EIR's analyses and conclusions of the Higher Number of Units – Same Footprint Alternative are adequate.

Table 2-1
Higher Number of Units – Same Footprint Alternative: Residential VMT per Capita Changes

Metric	Proposed Project	Increased Density Alternative
Dwelling Units	1,800	2,700
Residents[1]	5,301	7,960
Net Acres	195.9	195.9
Dwelling Units/Net Acre	9.2	13.8
Residential VMT per Capita[2,3]	31.0	18.4
Residential VMT per Capita Change[3]	0%	-41%
Total Residential VMT[2,3]	164,437	146,349
Total Residential VMT Change[3]	0%	-11%

[1] Village Farms project residents estimated from the Sacramento Area Council of Governments' (SACOG) SACSIM19 travel demand model. Estimates for alternatives presume consistent occupancy of approximately 2.95 residents per dwelling unit.
[2] Tour-based residential VMT per capita estimated using SACOG SACSIM19 travel demand model.
[3] Residential VMT reductions estimated using CAPCOA Handbook Strategy T-1.

Source: Fehr & Peers, 2024.

Table 2-2
Residential VMT per Capita: Significance Threshold Comparison

Metric	Residential VMT per Capita
Existing City of Davis Average	30.1
City of Davis Significance Threshold[1]	25.6
Existing SACOG Region Average	21.7
SACOG Region Significance Threshold[2]	18.4
Proposed Project	31.0
Higher Number of Units – Same Footprint Alternative	18.4

[1] Represents 85 percent of existing City of Davis residential VMT per capita average.
[2] Represents 85 percent of existing SACOG Region residential VMT per capita average.

Source: Fehr & Peers, 2024.

Project Effect on Region-Wide VMT

The VMT analysis contained in the Draft EIR (i.e., Impact 4.13-4), necessarily compared the project's VMT per capita against City-wide and region-wide averages, as that is the basis of the City's significance criteria used for VMT impact analysis. However, when considering a project's VMT impacts, it can also be important to examine how it would affect total VMT generated in the region. By virtue of adding more housing in the City of Davis, it is conceivable that some long-distance trips made to the UC Davis campus and to other employers in the City would be replaced with much shorter trips. To test this hypothesis, the total VMT on all roadways in the SACSIM travel demand model was totaled for the base year model. That total was 63,101,746 miles of travel on a weekday. When the project was added, total miles of travel was 62,975,846, a 125,901 mile decrease.[11] While there would be a region-wide decrease in VMT, total travel within the City would increase, which is contrary to VMT reduction policies and objectives in the City's General Plan and CAAP. Therefore, the significance criteria of evaluating the project's VMT per capita against citywide and regional averages is appropriate.

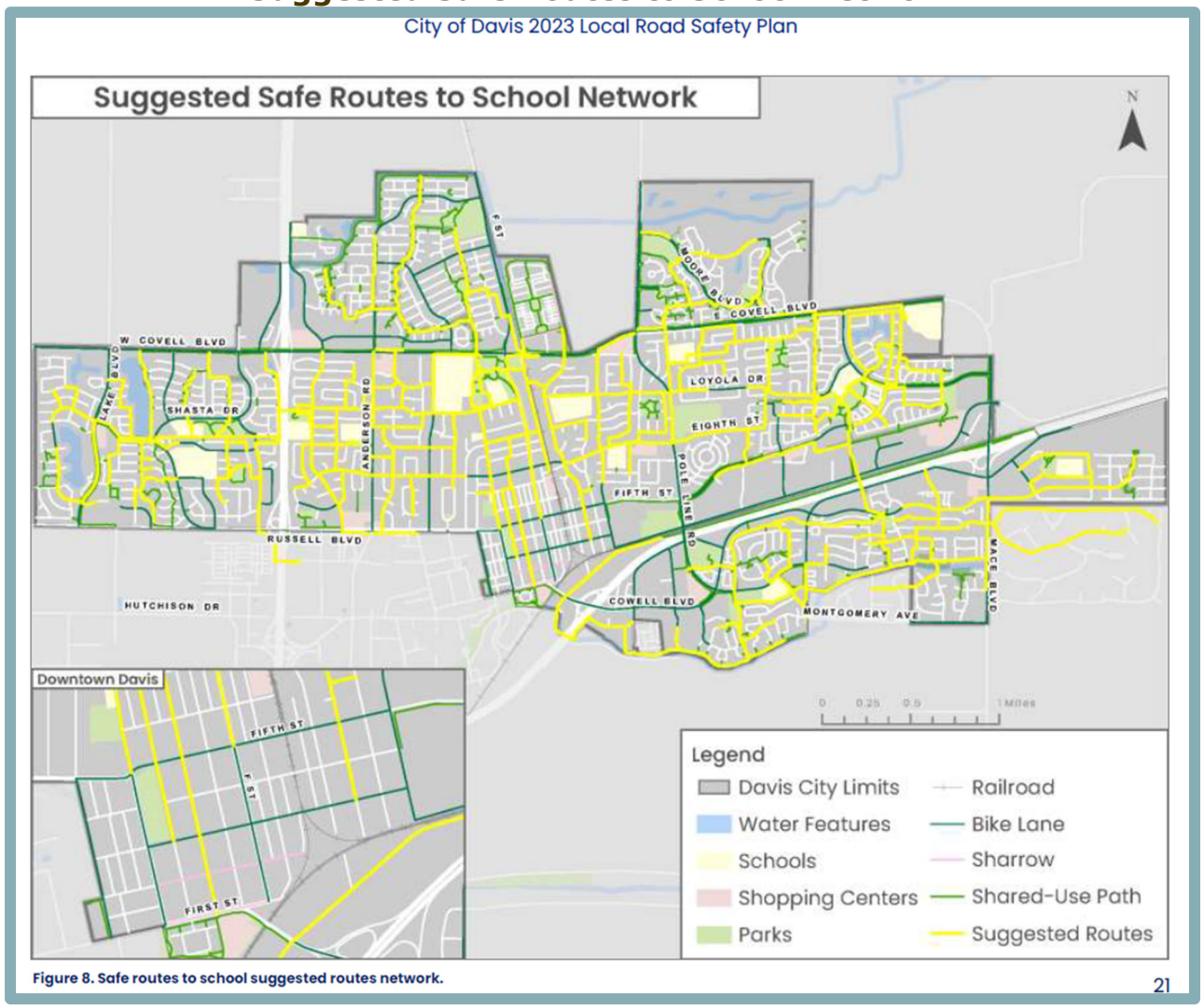
Pedestrian and Bicycle Travel Routes to Schools and Other Destinations

This response provides a description of pedestrian and travel routes to schools and other destinations for the Proposed Project/BRPA and mitigation measures identified for those routes. This includes Davis Senior High School and North Davis Elementary School to the west, Birch Lane Elementary School to the southeast, and Harper Junior High School to the east. The routes described in the following text are located on the Suggested Safe Route to School Network exhibit (see Figure 2-2) from the City of Davis 2023 Local Road Safety Plan (LRSP).

Students and parents traveling to and from Davis Senior High School and North Davis Elementary School to the west may use separated Class I paths within the Proposed Project/BRPA to access either the proposed Class I path connection to the Cannery or the proposed Class I path on the north side of East Covell Boulevard. Those traveling along the Class I path connection to the Cannery would use the proposed separated Class I path along the north side of the street that would connect to the existing Class I separated path on the north side of Cannery Loop, with most bicycle riders and pedestrians traveling west to the existing marked crosswalk at the Cannery Loop Elbow to access the underpass of East Covell Boulevard that provides a grade-separated path to schools, recreation uses, and other local and regional destinations (i.e., North Davis Elementary School, Davis Senior High School, Community Park, the Mary L. Stephens Davis Library, the Davis Arts Center, the Davis Little League fields, downtown Davis, UCD, Amtrak Transportation Hub ("Davis Amtrak Station"), etc.) via East Covell Boulevard and F Street. The Draft EIR includes Mitigation Measure 4.13-2(e), which requires installation of an RRFB, a pedestrian-actuated LED flashing beacon, on the street approaches to the existing marked crosswalk at the Cannery Loop Elbow. An alternative route would involve using one of the proposed Class I paths to travel through the signalized protected intersection of East Covell Boulevard/F Street to access the separated Class I path on the south side of East Covell Boulevard to access F Street.

[11] The travel demand model pairs trip productions (i.e., residences) and attractions (jobs, university, shopping, etc.). By virtue of adding units here, the model is substituting these trip productions in place of longer distance trips into the city from more remote areas like Sacramento and Woodland. This helps explain the reduction in VMT predicted by the model.

Figure 2-2
Suggested Safe Routes to School Network



Pedestrians and bicycle riders traveling to Davis Senior High School or North Davis Elementary School and other uses in Community Park would cross F Street at the existing marked crosswalk about 400 feet south of East Covell Boulevard and use paths within Community Park or peripheral sidewalks. The crossing of F Street has a marked high visibility crosswalk, an RRFB, and a raised median area.

Students and parents traveling to and from Birch Lane Elementary School to the southeast would have numerous options but the most direct path would be to use separated Class I paths within the Proposed Project/BRPA to travel east towards Pole Line Road and cross through intersections at Moore Road, Donner Avenue or Picasso Avenue to access the Wildhorse Greenbelt Class I path on the east side of Pole Line Road. The Wildhorse Greenbelt path continues on the north side of East Covell Boulevard to a crosswalk on the east side of the signalized East Covell Boulevard/Birch Lane intersection. An alternative route to the East Covell Boulevard/Birch Lane intersection from the project involves travel along the proposed Class I path on the north side of East Covell Boulevard and crossing the north crosswalk of the East Covell Boulevard/Pole Line Road intersection. Mitigation 4.13-2(b) requires that the project applicant implement modifications to the East Covell Boulevard/Pole Line Road intersection, including eliminating or modifying the eastbound and westbound channelized right-turn lanes to reduce the speed of turning vehicles, installing marked crosswalks and accompanying pedestrian crossing signals on the north and west legs to provide temporal separation between pedestrians and conflicting vehicle movements, and installing high visibility bike lane conflict markings at the intersection approaches.

Birch Lane is a two-lane street, 40 feet wide, with parking on each side. The northernmost access to Birch Lane Elementary School is located approximately 430 feet south of the East Covell Boulevard/Birch Lane intersection. A speed hump is located approximately 60 feet south of the northernmost school access. High visibility school crossing pavement markings with accompanying signage are located across Birch Lane at approximately the north and south boundaries of the school. The Draft EIR includes a mitigation measure to install bicycle and pedestrian crossing improvements at the East Covell Boulevard/Birch Lane intersection, consistent with planned improvements identified in the East Covell Corridor Plan (ECCP), prior to occupancy of the first residential unit. The Draft EIR includes a mitigation measure to install Class III bike route pavement markings (e.g., green-backed sharrows) and accompanying signage on Birch Lane between East Covell Boulevard and Pole Line Road.

Students and parents traveling to and from Harper Junior High School to the east have numerous options but the most direct path would be to use separated Class I paths within the Proposed Project/BRPA to travel east towards Pole Line Road and cross to access the Wildhorse Greenbelt Class I path on the east side of Pole Line Road, continuing along the Wildhorse Greenbelt on the north side of East Covell Boulevard to the eastern end of the Wildhorse path, then use the bike undercrossing under East Covell Boulevard to get access to the Class I path on the south side of East Covell Boulevard all the way to the westernmost access to Harper Junior High School.

Master Response 6 – Grade-Separated Crossings

The City has received several comments concerning the proposed grade-separated crossings.

F Street

The Proposed Project/BRPA proposes a grade-separated pedestrian and bicycle crossing of the railroad tracks that would connect F Street near Anderson Road to North Village. A grade-separated crossing of the railroad tracks in North Davis has been envisioned by the City of Davis

General Plan since at least 2007 as a component to the City's bicycle network (City of Davis 2007 General Plan "Primary Bicycle Network", page 145), ultimately connecting the bicycle network in North Davis to that in Wildhorse.

Any crossing of the railroad would require the approval of Union Pacific Railroad (UPRR). The UPRR Public Projects Manual provides guidance in Section 6.3 regarding how this project can proceed with UPRR under current policy. Additionally, UPRR-BNSF Grade Separation Guidelines provide guidance on how to design a structure that meets UPRR requirements.

Preliminary feasibility analyses (including analyses of physical constraints and existing utilities, preliminary radius and grade calculations, and preliminary crossing plans), review of UPRR guidelines, and discussions with UPRR indicate that an overcrossing at this location is the most feasible option. This is due in large part to the engineering challenges of placing an undercrossing where a major storm water ditch currently exists.

The west side landing for the overcrossing would be located within the City-owned parcel on F Street that has previously been identified by City transportation staff as the appropriate landing location by the City. The landing on the east side of the railroad is anticipated to be located on the south side of North Village within the Village Farms Davis development, where it would connect to the broader network of bike and pedestrian paths. Final design of the crossing and the configurations of both landings will be determined working in close collaboration with the City of Davis.

The F Street grade-separated crossing, including both landing locations, was evaluated at a program level within the Draft EIR. Evaluation of both project-level and program-level components of a project is allowable pursuant to CEQA, and there are numerous examples of lead agencies employing such an approach.

As noted in Practice Under the California Environmental Quality Act:[12]

> Sometimes one aspect of a large project is clearly defined, but later phases are not sufficiently well defined to be analyzed in detail. In such situations, agencies often prepare an EIR that evaluates the entire project at a "program level" and the more clearly defined aspects of the project at a "project level" of detail. See *Santa Teresa Citizen Action Group v City of San Jose* (20023) 114 CA4th 689, 696.

The level of specificity required in an EIR is related to the discretionary entitlements being sought by the project applicant. In other words, the level of specificity required in an EIR generally depends on the degree of specificity involved in the proposed activity reviewed in the EIR. There is no requirement for EIRs only to evaluate detailed projects. As demonstrated in the citation above, larger phased projects often include more detail for certain phases or components of a project that are anticipated to develop in the near-term as compared to other phases that may develop at some future date. In such a case, the EIR must then evaluate the detailed phases or project components at a project level, and the conceptual phases at a program level.

In the case of the proposed grade-separated crossings for the Village Farms Davis project, as described in Chapter 3 of the Project Description of the Draft EIR, ultimately, the crossing design

[12] Stephen L. Kostka and Michael H. Zischke. *Practice Under the Environmental Quality Act, Second Edition* (Vol. 1). Oakland: Continuing Education of the Bar (March 2024 Update), Section 11.31.

and construction will depend on landing constraints, potential impacts to the surrounding area, other unforeseen challenges, and, for the F Street crossing specifically, UPRR's requirements. The word "program," pursuant to CEQA Guidelines Section 15168, suggests that the currently requested set of entitlements is the first logical step in a chain of contemplated actions. This is the case for the project; should the applicant receive City Council approval of the currently requested entitlements, and subsequent Yolo LAFCo approval of annexation of the project site to the City, subsequent discretionary actions would need to be approved by the City (e.g., tentative subdivision map(s), final Planned Development). At such time, the City would review the applications to determine if the potential environmental impacts of the proposed improvements, including grade-separated crossings, are within the scope of what the EIR studied, or if any of the criteria included in CEQA Guidelines Section 15162 would be triggered, thus requiring subsequent environmental review.

No significant impacts were identified that were unique to the F Street grade-separated crossing; associated impacts would be typical of the urban development proposed for the project as a whole. For example, even though an overcrossing would be a prominent new feature within the project area, such structures are a common sight in the City, and the aesthetic impact of the changed views caused by the project area converting from a predominantly open, agricultural character to an urbanized one was already determined in the EIR to be a significant and unavoidable impact. (DEIR, pp. 4.1-11–4.1-12.) Mitigation measures adopted for the project as a whole would also apply to, and mitigate as feasible for, significant impacts to which the grade-separate crossing would contribute. (See, e.g., Impact 4.5-1 [impact to historic resources] and Mitigation Measure 4.5-1; DEIR, pp. 4.5-14–4.5-16.) Additionally, the grade-separated crossing will help to fulfill the goals and policies of the City General Plan aimed at providing, improving, and maintaining bicycle and pedestrian facilities throughout the City. (See, e.g., Table 4.9-2, DEIR, p. 4.9-28.)

Pole Line Road

As identified in the Draft EIR, the Proposed Project/BRPA would include a grade-separated crossing under Pole Line Road near Moore Boulevard. The project applicant has completed preliminary feasibility and design studies, including meetings with City Public Works Transportation staff, identification of utilities and physical constraints that would require relocation or avoidance, and preliminary plan design, including access ramps. Based on the result of those analyses and existing physical constraints, the applicant proposes an undercrossing at this approximate location.

Construction of an undercrossing would likely require the relocation of various utility lines within Pole Line Road including, among others, the existing trunk water supply main from the Woodland-Davis Clean Water Agency. The landing on the west side of Pole Line Road within the project site/BRPA site is estimated to be located near the Neighborhood Services land use parcel, south of East Village and Channel A, integrated into the project greenbelt network.

The landing on the east side of Pole Line Road is expected to be within the Nugget Fields parcel, which is owned by Davis Joint Unified School District (DJUSD). Construction of the crossing in that location requires the acquisition of a portion of the Nugget Fields parcel from DJUSD. The project applicant is working with DJUSD to secure the land necessary for the crossing.

As previously stated, the Draft EIR programmatically evaluated the Pole Line Road grade-separated crossing. The EIR disclosed that the crossing would likely be constructed in Phases 2,

3 and/or 4. This has now been revised in this Final EIR to specify, consistent with Development Agreement negotiations, that the Pole Line Road undercrossing would be constructed within Phase 1. No significant impacts were identified that were unique to the Pole Line Road grade-separated crossing; associated impacts would be typical of the urban development proposed for the project as a whole. Therefore, mitigation measures adopted for the project as a whole would also apply to, and mitigate as feasible for, significant impacts to which the grade-separated crossing would contribute. (See, e.g., Impact 4.4-3 [potential impacts to special-status branchiopods] and corresponding Mitigation Measure 4.4-3]; DEIR, pp. 4.4-69–4.4-71.) Additionally, the grade-separated crossing will help to fulfill the goals and policies of the City General Plan aimed at providing, improving, and maintaining bicycle and pedestrian facilities throughout the City. (See, e.g., Table 4.9-2, DEIR, p. 4.9-28.)

Furthermore, a construction air quality analysis for the Pole Line Road undercrossing has been performed for this Final EIR given the development agreement discussions that have occurred since the release of the Draft EIR and considering that the Pole Line Road undercrossing would occur within Phase 1, the most emissions-intensive phase of the BRPA. Chapter 3 of this Final EIR (see Section 4.3, Air Quality, Greenhouse Gas Emissions, and Energy) includes the results of a quantitative air quality analysis for the Pole Line Road undercrossing. As discussed therein, while the construction GHG emissions for BRPA Phase 1 would be increased as a result of overlapping construction of the Pole Line Road undercrossing, Mitigation Measure 4.3-7(b) of the Draft EIR, as modified in this Final EIR, would be sufficient to fully reduce the impact to a less than cumulatively considerable level. Therefore, including the construction of the Pole Line Road undercrossing within BRPA Phase 1 would not trigger the recirculation criteria in CEQA Guidelines Section 15088.5.

Master Response 7 – Biological Resources

The City has received several comments related to biological resources, including vernal pools and tadpole shrimp, the natural habitat area, Channel A, and trees.

Vernal Pools

Contrary to the assertions in some comments, there is no California state law or code that "requires vernal pools to have a 250-foot buffer zone." The commonly accepted 250-foot buffer often referred to is based on U.S. Fish and Wildlife Service's (USFWS) typical requirement of a 250-foot buffer (or demonstrated presence of a sufficient hydrologic break) to avoid indirect effects to vernal pool branchiopods specifically. This requirement is based on supposed hydrologic impacts to the watershed of a pool, and to the hardpan (compacted, clay-rich layer of soil that is difficult for roots to penetrate, leading to issues with water drainage and plant growth) in the area. For example, if a proposed impact site is located closer than 250 feet but topographically below branchiopod habitat, the USFWS may not require mitigation for indirect impacts to that avoided habitat, if USFWS determines that the watershed and hardpan for the habitat would not be affected. The USFWS reviews every scenario on a case-by-case basis. The alkali playas/vernal pools within the Avoided Area have been avoided by the BRPA by approximately 400 (or more) feet on all sides apart from the northern edge at the Covell Drain, where a levee at the on-site channel already constrains the features' watershed.

In accordance with Mitigation Measure 4.4-1(a) the reduced "Avoidance Zone" of 50 feet referred to in some comments is in reference to special-status plants that have been documented within the alkali wetlands surrounding the alkali playas/vernal pools. This smaller buffer is based on two factors: (1) The two plants identified for this reduced setback (Alkali Milk Vetch and San Joaquin

Spearscale) are known to occur in "mesic" areas, and are not entirely tied to wetland habitats, and (2) based on prior data compared to the 2024 survey data, the agricultural disturbances, including annual planting, harvesting, tilling, irrigation, etc., immediately adjacent to the wetland areas do not appear to have negatively impacted the populations of either species, but on the contrary, appear to resulted in quite robust populations of these plant species. Furthermore, the U.S. Army Corps of Engineers (USACE) and the Central Valley RWQCB typically consider an aquatic resource to be avoided if no impacts occur within 50 feet of a feature; though determinations are also made on a case-by-case basis depending on site conditions and hydrologic breaks or connections.

Natural Habitat Area

A conservation easement would be recorded over the habitat and sensitive areas within the natural habitat area and granted to the appropriate agency or land trust. The project applicant will work with the City and the agency/land trust to establish a management plan for this area as a part of the conservation easement.

Channel A Riparian Corridor

The Proposed Project/BRPA would maintain the Channel A riparian corridor in a greenbelt and enhance it on the east end. The Channel A riparian corridor, with the cover it provides, is currently the primary wildlife corridor on-site. As shown in the Illustrative Site Plan, the Channel A greenbelt would connect to the broad drainage basin corridor, which would have a channel with adjacent riparian plantings meandering through patches of native grasslands and oak woodland to provide more varied habitat than the existing agricultural fields that would be impacted. That drainage basin would connect up to the large avoided Northern Agricultural Area to the north, and all of this would tie into the Channel A riparian corridor off-site to the east. The development of the project area would enhance wildlife connectivity by creating perpetual areas of more diverse habitat that can be used for habitat connectivity as opposed to "closing it off."

Channel A Trees

The Proposed Project, as described in Section 3.2 of the Draft EIR, would include the removal of all trees within the existing Channel A, from Pole Line Road to the UPRR, approximately 952 trees. The Proposed Project would plant new trees along all street frontages, within the proposed parks and greenspaces, and within the UATA and edges of the drainage channel.

The BRPA, as described in Section 3.3 of the Draft EIR, would include the removal of trees within reconstructed portions of the existing Channel A from Pole Line Road to the west edge of Village Trails Park. Existing trees west of Village Trails Park within Channel A, and the existing trees within the drainage channel adjacent to the railroad, would be preserved. Approximately 204 healthy trees and 190 unhealthy/dead trees would be removed as a part of the BRPA. The BRPA would plant new trees along all street frontages, within the proposed parks and green spaces and within the UATA and edges of the drainage channel.

For clarification purposes, page 4.4-85 is revised as follows, where all new text is shown as <u>double underlined</u> and deleted text is shown as ~~struck through~~:

> ~~Similar to the Proposed Project, the~~ <u>The</u> large trees throughout the BRPA site provide suitable nesting habitat to accommodate Swainson's hawk and white-tailed kite, both of which are Yolo HCP/NCCP Covered Species. In addition, Swainson's hawk and white-tailed kite have been observed foraging in suitable habitats throughout the BRPA

site and off-site Western Program Study Area, including the Alkali Prairie, California Annual Grassland Alliance, Semiagricultural, and Grain and Hay Crops land covers. As discussed above, one active Swainson's hawk nest was documented within a tree in the riparian corridor surrounding Channel A within the BRPA site, and a second active nest was documented just north of the site (see Figure 4.4-6).

Under the BRPA, the active Swainson's hawk nests would be avoided, but approximately ~~952~~ 394 trees that could be used by Swainson's hawks and white-tailed kite for nesting throughout the BRPA site would be removed. If Swainson's hawks or white-tailed kite were nesting in trees removed during construction, incidental mortality of individuals of the species could occur. Additionally, although approximately ~~285~~ 901 trees would be avoided adjacent to the western boundary of the BRPA site, the western portions of Channel A, as well as in the new Heritage Oak Park in the southeastern portion of the site, that could be used by Swainson's hawks and white-tailed kite for nesting, if the species are nesting in avoided habitat in the vicinity of construction activities, such activities could cause the species to abandon their nests.

In addition, pages 4.4-102 and 4.4-103 under Impact 4.4-17 are hereby revised as follows:

The following discussion includes an analysis of potential impacts related to conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, associated with the development of the Proposed Project and the BRPA. Because the Proposed Project and the BRPA would both include components with potential to impact protected trees, the following evaluation applies to both development scenarios.

~~Proposed Project, Biological Resources Preservation Alternative~~

Approximately 1,~~266~~295 trees are present within the ~~project site/BRPA site~~ study area. ~~Under both the Proposed Project and the BRPA, approximately 952 trees would be removed and approximately 285 trees in avoidance areas along Channel A and in the new Heritage Oak Park would be avoided. Table 4.4-10 summarizes potential impacts to trees within the project site/BRPA site.~~ The Proposed Project and the BRPA would both impact on-site trees, as discussed in further detail below.

~~Additionally, indirect effects from construction could occur to any trees that are avoided. Indirect effects could include compaction from adjacent construction, altered hydrology, or exposure to fungi or other pathogens.~~

~~New trees would be planted as part of the Proposed Project and the BRPA, particularly along the enhanced Channel A. However, new trees would take time to mature and provide quality wildlife habitat, therefore resulting in a temporary loss of potential habitat.~~

Proposed Project

Under the Proposed Project, approximately 952 trees would be permanently impacted and approximately 343 trees would be avoided along the northern portion of Covell Drain, in the Heritage Oak Park, and along the western edge of the project site. Table 4.4-10 summarizes the potential impacts to trees within the Proposed Project. In addition, approximately 36 trees that are proposed for avoidance may be removed due to poor health or structure if the trees are identified as hazardous. The condition of the avoided trees would be reviewed closer to project implementation, and formal recommendations regarding retention or removal would be developed at that time. Additionally, indirect effects from construction could occur to any avoided trees,

including, but not limited to, compaction from adjacent construction, altered hydrology, and exposure to fungi or other pathogens.

New trees would be planted as part of the Proposed Project, especially along the enhanced Covell Drain Channel. However, the newly planted trees would take time to mature and provide quality wildlife habitat, thereby resulting in a temporary loss of potential habitat.

Biological Resource Preservation Alternative

Under the BRPA, approximately 394 trees would be permanently impacted, and approximately 901 trees would be avoided along a portion of the Covell Drain, in the Heritage Oak Park, along the western edge of the BRPA site, and along Covell Boulevard. Table 4.4-11 summarizes the potential impacts to trees within the BRPA. In addition, approximately 190 trees proposed for avoidance may be removed due to poor health or structure if the trees are identified as hazardous. The condition of the avoided trees would be reviewed closer to BRPA implementation, and formal recommendations regarding retention or removal would be developed at that time. Additionally, indirect effects from construction could occur to any avoided trees, including, but not limited to, compaction from adjacent construction, altered hydrology, or exposure to fungi or other pathogens.

Conclusion

To address potential impacts to the existing trees within the study area, the Proposed Project and BRPA would be required to comply with the applicable provisions of Davis Municipal Code Chapter 37. As previously discussed, the City's Tree Ordinance protects various types of trees, including street trees, City trees, and trees of significance/private trees. Compliance with the City's Tree Ordinance would include a combination of preserving the existing healthy trees into the project design, planting of new trees to replace those removed, planting of new trees off-site in City-owned property, and/or payment of in-lieu fees into the City's Preservation Fund. Without compliance, a significant impact would occur.

Table 4.4-10
Proposed Project ~~and Biological Resources Preservation Alternative Tree~~ Impacts

Tree Species	Number of Trees		
	Permanently Impacted	Avoided	Total
Aleppo pine (*Pinus halepensis*)	2	1	3
Almond (*Prunus dulcis*)	0	2	2
American sycamore (*Platanus occidentalis*)	2	~~0~~ 11	~~2~~ 13
Arizona ash (*Fraxinus velutina*)	~~370~~ 369	~~116~~ 134	~~486~~ 503
Australian blackwood (*Acacia melanoxylon*)	0	12	12
Bald cypress (*Taxodium distichum*)	1	0	1
Black willow (*Salix gooddingii*)[1]	2	0	2
Boxelder (*Acer negundo*)[1]	38	~~4~~ 5	~~42~~ 43
Bradford pear (*Pyrus calleryana*)	4	0	4
Cherry plum (*Prunus cerasifera*)	1	0	1
Chinese elm (*Ulmus parvifolia*)	32	~~16~~ 17	~~48~~ 49
Chinese hackberry (*Celtis sinensis*)	8	~~0~~ 2	~~8~~ 10
Chinese pistache (*Pistacia chinensis*)	2	~~5~~ 6	~~7~~ 8
Chinese tallowtree (*Triadica sebifera*)	41	~~6~~ 8	~~47~~ 49

Table 4.4-10
Proposed Project ~~and Biological Resources Preservation Alternative Tree~~ Impacts

Tree Species	Number of Trees		
	Permanently Impacted	Avoided	Total
Chinese wingnut (*Pterocarya stenoptera*)	~~317~~ 316	~~35~~ 45	~~352~~ 361
Cigar tree (*Catalpa bignonioides*)	~~21~~ 22	6	~~27~~ 28
Coast live oak (*Quercus agrifolia*)[1]	2	~~3~~ 4	~~5~~ 6
Cork oak (*Quercus suber*)	18	2	20
English walnut (*Juglans regia*)	1	0	1
Japanese privet (*Ligusticum japonicum*)	7	1	8
Kentucky coffeetree (*Gymnocladus dioicus*)	1	0	1
London planetree (*Platanus x acerifolia*)	6	~~9~~ 10	~~15~~ 16
Mexican fan palm (*Washingtonia robusta*)	~~0~~ 1	~~2~~ 1	2
Narrow-leaved ash (*Fraxinus angustifolia*)	1	0	1
Northern California black walnut (*Juglans hindsii*)[1]	14	~~1~~ 2	~~15~~ 16
Olive (*Olea europaea*)	0	1	1
Pecan (*Carya illinoinensis*)	1	0	1
Persian silk tree (*Albizia julibrissin*)	1	0	1
Queen's crepe-myrtle (*Lagerstroemia speciosa*)	4	0	4
Red willow (*Salix laevigata*)[1]	~~3~~ 2	~~1~~ 2	4
Redwood (*Sequoia sempervirens*)	2	0	2
Siberian elm (*Ulmus pumila*)	40	~~8~~ 9	~~48~~ 49
Silver maple (*Acer saccharum*)	2	0	2
Sour cherry (*Prunus cerasus*)	1	0	1
Valley oak (*Quercus lobata)*[1]	8	~~55~~ 62	70
Total	**952**	**~~285~~ 343**	**1,~~237~~ 295**

[1] Native species.

Source: Madrone Ecological Consulting, ~~2024~~ 2025.

Table 4.4-11
Biological Resource Preservation Alternative Tree Impacts

Tree Species	Number of Trees		
	Permanently Impacted	Avoided	Total
Aleppo pine (*Pinus halepensis*)	2	1	3
Almond (*Prunus dulcis*)	0	2	2
American sycamore (*Platanus occidentalis*)	0	13	13
Arizona ash (*Fraxinus velutina*)	161	342	503
Australian blackwood (*Acacia melanoxylon*)	0	12	12
Bald cypress (*Taxodium distichum*)	0	1	1
Black willow (*Salix gooddingii*)[1]	0	2	2
Boxelder (*Acer negundo*)[1]	23	20	43
Bradford pear (*Pyrus calleryana*)	2	2	4
Cherry plum (*Prunus cerasifera*)	1	0	1
Chinese elm (*Ulmus parvifolia*)	17	32	49
Chinese hackberry (*Celtis sinensis*)	8	2	10

Table 4.4-11
Biological Resource Preservation Alternative Tree Impacts

Tree Species	Number of Trees		
	Permanently Impacted	Avoided	Total
Chinese pistache (*Pistacia chinensis*)	1	7	8
Chinese tallowtree (*Triadica sebifera*)	32	17	49
Chinese wingnut (*Pterocarya stenoptera*)	89	272	361
Cigar tree (*Catalpa bignonioides*)	9	19	28
Coast live oak (*Quercus agrifolia*)[1]	1	5	6
Cork oak (*Quercus suber*)	12	8	20
English walnut (*Juglans regia*)	1	0	1
Japanese privet (*Ligusticum japonicum*)	4	4	8
Kentucky coffeetree (*Gymnocladus dioicus*)	0	1	1
London planetree (*Platanus x acerifolia*)	1	15	16
Mexican fan palm (*Washingtonia robusta*)	0	2	2
Narrow-leaved ash (*Fraxinus angustifolia*)	1	0	1
Northern California black walnut (*Juglans hindsii*)[1]	9	7	16
Olive (*Olea europaea*)	0	1	1
Pecan (*Carya illinoinensis*)	0	1	1
Persian silk tree (*Albizia julibrissin*)	0	1	1
Queen's crepe-myrtle (*Lagerstroemia speciosa*)	1	3	4
Red willow (*Salix laevigata*)[1]	0	4	4
Redwood (*Sequoia sempervirens*)	2	0	2
Siberian elm (*Ulmus pumila*)	15	34	49
Silver maple (*Acer saccharum*)	1	1	2
Sour cherry (*Prunus cerasus*)	1	0	1
Valley oak (*Quercus lobata*)[1]	0	70	70
Total	**394**	**901**	**1,295**

[1] Native species.

Source: Madrone Ecological Consulting, 2025.

Based on the above, without compliance with the City of Davis Tree Ordinance, the Proposed Project and the BRPA could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, a ***significant*** impact could occur.

Master Response 8 –Partially Recirculated Draft EIR Public Comments

As discussed in the Introduction chapter of this Final EIR, the City of Davis prepared a Partially Recirculated Draft EIR for the Village Farms Davis project to reflect the significant new information related to the City's wastewater treatment plant capacity. As stated on page 1-3 of the Partially Recirculated Draft EIR,

> According to CEQA Guidelines Section 15088.5(c), if the revision to the EIR is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified. The City of Davis has identified the need to revise limited portions of the EIR to reflect the significant new information related to the City's wastewater treatment plant capacity.

> This chapter presents revisions in ~~strike-through~~ and <u>double underline</u> format to portions of the following EIR chapters:
>
> - Chapter 2 Executive Summary
> - Chapter 4.14 Utilities and Service Systems
> - Chapter 6 Statutorily Required Sections
> - Chapter 7 Alternatives Analysis

As further stated on page 1-4 of the Partially Recirculated Draft EIR,

> Notably, the recirculation of only "portions" of a draft EIR does not permit commenters to comment anew on topics or text not subject to a partial recirculation. CEQA Guidelines Section 15088.5(f)(2), provides:
>
> > When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.
>
> **Pursuant to this provision, the City of Davis directs that public comments must be restricted to the newly circulated information contained in this document related to wastewater treatment capacity.**
>
> The City is not obligated to respond to any new comments that are directed to the portions of the Draft EIR that were not revised and are not being recirculated in this document. The Final EIR for the project will contain detailed responses to comments made on the original Draft EIR and it will also include responses to comments on the Partially Recirculated Draft EIR that are properly limited to the subject of wastewater treatment capacity.

Several commenters suggest that because Chapter 7, Alternatives Analysis, of the Draft EIR, has been recirculated, comments on the alternatives analysis are within scope (or "in-scope") and require a written response.

It is instructive that Chapter 2, Recirculated Portions of the Draft EIR, of the Partially Recirculated Draft EIR includes very limited portions of Chapter 7 of the Draft EIR. The recirculated portions of Chapter 7 focus specifically on wastewater treatment capacity and are appropriately aimed at presenting the significant new information related to wastewater treatment capacity. For example, a new "Utilities and Service Systems" section is provided for each alternative, comparing the wastewater capacity impact for the Proposed Project and each alternative. The new text is double-underlined to aid the reader's understanding as to which text of Chapter 7 is new and should be the focus of public comment.

Nothing regarding the range of alternatives is recirculated, nor is the range of alternatives affected by the new significant impact related to wastewater treatment capacity. For example, as noted on page 2-19 of the Partially Recirculated Draft EIR, the EIR already includes two alternatives that would reduce the newly identified significant wastewater treatment capacity impact associated with the proposed project. These consist of the Lower Number of Units – Same Footprint Alternative and the Agricultural Resource Preservation Alternative. Furthermore, the majority of comments submitted on the Partially Recirculated Draft EIR related to alternatives focus on the request for a Reduced Footprint Alternative, which is not a new topic. This topic and related comments have already been adequately addressed in Master Response 2, Alternatives, of this Final EIR.

In summary, comments received during the Partially Recirculated Draft EIR public review period that do not relate to the new information on wastewater treatment capacity do not require further response under CEQA.

Master Response 9 – Wastewater Treatment Capacity

The first part of this master response will provide a summary of the wastewater treatment capacity discussion presented in the Partially Recirculated Draft EIR and the second portion will address the thematic wastewater-related comments submitted on the Partially Recirculated Draft EIR.

Wastewater Treatment Capacity Discussion in Partially Recirculated Draft EIR

Impact 4.14-3 of the Utilities and Service Systems chapter was revised in the Partially Recirculated Draft EIR to include new discussion pertaining to the City's wastewater treatment plant (WWTP) capacity. As discussed on page 2-10 of the Partially Recirculated Draft EIR, City staff engaged consultants Brown & Caldwell to study the City's WWTP, evaluate the operational challenges experienced by the team, assess the overall constituent loads and capacity at the plant, and provide options for the City to consider to address these findings. Subsequent to release of the Draft EIR for Village Farms, Brown & Caldwell completed preliminary assessment of the WWTP capacity and tentatively confirmed that the WWTP may be at or nearing capacity for secondary treatment (see Appendix A to the Partially Recirculated Draft EIR). As shown in Table 4.14-4, the maximum influent ADWF from the proposed project is estimated to be approximately 0.264 mgd. Based on these preliminary results, it appears probable that adequate capacity may not exist to accommodate the proposed project's wastewater.

As further discussed on page 2-11, the City is currently working with Brown & Caldwell to identify the range of engineering options available to provide additional treatment capacity at the WWTP. The costs for the necessary upgrades to the WWTP will also need to be identified, and likely, included in the City's Capital Improvement Program. Implementation of Mitigation Measure 4.14-3 would require the applicant to pay its fair share towards future expansion of the WWTP, but because the costs for the necessary upgrades are not yet included in the City's CIP, the remaining funds necessary to guarantee completion of the upgrades are uncertain. As a result, the project's impact is considered significant and unavoidable.

Wastewater-Related Comments on the Partially Recirculated Draft EIR

Many commenters expressed concern about the treatment of Yolo County Landfill leachate at the City of Davis' WWTP. The Yolo County Landfill has been periodically discharging leachate to the City's WWTP since 2013. Such discharge follows pretreatment regulations under a special

contract with the City, similar to other industrial users in the City. Pursuant to other agreements, the City does take wastewater from County areas, including, but not limited to, El Macero, North Davis Meadows, and individual homes located near the City but within the County.

The amount of WWTP capacity currently being used by the County landfill is unknown, but, based on the WWTP capacity memorandum prepared by Brown and Caldwell for the Partially Recirculated Draft EIR, leachate processing is only one component of the identified WWTP capacity concerns. Once the final information on WWTP capacity is confirmed, the City will engage with the Yolo County Landfill on how the leachate can be managed by the County in the future to reduce any identified impacts.

Many commenters also expressed concern about the timing of release of information about the City's wastewater treatment capacity constraints. This comment does not address the adequacy of the Partially Recirculated Draft EIR; please see Master Response 1. Notwithstanding, preliminary findings from Brown & Caldwell's WWTP evaluation were made available to the City in early November 2025. The Partially Recirculated Draft EIR was made available to the public shortly after on November 17, 2025.

2.3 RESPONSES TO COMMENTS

Each bracketed comment letter is followed by numbered responses to each bracketed comment. The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project that are unrelated to its environmental impacts) are either discussed or noted for the record. Where revisions to the Draft EIR text are required in response to the comments, such revisions are noted in the response to the comment, and are also listed in Chapter 3 of this Final EIR. All new text is shown as <u>double underlined</u> and deleted text is shown as ~~struck through~~.

Letter 1

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 3
703 B STREET | MARYSVILLE, CA 95901-5556
(530) 821-8401 | www.dot.ca.gov

February 21, 2025

GTS # 03-YOL-2023-00293
SCH # 2023110006

Dara Dungworth, Principal Planner
City of Davis Department of Community Development
23 Russell Blvd., #2
Davis, CA 95616

Village Farms Davis Project

Dear Ms. Dungworth,

1-1 Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. We reviewed this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision, and goals, some of which includes addressing equity, climate change, and safety, as outlined in our statewide plans such as the California Transportation Plan, Caltrans Strategic Plan, and Climate Action Plan for Transportation Infrastructure.

The project area contains two parcels for a total of 390.5 acres located north of East Covell Boulevard, east of F Street, and west of Pole Line Road within the unincorporated area of Yolo County and within the City of Davis. The project proposes to construct a mixed-use development community that includes 1,800 dwelling units, neighborhood services, public/semi-public uses, such as an Early Learning Center and Emergency Services Community Center, and parks/recreational uses. The main access points to the project are on Covell Boulevard and Pole Line Road. 163 acres is being considered off-site and subject to potential project-related improvements focused on regional aquifer recharge and agricultural mitigation purposes. The proposed project would require discretionary approvals, including a Sphere of Influence Amendment, Annexation, General Plan Amendment, Pre-Zoning, and Development Agreement. The project will also include a Baseline Project Features agreement. Based on the Draft Environmental Impact Report review request, Caltrans has the following requests and recommendations:

1-2 **Freeway Operations**

Based on our review of the Traffic Impact Study (TIS):

1-2 Cont.

- On page 5 of the TIS, the second paragraph describes an accompanying document, the Village Farms Davis Local Transportation Analysis, that was prepared to analyze traffic operations on roadway facilities within the vicinity of the project site. This analysis informs some of the conclusions of the TIS but was not included in the appendix of the TIS or the DEIR.
    - Please submit that analysis, with appendices, for review.

1-3

- Consider including a reference to Figure 3 in the "Pedestrian Facilities" section on page 23.

- Mitigation Measure 11.7 proposes to modify the I-80 Eastbound (EB) slip on-ramp from Mace Boulevard. The modifications include relocating the ramp meter 500 feet east of its current location and converting the HOV preferential lane (HOVPL) to a general-purpose (GP) lane.
    - Freeway Operations does not support the conversion of the HOVPL to a GP lane, as this conflicts with policies and standards outlined in the Caltrans Ramp Metering Design Manual (RMDM) (2022).

1-4

    - However, exceptions to policies can be pursued, and Freeway Operations would support widening this on-ramp to 2 GP lanes and 1 HOVPL. Freeway Operations is firm that an HOVPL remain on this on-ramp to encourage users to carpool and take transit in this area.
    - Freeway Operations is supportive of relocating the ramp meter 500 feet downstream of its current location. However, the policies and standards codified in the RMDM must be adhered to.

The comments on the DEIR are as follows:

1-5

- Please consider including the "project-specific Traffic Operations Analysis" prepared by Fehr & Peers in the appendix of the EIR.
- Please apply Freeway Operations comments on the TIS Mitigation Measure 11.7 to the DEIR Mitigation Measure 4.13-11.

Letter 1 Cont.

If you have any question regarding these comments or require additional information, please contact Angelina Healy, Local Development Review Coordinator, by phone (530) 790-8138 or via email at D3.Local.Development@dot.ca.gov.

Sincerely,

Gary Arnold

Gary S. Arnold, Branch Chief
Local Development Review and Complete Streets
Division of Planning, Local Assistance, and Sustainability
Caltrans District 3

Letter 1 Cont.

Cc:
Gary Arnold, Division of Planning, Local Assistance, and Sustainability

Bcc:
Sue Takhar, Deputy District Director of Planning, Local Assistance, and Sustainability
Alex Fong, Assistant Division Chief of Planning, Local Assistance, and Sustainability

Rebecca Shafer, Freeway Operations
Rafiur Khan, Forecasting & Modeling

LETTER 1: CALIFORNIA DEPARTMENT OF TRANSPORTATION

Response to Comment 1-1
Please see Master Response 1.

Response to Comment 1-2
The LTA is for the City's use to help inform decisionmakers on the Proposed Project/BRPA's consistency with General Plan policies related to LOS, and is not required to be attached to the Draft EIR as an appendix. Nonetheless, the LTA is available on the City's website at:

https://www.cityofdavis.org/city-hall/community-development/development-projects/village-farms-davis

Response to Comment 1-3
While revisions could be added to the Draft EIR to reference Figure 3 of the Transportation Impact Study (TIS), included as Figure 4.13-2 in the Draft EIR, within the Existing Pedestrian Facilities section, the existing text description is sufficient and revisions to the Draft EIR text are not required.

Response to Comment 1-4
The comment that Caltrans does not support converting the high-occupancy vehicle (HOV) lane to a general purpose lane is noted, and Mitigation Measure 4.13-11, sixth bullet, is hereby revised, as follows:

- Mace Boulevard/I-80 Eastbound Slip On-Ramp: Extend the on-ramp and relocate the ramp meter 500 feet east of its current location. ~~Convert the HOV lane to a general purpose lane and control both lanes with the ramp meter.~~

As the implementation of the improvements in Mitigation Measure 4.13-11 are uncertain, the Draft EIR concluded that the impact is cumulatively considerable and significant and unavoidable. As such, the revision to the above measure does not change the conclusion of the Draft EIR.

Response to Comment 1-5
Please see Responses to Comments 1-2 and 1-4.

Letter 2

California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
Gabe Tiffany, Acting Director
715 P Street, MS 1803
Sacramento, CA. 95814
T: (916) 445-5986

02/10/2025

City: City of Davis - City of Davis Department of Community Development
Dara Dungworth
23 Russell Boulevard, Suite 2, Davis, CA 95616, USA
ddungworth@cityofdavis.org

Construction Site Well Review (CSWR) ID: 1013185

Assessor Parcel Number(s): 035970033, 042110029

Property Owner(s): City of Davis

Project Location Address: Pole line road and East Covell Boulevard Davis, California 95616

Project Title: SCH 2023110006 Village Farms Davis Project

2-1 Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.

2-2 The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project dated 2/10/2025. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.

The project is located in Yolo County, within the boundaries of the following fields:

Any Field

SCH 2023110006

Our records indicate there are 2 known oil or gas wells located within the project boundary as identified

Letter 2 Cont.

in the application.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0

2-2 Cont.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0

- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 1

- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 1

2-3

The Division categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.

2-4

There are no guarantees a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantees that such abandonments will not leak.

The Division advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations should be provided to the Division in Latitude and Longitude, NAD 83 decimal format. The Division expects any wells found leaking to be reported to it immediately.

2-5

Failure to plug and reabandon the well may result in enforcement action, including an order to perform reabandonment well work, pursuant to PRC § 3208.1, and 3224.

PRC § 3208.1 give the Division the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment, or if the well is not accessible or

Letter 2 Cont.

2-5 Cont. visible. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for reabandonment as:

2-6 1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.

2-7 2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be reabandoned, or to follow the advice of the supervisor or district deputy not to undertake the construction, then the person or entity causing the construction over or near the well shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.

2-8 3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the reabandonment.

2-9 No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from the Division is required before work can start.

2-10 The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells

Letter 2 Cont.

2-10 Cont. located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the above identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.

2-11 2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

2-12 As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Northern district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

Should you have any questions, please contact me at (916) 322-1110 or via email at Erwin.Sison@conservation.ca.gov.

Sincerely,

Erwin Sison
Senior Oil and Gas Supervisor

cc: Dara Dungworth - Plan Checker

Letter 2 Cont.

Wells Abandoned to Current Division Requirements as Prescribed by Law & Projected to be Built Over or Have Future Access Impeded

The wells listed below are abandoned to current Division requirements as prescribed by law, and based upon information provided, are projected to be built over or have future access impeded.

API	Well Designation	Operator	Well Evaluations
0411320582	Nishikawa 1	Hilliard Oil & Gas, Inc.	The well is Plugged & Abandoned to Current Regulations Well is within project area and may have future access impeded by field activities.

Letter 2 Cont.

Wells Abandoned to Current Division Requirements as Prescribed by Law & Not Projected to be Built Over or Have Future Access Impeded

The wells listed below are abandoned to current Division requirements as prescribed by law, and based upon information provided, are not projected to be built over or have future access impeded.

API	Well Designation	Operator	Well Evaluations
0411321088	North Silverlight 5	Northwest Petroleum, Inc.	The well is Plugged & Abandoned to Current Regulations. Well is within project area and may be impacted by field activities.

LETTER 2: CALIFORNIA DEPARTMENT OF CONSERVATION

Response to Comment 2-1
The comment discusses legal requirements associated with well abandonment and does not address the adequacy of the Draft EIR.

Response to Comment 2-2
The project area includes two existing gas/oil wells, one located within the Northern Agricultural Area and one located within the proposed East Village. Both wells have been abandoned to Current Division Requirements as prescribed by law. The existing well within the Northern Agricultural Area would not have future access impeded and grading design would incorporate this existing well into the project, either by providing a mounded area to maintain the existing abandonment or excavating and lowering the grade at this well, in which case the project applicant would take the necessary steps to re-abandon the well at the new finished grade elevation maintaining access to the well. The existing well within East Village would be incorporated into the proposed layout, avoiding direct impacts over the well, reserving a site around the well to provide adequate access and working with City Staff and the California Geologic Energy Management Division (CalGEM) to define the use in proximity to the well. Future access would be maintained to both wells by the project.

Response to Comment 2-3
Please see Response to Comment 2-2.

Response to Comment 2-4
Comment noted.

Response to Comment 2-5
Comment noted.

Response to Comment 2-6
Please see Response to Comment 2-2.

Response to Comment 2-7
Please see Response to Comment 2-2.

Response to Comment 2-8
Please see Response to Comment 2-2.

Response to Comment 2-9
Please see Response to Comment 2-2.

Response to Comment 2-10
Please see Master Response 1.

Response to Comment 2-11
Comment noted. As discussed in Chapter 4.7, Hazards and Hazardous Materials, evidence of soil containing hydrocarbons was not found during on-site soil sampling. As noted on page 4.7-10, only limited hydrocarbon-stained soils were found around agricultural supply wells. Due to its

minor nature, Geocon found the oil staining to be a de minimis condition, which is a condition that does not pose a threat to the environment or human health and is not subject to enforcement action from a regulatory agency.

Response to Comment 2-12

Comment noted. Please see Master Response 1.

Letter 3

Dara Dungworth

From: Superintendent <Superintendent@djusd.net>
Sent: Wednesday, February 19, 2025 2:40 PM
To: Dara Dungworth
Cc: Planning Commission; Donna Neville; Linda Deos; DJUSD Board of Education
Subject: DJUSD Superintendent Comments on DEIR for Village Farm

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Ms. Dungworth,

This email serves as my comment on the Draft Environmental Impact Report (DEIR) for the Village Farms Davis Project. Thank you for receiving my written comment. I apologize I was unable to attend the Planning Commission Meeting on February 12, 2025, where I intended to share my thoughts in person.

As Superintendent of Davis Joint Unified School District (DJUSD), my staff and I have been engaged in the discussions around the Village Farms project proposal. There are a series of reasons that I am supporting the DEIR and project as a whole.

As you may know, DJUSD has experienced declining enrollment for over a decade which is due to declining birth rates and challenges to housing affordability and availability in Davis. In the 2024-25 school year, this drop in enrollment has been exacerbated by a softening in the number of interdistrict transfer applications and an unexpected precipitous drop in kindergarten-aged students and we have reached a critical juncture in which we must make decisions about the future of our schools.

Connection between Housing and School Enrollment

3-1 Beginning in October 2024, the DJUSD Board of Education began studying the challenges and opportunities as they relate to district enrollment and boundaries. After several months and a total of six Board Study Sessions, we are quite certain that unless something changes, DJUSD enrollment is projected to continue to drop an estimated 1000 students in the next ten years, impacts are already being felt at the elementary level and eventually will roll through the upper grades. This will have devastating impacts for our schools and school funding. As you know, our District's schools continue to be a cherished and integral part of the fabric of the Davis community.

As part of this work, staff has analyzed demographic reports and presented enrollment projections for how the District and schools will look in the decade to come. What we have concluded is that just what enrollment context we will face, depends heavily on the outcome of two proposed large-scale developments -- The larger of the two, the Village Farms project, if approved, is projected to add about 700 new students to our schools over 15 years. These student yield projections are based on the Village Farm 1800 unit proposal, which includes affordable housing options and the most recent student yield rates that were updated after the Cannery project. These projected student yield numbers from the Village Farms project have been shared with the Board of Education in a number of Board Study Sessions beginning first with Boundary/Enrollment Board Study Session 3- on November 7, 2024.

In addition to providing housing availability and affordability for more families in Davis and thus the opportunity for more students to join our schools, the Village Farms Project is also able to provide other benefits for students and families.

Traffic Mitigation on Pole Line-

Letter 3 Cont.

3-1 Cont.

Many of our non-resident students and staff commute from Woodland and we expect that a new large development would enable some non-resident families living in Woodland to choose to relocate to Davis to avoid the daily commute down Pole Line, as well as add net new students to Davis schools.
Currently, nearly half of our 1000+ staff members and over 1200 students out of around 8300 total students live outside of Davis and work at or attend DJUSD schools. Our non-resident student population is composed of three types 1) non-resident students who have the right to attend our schools because they have a parent who works more than 10 hours per week in Davis and we have space to accommodate their enrollment, 2) current students with families who have chosen to purchase homes in neighboring communities and want their children to remain part of our school community, and 3) students who live outside of Davis and who have been accepted to attend Da Vinci Charter Academy. Despite the declining enrollment our District has faced over the last two decades, we have been able to sustain levels of funding and programs because we have been able to fill open seats in our schools with non-resident students.

Programmatic Support for DJUSD

Preschool Site
The Village Farms Project includes 2.4 acres for a DJUSD Preschool. We have been in consultation with Village Farm project staff to discuss details of the preschool site, which we consider an important part of our multi-part early learning strategy to support families and our community. Other components of this strategy currently underway include:

1. The launch of full day kindergarten in the 2025-26 school year,
2. The expansion of Universal Pre-Kindergarten to all 4 year olds in the 2024-25 school year
3. The construction of new Early Childhood Education classrooms across many elementary sites to accommodate the roll-out of full day kindergarten and the expansion of transitional kindergarten.
4. The launch of the DJUSD SPARK program to provide before and after school care for our students at elementary schools.

Expanding preschool and early childhood care remains a priority for giving our earliest learners the best start possible and providing the support for families we know they need. An early care/preschool site in this centralized location would be an important piece to start serving the needs of families who will be part of our school community for decades to come.

Working Farm
The Village Farms Project also provides 2.8 acres for an Educational Farm. The Educational Farm would be in conjunction with the DJUSD Career Technical Education programming, specifically aligned with the Agricultural and Natural Resources pathway offered through our secondary schools.

Workforce Housing
Finally, it is worth noting that this year the DJUSD Board of Education has passed a resolution and begun work in earnest toward developing Education Workforce Housing as part of its commitment to better recruit and retain staff. In October 2024, DJUSD was selected to be part of the California School Board Association (CSBA) Educator Workforce Housing Cohort Workshop Series for 2024-25 and we have been able to visit educator housing developments around the state and learn from other school districts about their experience with planning, design and management of their housing projects. The Village Farms property may provide an opportunity for DJUSD to provide workforce housing to support public school employees.

Conclusion
In summary, the DJUSD is supportive of the DEIR and Village Farms project as a whole for every reason explained above. The project team has been receptive to District needs and questions and have taken into consideration student safety through access and bike travel and crossings, as well as providing the educational programming and land use that will support and sustain our schools. Most significantly, we believe that the construction of 1800 units will yield about 700 students for our schools. Without Village Farms or another large development approved in the next 18 months, the District will need a significant restructure to meet a much smaller enrollment size and that would likely include any combination of school consolidation or closure, boundary rebalancing and/or school model adjustments. To learn more

3-1 Cont.

about the discussions on this topic by our DJUSD Board of Education and the community education effort, please visit our website on DJUSD Boundaries and Planning at www.djusd.net/boundaries_planning.

Sincerely,

Matt Best
Superintendent
Davis Joint Unified School District



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LETTER 3: DAVIS JOINT UNIFIED SCHOOL DISTRICT

Response to Comment 3-1

Please see Master Response 1.

Letter 4

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

January 10, 2025

Dara Dungworth
Principal Planner
City of Davis Department of Community Development
23 Russell Boulevard, Suite 2
Davis, CA 95616
DDungworth@cityofdavis.org

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE VILLAGE FARMS DAVIS PROJECT DATED JANUARY 6, 2025, STATE CLEARINGHOUSE NUMBER 2023110006

Dear Dara Dungworth,

4-1 The Department of Toxic Substances Control (DTSC) reviewed the Draft Environmental Impact Report (DEIR) for the Village Farms Davis Project (Project). The Proposed Project would consist of a mixed-use development community, including a total of 1,800 dwelling units, comprised of both affordable and market-rate single- and multi-family residences across various residential neighborhoods. In addition, the Proposed Project would include neighborhood services; public, semi-public, and educational uses; associated on-site roadway improvements; utility improvements; parks, open space, and greenbelts; and off-site improvements. DTSC recommends and requests consideration of the following comments:

4-2 1. The Yolo County Environmental Health Division is not a self-certified local agency therefore, DTSC recommends the City of Davis Department of Community Development enter into a voluntary agreement to address contamination at brownfields and other types of properties or receive oversight from a self-certified local agency, DTSC or the Regional Water

Letter 4 Cont.

4-2 Cont.

Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: Request for Agency Oversight Application. Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact your Regional Brownfield Coordinator.

4-3

2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) webpage.

4-4

DTSC appreciates the opportunity to comment on the DEIR for the Village Farms Davis Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our CEQA Review email for additional guidance.

Letter 4 Cont.

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Nick Pappani
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Lydia Delis-Schlosser
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North Davis Land Co. LLC
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Tamara Purvis
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Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

LETTER 4: DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Response to Comment 4-1
Please see Master Response 1.

Response to Comment 4-2
Please see Master Response 1.

Response to Comment 4-3
Please see Master Response 3. Consistent with the recommendations included in the comment and as described on page 4.7-13 within Chapter 4.7, Hazards and Hazardous Materials, of the Draft EIR, the UATA Phase II Environmental Site Assessment (ESA) assessed existing UATA (now referred to as "Northern Agricultural Area") soil conditions for use as fill, as the Proposed Project/BRPA would import up to one million cubic yards (CY) of soil to use as fill. Soil sample locations are shown in Figure 4.7-6 of the Draft EIR.

The results of the UATA Phase II ESA soil testing are discussed under Impact 4.7-2 of the Draft EIR. Based on the findings of the UATA Phase II ESA, use of the UATA soils as fill as part of the Proposed Project or BRPA would not create a significant hazard to the public or environment related to the release of OCPs, arsenic, hazardous metals, petroleum hydrocarbons, or salt concentrations. Therefore, the UATA soils would be suitable for the intended uses.

Response to Comment 4-4
Please see Master Response 1.

Letter 5

COUNTY of YOLO
DEPARTMENT OF COMMUNITY SERVICES
Leslie Lindbo
Director
292 W Beamer St, Woodland, CA 95695
www.YoloCounty.gov • (530) 666-8775

February 21, 2025

VIA E-MAIL

Dara Dungworth, Principal Planner
City of Davis
DDungworth@cityofdavis.org

Dear Ms. Dungworth:

The Yolo County Department of Community Services and Office of the County Administrator ("County") appreciate the opportunity to provide comments on the Draft Environmental Impact Report ("DEIR" or "EIR") for the Village Farms Davis Project. The County would like to acknowledge the City's efforts in addressing some of the County's concerns identified after the Notice of Preparation with respect to agricultural buffers, groundwater quality issues, and regional drainage. Based on County staff's review of the Draft EIR, including comments provided in our December 8, 2023, NOP letters, the County provides the following DEIR comments.

5-1

Initial Observations
County staff would like to acknowledge the Developer's commitment to preserving sensitive habitat on unique soils and commends the City for including the Biological Resource Preservation Alternative (BRPA) as an 'Equal Weight EIR Alternative' to the Village Farms Davis Project proposal.

The County envisions that as an effort to provide options for meeting critical affordable housing needs, the City will work with the Developer to consider all 'special needs' populations, including farmworkers and their families who live and work in Yolo County. The County encourages that the City require the Developer designate a meaningful percentage of units to farmworkers and their families in their proposed affordable housing plan.

5-2

Given the ongoing unhoused population concerns with the California Northern Railroad right-of-way along the F Street/CR 101A corridor, hence, the western portion of the Village Farms Davis project site, the County respectfully requests that the City require the Project to address these recurring incidents. Such requirements could include fiscal responsibility for cleanup and coordination, as well as prevention of unauthorized or illegal camping.

5-3

PROJECT DESCRIPTION

Chapter 3
Although not identified in the Project Description as a solution to addressing regional drainage efforts, the depressed agricultural buffer area or 'UATA' would assist in reducing downstream runoff, further underscoring the importance of this proposed feature to the Project's impacts on hydrology. The Project Description should be updated to better reflect the intention of the depressed agricultural basin.

5-4

Letter 5 Cont.

AGRICULTURAL RESOURCES

Chapter 4.2

5-5 The County recognizes the revised Project considered County policies for ensuring adequate separation between proposed development and active farming operations, but questions whether the proposed urban agricultural transition area ("UATA"), an approximately 118-acre site, meets the intent or requirements under Chapter 40A of the City of Davis Municipal Code.

5-6 The UATA, which proposes a 'borrow pit' that will be used to elevate building pads to construct portions of the Project located in a FEMA designated flood hazard area, will remain available for water storage during large storm events. It is therefore highly unlikely the borrow pit will be suitable for future farming activities or passive recreation given its project-related hydraulic functionality for stormwater capture and storage.

5-7 The County notes the Draft EIR fails to reference the 2030 Countywide General Plan in Section 4.2.1, though the project site is currently within unincorporated Yolo County. The DEIR also appears to rely on obsolete County zoning districts that are no longer identified in the Yolo County Code or County Zoning maps - see discussion under 'Farmland Preservation' in the last paragraph on page 4.2-23 under Impact 4.2-1.

5-8 The Draft EIR also cites inaccurate information regarding the County's Agricultural Conservation and Mitigation Program Ordinance (Section 8-2.404 of the Yolo County Code) with respect to minimum ratios for meeting agricultural mitigation requirements. On page 4.2-24, under the discussion section 'Proposed Project' in the second paragraph and again on page 4.2-25, the DEIR states: *The City's 2:1 agricultural mitigation requirement would satisfy Yolo County's 1:1 (minimum) agricultural land mitigation ratio requirement, which pertains broadly to conversion or change from agricultural use to an urban use….'.* However, current County minimum requirements include a 3:1 ratio for converting Prime Farmland, which can be reduced to 1:1 or 2:1 if the mitigation is placed in high-priority areas. Conversely, the County's Agricultural Conservation and Mitigation Program Ordinance was accurately referenced in the Regulatory Setting, under Local Regulations, in Section 4.2.3.

5-9 In the last paragraph on page 4.2-27, under Impact 4.2-3, there is discussion about Yolo County's Agricultural Department's Permit Condition #1 and how it sets a buffer of 500 feet for aerial applications of 'Restricted Materials'. What is not addressed, however, is that there are many other pesticide products in use that are regarded as unrestricted materials. Meaning, for those materials not designated as 'Restricted', Permit Condition #1 would not apply and therefore could be applied closer than the 500-foot minimum buffer. This, among other factors, is the intent of citing the County's Right-to-Farm Ordinance when addressing impacts to existing agricultural operations.

5-10 The County's Right-to-Farm Ordinance provides that *'No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained on agricultural lands for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three years if it was not a nuisance at the time it began.'* (Yolo County Code Section 10-6.102.).

In the absence of such a disclosure, uninformed residents that may not be accustomed to normal agricultural operations (including but not limited to use of unrestricted materials not regulated under permit, running farm machinery late at night, etc.) could perceive such activities as nuisances that result in an undue increase in complaints. The County strongly urges the City to require that Right-to-Farm deed restrictions, applicable to purchasers of property within the Village Farm Davis development and subject to Yolo County Ordinance #1133, be made a condition of project approval.

5-11 Lastly, Impact 4.2-3 fails to consider agricultural impacts upon development of the UATA, which is likely to be converted to non-agricultural purposes given its proposed use as a borrow pit to construct the project and, at buildout, to provide water storage from urban run-off from large storm events, unrelated to agriculture. The EIR should mitigate for the loss of agricultural lands associated with the UATA consistent with City and County requirements.

HAZARDS AND HAZARDOUS MATERIALS

Chapter 4.7

The County notes that the Draft EIR did not address County NOP comments submitted by the Local Enforcement Agency (LEA) in a letter dated December 8, 2023, regarding landfill gas migration from the Old Davis Landfill site immediately adjacent to the proposed Village Farms Davis Project.

5-12 Comment #2 in the 2023 LEA NOP comment letter specifically states: *The Old Davis Landfill may need to install monitoring wells as a protection measure for landfill gas migration because the proposed residential development on the adjacent project parcel is within 1,000 feet of the landfill footprint. The prescriptive methane compliance standard at the landfill property boundary is 5% by volume in air; however, a lower standard of methane applies to occupied structures. The landfill may have to implement corrective actions at lower monitoring readings than 5% at the property boundary should the levels pose a significant threat to nearby development.*

The Final EIR should address these issues.

HYDROLOGY AND WATER QUALITY

Chapter 4.8

The Draft EIR identifies existing surrounding drainage in Section 4.8.2 and includes two sections entitled 'Flow Through Project Site' and 'Project Site Outflow' (page 4.8-5) wherein storm water flow through the project site is described as flowing within Channel A and eventually 'overtopping at Pole Line Road'. According to the

5-13 DEIR mapping exhibits, the actual location for storm water spilling over the roadway appears to be within the unincorporated area of the County, at County Road 102, just north of the city limit.

Based on review of County records, a stormwater 'spill over Pole Line Road' occurrence has never been observed and the County has no historical evidence that would substantiate stormwater has been spilling over County Road 102. Thus, County staff question whether this condition should exist for the purposes of establishing baseline conditions. Instead, the County expects that with new development, offsite drainage would be handled through properly designed development facilities and shall not be diverted into the unincoporated area of the County onto County Road 102 through a new 'Pole Line Overflow Channel'. For instance, incrementally increasing the onsite detention facilities could possibly resolve the modeled storm water overflow into County jurisdiction.

5-14 To ensure proper stormwater management, the County requests, as a condition of project approval, that the Developer be required to submit an operations and maintenance (O&M) plan to the City and County for review and approval to verify the development-provided storm drainage facilities will receive appropriate annual and routine inspections, maintenance, and operation including, but not limited to, drop inlets, inlet filters, bioswales, pipelines, ditches, basins, levees, weirs, the depressed UATA feature and its appurtenances, etc.

5-15 Section 4.8.1 refers to the Drainage System and Flood Control Analyses (Drainage Report) found in Appendix K, which concludes that: *The appropriate support and maintenance for this naturalized area ('depressed agricultural buffer') will be discussed with City Staff (Appendix K, page 12).* This is inconclusive and invites future maintenance issues that will impact the County. The County also expresses concern regarding a

5-15 Cont. potential breach of levees holding back water in the depressed agricultural buffer. The County requests a more conclusive approach defining City and/or Developer maintenance and management obligations of the depressed agricultural buffer prior to certifying the EIR.

5-16 In general, there is an unresolved impasse between the City of Davis and Department of Water Resources regarding the responsibility of the drainage channel west of Wildhorse to Willow Slough Bypass, and the County expresses significant concern that the additional volume created by the Village Farms Davis Project will exacerbate existing conditions. The County requests clarification and a final commitment from the City in this regard.

5-17 Finally, the County requests a modification to proposed Mitigation Measure 4.8-4 (page 4.8-41) to include the following, or something similar: 'Prior to approval, the City of Davis shall provide written assurance to Yolo County that the project stormwater drainage system has been designed with no anticipated negative impacts to Yolo County outside the City of Davis limits.'

Impact 4.8-2
Based on data from seven monitoring wells located on the proposed Project site, as well as offsite, the Draft EIR recognizes the significant concerns of high concentrations of PFAS and Manganese linked to the Old Davis Landfill (see an excerpt from the DEIR below). However, their impacts and mitigation measures are not addressed under Impact 4.8-2 and are thus missing from the Executive Summary Table 2-1.

5-18

Section 4.8.2, beginning on page 4.8-10: The high concentrations of PFAS detected at the Old Davis Landfill are not seen in the wider regional setting, and, therefore, PFAS concentrations in groundwater likely originate from the Old Davis Landfill. Elevated concentrations of PFAS were not detected in the source water for the City's drinking water supply system, indicating that the apparent landfill contamination is not currently impacting the drinking water supply. Manganese was detected at concentrations ranging from 29 to 340 micrograms per liter (µg/l) in groundwater beneath the project site/BRPA site, and some of the detected concentrations exceed the Secondary (aesthetic) MCL for manganese in drinking water (50 µg/l). Manganese was detected in groundwater at relatively high concentrations beneath the Old Davis Landfill, and such concentrations could be attributable to former landfill operations.

County regulations regarding wells and domestic wastewater management are also missing from the 'Regulatory Context' in Section 4.8.3 and should be addressed under 'Local Regulations', beginning on page 4.8-14. The relevant sections of the Yolo County Code of Ordinances are listed below for reference:

Title 6 Sanitation and Health:

5-19

Chapter 8 Water Quality
Section 6-8.602. Wells.
(a) No person shall construct, reconstruct, repair, or abandon any well or test hole, except oil and gas wells, without a valid permit to do so.

Chapter 19 Onsite Wastewater Treatment Systems
Section 6-19.604. Permits
(a) Installation Permit
(1) No Person may install, construct, enlarge, replace, repair, modify or abandon any System without first submitting plans to the Director of Environmental Health for approval and obtaining an Installation Permit pursuant to the requirements of this Chapter.

Section 6-19.441. Onsite Wastewater Treatment System (System)

Letter 5 Cont.

5-19 Cont.

A Wastewater disposal facility that includes tanks, piping, treatment devices or other facilities that convey, store, treat or dispose of Wastewater located on the property where it originates or an adjacent or nearby property under the control of the user which is not connected to a Public Sewer System. This definition includes the designated Replacement Area necessary for System repairs. Onsite Wastewater Treatment System does not include Graywater Systems pursuant to Health and Safety Code Section 17922.12, Non-Discharging Wastewater Disposal Units, and Public Sewer System(s).

An Onsite Wastewater Treatment System may be referred to as System in this Chapter. It may also be referred to as a Septic System, Wastewater System or OWTS in references, supporting documents and Manuals.

5-20

Section 4.8.3
The County's Flood Protection Ordinance (Title 8, Chapter 4, Yolo County Code) should be referenced in the Regulatory Context, which would be required for any flood-related impacts to County jurisdiction.

POPULATION AND HOUSING

Chapter 4.11

5-21

The DEIR repeatedly refers to the previously approved, but rejected, DiSC 2022 project and suggests that the project site is considered a 'residentially-designated' land use within the City (see page 4.11-10 under Cumulative Impact 4.11-2). Although more recently added to the City's sphere of influence (2022), the County requests clarification regarding the current land use designation of the former site of the proposed DiSC 2022 project, which is wholly within the unincorporated area of the County and designated for agricultural land uses.

While the County appreciates the DEIR includes DiSC 2022 in its cumulative analyses to conservatively project growth rates, we note that the City has removed the project from its 'Development Projects' webpage and Development Projects Map indicating a high probability the project will never be realized.

TRAFFIC

Chapter 4.13

5-22

The DEIR fails to address impacts to the adjacent county roadway system, including County Road 102 which continues north to the City of Woodland and beyond and south into the City of Davis as Pole Line Road. As identified in the County's NOP comment letter, the nearby county roads (e.g., County Roads 102, 29, 28H, 105, and 32A) will likely be used by Village Farms Davis residents as alternative routes to escape increased traffic on Covell Boulevard, access Interstate 5, Interstate 80, and State Route 113, and to enjoy regional shopping in northeast Woodland. Thus, the County requests further analysis of the subsequent operation of the CR 102/Pole Line Road corridor between Davis and Woodland since it is highly likely use of this corridor will increase, which will affect county roads intersecting the CR 102/Pole Line Road corridor.

5-23

The "Palomino Place Local Transportation Analysis (August 2024)" reported an impact to the operation of the CR 102/CR 29 intersection and recommended mitigation measures be implemented for the Palomino Place Project. As the Village Farms Davis development will increase motorist activity along the CR 102/ Pole Line Road corridor (even more so than the Palomino Place project), a similar result would be expected.

5-24

With the increased use of CR 28H, CR 29, CR 105, and CR 32A as shortcuts during peak hour times, and heavy use of the Yolo County Central Landfill for refuse disposal in the Sacramento region, Yolo County is especially concerned with efficient operation of these areas just outside city limits, which was noted in the County's NOP comment letter but not addressed in the Draft EIR.

5-25 Regrettably, the County was unable to access the 'Village Farms Davis Local Transportation Analysis', referenced as an accompanying document to the Village Farms Davis TIS (Appendix R), because it was not made available with the NOA or online project documents. County staff attempts to obtain the referenced analysis were unsuccessful. Thus, due to disclosure insufficiencies, the County was unable to complete a thorough review of Chapter 4.13.

UTILITIES AND SERVICE SYSTEMS

Chapter 4.14

5-26 As previously mentioned, the DEIR assumed buildout of several City proposed development projects to address cumulative impacts. However, the County is aware of the distinction between an approved project and a proposed project and therefore requests clarification of the statement made at the top of page 4.14-17 in Section 4.14.4 indicating the Shriners Property Project is a 'previously approved development'.

To date, the County has only received notice of preparation of an Environmental Impact Report for the Shriners Property Project and notes the project site is currently outside the City's sphere of influence and wholly within the jurisdiction of unincorporated Yolo County.

FINANCIAL CONSIDERATIONS

5-27 Although not a CEQA issue, the County looks forward to a productive discussion with the City regarding the necessary tax sharing agreement that would accompany an annexation. The scope and scale of this project and its phased approach will require a thoughtful tax sharing agreement in order to best ensure there is sufficient and equitable revenue to both the City and County so that the increased need for public services associated with each respective phase of the project and at build-out is adequately and properly addressed. We furthermore request that a jointly agreed upon tax sharing agreement or the terms of other financing mechanisms be in place prior to this project going before the voters for approval.

* * *

The County is appreciative of the opportunity to provide Draft EIR comments on the proposed Village Farms Davis Project and hopes that dialogue with the City can increase as the project progresses.

Sincerely,

Stephanie Cormier
Chief Assistant Director
Yolo County Department of Community Services

cc (via e-mail only):
County Director Leslie Lindbo
County Supervisor Sheila Allen
County Director of Operations Alex Tengolics
Agricultural Commissioner Humberto Izquierdo

LETTER 5: YOLO COUNTY DEPARTMENT OF COMMUNITY SERVICES

Response to Comment 5-1
Please see Master Response 1.

Response to Comment 5-2
Please see Master Response 1.

Response to Comment 5-3
Please see Master Response 1.

Response to Comment 5-4
The UATA (now referred to as "Northern Agricultural Area") is adequately described in Chapter 3 of the Draft EIR and revisions are not necessary. For example, under the section entitled "Storm Drainage" a paragraph of the UATA is included (see top of page 3-21). Please also see Master Response 4.

Response to Comment 5-5
Please see Master Response 1. The proposed 118-acre UATA component of the project has been modified to be a 11.3-acre 200-foot wide urban agricultural transition area/agricultural buffer, consistent with Davis Municipal Code Section 40A.01.050, requiring a 50-foot wide agricultural transition area and a minimum 100-foot wide agricultural buffer. The remaining 107.1 acres would be retained in private ownership and are anticipated to be restored to active agriculture once restoration work is performed. Please see Chapter 3 Revisions to the DEIR Text for additional information. More information about the restoration of the borrow site to active agriculture will be contained in the draft Development Agreement and ultimately memorialized in the executed Development Agreement.

Response to Comment 5-6
Please see Master Responses 1 and 4 and Chapter 3, Revisions to the DEIR Text, for additional information. More information about the restoration of the borrow site to active agriculture will be contained in the Development Agreement.

Response to Comment 5-7
Please see Master Response 1. The referenced sections of the Draft EIR are quoting the Davis Municipal Code. The City of Davis Municipal Code is up to date.

Response to Comment 5-8
Comment noted. The City recognizes that the County's Agricultural Conservation and Mitigation Program Ordinance includes caveats to its 1:1 minimum agricultural land mitigation ratio. This is acknowledged in the Regulatory Context Section (4.2.3) of Chapter 4.2, Agricultural Resources, of the Draft EIR.

Response to Comment 5-9
Please see Master Response 1. In addition, the City's Right-to-Farm Ordinance is discussed on page 4.2-19 of Chapter 4.2. Consistent with this ordinance, homebuyers would be notified of nearby agricultural land and operations.

Response to Comment 5-10
Please see Response to Comment 5-9.

Response to Comment 5-11
Please see Master Response 4 and Response to Comment 5-5.

Response to Comment 5-12
Please see Master Response 3 regarding effects of the environment on the project. In addition, the City has and will continue to comply with all State requirements related to the Old Davis Landfill.

Response to Comment 5-13
Please see Master Response 4.

Response to Comment 5-14
Please see Master Response 1.

Response to Comment 5-15
The Northern Agricultural Area would remain in private ownership with all costs of maintenance and operation to be borne by the landowner.

Response to Comment 5-16
It is the City's position that the maintenance of the Willow Slough Bypass (Bypass) is the obligation of the Central Valley Flood Protection Board (CVFPB). The CVFPB retains the obligation to maintain the Bypass and the City does not have a right of entry on the site. The project drainage has been designed such that de minimus additional volume would be added to Channel A by the project. The analysis is provided in the RICK Engineering Drainage Study (Appendix N of the Draft EIR, Table 5, page 10).

Response to Comment 5-17
Please see Master Response 1. The City of Davis will share any future drainage studies with the County of Yolo.

Response to Comment 5-18
Please see Master Response 3.

Response to Comment 5-19
The County regulations provided in the comment do not need to be included in the Draft EIR. For example, there are no active on-site wastewater treatment systems.

Response to Comment 5-20
The County regulations provided in the comment do not need to be included in the Draft EIR. The Draft EIR does not identify any flood-related impacts to County jurisdiction.

Response to Comment 5-21
The current County General Plan designation of the Davis Innovation Sustainability Campus (DiSC) 2022 project site is Agriculture (Ag); the approved City pre-designations for the project site that would have been applicable to the site had the project been approved through the J/R/D vote

are Ag, Urban Agricultural Transition Area (UATA), General Commercial, Public/Semi-Public, and mainly Innovation Center. The Innovation Center designation does include medium- and high-density residential uses, including up to 460 residential units.

In an abundance of caution, the City included the DiSC 2022 project as a reasonably foreseeable project in the cumulative impacts analysis because the project could be tried again at the ballot.

Response to Comment 5-22

This analysis is provided in the Village Farms Davis Final LTA dated March 2025. The intersection operations analysis in the LTA is not related to CEQA impacts or mitigations as described in the Transportation Master Response. Nonetheless, the LTA is available on the City's website at:

https://www.cityofdavis.org/city-hall/community-development/development-projects/village-farms-davis

Response to Comment 5-23

An operations analysis of the County Road (CR) 102/CR 29 intersection is provided in the Village Farms Davis LTA dated January 2025. The operations analysis in the LTA is not related to CEQA impacts or mitigations, as described in Master Response 5. The LTA analysis identifies peak hour LOS policy exceedance at the CR 101/CR 29 intersection and recommends installation of a traffic signal or roundabout for cumulative conditions.

Response to Comment 5-24

An operations analysis of intersections along the county routes identified is provided in the Village Farms Davis LTA dated January 2025. The operations analysis in the LTA is not related to CEQA impacts or mitigations, as described in Master Response 5. The LTA analysis identifies peak hour LOS policy exceedance at the intersections of CR 29/SR 113 southbound ramps, CR 29/CR 101A, CR 102/CR 28H, CR 102/CR 27, CR 105/CR 32A, and CR 32A/I-80 westbound ramps.

Recommended physical improvements and signal timing changes for these locations are identified in the LTA. With the exception of the improvement recommendations that are provided for both Existing Plus Project and cumulative conditions, the project applicant would contribute fair share funding to cover their proportionate cost of the recommended improvements under cumulative conditions. Determination of fair share contributions for each improvement should consider the extent to which the improvement is needed to address an existing deficiency, or if the improvement is needed to address a future deficiency only. This assessment would be conducted separately for each standalone improvement.

Response to Comment 5-25

Please see Response to Comment 5-22. The Village Farms LTA is not needed to conduct a thorough review of Chapter 4.13, Transportation, of the Draft EIR, which is focused on CEQA topics not addressed in the LTA, such as VMT, bicycle, pedestrian, and transit systems, and safety.

Response to Comment 5-26

In response to the comment, page 4.14-17 is hereby revised for clarification purposes:

> For buildout conditions, several previously approved or pending developments need to be considered in the current analysis. These proposed developments include the following:

The above change does not alter the analysis in the Draft EIR, which remains adequate.

Response to Comment 5-27

Please see Master Response 1.

Letter 6

Dara Dungworth

From: Charlie Tschudin <charlie@yolohabitatconservancy.org>
Sent: Wednesday, February 12, 2025 1:25 PM
To: Dara Dungworth
Cc: Chris Alford
Subject: RE: Village Farms Draft EIR Scoping meeting YHC comments
Attachments: 20250212125452025.pdf

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hi Dara,

Thank you for sending the notice of availability for the Village Farms Draft EIR. I've reviewed on behalf of the Yolo Habitat Conservancy. As previously discussed, the project is considered a 'covered activity' in the Yolo HCP/NCCP and could receive endangered species take permit coverage through compliance the Plan's private project application process.

6-1 The Yolo HCP/NCCP can issue up to 4-acres of impacts for Alkali Prairie land cover types and thus would not able to fully permit the 'Proposed Project' alternative, which identifies 26 acres of permanent impacts and 1.3 aces of temporary impacts, to Alkali Prairies. To fully permit the Proposed Project, the applicant would need to consult with the Wildlife agencies, in tandem with the Yolo Habitat Conservancy, on ways to address impacts to land cover types that the Yolo HCP/NCCP cannot issue coverage for.

The Yolo HCP/NCCP can fully permit the landcover impacts identified in the Biological Resources Preservation Alternative, which identifies 0.3 acres of permanent impact and 1.3 acres of temporary impact to the Alkali Prairie landcover type. Albeit, the 1.3-acres of temporary impact would need to be permitted as permanent impacts, as the Yolo HCP/NCCP does not provide temporary take coverage for the Alkali Prairie impacts.

Let me know if you'd like to set up a call and discuss the two project alternatives and their respective HCP/NCCP compliance pathways.

Thank you!

Charlie Tschudin

Natural Resources Planner
Yolo County Dept. of Community Services
Yolo Habitat Conservancy
(530) 666-8850

-----Original Message-----
From: Charlie Tschudin
Sent: Tuesday, November 14, 2023 8:29 AM
To: Dara Dungworth <DDungworth@cityofdavis.org>
Cc: Elisa Sabatini <Elisa@yolohabitatconservancy.org>; 'Elisa.Sabatini@yolocounty.org' <Elisa.Sabatini@yolocounty.org>
Subject: RE: Village Farms Draft EIR Scoping meeting YHC comments

LETTER 6: YOLO HABITAT CONSERVANCY

Response to Comment 6-1

Comment noted. Mitigation Measure 4.4-3 requires consultation with USFWS and Mitigation Measures 4.4-15(b) through 4.4-15 (d) require compliance with Yolo County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) requirements, as well as other wildlife agencies.

Letter 7

YOLO
LOCAL
AGENCY
FORMATION
COMMISSION

COMMISSION
CHAIR
BILL BIASI
Mayor
City of Winters

GLORIA PARTIDA
VICE CHAIR
Councilmember
City of Davis

LUCAS FRERICHS
Supervisor – 2nd District

PAMELA MILLER
Public Member

OSCAR VILLEGAS
Supervisor – 1st District

ALTERNATES
RICHARD DELIBERTY
Public Member

TANIA GARCIA-CADENA
Mayor
City of Woodland

SHEILA ALLEN
Supervisor – 4th District

STAFF
CHRISTINE M. CRAWFORD, AICP
Executive Officer

JD TREBEC
Deputy Executive Officer

TERRI TUCK
Retired Annuitant
Administrative Specialist II/Clerk

COUNSEL
ERIC MAY

625 Court Street, Suite 107
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lafco@yolocounty.org

www.yololafco.org

February 20, 2025

Dara Dungworth, Principal Planner
City of Davis Community Development
23 Russell Boulevard
Davis, CA 95616
[via email]

Re: Comments on the Village Farms Davis Project Draft Environmental Impact Report (DEIR) SCH# 2023110006

Dear Ms. Dungworth:

Thank you for consulting with Yolo LAFCo for the Village Farms Davis Project DEIR. As you are aware, LAFCo is a Responsible Agency for the project and would use the EIR to consider a sphere of influence amendment and annexation to implement the Project. Please see LAFCo staff comments below:

7-1

Project Description

LAFCo staff does not support the northernmost 118-acre portion of the proposed Project (portion of APN 042-110-029 north of the drainage channel) being dedicated to the City of Davis for ongoing ownership and maintenance. We understand the area will be used as a borrow site to harvest fill soil for the urbanized portion of the Project and will also be inundated during larger storm events that will serve to reduce downstream flows (DEIR page 4.8-27). This area should be either privately or homeowner's association (HOA) owned and maintained. As designed, this area does not appear to promote enough "eyes on the street" to create a safe public space and may result in an ongoing public nuisance that would create an unreasonable cost burden for governmental services and controls in the area. LAFCo is concerned about any negative impacts on the City's public safety funding and ability to maintain its high level of services.

7-2

On page 3-27, we understand the confusion, but the DEIR inaccurately states that a municipal services review (MSR) would be required for a Yolo LAFCo sphere of influence (SOI) amendment. LAFCo, as necessary, reviews and ***updates*** each agency's SOI every five years (Government Code §56425) and conducts a municipal service review in order to prepare and to update SOIs (§56430(a)). However, §56428 indicates any person or local agency may request an ***amendment*** to an SOI and LAFCo can act on it accordingly. This means that an MSR is needed for a comprehensive SOI Update every five years, while project-specific SOI Amendments can occur on a case-by-case basis without a comprehensive MSR. Yolo LAFCo does not plan to conduct an MSR for the Village Farms Davis SOI Amendment.

7-3

Agricultural Resources

In several places, the DEIR incorrectly references that Yolo LAFCo requires a 2:1 mitigation ratio. Please note this is only for "stacked" conservation easements per LAFCo Policy 4.10(c).

Letter 7 Cont.

7-3 Cont.

Impact 4.2-1: LAFCo Policy 4.9 states "annexation of prime agricultural lands shall not be approved unless one of the following mitigations has been instituted, at not less than a 1:1 replacement ratio", i.e., regardless of a portion of the proposed Project being designated as UATA. The DEIR notes the entire site would be considered prime agricultural lands by Yolo LAFCo and will require 1:1 mitigation. The DEIR analysis indicates the City's 2:1 mitigation requirement for less acreage would supersede LAFCo's required 1:1 mitigation for the entire acreage. But it's worth clearly noting that as the Project is currently proposed, LAFCo will require a minimum of 497.6 acres of mitigation.

Thank you again for consulting with Yolo LAFCo. If you have any questions, please feel free to contact me.

Best regards,

Christine M. Crawford, AICP

c: Rochelle Swanson, Project Agent
Mike Webb, City of Davis City Manager
Stephanie Cormier, Yolo County Chief Assistant Director of Community Services

LETTER 7: YOLO LOCAL AGENCY FORMATION COMMISSION

Response to Comment 7-1

Please see Master Response 1.

Response to Comment 7-2

In response to the comment, page 3-23 in Chapter 3, Project Description, of the Draft EIR is hereby revised as follows:

> The Proposed Project would require the following approvals from Yolo LAFCo as part of the requested SOI Amendment and Annexation:
>
> 1. ~~Combined Municipal Service Review (MSR) and~~ SOI Amendment in order to bring the 114.88-acre portion of APN 042-110-029 within the City of Davis SOI (Government Code Section 56428).
> 2. Annexation of the entire 497.6-acre project site into the City of Davis (Government Code Section 56737).

Page 3-46 in Chapter 3, Project Description, of the Draft EIR is hereby revised as follows:

> 1. ~~Combined MSR and~~ SOI Amendment in order to bring the 114.88-acre portion of APN 042-110-029 within the City of Davis SOI (Government Code Section 56428).
> 2. Annexation of the entire 497.6-acre BRPA site into the City of Davis (Government Code Section 56737).

The foregoing revisions are for clarification purposes and do not affect the conclusions of the Draft EIR.

Response to Comment 7-3

The required agricultural mitigation will be calculated based on the final acreage of the overall project consistent with Davis Municipal Code Section 40A.03.025 and the terms of the Development Agreement.

Letter 8

Yolo Transportation District

To
Dara Dungworth
Principle Planner

City of Davis Department of Community Development
23 Russell Blvd, City Hall
Davis, CA 95616

January 27, 2025

Yolo Transportation District Comments re: Village Farms Davis

Dear Ms. Dungworth,

8-1 On January 7, 2025, The Yolo Transportation District (YoloTD) received the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Village Farms Davis Project. As the consolidated countywide transportation services and congestion management agency, YoloTD appreciates the opportunity to comment on the project. We take this opportunity to share our thoughts on this proposed project based on our review of the submitted planning application and previous discussions and correspondence. Our comments are limited to two areas directly related to YoloTD's interests: land use and transportation.

YoloTD prefers the Higher Number of Units - Same Footprint Alternative (Page 2-7) as it is the environmentally superior alternative, and it has been shown that higher densities lead to higher transit ridership.

8-2 **Future Transit Planning.** YoloTD is currently working on a Short-Range Transit Plan (SRTP) update which will explore restoring and potentially expanding service that was lost during the COVID-19 pandemic. DEIR Mitigation 4.13-3 notes a potential new bus stops for the Village Farms development at the Covell Boulevard and L Street intersection. This location is around 900 feet from the next-closest bus stop at Covell Boulevard and J Street and therefore may be a mitigation measure we can support. The City of Davis and developer staff should work with YoloTD to design the bus stops to accommodate transit needs for this new bus stop.

Mitigation Measure 4.13.1 discusses communication regarding construction activities. YoloTD requires 96 hours in advance of any construction activities that would impact bus service.

8-3 **Project Land Use.** The planning application's Land Use Plan Exhibit illustrates the development's land use distribution by residential density type. Currently, the site layout locates medium- and high-density residential units at the project's southern boundary, which supports transit service on Covell Boulevard. However, to maximize transit ridership, the site plan should also redistribute the northernmost medium- and high-density residential development to the project's southeastern and eastern boundary, consistent with existing development east of Pole Line Road.

Letter 8 Cont.

8-3 Cont.

This is facilitated by repositioning Heritage Oak Park from the southeast corner to slightly north and to the center such that the proposed park's northwest corner becomes the southeast corner. Medium- and high-density residential uses should front Pole Line Road and Covell Boulevard, and include supportive public transportation and multi-modal infrastructure meaningly integrated into frontage improvements design, including welcoming bus shelters, pedestrian-scale lighting, Class I multi-use paths, mobility hubs for shared micromobility systems. The end effect is "wrap around" transit-supportive densities along Pole Line Road and Covell Boulevard project boundaries, which have been shown to increase transit ridership and walkability.

8-4

TDM/VMT Plan. The planning application's Transportation and Circulation section describes the intended layout and facilities for the internal transportation system. Not mentioned, and perhaps more appropriate for the EIR analysis, is the project's expected VMT generation. In a July 2023 meeting with project representatives, YoloTD staff communicated that VMT generation would likely be a significant impact in the EIR and that a proactive approach to address transportation demand for Village Farms residents would be needed to mitigate against those impacts. That is, addressing VMT passively through multi-modal supportive infrastructure within the site is inadequate mitigation.

A transportation demand management (TDM) program should be developed and implemented to reduce the project's VMT impacts. When combined with relocating the medium- / high-density residential to more transit-supportive locations, the project will not only perform better from a CEQA standpoint but also improves consistency with City transportation sustainability goals through intentional site design. A TDM plan should be developed by experts in the field, employ best practices, and require membership in the existing countywide TDM program, Yolo Commute, as a condition of approval and to assist with implementation.

8-5

We look forward to collaborating with the City of Davis and the project applicant on this exciting project. Please do not hesitate to reach out with any questions.

Sincerely,



Brian Abbanat
Planning Director

(530) 402-2879
babbanat@yctd.org
350 Industrial Way
Woodland, CA 95776
YoloTD.org

LETTER 8: YOLO TRANSPORTATION DISTRICT

Response to Comment 8-1
Please see Master Response 1.

Response to Comment 8-2
Please see Master Response 1.

Response to Comment 8-3
Please see Master Response 1 and Response to Comment 100-7.

Response to Comment 8-4
Please see Response to Comment 100-7. In addition, contrary to the comment's assertion that VMT generation is not included in the Draft EIR, potential impacts to VMT are evaluated under Impact 4.13-4 within Chapter 4.13, Transportation. As discussed therein, the Proposed Project would generate 31.5 residential VMT per capita and the BRPA would generate 32.8 residential VMT per capita.

In addition, Mitigation Measure 4.13-4 requires the implementation of transportation demand management (TDM) strategies to reduce residential VMT per capita. CAPCOA Handbook Strategies T-15 and T-20-A were identified by the TIS prepared for the Proposed Project/BRPA (see Appendix R of the Draft EIR). However, as stated on page 4.13-42 of the Draft EIR, due to uncertainties regarding the ability for the TDM strategies to reduce VMT impacts to less-than-significant levels, VMT impacts of both the Proposed Project and the BRPA were considered significant and unavoidable.

Response to Comment 8-5
Please see Master Response 1.

Letter 9

Dara Dungworth

From: Ron Steinkamp <Ron.Steinkamp@armanino.com>
Sent: Tuesday, January 21, 2025 7:22 AM
To: Dara Dungworth; lydia@villagefarmsdavis.com
Subject: Village Farms Davis

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

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9-1

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Best regards,

Ron Steinkamp, CIA, CFE, CGMA, CRMA, CCA, CCP
Partner
ron.steinkamp@armanino.com

1

LETTER 9: ARMANINO ADVISORY LLC

Response to Comment 9-1

Please see Master Response 1.

Letter 10

California Center for Cooperative Development
979 F Street, Suite A, Davis, CA 95616
T: (530) 297-1032 F: (530) 759-9472
Email: coops@cccd.coop Web: www.cccd.coop

Public Comment: Village Farms Project

FROM: E. Kim Coontz, Executive Director ekcoontz@cccd.coop
California Center for Cooperative Development

10-1

The California Center for Cooperative Development is a local non-profit, based in Davis. Our mission is to problem-solve community issues using time-tested cooperative models. Incorporating a Limited Equity Housing Cooperative (LEHC) into Village Farms will expand affordable home ownership opportunities, making it possible for residents to live and work locally. Moreover, California regulations for LEHCs assure that the homes remain affordable in perpetuity.

Integrating 80 to 100 LEHC homes into Village Farms will directly support the following project objectives: expanding permanently affordable housing, creating starter homes for the Davis Workforce, increasing housing diversity, and stabilizing public schools. Indeed, many of the environmental goals can also be addressed by minimizing commuting by offering affordable housing opportunities for local workers and through climate-friendly, and high density designs.

The LEHC model addresses the 'missing-middle' offerings mentioned during the most recent DEIR hearing, as income restrictions are not mandatory. LEHC's lower-cost entry point makes them more accessible to differing incomes and life circumstances, and offers an opportunity to those currently locked-out of the traditional single-family homeownership market. The LEHC would not replace the important income-restricted units currently planned, but would be an additional strategy to increase affordable homes in the community.

In a Limited Equity Housing Cooperative, resident members co-own the entire development and have an occupancy right to a particular home. Instead of a down payment they purchase a *share,* then pay a monthly fee, that covers the blanket mortgage and operating costs. With the exception of short-term circumstances, members must reside in the community which is democratically governed, with each household holding one vote. California recognizes and regulates LEHCs, including placing a maximum cap on increases to the co-op share appreciation, which keeps entry costs affordable from one owner to the next. The community operates at-cost as residents share fees for management and community maintenance. Regulations further secure long-term affordability and stability by preventing speculation through mandating that any profits from a sale of the entire cooperative be dedicated to a charitable entity.

The benefits of LEHCs lie not only in their affordable pricing, but also in their flexibility for resident members. If the needs of a household change, and they want to move into a home of a different size, they can do so within the community. Members can take advantage of housing affordability and stability by residing in the cooperative long-term, or they can use the

Letter 10 Cont.

10-1 Cont.

affordability of the cooperative as a steppingstone by saving for a traditional single-family home.

A shining example of the LEHC model is right here in Davis, the *Dos Pinos Housing Cooperative*, which has offered affordable housing in Davis since 1985. The average monthly payment (similar to rent or a mortgage payment) in *Dos Pinos* is $1,371 (2023), which studies show is significantly lower than a comparable rental unit, or a condo. The price for entry into the co-op is about a third of what you would need for a down payment on a similar home in Davis. The balance between affordable monthly rates and a low-cost entry keeps the housing of *Dos Pinos* stable, accessible, and equitable.

Our non-profit stands ready to provide additional information and development assistance to including an LEHC in this local development initiative.

California Center for Cooperative Development 979 F St, Suite A Davis, CA 530-297-1032 ekcoontz@cccd.coop

LETTER 10: CALIFORNIA CENTER FOR COOPERATIVE DEVELOPMENT

Response to Comment 10-1

Please see Master Response 1.

Letter 11

Davis Citizens Planning Group

- **Alex Achimore**
- **Gabriel Ehrlich**
- **Tim Keller**
- **Richard McCann**
- **Anthony Palmere**
- **David Thompson**

Comments on Village Farms Draft EIR 2/25/25

Quotes and references from the DEIR are in black type; DCPG comments are in blue type.

Summary of impacts & mitigation measures:

Impact 4.3-6 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

11-1

- Comment: The mitigation measure points to the mitigation for Impact 4.3-2 that only deals with VOC emissions from household and paint products. It fails to address the impacts identified in the narrative in Chapter 7 under Alternative 4. See further comments on the appropriate mitigation measures related to Impact 4.3-8.

Impact 4.3-8 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy,or regulation adopted for the purpose of reducing the emissions of GHGs during operation.

11-2

- Comment: The proposed Mitigation Measures focus on CAPCOA T-16 “Street connections” and CAPCOA T-20 “Car share”. Simply put these are a joke that raises serious questions about the competence of the retained consultants.
  - CAPCOA T-16 “Street connections” will have no effect of consequence on such a small scale. Even with an elasticity of 0.14%, given that any trip out of the development will be less than a mile to the main arterials, this will reduce any trip by **less than 0.1 (one-tenth) of a mile**. The measure must be rejected as ineffective.

11-3

  - CAPCOA T-20 “Car share” claims to reduce VMT by 0.15%, a tiny amount. Further, to be effective it relies heavily on extensive

Letter 11 Cont.

11-3 Cont.

transit/biking/pedestrian access as alternatives to drive, which ally rely on land use density and mixed use. The effectiveness of this measure cannot be claimed as useful as a standalone and must be rejected.

11-4

- In addition, the DEIR includes no specified measurement process for change in emissions, so the City will be unable to determine in future if Village Farms is violating the reductions required.

11-5

- In Chapter 7, Alternative 4: *Higher Number of Units – Same Footprint Alternative* clearly shows that a viable option to mitigate criteria pollutants and greenhouse gas emissions is available that will reduce VMT and GHG emissions. Using 1,800 units instead of 2,700 units the criteria pollutants fall by 40.3% to well below the YSAQMD significance threshold.[1] GHG emissions also would decline by 40.3%.[2] This demonstrates that GHG mitigation and compliance with CAAP requirements are clearly feasible and not unavoidable.
  - Please calculate the further reduction in VMT by building "missing middle" housing composed of attached and multi-family structure that (1) serves the 20,000 commuters into Davis thus reducing those trips (the UCD ITS survey can be used to estimate those trip lengths) and (2) does not serve the 20,000 who now commute out of Davis elsewhere.

11-6

- Please inventory whether the project complies with the following sustainability guidelines adopted in these cases:
  - By the City Council as part of the Downtown Specific Plan (add section reference), at Table 8H, Implementation Actions: Sustainability.
  - By the Natural Resources Commission in response to the application for the proposed DiSC project submitted to the City Council June 25, 2020.

Impact 4.9-2 Cause a significant cumulative environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

11-7

- Comment: The Executive Summary states incorrectly under Mitigation Measures "None Required."
- By focusing the CEQA analysis on a single project when there are at least four such projects in the East Covell Corridor,[3] is the City violating CEQA by segmenting the larger project into parts so as to avoid assessing the cumulative effects of the entire project?

[1] See Chapter 7, p. 7-28.
[2] Ibid.
[3] Village Farms, Palomino Place, Shriners Property and On the Curve (see https://www.cityofdavis.org/city-hall/community-development-and-sustainability/development-projects)

Letter 11 Cont.

11-7 Cont.

- How are these other projects, which are not speculative as the City has viable applications posted on its website for these, included in the cumulative impact analysis?

4.9 – Land Use and Planning Page 4.9-17:

Policy Discussion

As noted above, the ultimate question of the meaning of particular General Plan policies, and thus the project's consistency with them, lies with the City Council. (underline added for emphasis) It is worth noting, however, that the language found in general plans is sometimes susceptible to varying interpretations, and reasonable minds may differ as to the meaning of particular policies and how to apply them to proposed projects. Case law interpreting the Planning and Zoning Law (Gov. Code, Section 65000 et seq.) makes it clear that: (i) the ultimate meaning of such policies is to be determined by the elected legislative body or a lower tier decision-making body such as a planning commission, as opposed to City staff and EIR consultants, applicants, or members of the public; and (ii) the decision-making body's interpretations of such policies will prevail in court (if challenged) if the interpretations are "reasonable," even though other reasonable interpretations are also possible (see No Oil, Inc. v. City of Los Angeles (1987) 196 Cal.App.3d 223, 245-246, 249)

11-8

4.9 – Land Use and Planning Page 4.9-23

Policy LU A.3 Require a mix of housing types, densities, prices and rents, and designs in each new development area.

As discussed in Chapter 3, Project Description, of this EIR, the Proposed Project and BRPA would include development of a mixed-use community with a total of 1,800 dwelling units, comprised of both affordable and market-rate single- and multi-family residences across various residential neighborhoods. Residential densities would include low-, medium-, medium-high, and high density areas. Based on the mix of housing types and densities, the Proposed Project and BRPA would be consistent with General Plan Policy LU A.3.

- Comment: Land use law cited in the DEIR (above quoted) makes it clear that the ultimate meaning of policies and interpretations of whether a project is meeting those policies is up to the Davis City Council, not the writers of the DEIR or anyone else. Therefore, the EIR's claim that the project proposals would be consistent with any General Plan policies cannot be made until or unless the Council explicitly agrees. This claim should be removed from the DEIR and it should be noted that the Davis City Council ultimately has the only right to claim

Letter 11 Cont.

11-8 Cont.

whether this project meets any Land Use Policies. In this case, it can reasonably be argued that the proposal contains so few housing types between high density and low density that the intent of the word "mix," which is to provide an equitable spread of all housing types, is not being met.

Impact 4.11-1 Induce substantial unplanned 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)

11-9

- Comment: DEIR claims this cannot be mitigated. The obvious mitigation is compliance with state's Regional Housing Needs Allocation for Davis. That addresses the cumulative impact across the entire state listed in Impact 4.11-2.

4.13 Transportation. The EIR determined that the Proposed Project would result in a significant and unavoidable impact related to conflicting with a program, plan, ordinance, or policy addressing the circulation system, including transit facilities and services, even with the implementation of mitigation, because improvements that are necessary to improve transit service and facilities would require additional actions and implementation by Unitrans and Yolobus, and the specific improvements identified in the transit service and facilities plan and their efficacy are not known at this time.

11-10

- Comment: Why couldn't the DEIR test whether if such improvements in transit were made, there would be significant reductions in VMT per capita. If such things as ride shares, bike lanes can be suggested mitigations, why couldn't an improved transit system be included. It seems the DEIR is ignoring obvious possible mitigations simply because "they aren't known at this time." Many things aren't known and yet they are suggested as possible mitigations. The DEIR process should be an opportunity to suggest new solutions.

Impact 4.13-2 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including pedestrian and bicycle facilities.

11-11

- Comment: Mitigation Measure 4.13-2(f) fails to present safe and viable access from Village Farms to Oak Tree Plaza. Relying solely on signage on a high speed arterial only ensures the pedestrian and bicycling deaths will increase. (Note the presence of a "ghost bike" at the intersection of Poleline and Covell highlighting the hazards here.) The only acceptable mitigation measure is a grade-separated crossing funding by the developer to Oak Tree Plaza.

11-12

- Further, no mitigation measure is proposed for facilitating bicycle and pedestrian travel to Covell within the development. The current proposed park at the corner at Covell and Poleline is a barrier to such travel by pushing housing at least an

Letter 11 Cont.

11-12 Cont.

eighth of a mile (200 meters) farther north than necessary. The proposed park should be limited to a 4 to 7 acre plaza surrounding the heritage oaks on the property, and the remainder of the proposed park used for higher density housing and mixed use building.

Impact 4.13-3 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit facilities and services.

11-13

- Comment: The proposed mitigation measure of preparing a Transit Plan highlights that this is a cumulative impact across at least the four developments proposed along the Covell Corridor. Such a transit plan cannot be prepared in isolation for Village Farms alone.

- Further, transit service can only be improved and increased effectively at scale by increased land use density. Residents in a low-density development such currently proposed will continue to rely automobiles because of the increased time required with lower service rates and longer walking times.[4] The only solution is to increase density to offset increased time.

Impact 4.13-4 Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

11-14

- Comment: As a mitigation measure, a TDM is proposed. The consultant and developer must present empirical examples of TDMs in similar settings with the same density that have effectively reduced VMTs and GHGs. Unless such evidence is clearly presented, this measure must be rejected as inadequate.

Impact 4.13-9 Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) associated with cumulative development of the Proposed Project or the BRPA in combination with future buildout of the City of Davis.

11-15

- Comment: The base project is rated significant and unavoidable but the higher units same footprint alternative is shown as having fewer impacts—why so certain? Doesn't it depend on density and configuration, which are not described in the DEIR, to make a much bigger project have fewer impacts?

11-16

Providing context for setting objectives and conducting analysis of Village Farms environmental impacts

[4] See "Uber, Lyft or transit? The answer appears to align with how people value their time," https://news.umich.edu/uber-lyft-or-transit-the-answer-appears-to-align-with-how-people-value-their-time/, January 29, 2025.

Letter 11 Cont.

11-16 Cont.

We believe that planning for and approving new developments requires understanding the context within Davis that these projects are being considered. Here's the current employment, housing and commuting situation in the Davis area:

- UCD is the largest employer with 11,000 employees on the Davis campus.[5] 42% of them live in Davis; the rest commute from out of town because they can't afford a house here. It's clear that mid-level staff jobs do not pay sufficiently to cover housing prices here.
- Within the City and UCD, there are about 32,500 jobs of which 31% live in Davis, and the other 69% commute in because they can't afford a house here.[6]
- There are 33,500 employed residents.[7] About two-thirds of them commute outside of Greater Davis where they have higher paid jobs that afford them the ability to live in Davis. They have outcompeted those working inside Greater Davis for existing housing.

[5] UCD ITS (2024) Results of the 2023-2024 Campus Travel Survey, https://its.ucdavis.edu/campus-travel-surveys/
[6] U.S. Census "Quick Facts" and "On the Map". (Note that the On the Map has an incorrect number of jobs within Davis, so the proportions of category are applied to the residents and employees listed in Quick Facts and EDD data which confirm each other.)
[7] California Employment Development Department.

Letter 11 Cont.

11-16 Cont.

Davis + UC Davis + El Macero	
7/1/2023	76,448
Labor Force	35,273
% Unemployment	
Davis	
Employed/Living In	**32,132**
Employed Outside	27,024
Employed Inside	5,108
Employed/Living Out	16,030
Jobs Inside	**21,137**
UCD	
Employed/Living In UCD	1,319
Employed Outside UCD	1,104
Employed in UCD	215
Employed Inside Davis	5,025
Employed/Living Out	6,414
Jobs Inside	**11,439**
Davis+UCD	
Employed/Living In	**33,451**
Employed Outside	21,999
Employed Inside	10,133
Employed/Living Out	22,444
Jobs Inside	**32,576**

We have about the same number of jobs as we have workers, but clearly there's an imbalance between the types of jobs and the jobs that residents are qualified for. This has created a mass vehicle flow each day of close to 40,000 commute trips.

Letter 11 Cont.

11-16 Cont.

To achieve lower GHG emissions and to reduce VMT and improve traffic congestion, we need to bring those employees who are commuting into Davis to housing here. And we need to create sufficiently attractive jobs for those commuting out to prefer to work here instead.

Based on these facts and objectives, we need two actions to accomplish these goals:

- Create and attract private sector businesses that attract higher paid employees and provide higher salaries for mid-level jobs
- Build "missing middle" housing that meets the needs of current local employees.

Village Farms needs to focus on meeting the needs of this missing middle housing market. Detached single family housing in Davis is and will be priced out of the reach of these households. We still have time to redirect Village Farms to accomplish this goal.

Chapter 7–Alternatives

7.2 Purpose of Alternatives

P. 7-2 Project Objectives

11-17

The following objectives have been developed by the project applicant for the Proposed Project:

1. Facilitate development of varied housing options, including affordable housing, and in sufficient quantities to meaningfully help to meet the City's Regional Housing Needs Allocation (RHNA) expectations for multiple income levels.

Comment: there is an insufficient number of middle-income units to meet this objective. Most units are single-family detached, which in Davis require an income in excess of 160% AMI for a family of 4–i.e. Unaffordable except to high income households.

11-18

2. Guide urban growth in undeveloped areas closest to the central City to facilitate compact growth and to reduce potential vehicle miles traveled (VMT) and excessive sprawl.

Comment: just the opposite has been proposed—it's a totally car-centric layout, the very definition of "sprawl."

11-19

3. Provide educational and other public service facilities to serve the needs of any population growth resulting from facilitated development.

Letter 11 Cont.

4. Facilitate development that promotes non-vehicular travel and supports active modes of transportation.

11-20

Comment: they have done the opposite of planning for non-vehicular travel. Placing a large park close to shopping instead of housing makes it unlikely anybody will walk to buy groceries.

5. Plan development to reduce greenhouse gas (GHG) emissions by aligning with the City's 2040 Climate Action and Adaptation Plan.

11-21

Comment: the project cannot claim to align with climate action plan if average per capita VMT is greater than the current Davis measure. It also is higher than the regional average listed by SACOG so by attracting residents from other communities, it will increase regional GHG emissions. This is obviously noncompliant with the CAAP.

11-22

6. Establish and preserve agricultural buffer areas where proposed development would border existing agricultural areas.

7. Increase City property tax revenue.

11-23

Comment: This objective should be revised to "Increase City net fiscal revenue." Increasing total revenue for the City is useful only to the extent that it is not canceled out (or exceeded) by increased costs borne by the City. Additional comment about this issue is listed at the end of this document.

P. 7-4 Population and Housing. The EIR determined that the Proposed Project would result in a significant and unavoidable impact related to inducing substantial unplanned population growth in an area, either directly or indirectly, because the increase in population resulting from the Proposed Project would not be within the range of growth projections assumed for the City of Davis. The EIR also concluded that impacts related to cumulative unplanned population growth would be cumulatively considerable and significant and unavoidable.

11-24

Comment: If the City had done a General Plan update, as it is obligated to do, this area would not be "unplanned." It makes no sense to suggest any project at this site would conflict with growth projections assumed for the City when the City has simply neglected to make such plans for growth, especially now that the State has assigned Regional Housing Needs Assessment growth figures.

Letter 11 Cont.

P. 7-6 Alternatives Considered in this EIR

The following alternatives are considered and evaluated in this section:

1. Biological Resources Preservation Alternative (BRPA);
2. No Project (No Build) Alternative;
3. Lower Number of Units – Same Footprint Alternative;
4. Agricultural Resource Preservation Alternative;
5. Higher Number of Units – Same Footprint Alternative; and
6. Off-Site Project Alternative.

Comment on selection of Alternatives:

11-25 The higher number of units–same footprint alternative appears to be a straw man put on the list to illustrate a point without any chance of being taken seriously. For one, the distinction between VMT per capita and total VMT seems to be buried in this EIR. Is it somehow not true that a 2,700 unit project would add to total VMT generated in that location and therefore generate more greenhouse gasses than an 1,800 or smaller unit project regardless of how dense it is?

Obviously, the threshold reached that makes the 2,700 unit alternative the "preferred alternative" is actually VMT per capita, which is derived from density not the number of units. So why wasn't an alternative with the same or greater density and VMT per capita but the same or smaller number of units considered? Why wouldn't such an alternative even with 1,800 units (the developer's preference) be less impactful on every measure used to compare the alternatives? And what of the listed objectives would it not accomplish that the developer's preferred alternative would?

11-26 The developer has been allowed to come up with another alternative ("Biological Resource Preservation"), which actually has greater VMT impact than the original, in the middle of the EIR and well past the NOP phase. We believe another alternative should be added now and evaluated to measure the impact of a same number of units (1,800) /reduced area alternative with the same or greater density (resulting in same or lower VMT per capita) as the 2,700 unit option.

11-27 This alternative would cause less environmental impact than all the others save the no-build. It would lower its impact even further if a transit/transportation element were also considered in which most of the units were located within ½ mile of Covell, which would make walking to a transit system or to the shopping center across the street attractive. It would also mean moving the park at the Southeast corner to the north edge

Letter 11 Cont.

11-27 Cont.

of the project. Meeting or exceeding the density of the 2,700 unit alternative would also shrink the footprint significantly while still allowing a full mix of unit types, albeit many more attached and far fewer detached houses. That would also leave the major slough/drainage patterns undisturbed and avoid the many environmental pollution concerns related to building close to the old dump.

All the formulae are in place to calculate numerical impacts of an alternative described above, so it should be relatively easy to run calculations and of low cost, even if the City had to pay the consultant for an extra service. If it is not possible to add this alternative, why not?

P.7-26 Higher Number of Units – Same Footprint Alternative

11-28

The residential density under the *Higher Number of Units – Same Footprint Alternative* would increase to 13.78 du/ac, which would reduce residential VMT per capita by 40.7 percent. Therefore, the residential VMT per capita under the Higher Number of Units – Same Footprint Alternative would be 18.39, which is below the City of Davis average VMT threshold. Therefore, the significant and unavoidable and cumulatively considerable significant and unavoidable impact identified for the Proposed Project related to conflicting or being inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) would not occur under the Higher Number of Units – Same Footprint Alternative, and implementation of Mitigation Measure 4.13-4 would not be required.

Comment: The parameter that reduces VMT here is obviously density, not the added number of units. Using the 2,700 unit alternative as the example of how to reduce VMT is misleading at best and irresponsible at worst and will confuse most people. Adding an alternative with the same number of units, a reduced footprint and 13.78 or greater du/ac would be a more reasonable and responsible way to present the link between density and VMT per capita and would result in an alternative that would actually be worth considering.

P. 7-31 Footnotes:

11-29

FN8: The residential VMT per capita associated with the BRPA was calculated to be 32.8, which is above both the City and regional average VMT thresholds of 30.1 and 21.7 VMT per capita, respectively. As such, the Higher Number of Units – Same Footprint Alternative would eliminate the significant and unavoidable VMT impact that would occur under the BRPA.

Letter 11 Cont.

11-29 Cont.

Comment: It's obvious that the density is what drives down the VMT per capita, not the extra 900 units, but by not stating so or including an alternate with 1,800 units at the same density as the 2,700, the link between VMT and density is obscured.

FN9: Journal of the American Planning Association. Does Compact Development Make People Drive Less? 2016.

11-30

Comment: Even with 50% more units, the total criteria pollutant and GHG emissions are less in the higher number of units/same footprint alternative than in the developer's preferred alternative. That indicates that emissions would be even less with the same number of units (1,800) in a smaller footprint.

P. 7-28

11-31

According to Fehr & Peers, total project VMT would be reduced by approximately 10.4 percent under the (higher number of units/same footprint) Alternative. The reduction in VMT associated with this Alternative would result in a proportional reduction in criteria pollutants. The approximately 10.4 percent reduction in PM10, as well as implementation of Mitigation Measure 4.3-2, would result in emissions below the 80 pounds per day (lbs/day) threshold (10.4 percent from 88.4 lbs/day is 79.21 lbs/day). However, the reduction in ROG emissions calculated using the CAPCOA formula for Strategy T-1 (Increase Residential Density), would be from 20.5 tons per year (tons/yr) to 11.45 tons/yr, which would still exceed the YSAQMD significance threshold of 10 tons/yr. Despite the fact that implementation of Mitigation Measures 4.3-2 and 4.3-6 would not eliminate the aforementioned significant and unavoidable and cumulatively considerable and significant and unavoidable impacts under the Alternative, the severity of the impact would be reduced as compared to the Proposed Project.

Comment: As discussed above, most of the CAPCOA VMT reduction strategies also reduce GHG emissions; the Higher Number of Units – Same Footprint Alternative would result in a reduction in GHG emissions by approximately 10.4 percent. As such, unmitigated operational GHG emissions would be reduced by an estimated 10.4 percent from 10,160 metric tons of CO2 equivalents per year (MTCO2e/yr) to 9,103.36 MTCO2e/yr under the Higher Number of Units – Same Footprint Alternative. However, even with such a reduction, the Alternative could still result in GHG emissions that could exceed net carbon neutrality in the year 2040, and, thus, implementation of the Higher Number of Units – Same Footprint Alternative would conflict with the City's adopted goal of carbon neutrality by the year 2040.

Letter 11 Cont.

11-31 Cont.

Simply reducing Alternative 4 to 1800 units with the same density on a smaller acreage would reduce the ROG and GHG emissions below the YSAQMD significance thresholds of 10 tons/yr. The ROG would become 7.63 tons/year and GHG emissions would be 6,068.90 tons/year. The latter would create a 40.3% incremental gain towards the 2040 carbon neutrality goal.

P. 7-41:

Identification of the environmentally superior alternative is an informational procedure and the alternative selected may not be the alternative that best meets the goals or needs of the City.

11-32

Comment: The DEIR only lists "objectives" (see above) that were determined by the applicant. Why aren't the goals and needs of the city also named and included? Does CEQA not permit the City to comment on whether the developer's list of objectives best meets the goals or needs of the City? Why would it be permissible for someone other than the City to select an alternative that does not meet its goals and needs better than other alternatives? This is critical because certain objectives named by the developer may actually be bad for the city. For example, increasing property tax revenue is meaningless if it comes with increasing city costs more than the increased revenue (see below for more on this issue).

Additional site plan comments:

11-33

1. Placing a major park on the corner of Pole Line and Covell simply pushes housing further away from transit access and makes it even less likely that people could walk to the shopping center that's across the street. This is purely an aesthetic decision made to attract votes. Placing dense housing in that area and moving the park north would reduce environmental impacts by encouraging walking to shopping and supporting higher transit use.

11-34

2. Rerouting the slough that crosses the middle of the site is an aesthetic decision that would disrupt a long-term drainage system. It raises flood risk to try to relocate major existing drainage paths such as this one, and the amount of digging and dirt relocation alone would create a major environmental impact that is totally unnecessary to realize any of the alternatives.

Additional comment on the objective of increasing tax revenue without ensuring cost liabilities are not so high to result in a net loss of revenue for the city:

11-35

In Davis and most development projects throughout California, typically the developer either builds the new transportation, water, and sewer infrastructure that the development requires or pays developer fees in lieu, but thereafter the city is

Letter 11 Cont.

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responsible for maintaining the new infrastructure. The budgetary question is: do the increased revenue sources (property tax and potentially sales tax and other sources) pay for the increased costs (maintenance of new streets, water lines, and sewer lines in the development, and those expanded elsewhere in the city)?

Davis, to its huge credit, has a commitment to financial forecasting that allows us to assess the balance of revenue and costs here. In its 2020/2021 adopted budget, the City projected a $133 million shortfall in funding for infrastructure maintenance (31% unfunded) over the next 20 years, of which $80 million were streets, bike paths, traffic infrastructure, and parking lots (p. 2-17). By the 2023–2025 adopted budget, that projection had grown to $225 million (43% unfunded), including $147 million in the same four categories (p. D-11). The most recent analysis makes at least three assumptions that suggest its projects are an underestimate: (1) it makes no mention of water and sewer maintenance; (2) it assumes that "most of this infrastructure will never be replaced outright," at great cost, "at the end of its theoretical 'useful life', but rather will be continuously maintained, so that it will be around long after that useful life of 25 to 75 years, depending on the asset" (p. D-10); and (3) its horizon is only 20 years, potentially ignoring end-of-life costs from infrastructure completed in the past 5–55 years, depending on the asset. Whatever process the City may have had for ensuring that the new costs of its new peripheral developments do not exceed its new revenues appears not to have prevented its unfunded maintenance liabilities from spiraling. The sales tax increase passed in the November 2024 general election ("Measure Q") only promised to partially alleviate the financial pressure. Altogether, Davis appears to have more infrastructure maintenance costs than its revenue can support, more than even its budget acknowledges. The costs side of the equation missing from this objective as written is not a minor detail; it is an egregious omission.

The relevance to this EIR is that all of the alternatives presented (other than no-build or build elsewhere) are unlikely to meet the revised objective we propose. With 25,941 households in the city and a total land area of 9.97 square miles or 6,380 acres in a recent Census,[8] the city's current density is around 4 dwelling units per gross acre. This area includes non-residential land uses such as freeways, rail right-of-way, commercial and industrial land uses, parks, etc. If Davis's pattern of development so far underfunds its *known* infrastructure maintenance by a factor of nearly half, new developments should be aiming for double that, around 8 dwelling units per gross acre, just to break even. If new residential developments should be compared against the residential parts of Davis, omitting non-residential areas from the denominator, the break-even density should be significantly higher. Accounting for the large maintenance costs missing from the budget projections would push it yet higher. And if Davis wants new developments to help *reduce* the maintenance backlog with any speed, they need to do better than

[8] See https://www.census.gov/quickfacts/table/PST045216/0618100,00#qf-flag-X

Letter 11 Cont.

11-35 Cont.

break even. The developer's proposed development has a density of about 4.6 dwelling units per gross acre, far below our lowest estimate of the break-even density. And with predicted VMT per capita higher than Davis's current level, it is more reliant on the city's expensive-to-maintain car infrastructure than existing developments whose net fiscal impact is negative. The use of land in the developer's proposed alternative, with most of the developed area and new infrastructure devoted to serving single-family detached houses, which bring in relatively little property tax revenue per acre, is not significantly different from peripheral developments constructed in the last 75 years that comprise most of the city's area. We should not expect its effect on the city's budget to be any better.

What will? The solution to this problem is to start accounting accurately for the maintenance costs of developments and choosing only those that balance, but for the purposes of this comment we need to make some educated guesses about what that might look like. The problematic development pattern is characterized by land uses such as (1) large peripheral developments of single-family detached houses that cannot be conveniently accessed except by driving; and (2) a predominance among commercial developments of "big-box" stores with large parking lots located far enough from housing that they are inconvenient to use for small trips that can be accomplished by foot, bicycle, or public transit, or even to access without an automobile. In the Downtown Davis Existing Conditions Analysis of March 2018, the City compares an example of the latter, the shopping center on east 2nd St. anchored by Target, against a walkable commercial building on 2nd St. in downtown Davis. Target has a taxable value of $2 million per acre and is served by wide streets with lots of automobile traffic. The block in downtown Davis has a taxable value of $37 million per acre and is served by a short stretch of a narrow, slow street that is walkable and bikeable (p. 3-17). We can imagine that in this case and in some generality, sparser developments that are more dependent on car infrastructure will tend to be revenue-negative, and denser developments that are less dependent on car infrastructure will tend to be revenue-positive. To phrase these as quantitative criteria, we should expect a net benefit to City finances from only developments with (1) dwelling-unit densities far above double Davis's current density, and (2) VMT per capita significantly below the city's current level. No current alternative meets either of these criteria.

If the proposed project and all of the alternatives fail to meet a basic objective of the project, something is wrong. The included alternative that is most likely to meet environmental objectives, and which comes the closest to meeting the fiscal objectives as well, is the *Same Footprint – Increased Number of Units* alternative. With respect to attaining the revised objective 7 and in other ways, the *Reduced Footprint – Same Number (1,800) of Units* alternative we present here improves upon the higher unit alternative. By reducing new residents' reliance on driving per capita, the alternative we

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11-35 Cont.

present makes it possible to serve the same number of new residents with proportionally far less infrastructure for the city to add to its maintenance budget. With the higher property values per acre of denser housing types, this alternative's new property tax revenue would be much more likely to pay for its new infrastructure maintenance costs. This alternative is (1) "necessary to permit a reasoned choice" about the environmental impacts of the single-family detached housing that predominates in all other alternatives; (2) substantially lessens several significant impacts of the project by significantly reducing that housing type; and (3) is more likely to feasibly attain all the basic objectives of the project, including the revised objective 7 that no other alternative meets, than the already included 2,700 unit alternative. The *Reduced Footprint – Same Number of Units* alternative is missing from the analysis and should be included.

Proposed additional GHG mitigation measure to reduce building emissions

Residential Retrofit Offset Reverse Auction Program

In Davis, most stationary emissions will continue to come from the existing buildings. On the other hand, achieving zero net energy (ZNE) or zero net carbon (ZNC) for new developments can be cost prohibitive, particularly if incremental transportation emissions are included. The Residential Retrofit Offset Reverse Auction Program (Retrofit Program) aims to balance emission reductions from both new and existing buildings to lower overall costs, encourage new construction that is more energy efficient, and incentivize a broader energy efficiency marketplace for retrofitting existing buildings.

11-36

The program would collect carbon offset mitigation fees from the project developer who is unable to fully mitigate incremental GHG emissions to achieve a ZNE or ZNC standard with available technologies and measures. The City would then identify eligible low-income residential buildings to be targeted for energy efficiency and electrification retrofits. Contractors then would be invited to bid on how many buildings they could do for a set amount of money.

The approach proposed here is modeled on the Audubon Society's and The Nature Conservancy's BirdReturns Program. That program contracts with rice growers in the Sacramento Valley to provide wetlands in the Pacific Flyway. It asks growers to offer a specified amount of acreage with given characteristics for a set price.

A key impediment to further adoption of energy efficiency measures and appliances is that contractors do not have a strong incentive to "upsell" these measures and products to consumers. In general, contractors pass through most of the hardware costs with little markup; their profits are made on the installation and service labor. In addition,

Letter 11 Cont.

11-36 Cont.

contractors are often asked by homeowners and landlords to provide the "cheapest" alternative measured in initial purchase costs without regard to energy savings or long-term expenditures.

The Retrofit Program is intended to change the decision point for contractors to encourage homeowners and landlords to implement upgrades that would create homes and buildings that are more energy efficient. Contractors would bid to install a certain number of measures and appliances that exceed State and local efficiency standards in exchange for payments from the Retrofit Program. The amount of GHG reductions associated with each type of measure and appliance would be predetermined based on a range of building types (e.g., single-family residential by floor-size category, number of floors, and year built). The contractors can use the funds to either provide incentives to consumers or retain those funds for their own internal use, including increased profits. Contractors may choose to provide more information to consumers on the benefits of improved energy efficiency as a means of increasing sales. Contractors would then be compensated from the Offset Program fund upon showing proof the measures and appliances were installed. The City's building department would confirm the installation of these measures in the normal course of its permit review work.

Funds for the Retrofit Program should be included as a mitigation measure for projects falling under the purview of the California Environmental Quality Act (CEQA.)

The Retrofit Program would be financed by mitigation payments made by building developers to achieve a no-net increase in GHG emissions. Buildings would be required to meet the lowest achievable GHG emission levels, but then would pay to mitigate any remainders, including for transportation, charged at the current State Cap and Trade Program auction price for an extended collection of annual allowances that cover emissions for the expected life of the building (e.g., 40 years).

LETTER 11: DAVIS CITIZENS PLANNING GROUP

Response to Comment 11-1

The comment is unclear. Chapter 7 of the Draft EIR does not identify an "Alternative 4". The comment is not specific as to what "impacts identified in the narrative in Chapter 7 under Alternative 4" are not addressed. Impacts related to project alternatives are not required to be addressed at an equal level to the Proposed Project throughout the Draft EIR. As stated on page 7-6 of the Draft EIR:

> While an effort has been made to include quantitative data for certain analytical topics, where possible, qualitative comparisons of the various alternatives to the project are primarily provided. Such an approach to the analysis is appropriate as evidenced by CEQA Guidelines Section 15126.6(d), which states that the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

Please see Responses to Comments 11-2 through 11-6 below.

The cumulative criteria pollutant impact discussion referred to by the commenter (Impact 4.3-6) has the same finding of significance as the project-level criteria pollutant impact discussion (Impact 4.3-2). Both impacts are found to be significant and require mitigation. As discussed in Impact 4.3-2, the proposed project's operational ROG and PM_{10} emissions would exceed the YSAQMD's thresholds of significance. In order to reduce the project's ROG emissions, the Draft EIR includes Mitigation Measure 4.3-2, requiring use of zero-VOC paints, finishes, adhesives, and cleaning supplies. As described on page 4.3-55 of the Draft EIR, other feasible measures are not available to reduce ROG.

Page 4.3-55 also explains that feasible mitigation measures to reduce area source PM_{10} emissions are not available, as PM10 emissions associated with the Proposed Project/BRPA are almost entirely from mobile sources. Even if area source PM_{10} emissions were reduced to zero lbs/day, PM_{10} emissions associated with the Proposed Project/BRPA would still exceed the applicable YSAQMD threshold of significance. Therefore, mitigation measures to reduce PM_{10} emissions should be focused on mobile source emissions, rather than area source emissions. This would be accomplished in part through implementation of Draft EIR Mitigation Measure 4.13-4.

The commenter's reference to Impact 4.3-8 is unclear as that impact discussion pertains to GHG emissions, whereas the commenter's original focus was Impact 4.3-6, which pertains to criteria pollutants. GHG mitigation is appropriately addressed within Impact 4.3-8 of the Draft EIR.

Response to Comment 11-2

Mitigation Measure 4.3-8, as set forth on page 4.3-80 of the Draft EIR, is not focused on the strategies set forth in the CAPCOA Handbook, as the commenter states. Mitigation Measure 4.3-8 includes a number of examples of reasonable means to achieve compliance with the stated performance standard (i.e., preparation and implementation of a "GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040."). The list of reduction measures included in Mitigation Measure 4.3-8 is not intended to be exhaustive.

Mitigation Measure 4.13-4 in Chapter 4.13, Transportation, of the Draft EIR describes two TDM strategies identified in the CAPCOA Handbook. The first is to "Unbundle residential parking costs from property costs", which is CAPCOA Handbook Strategy T-15. The TIS prepared for the Proposed Project by Fehr & Peers mistakenly refers to Strategy T-15 of the CAPCOA Handbook as Strategy T-16. Therefore, Mitigation Measure 4.13-4 on page 4.13-42 of the Draft EIR is hereby revised as follows:

> *Proposed Project, Biological Resources Preservation Alternative*
>
> *4.13-4 Prior to occupancy of the first residential unit, the project applicant shall implement TDM strategies to reduce the number of vehicle trips that would be generated by the residential component of the Proposed Project/BRPA, subject to review and approval by the City Engineer. The TDM strategies may include, but not necessarily be limited to, CAPCOA Handbook Strategy T-1~~6~~5 and T-20-A.*

Similarly, the related portion of Mitigation Measure 4.3-8, as set forth on page 4.3-81 of the Draft EIR, is hereby revised as follows:

> *3. Should net operational emissions be shown to exceed the maximum emissions levels presented in the applicable table above, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled. Reduction measures may include, but are not limited to:*
>
> - *Use of energy-star appliances in all or part of the project;*
> - *Installation of on-site photovoltaic systems in excess of the City's or State standards in place at the time of this environmental analysis;*
> - *Construct on-site or fund off-site carbon sequestration projects (such as tree plantings or reforestation projects);*
> - *Implement Transportation Demand Management strategies, such as CAPCOA Handbook Strategy T-1~~6~~5 and T-20-A, in accordance with Mitigation Measure 4.13-4 of this EIR;*

All other instances of references to Strategy T-16 throughout the Draft EIR are hereby revised similarly, as shown in Chapter 3.0 of this Final EIR.

The foregoing revisions are for clarification purposes, do not change the intent of the mitigation measures as described, and do not affect the conclusions of the Draft EIR.

Response to Comment 11-3

It is acknowledged that implementation of a conventional carshare program would result in a small reduction in VMT. Mitigation Measure 4.13-4 does not mandate implementation of a conventional carshare program. It specifies that the project applicant shall implement TDM strategies to reduce the number of vehicle trips that would be generated by the residential component of the project, and that the strategies may include, but not necessarily be limited to, the referenced CAPCOA strategies.

Response to Comment 11-4

As presented on page 4.3-80 of the Draft EIR, Mitigation Measure 4.3-8 requires the applicant to prepare and implement a "GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040." The measure identifies a number of examples of reasonable means to achieve compliance with the stated performance standard. In addition, Mitigation Measure 4.3-8 requires that proof of

compliance with the maximum annual net emissions targets be verified through the submittal of a Technical Memorandum of Compliance (TMC) to the City of Davis Department of Community Development. The TMC shall document the following minimum items: modeling (step 1); comparison of modeled emissions to maximum emissions levels identified in Mitigation Measure 4.3-8 (step 2); chosen feasible actions to achieve required reductions (step 3); and measurable GHG reduction value of each action (step 4). As stated in Mitigation Measure 4.3-8, TMCs prepared in compliance with the foregoing steps may cover individual operational years or multiple operational years. Should a TMC be prepared for multiple operational years, the TMC shall demonstrate compliance with the maximum emissions levels for each year included in the TMC. Furthermore, the Draft EIR concluded that, even with implementation of Mitigation Measure 4.3-8, impacts related to GHG emissions would remain significant and unavoidable.

Response to Comment 11-5

Please see Master Responses 2 and 5, and Response to Comment 11-4. A nexus requiring that the requested calculations be conducted does not exist.

Response to Comment 11-6

The Proposed Project/BRPA is not located within the Downtown Specific Plan; thus, the Proposed Project/BRPA would not be subject to compliance with any sustainability guidelines adopted for such. Similarly, any sustainability guidelines adopted for any other specific development project would not apply to the Proposed Project/BRPA. Thus, inventory of the Proposed Project/BRPA's compliance with such is not required. Please see Responses to Comments 181-1 through 181-9.

Response to Comment 11-7

Impact 4.9-2 on page 4.9-21 of the Draft EIR includes the following discussion:

> A cumulative analysis of land use is not included because land use plans or policies and zoning generally do not combine to result in cumulative impacts. The determination of significance for impacts is whether a development project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Conflicts are site-specific, and thus, are only addressed on a project-by-project basis. As shown in Table 4.9-2 below, the Proposed Project and BRPA would be generally consistent with relevant policies in the City's General Plan.
>
> Therefore, the Proposed Project and BRPA would not cause a significant cumulative environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and the cumulative impact would be ***less-than-significant***.
>
> Mitigation Measure(s)
> *None required.*

As shown above, contrary to the comment, the Executive Summary correctly identifies that mitigation measures are not required for Impact 4.9-2.

The Draft EIR includes an analysis of the whole of the actions proposed as part of the Proposed Project/BRPA. Any projects proposed under separate applications by separate proponents are not considered part of the Proposed Project/BRPA.

A summary of the CEQA requirements for the analysis of cumulative impacts and the cumulative setting for the Proposed Project/BRPA is presented in Chapter 6 of the Draft EIR. As discussed on page 6-5 of the Draft EIR,

> The majority of the cumulative analysis in this EIR is based upon a summary of projections contained in the City of Davis General Plan, as well as other reasonably foreseeable projects within the project region. Present and future probable local projects within the City of Davis include, but are not limited to, the following projects: Palomino Place; Shriners Property; Davis Innovation Sustainability Campus (DiSC) 2022; the Cannery Remainder Commercial Parcels; Sutter Davis Expansion (including adjacent Communicare Expansion); various Bretton Woods developments; the Promenade/Nishi; and Olive Drive Mixed Use.

Therefore, the Draft EIR includes the East Covell Corridor projects, among others, in its cumulative impacts analyses. A discussion of cumulative impacts is provided within each of the technical chapters of the Draft EIR pursuant to CEQA Guidelines Section 15130.

Response to Comment 11-8

As clearly demonstrated in the comment, the Draft EIR is transparent that the ultimate determination of consistency rests with the City Council. As stated on page 4.9-13 of the Draft EIR:

> The determination that the project is consistent or inconsistent with the City of Davis General Plan policies or other plans and policies is ultimately the decision of the Davis City Council. Furthermore, although CEQA analysis may identify some areas of general consistency with City policies, the City has the ability to impose additional requirements or conditions of approval on a project, at the time of its approval, to bring a project into more complete conformance with existing policies.

As further stated on page 4.9-19 of the Draft EIR:

> Should the City Council choose to approve the Proposed Project or BRPA, the Council may rely on the analysis in Table 4.9-2 as support for the conclusion that the development, which includes General Plan amendments, is consistent with the General Plan as amended. Certification of the Final EIR will be indicative of agreement with the conclusions in the table.
>
> Approval of the aforementioned entitlements for the Proposed Project or BRPA are discretionary actions subject to approval by the Davis City Council. Should the City Council approve the requested entitlements, the development would be rendered consistent with the City's General Plan and Zoning Ordinance.
>
> From a policy perspective, Table 4.9-2 at the end of this chapter sets forth the reasoning for City staff's determination that the Proposed Project and BRPA would be generally consistent with the applicable policies in the Davis General Plan adopted for the purpose of avoiding or mitigating an environmental effect.

For the reasons presented in the Draft EIR, as reiterated above, statements included in the Draft EIR regarding the Proposed Project/BRPA's consistency with City policies, such as presented in Table 4.9-2 of the Draf EIR, should not be removed.

Regarding the Proposed Project/BRPA's consistency with Policy LU A.3 specifically, as clearly stated in the comment, reiterated above, and presented on page 4.9-17 of the Draft EIR, the ultimate question of the meaning of particular General Plan policies, and thus the project's consistency with them, lies with the City Council.

Response to Comment 11-9

The first Project Objective listed in Chapter 3, Project Description, of the Draft EIR is as follows:

1. Facilitate development of varied housing options, including affordable housing, and in sufficient quantities to meaningfully help to meet the City's Regional Housing Needs Allocation (RHNA) expectations for multiple income levels.

As stated, the Proposed Project and BRPA would contribute towards the RNHA for the City of Davis. Please see Response to Comment 11-17.

Because the CEQA checklist question at hand under Impact 4.11-1 is related to inducing substantial unplanned population growth and because population growth resulting from the Proposed Project/BRPA would not be within the SACOG or City of Davis growth estimates for the project area, the Draft EIR concluded that the Proposed Project/BRPA would be considered to induce substantial unplanned population growth. However, as further discussed in Chapter 4.11 of the Draft EIR, population growth, in and of itself, is not a direct physical effect on the environment. The physical impacts associated with population growth resulting from the Proposed Project/BRPA and cumulative development are discussed throughout the Draft EIR. In addition, potential impacts related to growth inducement are discussed within Chapter 6, Statutorily Required Sections, of the Draft EIR, consistent with CEQA Guidelines Section 15126.2(d).

Response to Comment 11-10

While the Draft EIR could "test" certain transit improvements and their effect on project VMT, the ultimate set of transit improvements resulting from Draft EIR Mitigation Measure 4.13-3(b) is unknown, as it requires coordination with, and approval by, applicable transit agencies. The City cannot compel outside transit agencies to implement certain transit improvements; and thus, selecting a set of transit improvements to test their effect on reducing project VMT would involve guesswork and is speculative. Pursuant to CEQA Guidelines Section 15145, Speculation, "If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

Response to Comment 11-11

Please see Response to Comment 97-55.

Response to Comment 11-12

The Proposed Project/BRPA would include separated Class I bike/pedestrian paths along the East Covell Boulevard and Pole Line Road edges, at two connections to the Cannery, and within the project site/BRPA site to facilitate both east-west and north-south travel along separated paths. Class I paths are also located within the Heritage Oak Park at the southeast corner of the project to provide connectivity through the park to the proposed Class I path on the north side of East Covell Boulevard along the project's southern edge. The Class I paths provided by the project would connect to existing Class I paths along adjacent arterial streets and throughout adjacent neighborhoods and parks. Please also see Response to Comment 100-7.

Response to Comment 11-13

Mitigation Measure 4.13-4 requires that the applicant fund a Transit Service and Facilities Plan for the area encompassing the project site/BRPA site and other development along the north side of the Covell Boulevard and Mace Boulevard corridor between the westerly city limits and the I-80 interchange. The plan shall be led either by Unitrans and Yolobus, or by the City with Unitrans and Yolobus participating as active project partners. The other developments proposed along the Covell Corridor, should they similarly proceed through the planning and environmental review process, would have similar Transit Plan requirements, if warranted.

Regarding increased density, Chapter 7 of the Draft EIR includes evaluation of a High Density Alternative.

Response to Comment 11-14

Please see Master Response 5. As clearly explained on pages 4.13-42 and 4.13-43 of the Draft EIR, the effectiveness of the TDM strategies in reducing the project-specific VMT and GHG emissions cannot be conducted at this time and, therefore, impacts were determined to be significant and unavoidable. However, as stated on page 4.13-41 of the Draft EIR:

> The California Air Pollution Control Officers Association (CAPCOA) *Handbook for Assessing GHG Emission Reductions, Climate Vulnerabilities, and Health and Equity* (December 2021) identifies numerous TDM strategies and quantifies their potential vehicle trip reduction effects. While each strategy provides standalone VMT reduction potential, multiplicative dampening limits the VMT reduction potential in instances where multiple strategies are implemented together.
>
> The TIS identifies the following potential TDM strategies, including the associated VMT reduction potential, which represents raw VMT reduction percentages without adjustments for multiplicative dampening and/or category maximums:

The TDM strategies presented in the Draft EIR are from the CAPCOA Handbook, which is based on scientific evidence supporting the effectiveness of each TDM strategy in reducing VMT and GHG emissions. In addition, the Draft EIR discloses the raw VMT reductions associated with the suggested TDM strategies. Please also see Responses to Comments 11-2 and 11-3.

Response to Comment 11-15

Please see Master Response 5.

Response to Comment 11-16

Please see Master Responses 1 and 5 and Response to Comment 11-17.

Response to Comment 11-17

Please see Master Response 1. In addition, the Proposed Project/BRPA would feature a mix of housing types designed to address a wide range of income levels. Specifically, the Proposed Project/BRPA would include 270 income-qualified units designated for very low and low-income households, representing 15 percent of the total units. Additionally, 90 income-restricted units would be allocated for households earning 80 to 120 percent of the Area Median Income (AMI), bringing the total number of affordable housing units to 20 percent.

To further support middle-income households, the Proposed Project/BRPA would also include 90 starter homes with first-time homebuyer down payment assistance. A significant portion, 1,440



units, would consist of "Affordable by Design" market-rate homes, representing approximately 63 percent of the total development. The homes would fall within the medium density range, offering 900 to 1,800 square feet (sf), which are designed to be attainable for a wide range of buyers. In contrast, only 310 lots are envisioned for "high-income households," constituting just 17 percent of the total development.

Therefore, the Proposed Project/BRPA would provide a diverse range of housing options that directly align with the RHNA goals, particularly in its focus on attainable housing for middle-income families. This distribution of unit types effectively addresses the need for varied housing options and promotes a balanced community.

Response to Comment 11-18

As stated on page 4.1-2 of the Draft EIR:

> Furthermore, pursuant to Public Resources Code (PRC) Section 21061.3 defines an "infill site" as a site in an urbanized area that has not been previously developed for urban uses and is both located immediately adjacent to parcels that are developed with urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses, and the remaining 25 percent of the site adjoins parcels that have been previously developed with urban uses, and is a site within which parcels have not been created within the past 10 years. Based on the foregoing definition, because the project site/BRPA site is surrounded to the west, south, and east with urban uses, and is bordered to the north by the Davis Paintball and Blue Max Kart Club/former wastewater treatment plant (WWTP) site and former Old Davis Landfill, the site is considered an infill site.

The project is demonstrably close to a wide range of essential services and amenities:

- Oak Tree Plaza (500 feet) and East 8th Street Center (0.75-mile) provide immediate access to retail, services, and restaurants.
- Bus stops are located approximately 205 feet away, promoting public transit use.
- The project site/BRPA site is located within a 1.5-mile radius of key community resources, such as the library, Department of Motor Vehicles (DMV), downtown Davis, and the train station.
- UC Davis (1.6 miles) and Sutter Hospital (2.2 miles) are also readily accessible, indicating integration with the broader City infrastructure.

The project site/BRPA site is in close proximity to multiple schools, including elementary, junior high, and high schools, all within a 3-mile radius. This further reinforces the project's integration into the existing community fabric.

Sprawl is typically characterized by low-density development on the periphery of urban areas, requiring extensive new infrastructure and leading to increased reliance on automobiles. In contrast, the project site/BRPA site is located in close proximity to existing infrastructure and amenities, helping to minimize the need for new development and promoting alternative modes of transportation.

Response to Comment 11-19

Please see Master Response 1.

Response to Comment 11-20
Please see Response to Comment 11-18.

Response to Comment 11-21
The Proposed Project's/BRPA's consistency with the City of Davis CAAP is addressed under Impact 4.3-8 of the Draft EIR. As discussed therein, the majority of the reduction actions included within the City's CAAP are targeted for implementation at the City-level, and are, therefore, not applicable to the Proposed Project or the BRPA. However, the Draft EIR notes that both the Proposed Project and the BRPA would be generally consistent with the remaining CAAP actions that are applicable to the Proposed Project/BRPA, including Action TR.11, Action BE.4, Action BE.5, Actions TR.3 through TR.7, and Action AD.2. In addition, while several actions included in the CAAP are related to implementation of future citywide policies and programs that have not yet been developed within the City, as discussed within the Draft EIR the Proposed Project and the BRPA would include several design features that would generally be consistent with the goals of such actions, including Actions BE.3, TR.10, AD.1, AD.3, and WW.1. Therefore, the Draft EIR concluded that implementation of the Proposed Project/BRPA would be consistent with the overarching goal of the CAAP, which is to reduce GHG emissions. For further detail regarding the Proposed Project's/BRPA's VMT impact as it relates to CAAP consistency, please see Response to Comment 32-5.

Response to Comment 11-22
Please see Master Response 1.

Response to Comment 11-23
Please see Master Response 1.

Response to Comment 11-24
Please see Master Response 1.

Response to Comment 11-25
Please see Master Responses 2 and 5.

Response to Comment 11-26
Please see Master Response 2.

Response to Comment 11-27
Please see Master Response 2 and Response to Comment 100-7.

Response to Comment 11-28
Please see the Master Response 5, section entitled "Increased Density Effect on VMT". The master response provides detailed information on the methodology and related sources used to calculate VMT for the Higher Number of Units- Same Footprint Alternative.

Response to Comment 11-29
Please see Response to Comment 11-28.

Response to Comment 11-30
Please see Master Response 1.

Response to Comment 11-31
Please see Master Responses 1, 2, and 5.

Response to Comment 11-32
Under CEQA, the purpose of the objectives is to allow the lead agency to develop a "reasonable range of alternatives." CEQA does not define a "reasonable range." The project objectives are jointly drafted and contain objectives relevant to both the applicant and City staff. They are not intended to be an exhaustive list of potential benefits of the project to the City, but to describe at a high level the primary objectives that align with the City's stated goals and policies. The six alternatives analyzed in the DEIR have identified benefits for the City as well as the applicant, including the equal-weight alternative BRPA project that the applicant identified as the preferred project of which to pursue City approval. The objectives are adequate and appropriate, which is supported by the number of alternatives that could have met a number of the project objectives.

Response to Comment 11-33
Please see Master Response 1 and Response to Comment 100-7.

Response to Comment 11-34
Please see Master Responses 1 and 4.

Response to Comment 11-35
Please see Master Response 1.

Response to Comment 11-36
Please see Master Response 1 and Response to Comment 29-23. The City of Davis has not adopted a Residential Retrofit Offset Reverse Auction Program. Thus, it is premature and not appropriate to require the Proposed Project/BRPA to comply with or pay towards such a program.

Letter 12

Dara Dungworth

From: Miranda Edward <miranda@firstelitesecurity.com>
Sent: Monday, January 20, 2025 9:06 AM
To: Dara Dungworth
Subject: VILLAGE FARMS DAVIS – NEW FIRE STATION #3736784

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Protect the **VILLAGE FARMS DAVIS – NEW FIRE STATION**
Location: Davis, CA 95616. NW of Pole Line Rd and East Covell Blvd, at any stage of development with Professional Security Solutions.

Hello Dara,

My name is Miranda Edwards with First Elite Security, I hope this message finds you having a great day!

12-1

As a trusted security expert, I'm excited to introduce you to First Elite Security's comprehensive solutions for construction and commercial properties in all of **California** and **Nationwide** remote monitoring services.

At First Elite Security, we understand the importance of tailored security solutions to safeguard your assets. Get a completely customizable security monitoring system or integrate your already existing cameras with live (CCTV) monitoring you can depend on.
Our dedicated team and command centers are available 24/7 providing top-notch services, ensuring you with peace of mind.

***Once we determine the specifics, like the location, if **electric** or **solar** box/towers are needed, the hours of surveillance, and number of guards, I can get you started with optimal solutions with pricing that's completely budget friendly!

I'd love to discuss how we can customize all of your security solutions, and I look forward to the opportunity of providing you with ***Security in an Insecure World***!

Please don't hesitate to contact me directly and thank you for considering First Elite Security!

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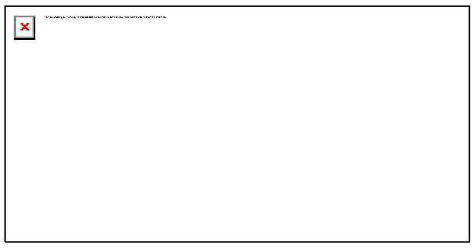
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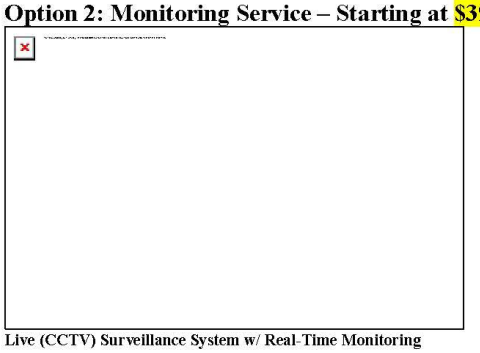
Letter 12 Cont.

12-1 Cont.



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2

Letter 12 Cont.

12-1 Cont.

Best regards,

Miranda Edwards
Business Development Manager


First Elite Security
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3

LETTER 12: FIRST ELITE SECURITY

Response to Comment 12-1

Please see Master Response 1.

Letter 13

CEQA Comment on the Village Farms Davis DEIR

Dara Dungworth, Principal Planner
City of Davis Department of Community Development
23 Russell Boulevard, Suite 2
Davis, CA 95616
Email: ddungworth@cityofdavis.org

I. Overview

13-1

The biology, hazards, and hydrology sections of the Village Farms Davis Draft EIR all have critical issues that should be addressed and corrected before the finalization and certification of the environmental document. The key issues include (a) inadequate CEQA analysis, regulatory oversight, and conservation/restoration plans for wetlands habitat containing federal and state protected species, (b) inadequate analysis under CEQA of the hydrologic impacts on the federal and state protected vernal pools by the proposed reengineering of Channel A and the urbanization of the floodplain that currently comprises most of the site, (c) inadequate planning and state regulatory oversight for the proposed plan to move 1,000,000 cubic yards of dirt contaminated with arsenic (probably anthropogenic) from the Urban Agriculture Transition Area (UATA) to the Urban Development (UDA) in an attempt to raise a large proportion of the project out of the flood plain, and (d) inadequate project alternatives analysis by failing to create a true reduced impact alternative as required under CEQA.

These deficiencies directly put at risk the health and safety of the Davis community and future residents of the subdivision. In addition, they not only undermine required environmental protections under CEQA and federal law but also expose the project to significant legal risk.

II. Deficiencies in Wetland Classification, Regulatory Oversight, and Conservation

13-2

1. **Mischaracterization of Wetlands**
    - The DEIR mischaracterizes the wetland as an "alkali playa" rather than accurately recognizing it as a vernal pool.
    - Vernal pools are defined by their distinct seasonal hydrology (dependent on direct rainfall, sheet flow from adjacent agricultural lands, and slow percolation through clay-rich soils) as well as by their unique assemblage of sensitive and federally protected species.

13-2 Cont.

- This misclassification has major regulatory consequences and could undermine the application of appropriate federal protections and required mitigation measures.

2. **Circumvention of Federal and State Oversight**

- The DEIR appears to circumvent formal oversight by overreliance on the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP) for mitigation measures.

13-3

- It is important to note that the HCP/NCCP is a planning tool designed to guide conservation efforts; it does not have independent regulatory authority to replace the formal permits or jurisdictional determinations required from agencies such as the USACE, SWRCB, or CDFW.
- Relying on the HCP/NCCP in lieu of completing proper jurisdictional determinations and regulatory processes prior to the finalization of the EIR weakens accountability and compromises environmental safeguards.

3. **Incomplete Jurisdictional Determinations**

- Although the DEIR states that the project will require Section 404 (USACE) and Section 401 (SWRCB) permits, it fails to confirm that formal jurisdictional determinations have been completed.

13-4

- Finalizing the DEIR before completing formal jurisdictional determinations would create a regulatory gap, as the project's compliance with the Clean Water Act, the Endangered Species Act, and other federal environmental laws depends on these determinations.

4. **Inadequate Biological Survey and Deficient Survey Protocol**

- The DEIR directly acknowledges that the vernal pools, a federally protected habitat, were disked shortly before the initial dry season biological survey. This likely impacted species detectability.
- During the wet season survey, tadpole shrimp were found but fairy shrimp – known by local biologists to be present at the site – were not found. The lack of fairy shrimp detections was most likely due to the recent disturbance rather than actual absence. A critical flaw in the environmental analysis.

13-5

- Best practices for vernal pool branchiopod surveys recommend a full-year, multi-season survey to account for species emergence patterns and post-disturbance recovery. In the case of the project vernal pool, only one wet season survey was done, and the site had recently been disturbed.

Letter 13 Cont.

13-5 Cont.

- CEQA requires an accurate environmental baseline. Given the timing the of surveys relative to the disturbance, a full-year, multi-season biological resurvey is necessary to accurately capture the complete suite of species present and to ensure that recovery from prior disturbances is properly documented.

5. **Failure to Secure Permanent Conservation Measures and Restoration Planning**

13-6

- Although the BRPA mentions the possibility of establishing a conservation easement, the requirement is not finalized.
- Without a permanent, legally enforceable conservation easement, long-term management by a qualified conservation group, and oversight by the proper jurisdictional agencies, the site remains vulnerable to future degradation. A science-based vernal pool restoration plan is essential to ensure its ecological integrity is preserved.

6. **Premature Impact Assessment**

13-7

- The DEIR's conclusions of "less than significant" impacts rely on unverified mitigation measures and incomplete biological surveys.
- Key regulatory approvals and jurisdictional determinations remain outstanding, meaning the full extent of project impacts has not been properly evaluated.
- Mitigation measures cannot be considered effective without a complete and accurate environmental baseline, which requires comprehensive, multi-season biological surveys and hydrologic assessments.

III. Hydrologic Alterations and Impacts on the Vernal Pool

1. **Reengineering of Channel A**

13-8

- Channel A currently serves as a critical drainage corridor that supports the seasonal hydroperiod of the vernal pool. The project proposes to reroute Channel A northward instead of allowing it to flow east, effectively reducing surface water flow to the existing vernal pool system.
- This alters surface hydrology, reduces seasonal inundation, and disrupts groundwater recharge, which are all essential for maintaining vernal pool ecosystems.

Letter 13 Cont.

13-8 Cont.

- The DEIR includes hydraulic modeling but fails to adequately assess how these changes will impact vernal pool hydrology, sediment transport, and long-term groundwater recharge.

2. **Premature Conclusions on Impact Reduction**

13-9

- The DEIR concludes that wetland impacts in the BRPA are "less than significant," yet this determination is based on mitigation measures and pending agency approvals that have not been finalized.
- CEQA requires substantial evidence that mitigation will be effective before project approval, not deferred until after certification, as is the case here.
- The lack of comprehensive analysis of drainage alterations, watershed connectivity, and seasonal water retention raises serious concerns about whether the DEIR meets CEQA's requirement for a complete and accurate environmental review.

3. **Channel A Reconfiguration is Driven by Urban Development, Not Hydrologic Necessity**

13-10

- Channel A has functioned effectively for decades and continues to do so under the No Project Alternative, demonstrating that modification is not inherently necessary. The realignment is required to accommodate the project's land plan, particularly the development north of Channel A.
- The proposed detention basin system is a design choice, not a hydrologic necessity, and is only required because of the project's footprint. If no development occurred north of Channel A, reconfiguration would not be needed.

IV. Environmental Costs of Developing North of Channel A

1. **Increased Risk to Federally Protected Vernal Pools**

13-11

- The reconfiguration of Channel A is required solely to accommodate urban development north of the channel.
- This hydrologic disruption threatens the seasonal water inputs that sustain the vernal pool ecosystem.
- These risks are entirely avoidable if development is kept south of Channel A.

2. **Large-Scale Hazardous Materials Relocation**

13-12

Letter 13 Cont.

13-12 Cont.

- The project plans to excavate 1,000,000 cubic yards of soil from the UATA to raise the development area out of the floodplain, including almost all of the land north of Channel A.
- As documented in the UATA ESA this soil is contaminated with arsenic at levels more than 50 times the California Department of Toxic Substances Control (DTSC) residential screening level.
- In contrast, the UDA ESA reports no detectable arsenic on the land where Village Farms is planned to be built.
- The plan being analyzed in the draft EIR is effectively to bring 1,000,000 cubic yards of high arsenic soil (almost certainly resulting from human activity) from Yolo County and disperse it on top of much of the low arsenic soil Village Farm site newly annexed into the City … and then build a neighborhood on it!

3. Misrepresentation of Arsenic Contamination and Regulatory Avoidance

13-13

- Based on the available public records, the DEIR dubiously claims that arsenic levels in the UATA are "consistent with regional background," despite the ESA soil analyses showing that the adjacent land (UDA) is arsenic-free. It appears that their borehole argument may be flawed. They've ignored contradictory data to the south, and don't confirm their theory by testing boreholes not adjacent to the dump.
- This sharp discrepancy indicates that the contamination is likely to be anthropogenic, probably from historical agrochemical use (like pesticides).
- Under California law, DTSC has jurisdiction over sites where hazardous substances originate from human activity.
- Despite this, the DEIR fails to document any jurisdictional determination request to DTSC, which should be required before certification of the EIR.

4. Public Health and Regulatory Risks from Soil Transfer

13-14

- Rather than mitigating contamination, the project will disperse it over a larger area, spreading arsenic-contaminated soil onto currently clean land where people will ultimately live.
- Arsenic is a known carcinogen and neurotoxin, with long-term exposure linked to cancer, developmental delays, and immune suppression.

Letter 13 Cont.

13-14 Cont.

- The DEIR fails to analyze how arsenic will behave once excavated and reintroduced into a residential setting, ignoring risks of airborne dust inhalation, soil exposure, and potential groundwater infiltration.
- The City of Davis risks significant liability for approving a project that relocates and redistributes hazardous materials without DTSC oversight.

5. Pattern of Regulatory Avoidance

13-15

- This failure to properly classify and regulate arsenic mirrors the misclassification of vernal pools as alkali playas, which similarly resulted in a lack of engagement with the appropriate regulatory agencies.
- In both cases, the lead agency has appeared to downplay or misrepresent site conditions to avoid stricter regulatory oversight.
- Without DTSC involvement, this project risks long-term environmental, public health, and legal consequences.

V. Deficiencies in the DEIR Alternatives Analysis

1. **Failure to Consider a Legally Adequate Alternatives Analysis**

13-16

- The DEIR's alternatives analysis fails to comply with CEQA Guidelines, which require the lead agency to analyze a reasonable range of feasible alternatives that would substantially reduce significant environmental impacts.
- The DEIR's failure to analyze a legally adequate reduced-footprint alternative leaves a major gap in the alternatives analysis, undermining the document's ability to withstand legal challenge.
- If the lead agency proceeds with certifying the EIR in its current form, it risks substantial legal exposure due to this deficiency.

2. **Over-Reliance on the Biological Resource Preservation Alternative (BRPA)**

13-17

- The BRPA is insufficient as a true reduced-impact alternative because, while it preserves the vernal pools, it fails to reduce other significant project-wide impacts (and in some cases increases them).
- Major environmental risks remain unmitigated, including (a) hydrologic disruptions to Channel A, (b) hazardous soil relocation risks (arsenic), (c) significant unremediated hazards at the old farmstead (e.g. toxaphene), and (d) floodplain modifications that could alter site-wide drainage.

13-17 Cont.

- While avoiding urbanization of the vernal pools (still part of the proposed project) in the preferred alternative (the BRPA) is an important revision, it does not constitute a true CEQA impact reduction if the original proposal to develop these wetlands was never legally viable in the first place because of the presence of federally protected species.

3. **Legal Vulnerability of the DEIR Under CEQA**

- The BRPA is insufficient as a true reduced-impact alternative because, while it preserves the vernal pools, it fails to reduce other significant project-wide impacts (and in some cases increases them).
- CEQA mandates that EIRs include a genuine analysis of project alternatives, not just minor modifications to the proposed project.

13-18

- The failure to conduct a full alternatives analysis violates CEQA's core requirement to inform decision-makers and the public of environmentally superior options.
- If the City certifies this EIR without correcting the alternatives analysis, it risks significant legal challenges and potential regulatory intervention.

VI. Recommendations

1. **Ensure Proper Classification, Legal Protection, and Regulatory Oversight of Vernal Pools**

- The DEIR must correct the misclassification of the vernal pools and fully acknowledge their scientific and regulatory status as jurisdictional wetlands subject to federal and state oversight.

13-19

- All vernal pools and associated wetland habitat must be placed under permanent, legally binding conservation protections to prevent future degradation or development.
- The conservation and management of the vernal pools must be overseen by the appropriate regulatory agencies, including the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the State Water Resources Control Board (SWRCB), to ensure compliance with applicable environmental laws.

13-20

2. **Hydrology Studies Must Be Expanded**

Letter 13 Cont.

13-20 Cont.

- The DEIR lacks sufficient analysis of Channel A's hydrology and floodplain functions, failing to determine how modifications could affect wetland connectivity, sediment transport, and groundwater recharge.
- All proposed modifications to Channel A must be evaluated for their potential to disrupt natural hydrologic flows, with enforceable mitigation measures included before EIR certification.

3. **Hazardous Materials Must Be Fully Addressed**

13-21

- The DEIR improperly relies on generic best management practices (BMPs) instead of requiring enforceable, site-specific mitigation measures, failing to meet CEQA's standard for full disclosure of environmental risks.
- No arsenic-contaminated soil from the UATA should be transported or placed on development sites within the UDA.

4. **The DEIR's Alternatives Analysis Should Be Revised and Recirculated**

13-22

- The DEIR violates CEQA Guidelines §15126.6 by failing to analyze a reasonable range of alternatives that would meaningfully reduce environmental impacts.
- The omission of a legally adequate reduced-footprint alternative leaves a major gap in the alternatives analysis, undermining the document's ability to withstand legal challenge.

5. **Independent Expert Review of Biological, Hydrological, and Hazardous Materials Assessments**

13-23

- Given the project's reliance on incomplete surveys, deferred mitigation measures, and generic best management practices (BMPs), an independent review is necessary to verify the accuracy of the DEIR's biological, hydrological, and hazardous materials analyses, ensure regulatory compliance, and confirm the adequacy of the impact assessment before certification of the EIR.

VII. Conclusion

13-24

The DEIR for the Village Farms Davis Project fails to meet CEQA's fundamental requirement for full environmental disclosure and analysis. The misclassification of wetlands, incomplete jurisdictional determinations, inadequate mitigation for hazardous materials, and lack of a legally adequate alternatives analysis collectively render the document legally vulnerable.

Letter 13 Cont.

13-24 Cont.

The hydrologic modifications to Channel A are development-driven rather than hydrologic necessities, exposing the vernal pools to unnecessary risks. Similarly, the DEIR's approach to hazardous materials relocation lacks regulatory oversight, relying on unverified mitigation strategies instead of a comprehensive remediation plan approved by DTSC.

The failure to properly analyze feasible alternatives that could substantially lessen environmental impacts further undermines the document's credibility. Without an adequate range of alternatives, the DEIR does not allow decision-makers or the public to fully assess environmentally preferable options, violating CEQA's core mandate.

To comply with CEQA, the City must address these deficiencies before certification. Ensuring that the DEIR is scientifically accurate, legally compliant, and based on substantial evidence will result in a stronger environmental document and a more informed decision-making process.

This does not mean the project should be abandoned, but rather it should be revised to meet state and federal environmental standards so that can move forward responsibly.

Friends of the Davis Vernal Pools

LETTER 13: FRIENDS OF DAVIS VERNAL POOLS

Response to Comment 13-1
Please see Master Response 1.

Response to Comment 13-2
Alkali playas are a unique type of vernal pool, characterized by their clay hardpan, large size, extended period of inundation, and halophytic plant species. The USFWS uses the term to describe such features and highlight their potential to support a number of federally listed species in the Final Designation of Critical Habitat for Four Vernal Pool Crustaceans and Eleven Vernal Pool Plants in California and Southern Oregon (USFWS 2003). Olcott Lake at Jepson Prairie is a particularly large example of this habitat type. There was no intent to suggest that these features are not vernal pools, but instead to highlight their unique status. The wetland status and habitat suitability for a number of special-status species is detailed throughout Chapter 4.4, Biological Resources, of the Draft EIR.

Response to Comment 13-3
Covered projects (such as the Proposed Project/BRPA) within the City of Davis are required to participate in the Yolo HCP/NCCP, which was developed to coordinate avoidance and mitigation for 12 covered species. The Yolo HCP/NCCP has established avoidance and minimization measures (AMMs) for those 12 covered species, but as the commenter notes, it does not provide regulatory permits for impacts to any other sensitive biological resources. Furthermore, a number of special-status species known to occur in the Plan Area as well as on the project site/BRPA site are not covered by the Yolo HCP/NCCP, and Mitigation Measures are included in the Draft EIR for those species, including vernal pool tadpole shrimp, Crotch's bumble bee, and Monarch butterfly. Draft EIR Mitigation Measures 4.4-15(b), 4.4-15(c), and 4.4-15(d) require the project proponent to secure appropriate regulatory permits from CDFW, USACE, and the Central Valley RWQCB. The Draft EIR does not rely on the Yolo HCP/NCCP in lieu of completing a jurisdictional determination or regulatory processes. By regulation, the CEQA process must be completed before the regulatory permits may be issued. The jurisdictional determination will occur as part of securing the Clean Water Act Section 404 permit from the USACE.

Response to Comment 13-4
The aquatic resources delineation has been conducted in accordance with USACE protocols (as outlined in the Draft EIR); however, a jurisdictional determination has not yet been acquired. Jurisdictional determinations are not required to prepare an EIR, or for a CEQA lead agency to certify an EIR. If, during the aquatic resources delineation verification process, the USACE determines that additional aquatic resources are present in areas within the project site/BRPA site, these aquatic resources would be added to the delineation map and become part of the regulatory permits for the project site/BRPA site. Aquatic resource mapping on a given site tends to change over time due to a variety of factors, and the jurisdictional determination is intended to memorialize the location, extent, as well as jurisdictional status of each resource.

Response to Comment 13-5
Despite the disking, vernal pool tadpole shrimp cysts were documented during the dry season surveys in the habitat. Such documentation shows that the stratum containing branchiopod cysts was sampled and that, had vernal pool fairy shrimp had been present, they likely would have been detected (dry season survey protocols are extensive and intended to maximize the likelihood of finding cysts of these species). Vernal pool fairy shrimp have not been documented on the site in

the CNDDB or any other database that the consultant team are familiar with. The USFWS regulates impacts to the federally listed vernal pool branchiopods (including vernal pool tadpole shrimp and vernal pool fairy shrimp), and in their Survey Guidelines (USFWS 2017), they state "A complete survey consists of one wet season survey and one dry season survey conducted and completed in accordance with these guidelines and conducted within a 3-year period." A complete set of vernal pool branchiopod surveys has been conducted in accordance with USFWS protocol, providing an accurate environmental baseline for this document.

Response to Comment 13-6

Please see Master Response 7.

Response to Comment 13-7

Please see Master Response 1 and Response to Comment 13-5.

The CEQA process must be completed before the regulatory permits may be issued. Regulatory agencies are not able to issue permits prior to certification of a CEQA document.

The commenter has failed to accurately identify how the environmental baseline is inaccurate, as comprehensive, multi-season (2023 and 2024), protocol-level surveys have been conducted for aquatic resources, vernal pool branchiopods, special-status plants, burrowing owl, and Swainson's hawk.

Response to Comment 13-8

The majority of the flow in Channel A would be diverted into the new, more natural channel. However, Channel A does not currently provide surface flow to the depressional wetlands within the project site/BRPA site. A culvert at the north end of one of the wetland ditches east of the alkali playas drains the wetland area into Channel A, and the outlet of the culvert is at least 5 feet above the Ordinary High Water Mark of Channel A. Given Channel A's substantially lower elevation relative to the wetland area, and the fact that water drains from the wetlands into Channel A, rerouting the flow of Channel A would have no hydrologic impact on the wetlands. Based on the biological surveys completed, as well as information from the property owner and long-time farmer, Channel A has never been documented to flow in the opposite direction (from Channel A into the wetlands), which is substantiated given topography of the area.

Response to Comment 13-9

The comment is incorrect. The Draft EIR does not find that the BRPA would have a less-than-significant impact to wetlands. On the contrary, as clearly stated on page 4.4-99 of the Draft EIR, the impact was found to be significant. With implementation of Mitigation Measure 4.4-15, the BRPA's impact would be reduced to a less-than-significant level. Please also see Responses to Comments 13-4 and 13-8.

Response to Comment 13-10

Please see Master Response 1.

Response to Comment 13-11

Please see Master Response 1 and Response to Comment 13-8.

Response to Comment 13-12
Please see Master Response 3.

Response to Comment 13-13
Please see Master Response 3.

Response to Comment 13-14
Please see Master Response 3.

Response to Comment 13-15
Please see Responses to Comments 13-2, 13-3, and 13-13.

Response to Comment 13-16
Please see Master Response 2.

Response to Comment 13-17
Please see Master Response 2.

Response to Comment 13-18
Please see Master Response 2.

Response to Comment 13-19
Please see Response to Comment 13-2 and Master Response 7.

Response to Comment 13-20
Please see Response to Comment 13-8 and Master Response 4.

Response to Comment 13-21
Please see Master Response 3. Further, a lead agency may defer formulation of the details of a mitigation measure pending further study when necessary to do so, if the lead agency describes the mitigation actions that will be considered, adopts clear performance standards for measuring the effectiveness of the measures selected, and commits the agency to the mitigation plan. A mitigation performance standard is sufficient if the mitigation identifies specific criteria the agency will apply in determining that the impact will be mitigated (See *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 525).

Mitigation Measures 4.7-2(a) through 4.7-2(f), which are included in the Draft EIR to address potential impacts related to the presence of hazardous materials on-site, include adequate performance standards. For example, Mitigation Measure 4.7-2(a), provided below, provides sufficient performance standards:

> *Prior to issuance of a demolition permit by the City for the on-site two-story tank house, shallow soil impacted by toxaphene at the former barn, shed, and trailer locations within the project site/Biological Resources Preservation Alternative (BRPA) site shall be removed and disposed of off-site in accordance with federal, State, and local regulations at an appropriate Class I or Class II facility permitted by the Department of Toxic Substances Control (DTSC), or other options implemented as deemed satisfactory by Yolo County Environmental Health Division (YCEHD) and/or DTSC. The removal and off-site disposal of soil impacted by toxaphene shall concurrently address the limited area where*

> *lead was detected at concentrations exceeding the screening level for residential soil in the Urban Development Area Phase II Environmental Site Assessment (ESA) prepared for the Proposed Project by Geocon Consultants, Inc. (Geocon). The soil removal shall be performed under the oversight of the YCEHD, unless the YCEHD defers oversight to a State agency. Verification soil sampling and laboratory analysis shall be required to demonstrate that the impacted soil was removed, and a completion report shall document the proper handling and disposal of the impacted soil. Results of soils sampling, analysis, and the completion report shall be submitted for review and approval to the City of Davis Department of Community Development and Public Works Utilities and Operations Department (PWUO).*

Overall, the Draft EIR provides mitigation for potential impacts related to hazardous materials that incorporate sufficient performance standards and that meet the requirements of CEQA.

Response to Comment 13-22

Please see Master Response 2.

Response to Comment 13-23

Please see Responses to Comments 13-5 and 13-21.

Response to Comment 13-24

Please see Responses to Comments 13-1 through 13-23.

Letter 14

Dara Dungworth

From: Jake West <jake@limbicmedia.ca>
Sent: Tuesday, January 28, 2025 8:12 AM
To: Dara Dungworth
Subject: Dara, Village Farms Artistic Lighting Design Inquiry

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hi Dara,

Happy Tuesday. I don't like reaching out cold. Please forgive me.

The reason I am reaching out is to inquire about artistic lighting opportunities for your Village Farms Development.

We have been doing great work for cities, developers, and tourism:

https://limbicmedia.ca/projects/

We keep landing important projects. We are trusted to make them more beautiful and engaging.

14-1

I was wondering if you are looking to create an artistic, elevated nightscape(s) for this project. Could you please let me know? No worries if not.

Thank you for your consideration.

--
Jake West
(778) 430-5123
Business Development | Artist - Limbic Media
https://limbicmedia.ca/

1

LETTER 14: LIMBIC MEDIA

Response to Comment 14-1

Please see Master Response 1.

Letter 15

Dara Dungworth

From: Alex Cole <alex.cole@nuveen.com>
Sent: Monday, February 17, 2025 6:36 AM
To: Dara Dungworth
Subject: City of Davis (CA) Development Financing & Refinancing w/ Nuveen Green Capital

Categories: Staff Follow Up, VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dara,

15-1

I recently came across Village Farms Davis and thought it made sense to reach out and see if there might be an opportunity for us to fill a portion of the capital stack.

Nuveen Green Capital has financed billions of dollars into commercial and multifamily projects using C-PACE funds that are flexible, long-dated, fixed, and non-recourse.

In addition, relative to nearly every other type of debt or equity, our capital is significantly less expensive – especially in the current rate environment.

I would welcome the chance to chat to see if this deal or other project in CA may be a good fit for our funding and to see if we can help drive some good returns to you and your LPs.

Thanks,
Alex

Alex Cole
Senior Manager
Market Development & Strategy
alex.cole@nuveen.com

Nuveen, LLC
nuveen.com/greencapital

This communication is for informational purposes only and is not intended to be a recommendation or investment advice. Further, this message and any attachments may be confidential and proprietary. If you are not an intended recipient, please inform the sender of the transmission error and delete the message immediately without reading, distributing or copying its contents.

LETTER 15: NUVEEN GREEN CAPITAL

Response to Comment 15-1

Please see Master Response 1.

Letter 16

SIERRA CLUB
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Yolano Group
MOTHERLODE CHAPTER

Explore, enjoy and protect the planet

Sierra Club Yolano Group Comments on Village Farms DEIR - 2-25-25

1. Alternatives

a) **Recommend Consideration of Co-op Housing** - Evidence suggests that a housing co-op model can provide stable, affordable workforce housing for individuals and families (see California Cooperatives: Today's Landscape of Worker, Housing and Childcare Cooperatives). Providing affordable local housing for people currently commuting to Davis from outside Davis will lessen the VMT and GHG emissions impact of this project and should be considered as an effective mitigation measure.

16-1

We recommend that the FEIR analyze as a Project Alternative a co-op model (perhaps similar to Dos Pinos or Muir Woods) as a supplement to the proposed starter-home program to explore the environmental benefits that such a model could produce.

b) **Recommend Consideration of Alternative Only Below Channel A** - On December 8, 2023, the County of Yolo Planning, Building, and Public Works Departments sent a letter to the City of Davis commenting on the Village Farms NOP which stated, "*The Draft EIR should consider a reduced footprint alternative that defines the northern project boundary south of the existing Davis Drain and explores the opportunity for increased density, thereby maximizing housing options without compromising economic returns*". Quoting from Cal. Code Regs. Tit. 14: "*Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly*. "

16-2

We similarly recommend that a reduced footprint alternative be examined with its northern project boundary south of the existing Davis Drain to determine if building 1,000 or more units on such a reduced footprint can provide increased density and maximize housing options while preserving more trees and habitat and still meeting project objectives.

Letter 16 Cont.

2. **Biological Resources**

a) **Ambiguous Tree Mitigation Needs Clarification:** The DEIR states that approximately 952 trees are planned to be removed by the project, acknowledging that more trees than this may be killed or damaged during construction. 888 (93%) of the trees anticipated to be removed are non-native (see Table 4.4-10- Alternative Tree Impacts). The EIR otherwise states the project "*would additionally comply with General Plan Policy UD 2.2, which requires maintenance of and an increase in greenery". (see Chapter 4.1 – Aesthetics, p. 4.1-15). The Proposed Project and the BRPA would include new plantings of native, drought-tolerant trees, shrubs, and seasonal grasses within the proposed Heritage Oak Park and Village Trails Park, as well as within the greenbelts that would occur along portions of all the site's boundaries, as well as adjacent to and/or within the proposed residential villages"*. Additionally, the project will be required to comply with the mitigation measures of the Yolo Habitat Conservancy and the California Dept of Fish and Wildlife for loss of habitat for sensitive species.

16-3

The DEIR also notes that "the Proposed Project and BRPA would be required to comply with the applicable provisions of Davis Municipal Code Chapter 37," which states,

> "*Final mitigation requirements shall be determined by the City of Davis and may include the following options:*
>
> *- Incorporation of existing healthy trees into the design of the project;*
> *- Replanting of trees on-site;*
> *- Replanting of trees off-site in City-owned open space or park; and/or*
> *- Payment to the City's Tree Preservation Fund in lieu of replacement."*

This is ambiguous, however, because a simple payment to the Project could conceivably satisfy all mitigation obligations for these removed trees without otherwise providing the mitigation benefits of replacement tree plantings.

We therefore recommend that option to pay into the City's Tree Preservation Fund not be utilized as a mitigation option to ensure that trees anticipated for mitigation are actually planted and that this be accounted for by providing calculations determining impacts of off-setting mitigation on carbon sequestration and raptor nesting habitat.

3. **Hazards and Hazardous Materials**

16-4

a) **Further Groundwater Disclosures Recommended:** The DEIR discusses the results from testing water quality in a number of groundwater monitoring wells on the former

Letter 16 Cont.

16-4 Cont.

landfill site and a few wells on the northern portion of the Village Farms project site. However, conflicting information is given. In one place the DEIR states that "*the project site/BRPA site appears to have been impacted by low levels of VOCs, as well as general minerals and inorganic constituents (including alkalinity, chloride, nitrate, sulfate, selenium, and total dissolved solids [TDS]) at concentrations higher than the assumed naturally occurring background levels*" (Page 4.7-11). However, elsewhere it states that "*UES concluded that aluminum, arsenic, selenium, and nitrate can be attributed to larger regional trends because water districts and regulatory agencies in the region and across the central valley have reported levels of these analytes above MCLs and at similar concentrations reported in the monitoring wells associated with Old Davis Landfill. UES concluded that the detected concentrations of aluminum, arsenic selenium, and nitrate are not specifically connected to activities at the Old Davis Landfill.*" (p. 4.8-9).

The DEIR also states, "*Petroleum hydrocarbons were not detected. Salt concentrations in surface soils were higher than those detected in subsurface soil, but the UATA Phase II ESA determined that such levels are likely the result of former agricultural uses, rather than activities associated with the Old Davis Landfill.*" (p. 4.7-30)

"VOCs" are Volatile organic compounds (VOCs) that have a high vapor pressure at room temperature, allowing them to easily evaporate into the air. They are commonly found in many household products, such as paints, cleaning supplies, and solvents, and can have adverse health effects when inhaled. Different VOCs were measured at low concentration in the various groundwater testing wells in the 1990s. In a recent City Council meeting (April 4, 2023), one public commenter stated, "*The old land fill site was not lined so there is vinyl chloride leakage from the old land fill and it's substantial. Vinyl chloride is carcinogenic and does not go away*." However, a report detailing the findings of constituents in the groundwater beneath both the landfill and the Village Farms Davis site was prepared by the City's contractor, Wallace Kuhl Associates (SemiAnnual Monitoring Report, Fourth Quarter 2019 – Old Davis Landfill, W KA No. 12395.01P, January 23, 2020). According to this report, there was no groundwater contamination by any heavy metals or volatile organic compounds (VOCs) in excess of their established Maximum Concentration Level (MCL) and none of the samples showed the presence of any vinyl chloride contamination at all.

More recent testing February of 2024 has disclosed the presence of a variety of PFAS, or per- and polyfluoroalkyl substances in high concentration under the Old City Landfill and in a lower concentration in one of the on-site wells. Before 2024, PFAS concentrations were never previously tested in any earlier well testing. PFAS, are a large group of synthetic chemicals used in various consumer products for their water, grease, and stain-resistant properties. They are often referred to as "forever chemicals" because they do not break down easily in the environment and can accumulate in the human body over time, posing potential health risks.

Letter 16 Cont.

16-4 Cont.

The 2024 testing also concluded, "*Organochlorine pesticides, polychlorinated biphenyls, volatile organic compounds, semi-volatile organic compounds, organophosphorus pesticides, and chlorinated herbicides were not detected above their respective laboratory reporting limits in any of the water samples collected. None of the water samples collected were found to contain concentrations of Acrolein, Acrylonitrile, and 2-CEVE (2-Chloroethyl vinyl ether) above their respective laboratory reporting limit.*"(Universal Engineering Services, Groundwater Monitoring Report – Old Davis Landfill, April, 2024).

The Regional Water Quality Control Board issued a letter on July 23, 2023 stating, "*Central Valley Water Board staff (Staff) reviewed available records for the Old Davis Landfill Land Disposal Site (L10001389487) case based on concerns expressed by a City of Davis (City) resident in a 5 June 2023 letter to the Central Valley Water Board. In brief, the resident expressed concerns regarding the "leaking of toxics" to groundwater from the closed landfill, and the potential risks leakage from the landfill may pose to properties south of the landfill that are proposed for residential development.* ***Staff does not believe a risk is posed to the residential and commercial properties proposed for development if the development is connected to the existing City municipal water system and the City water system is the sole means of water used by the development***" (**Bold emphasis added**). (see p. 604 of 697 in DEIR_Appendix F_Phase 1 ESA [Urban Development Area].

Given i) the conflicting statements on the impacts of the Old City Landfill on inorganic chemicals in the groundwater, ii) the history of early but decreasing VOC contaminant levels in the well water beneath the Old City Landfill not discussed in the DEIR, iii) and the more recent inclusion of testing for PFAS showing PFAS levels in the groundwater, the DEIR is confusing as to impacts of the Old City Landfill on groundwater and the project, we recommend that all of the historical and more recent results of all the water quality testing in the monitoring wells on the Old City Landfill water quality be disclosed in the DEIR with simple tables or graphs for viewing and analysis by readers.

4. **Hydrology and Water Quality**

16-5

a) **Add Language Disclosing Impacts of 100-year and 200-year Flood Events on Golf Course Channel A** - On p. 4.8-38 of Chapter 4.8 - Hydrology and Water Quality of the DEIR, the following statement is made, "*In general, the BRPA would result in equal to or reduced water surface elevations outside of the BRPA site, with some areas in the undeveloped farmland showing small increases. Generally, the increases are less than 0.05-foot with the majority of increases being 0.01-foot or less. The 100-year, 24-hour storm event does show some isolated areas with larger increases that would occur within drainage features along Covell Drain in the Wildhorse golf course. The largest*

16-5 Cont.

increase shown is approximately 0.4-foot to 0.5-foot, directly over the pond in the northeast corner of the golf course, which would not impact structures." However, similar concluding statements are not included for the impact of a 200-year, 10- day storm event and the 100-year, 10-day storm event.

We recommend that similar concluding statements be made in the DEIR of the impacts of a 200-year, 10- day storm event and a 100-year, 10-day storm event on the Wildhorse Golf Course Covell Drain.

16-6

b) **Recommend Golf Course Channel A Inspections by the City and Golf Course** - When the golf course was constructed in the early 2000s, the City and the golf course anticipated entering into an Environmental Compliance and Management Plan. A draft of this agreement stated that annual inspection of the newly designed Channel A floodplain should be conducted each year by the golf course in coordination with the City Flood Control staff and preferably the design engineer. It appears this agreement may have never been finalized and the City and golf course have not co-inspected the golf course since. On September 12, 2024 Eric Spann, Deputy Director of Public Works Utilities & Operations for the City of Davis, wrote in an email to a Wildhorse resident who inquired about the status of the anticipated inspections: "*We have not inspected the Wildhorse Golf Course channel. We are still trying to figure out if the document was finalized and recorded. Without knowing if it was finalized, we cannot enter their property for inspection purposes. Unfortunately we cannot just ask them for permission because of liability concerns. We might have to enter into an MOU with the property owners to gain inspection access. I am reaching out to the City Attorney to see what our options are.* "

In light of these developments, we recommend that the site be jointly inspected by the City and the golf course as anticipated by the original draft Environmental Compliance and Management Plan to determine if has been properly maintained for flood control purposes after entering into an MOU if necessary. We further recommend that ongoing inspections of the Wildhorse Golf Course channel be negotiated.

5. **Transportation**

16-7

a) **Report Total VMT in Addition to Per Capita VMT:** The transportation analysis only reported *residential per capita VMT* and did not report *total VMT* that would be added by the project. Total VMT is commonly reported in EIRs including in the recent EIR for the proposed DISC project in the City of Davis. Reporting total VMT is recommended so that the City Council and the citizens of Davis have this key piece of information to assist in understanding the full impact of the project. This is because newly added per capital VMT could be around average while the total VMT that would be added by the project could be significant. In other words, disclosing the total VMT added by the project enables a more complete analysis and understanding of potential environmental risks.

Letter 16 Cont.

16-7 Cont.

We therefore recommend that Total VMT generated by the project should be clearly disclosed.

16-8

b) **Analyze and Report Impacts on VMT of Proposed Pedestrian and Bicycle Grade-Separated Crossings:** The project description states: "*Additionally, if feasible, one pedestrian/bicycle crossing would be provided through an undercrossing near the Pole Line Road/Moore Boulevard intersection. The Pole Line Road undercrossing would land in the vicinity of the Nugget Fields parking lot. The Proposed Project also provides an opportunity to explore a grade-separated crossing at F Street.*" However, the DEIR should analyze and report how the aforementioned grade-separated crossings would reduce both per capita VMT and total VMT, especially in light of the increasing use of electric bicycles and electric scooters.

We therefore recommend that the impacts of such grade-separated crossings on total and per capita VMT be analyzed and reported.

16-9

c) **Specify that Electric Vehicle Charging Infrastructure Includes Charging Stations for Bicycles and Scooters and Analyze Impacts**: The DEIR mentions "*electric vehicle charging infrastructure in excess of existing Tier 1 CBSC requirements*" as a mitigation measure. According to the California Building Standards Commission (CBSC) Tier 1 requirements, new multifamily housing projects must have 35% of parking spaces equipped with low-power Level 2 EV charging receptacles; additionally, for projects with 20 or more units, 10% of parking spaces must be equipped with full Level 2 EV chargers. However, the Tier 1 CBSC requirements do not specify whether this includes charging infrastructure for bicycles and scooters in addition to automobiles and trucks.

Given that the project intends to serve people with a variety of incomes, we recommend that this requirement for electric vehicle charging should be amended to also include minimum electric charging requirements for bicycle and scooter parking spots and include calculations estimating the impact such mitigation measure will have on per capita and total VMT.

LETTER 16: SIERRA CLUB YOLANO GROUP

Response to Comment 16-1
Please see Master Responses 1 and 2.

Response to Comment 16-2
Please see Master Response 2.

Response to Comment 16-3
Please see Master Response 7. In addition, Mitigation Measure 4.4-17 is based on the requirements included as part of the City of Davis Tree Ordinance, which is an acceptable form of tree mitigation. Regarding raptor nesting habitat, as stated on page 4.4-108 of the Draft EIR:

> The Yolo HCP/NCCP requires the Yolo Habitat Conservancy to protect approximately 33,300 acres over 50 years, primarily through the acquisition of habitat conservation easements on agricultural land funded with development fees paid by project proponents. The Yolo HCP/NCCP coordinates conservation efforts to ensure that the lands are selected consistent with a conservation strategy based on biological criteria, including the selection of lands that provide habitat to multiple species and are located near existing protected lands and riparian areas. The Yolo Habitat Conservancy regularly consults with the CDFW and the USFWS to ensure that the Yolo HCP/NCCP is successfully and sustainably implemented. As such, the Yolo HCP/NCCP functions as the regional strategy for preserving natural habitat, and compliance with the Yolo HCP/NCCP would prevent cumulative impacts. Projects within the City limits, including projects associated with buildout of the Davis General Plan planning area, as well as the list of present and probable future projects, would all be required to comply with the Yolo HCP/NCCP. The Yolo HCP/NCCP EIR concluded that cumulative impacts related to biological resources would be less than significant with implementation of the Yolo HCP/NCCP given the regional benefits to biological resources.

The project will participate in the Yolo HCP/NCCP and thereby contribute to the regional strategy for preserving natural habitat.

Response to Comment 16-4
The Draft EIR does not include conflicting information. For example, the citation on page 4.7-11 referenced by the commenter is followed by the following statement in the Draft EIR:

> Additionally, according to the Urban Development Area Phase I ESA, the presence of elevated general minerals and inorganic constituents does not represent a contaminant plume, and background concentrations (concentration limits) have not been established.

The above statement comports with the commenter's next citation from page 4.8-9 of the Draft EIR, which says that minerals can be attributed to larger regional trends and not the Old Davis Landfill.

Please also see Master Response 3.

Response to Comment 16-5
Please see Master Response 4.

Response to Comment 16-6
Please see Master Response 4.

Response to Comment 16-7
As discussed on page 4.13-20 of the Draft EIR, the applicable VMT standard of significance is based on the guidance from the OPR (now LCI) Technical Advisory. Pursuant to the Technical Advisory, the Proposed Project and the BRPA would result in a significant VMT impact if it would cause the residential component to generate residential VMT per capita exceeding 15 percent below baseline local or regional VMT per capita for residential uses. Nonetheless, as stated under Impact 4.13-5, due to uncertainties regarding the ability for Mitigation Measure 4.13-5 to reduce VMT impacts to less-than-significant levels, VMT impacts of both the Proposed Project and the BRPA would be considered significant and unavoidable. Thus, even if total VMT was calculated pursuant to the recommendations included in the comment, the conclusions of the Draft EIR would not change. The analysis included in the Draft EIR related to VMT remains adequate.

Response to Comment 16-8
Please see Response to Comment 100-4.

Response to Comment 16-9
Please see Master Response 1. The project applicant and the City will consider the recommended measure when implementing Mitigation Measure 4.3-8.

Letter 17

THE cannery
DAVIS, CALIFORNIA

February 19, 2025

Dara Dungworth
ddungworth@cityofdavis.org

Re: Village Farms Draft Environmental Impact Report

Dear Ms. Dungworth,

17-1 The Board of Directors of the Cannery Homeowners Association is writing to voice concerns which have been raised to us by a large number of our members and residents. After reviewing the documents provided regarding the Village Farms development proposal and the various alternatives evaluated during the Environmental Impact Review (EIR) process, the Board believes there are significant, specific, glaring shortcomings which will unreasonably burden the Cannery Homeowners Association and diminish the quality of life for our members. The Board is particularly concerned with: 1) material and adverse alteration to The Cannery Urban Farm; 2) unacceptable traffic safety impacts to the Cannery Neighborhood; and 3) disproportionate noise impacts to The Cannery neighborhood during and after project construction, as outlined in greater detail below.

1. Unacceptable, material, and adverse alteration to The Cannery Urban Farm.

17-2 We have previously noted a lack of candor from both the Village Farms developers and City staff with respect to the Village Farms plan, particularly as to whether the Village Farms developers plan to make material, adverse alterations to the existing Cannery Urban Agriculture Transition Area (UATA) and Cannery Urban Farm. The developers' intentions have now become clear via the Draft EIR—they do indeed plan to construct a road running right through the Cannery Urban Agriculture Transition Area and Cannery Farm, to connect the planned development to the Cannery Avenue / J Street corridor.

17-3 Page 3-23 of the Raney Draft EIR erroneously states: "It should be noted that an existing UATA buffer is located adjacent to the Cannery Farm and Cannery subdivision and includes demonstration gardens, community space, and a drainage corridor along the Cannery frontage. The Proposed Project would not result in modifications to the existing UATA." Construction of a paved road through the UATA at the eastern edge of the Cannery neighborhood will clearly result in a material, adverse alteration of the UATA, thus resulting in significant, and likely ongoing disruption to the operation of the urban farm. As imagined, designed and built, The Cannery Urban Farm is an essential and integral feature of The Cannery. The Cannery Urban Farm was advertised to the original Cannery homeowners by both the City of Davis and the developer as a farm-to-fork community, with the farm as a selling point. While the development of Village Farms could have presented a unique opportunity to expand The Cannery Farm and

Letter 17 Cont.

17-3 Cont.

integrate it with Village Farms' own educational farm concept, the developers of Village Farms would apparently rather pave over The Cannery Farm.

2. Unacceptable traffic safety impacts to The Cannery neighborhood.

17-4

The Cannery community will suffer disproportionate traffic safety impacts from the planned Village Farms development and the planned linkage of Village Farms with the Cannery via the unacceptable, material, and adverse alteration of the Cannery UATA and Cannery Urban Farm. While traffic congestion and level of service is outside the scope of the EIR process, it is nonetheless obvious to any astute local observer that the current and anticipated future design geometry of the intersection of East Covell Boulevard and L Street is, and would in all likelihood remain, inadequate to handle the volume of vehicle trips exiting Village Farms during peak morning hours and returning to Village Farms during peak afternoon and evening hours. If a road is built through The Cannery Urban Farm, we expect that a substantial majority of vehicle trips between Village Farms and destinations to the west (including U.C. Davis, and destinations accessible via Highway 113 and 1-80 West) will instead travel through Cannery neighborhood streets, creating significant and unacceptable traffic safety impacts for Cannery residents, notably for the many children and elderly residents of the neighborhood.

17-5

Unfortunately, the traffic study conducted by Fehr & Peers for Raney does little to reflect the truly grossly disproportionate traffic safety impacts which would be suffered by The Cannery due to a linkage to Village Farms. For insight here, we must instead turn to the noise study conducted by Saxelby Acoustics, which is in turn informed by a study made by the project traffic engineer, GHD Group. Unfortunately, GHD's detailed estimates of traffic volumes have not been made public as part of the EIR process.

17-6

Per Saxelby, GHD estimates that the portion of Cannery Loop west of Cannery Avenue currently carries 970 average daily trips, and expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farms development plan and Fehr's estimates of total trip volumes from Village Farms, we believe that total trips exiting the Cannery during peak morning and afternoon/evening periods via Market Street and Cannery Avenue could increase by anywhere from 200% to 400% immediately following the development of Village Farms, without consideration of further cumulative development impacts over time. Additionally, we note that while Raney concluded that "Higher Number of Units - Same Footprint" (HNU) alternative would result in lower VMT per capita, Raney appears not to have subjected the HNU alternative to a rigorous analysis of total VMT or vehicle trips. While automobile modal share would likely decline under the HNU alternative, we believe that traffic safety impacts to the Cannery could be even greater under this alternative.

17-7

We emphasize that our concern is not solely with potential increases in traffic congestion of potential changes in the level of service. Instead, our concern is that the introduction of a step change increase in commuter traffic volumes to neighborhood streets presents an unacceptable

Letter 17 Cont.

17-7 Cont.

risk to resident safety. Our concerns are heightened by the already significant traffic safety issues presented by the design of the Cannery, including inadequate traffic calming infrastructure and the very serious risks presented by the southwest Cannery Loop elbow. While we applaud the proposed mitigation at the southwest Cannery Loop elbow, we believe this crossing will remain intrinsically dangerous for bicyclists and pedestrians, and that Village Farms bicyclists should be encouraged to utilize safer routes, including the path immediately north of East Covell Boulevard, and the proposed linkage to the Cannery bike path at the northeast corner of The Cannery.

3. **Disproportionate noise impacts to The Cannery neighborhood.**

17-8

From our review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

17-9

While we defer to the expertise of Saxelby Acoustics, we note that their analysis relies heavily on estimates produced by the project's traffic engineer, GHD Group. In the interests of transparency, the City should seek to include any traffic plan, study or analysis created by GHD as part of the public EIR process.

17-10

As outlined above, the Board of Directors believes there are significant flaws in the Village Farms development proposal, and for that reason opposes it in its current state. The Board reserves the right to raise further objections as their investigation and review continues. You may reach out to us via email at hoa@boschkenproperties.com with any communication on this topic. Please keep us apprised with any news on this proposal.

Sincerely,

The Cannery Homeowner's Association
Elizabeth Coolbrith, President
Nile Garritson, Treasurer
Jill Fitzgibbons, Secretary

cc: John Whitcombe, Tandem Properties; Eric Lee; Sherri Metzker; Bapu Vailta; Donna Neville; Lucas Frerichs; Inder Khalsa; Davis Planning Commission; Davis City Council.

LETTER 17: THE CANNERY HOMEOWNER'S ASSOCIATION

Response to Comment 17-1
The comment is introductory in nature and specific concerns, if environmental related, are addressed in the following responses.

Response to Comment 17-2
Please see Master Response 5.

Response to Comment 17-3
Please see Master Response 5.

Response to Comment 17-4
Please see Master Response 5.

Response to Comment 17-5
The traffic volumes used to calculate operational traffic noise, included as Appendix C to the Environmental Noise Assessment prepared for the Proposed Project (Appendix P to the Draft EIR), were provided by Fehr & Peers, the traffic engineering firm who prepared the Transportation Impact Study for the Proposed Project (Appendix R to the Draft EIR). Luke Saxelby, Principal, with Saxelby Acoustics, and author of the Environmental Noise Assessment for the project, has confirmed that the citation to "GHD" in the Environmental Noise Assessment is a typo. The corrected Environmental Noise Assessment is included as Appendix C to this Final EIR.

Response to Comment 17-6
Please see Master Response 5 and Response to Comment 16-7.

Regarding the portion of the comment about the Higher Number of Units – Same Footprint Alternative, an analysis of total VMT is not necessary given that the appropriate metric for determining impact significance is VMT per capita. In addition, the amount of vehicle trips typically relates to traffic congestion and level of service, which is no longer applicable to CEQA, as discussed in Master Response 5.

Response to Comment 17-7
Please see Master Response 5.

Response to Comment 17-8
Potential impacts associated with operation of the project, including traffic noise, are addressed under Impact 4.10-2 in Chapter 4.10, Noise, of the Draft EIR. As discussed therein, the increase in traffic noise levels along surrounding roadways, including Cannery Loop, attributable to the Proposed Project under Existing Plus Proposed Project conditions would be below the applicable increase significance criteria. As such, the Proposed Project would not result in a substantial increase in existing traffic noise levels at existing sensitive receptors due to project-generated traffic noise.

Response to Comment 17-9
Please see Response to Comment 17-5.

Response to Comment 17-10

Please see Master Response 1.

Letter 18

Dara Dungworth

From: Eric Hernandez <ehernandez@yochadehe.gov>
Sent: Tuesday, February 25, 2025 4:21 PM
To: Dara Dungworth; Socorro Reyes-Gutierrez
Cc: Rebekah Canavesio; 'Nick Pappani'
Subject: Re: Village Farms - Draft Mitigation Measures for Yocha Dehe review

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Good evening Dara,

18-1 I wanted to provide comments related to the mitigation measures, specifically in section 4.5-2, I wanted to get clarification on the last few sentences of the section that speak towards the tribe preparing technical reports for submissions to the information centers. Typically the process for submissions to the information center differ from archeological firms and tribes, we generally do not make submissions as we have our own internal database for housing such data. I would recommend for that section "that any submissions be created by the archeological firm in consultation with the tribal representatives, and that the tribe be afford the opportunity for review of the documents before submission . Let me know if you have questions or concerns related.

Thank you, and have a great rest of your day.

Eric Hernandez
Site Protection Manager
Yocha Dehe Wintun Nation
PO Box 18 | Brooks, CA 95606
p 530.796.2029 | c 530.723.3313
f 530.796.2143
ehernandez@yochadehe.gov
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yochadehe.gov |

LETTER 18: YOCHA DEHE WINTUN NATION

Response to Comment 18-1

As suggested by the comment, Mitigation Measure 4.5-2 is hereby revised in the Final EIR as follows:

Proposed Project, Biological Resources Preservation Alternative

4.5-2 *If archaeological resources are encountered during subsurface excavation activities, the City and Yocha Dehe Wintun Nation (Tribe) shall be notified immediately and all construction activities within a 100-foot radius of the resource shall cease. In accordance with the Tribe's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation, treatment of all cultural items, including ceremonial items and archeological items shall reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at the project site shall be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The project proponent shall waive any and all claims to ownership of tribal ceremonial and cultural items, including archeological items, which may be found on the project site, in favor of the Tribe. If any intermediary is necessary (for example, an archaeologist retained by the project proponent), said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.*

If additional significant sites or sites not identified as significant in the project environmental review process, but later determined to be significant, are located within the project impact area, such sites shall be subjected to further archeological and cultural significance evaluation by the project proponent, the City of Davis, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner, consistent with CEQA requirements for mitigation of impacts to cultural resources. If human remains are present that have been identified as Native American, all work shall cease for a period of up to 30 days in accordance with federal Law.

The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of the foregoing requirements. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified cultural resources specialist and Native American Representative from the Tribe. If the resource is determined to be significant under CEQA, the City and Native American Representative from the Tribe shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the Native American Representative from the Tribe shall prepare and implement a research design and archaeological data recovery plan for the resource. The cultural resources specialist, in consultation with the Native American Representative from the Tribe, shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources

Information System), and provide for the permanent curation of the recovered materials. The Tribe shall be afforded the opportunity to review all documents before submission to the appropriate information center.

The foregoing revisions to Mitigation Measure 4.5-2 are for clarification purposes and do not affect the conclusions of the Draft EIR.

Letter 19

Dara Dungworth

From: Adriana Martin Khan <adriana.martin415@gmail.com>
Sent: Wednesday, February 19, 2025 11:49 AM
To: Dara Dungworth
Subject: Village Farms Draft Environmental Impact Report

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

19-1

As a Cannery homeowner, I am writing to voice concerns which have been raised to us by a large number of our members and residents. After reviewing the documents provided regarding the Village Farms development proposal and the various alternatives evaluated during the Environmental Impact Review (EIR) process, the Cannery Board and owners believes there are significant, specific, glaring shortcomings which will unreasonably burden the Cannery Homeowners Association and diminish the quality of life for our members. The Board is particularly concerned with: 1) material and adverse alteration to The Cannery Urban Farm; 2) unacceptable traffic safety impacts to the Cannery Neighborhood; and 3) disproportionate noise impacts to The Cannery neighborhood during and after project construction, as outlined in greater detail below.

1. Unacceptable, material, and adverse alteration to The Cannery Urban Farm. We have previously noted a lack of candor from both the Village Farms developers and City staff with respect to the Village Farms plan, particularly as to whether the Village Farms developers plan to make material, adverse alterations to the existing Cannery Urban Agriculture Transition Area (UATA) and Cannery Urban Farm.
The developers' intentions have now become clear via the Draft EIR—they do indeed plan to construct a road running right through the Cannery Urban Agriculture Transition Area and Cannery Farm, to connect the planned development to the Cannery Avenue / J Street corridor. Page 3-23 of the Raney Draft EIR erroneously states: "It should be noted that an existing UATA buffer is located adjacent to the Cannery Farm and Cannery subdivision and includes demonstration gardens, community space, and a drainage corridor along the Cannery frontage. The Proposed Project would not result in modifications to the existing UATA." Construction of a paved road through the UATA at the eastern edge of the Cannery neighborhood will clearly result in a material, adverse alteration of the UATA, thus resulting in significant, and likely ongoing disruption to the operation of the urban farm.

19-2

As imagined, designed and built, The Cannery Urban Farm is an essential and integral feature of The Cannery. The Cannery Urban Farm was advertised to the original Cannery homeowners by both the City of Davis and the developer as a farm-to-fork community, with the farm as a selling point.

While the development of Village Farms could have presented a unique opportunity to expand The Cannery Farm and integrate it with Village Farms' own educational farm concept, the developers of Village Farms would apparently rather pave over The Cannery Farm.

2. Unacceptable traffic safety impacts to The Cannery neighborhood. The Cannery community will suffer disproportionate traffic safety impacts from the planned Village Farms development and the planned linkage of Village Farms with the Cannery via the unacceptable, material, and adverse alteration of the Cannery UATA and Cannery Urban Farm. While traffic congestion and level of service is outside the scope of the EIR process, it is nonetheless obvious to any astute local observer that the current and anticipated future design geometry of the intersection of East Covell Boulevard and L Street is, and would in all likelihood remain, inadequate to handle the volume of vehicle trips exiting Village Farms during peak morning hours and returning to Village Farms during peak afternoon and evening hours. If a road is built through The Cannery Urban Farm, we expect that a substantial majority of vehicle trips between Village

Letter 19 Cont.

Farms and destinations to the west (including U.C. Davis, and destinations accessible via Highway 113 and 1-80 West) will instead travel through Cannery neighborhood streets, creating significant and unacceptable traffic safety impacts for Cannery residents, notably for the many children and elderly residents of the neighborhood.

19-2 Cont.

Unfortunately, the traffic study conducted by Fehr & Peers for Raney does little to reflect the truly grossly disproportionate traffic safety impacts which would be suffered by The Cannery due to a linkage to Village Farms. For insight here, we must instead turn to the noise study conducted by Saxelby Acoustics, which is in turn informed by a study made by the project traffic engineer, GHD Group. Unfortunately, GHD's detailed estimates of traffic volumes have not been made public as part of the EIR process. Per Saxelby, GHD estimates that the portion of Cannery Loop west of Cannery Avenue currently carries 970 average daily trips, and expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farms development plan and Fehr's estimates of total trip volumes from Village Farms, we believe that total trips exiting the Cannery during peak morning and afternoon/evening periods via Market Street and Cannery Avenue could increase by anywhere from 200% to 400% immediately following the development of Village Farms, without consideration of further cumulative development impacts over time.

19-3

Additionally, we note that while Raney concluded that "Higher Number of Units - Same Footprint" (HNU) alternative would result in lower VMT per capita, Raney appears not to have subjected the HNU alternative to a rigorous analysis of total VMT or vehicle trips. While automobile modal share would likely decline under the HNU alternative, we believe that traffic safety impacts to the Cannery could be even greater under this alternative.

19-4

We emphasize that our concern is not solely with potential increases in traffic congestion of potential changes in the level of service. Instead, our concern is that the introduction of a step change increase in commuter traffic volumes to neighborhood streets presents an unacceptable risk to resident safety. Our concerns are heightened by the already significant traffic safety issues presented by the design of the Cannery, including inadequate traffic calming infrastructure and the very serious risks presented by the southwest Cannery Loop elbow.
While we applaud the proposed mitigation at the southwest Cannery Loop elbow, we believe this crossing will remain intrinsically dangerous for bicyclists and pedestrians, and that Village Farms bicyclists should be encouraged to utilize safer routes, including the path immediately north of East Covell Boulevard, and the proposed linkage to the Cannery bike path at the northeast corner of The Cannery.

19-5

3. Disproportionate noise impacts to The Cannery neighborhood. From our review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road. While we defer to the expertise of Saxelby Acoustics, we note that their analysis relies heavily on estimates produced by the project's traffic engineer, GHD Group. In the interests of transparency, the City should seek to include any traffic plan, study or analysis created by GHD as part of the public EIR process.

19-6

As outlined above, the Cannery homeowners and Board believe there are significant flaws in the Village Farms development proposal, and for that reason opposes it in its current state. The Board reserves the right to raise further objections as their investigation and review continues. You may reach out to us via email at hoa@boschkenproperties.com with any communication on this topic. Please keep us apprised with any news on this proposal.

Sincerely,
A Cannery Homeowner who vehemently rejects the Village Farm development.

Letter 19 Cont.

Adriana Martin Khan, MBA
Cell (310) 753-3405
adriana.martin415@gmail.com

LETTER 19: ADRIANA MARTIN KHAN

Response to Comment 19-1
The comment is introductory and provides an overview of concerns addressed in the following responses to comments.

Response to Comment 19-2
Please see Responses to Comments 17-2 through 17-6.

Response to Comment 19-3
Please see Response to Comment 17-6.

Response to Comment 19-4
Please see Response to Comment 17-7.

Response to Comment 19-5
Please see Response to Comment 17-8.

Response to Comment 19-6
Please see Master Response 1.

Letter 20

Dara Dungworth

From: Aimee Shreck <ashreck@me.com>
Sent: Tuesday, February 25, 2025 11:23 AM
To: Dara Dungworth
Subject: Opposition to Village Farms proposal

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Ms Dungworth and City of Davis council members,

20-1 I am a homeowner in the Heirloom section of the Cannery neighborhood. I am writing to oppose the Village Farms project proposal and to support the positions expressed by the Cannery Board in their letter to you. I am copying that letter below.

Thank you.

Aimee Shreck
969 Jacobsen Lane
Original owner in the Cannery community

Dear Ms. Dungworth,

20-2 The Board of Directors of the Cannery Homeowners Association is writing to voice concerns which have been raised to us by a large number of our members and residents. After reviewing the documents provided regarding the Village Farms development proposal and the various alternatives evaluated during the Environmental Impact Review (EIR) process, the Board believes there are significant, specific, glaring shortcomings which will unreasonably burden the Cannery Homeowners Association and diminish the quality of life for our members. The Board is particularly concerned with: 1) material and adverse alteration to The Cannery Urban Farm; 2) unacceptable traffic safety impacts to the Cannery Neighborhood; and 3) disproportionate noise impacts to The Cannery neighborhood during and after project construction, as outlined in greater detail below.

1. Unacceptable, material, and adverse alteration to The Cannery Urban Farm.

20-3 We have previously noted a lack of candor from both the Village Farms developers and City staff with respect to the Village Farms plan, particularly as to whether the Village Farms developers plan to make material, adverse alterations to the existing Cannery Urban Agriculture Transition Area (UATA) and Cannery Urban Farm. The developers' intentions have now become clear via the Draft EIR—they do indeed plan to construct a road running right through the Cannery Urban Agriculture Transition Area and Cannery Farm, to connect the planned development to the Cannery Avenue / J Street corridor.

20-4 Page 3-23 of the Raney Draft EIR erroneously states: "It should be noted that an existing UATA buffer is located adjacent to the Cannery Farm and Cannery subdivision and includes demonstration gardens, community space, and a drainage corridor along the Cannery frontage. The Proposed Project would not result in modifications to the existing UATA." Construction of a paved road through the UATA at the eastern edge of the Cannery neighborhood will clearly result in a material, adverse alteration of the UATA, thus resulting in significant, and likely ongoing disruption to the operation of the urban farm. As imagined, designed and built, The Cannery Urban Farm is an essential and integral feature of The Cannery. The Cannery Urban Farm was

1

Letter 20 Cont.

20-4 Cont. advertised to the original Cannery homeowners by both the City of Davis and the developer as a farm-to-fork community, with the farm as a selling point. While the development of Village Farms could have presented a unique opportunity to expand The Cannery Farm and integrate it with Village Farms' own educational farm concept, the developers of Village Farms would apparently rather pave over The Cannery Farm.

2. Unacceptable traffic safety impacts to The Cannery neighborhood. The Cannery community will suffer disproportionate traffic safety impacts from the planned Village Farms development and the planned linkage of Village Farms with the Cannery via the unacceptable, material, and adverse alteration of the Cannery UATA and Cannery Urban Farm. While traffic congestion and level of service is outside the scope of the EIR process,

20-5 it is nonetheless obvious to any astute local observer that the current and anticipated future design geometry of the intersection of East Covell Boulevard and L Street is, and would in all likelihood remain, inadequate to handle the volume of vehicle trips exiting Village Farms during peak morning hours and returning to Village Farms during peak afternoon and evening hours. If a road is built through The Cannery Urban Farm, we expect that a substantial majority of vehicle trips between Village Farms and destinations to the west (including U.C. Davis, and destinations accessible via Highway 113 and 1-80 West) will instead travel through Cannery neighborhood streets, creating significant and unacceptable traffic safety impacts for Cannery residents, notably for the many children and elderly residents of the neighborhood.

20-6 Unfortunately, the traffic study conducted by Fehr & Peers for Raney does little to reflect the truly grossly disproportionate traffic safety impacts which would be suffered by The Cannerydue to a linkage to Village Farms. For insight here, we must instead turn to the noise study conducted by Saxelby Acoustics, which is in turn informed by a study made by the project traffic engineer, GHD Group. Unfortunately, GHD's detailed estimates of traffic volumes have not been made public as part of the EIR process. Per Saxelby, GHD

20-7 estimates that the portion of Cannery Loop west of Cannery Avenue currently carries 970 average daily trips, and expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farms development plan and Fehr's estimates of total trip volumes from Village Farms, we believe that total trips exiting the Cannery during peak morning and afternoon/evening periods via Market Street and Cannery Avenue could increase by anywhere from 200% to 400% immediately following the development of Village Farms, without consideration of further cumulative development impacts over time. Additionally, we note that while Raney concluded that "Higher Number of Units - Same Footprint" (HNU) alternative would result in lower VMT per capita, Raney appears not to have subjected the HNU alternative to a rigorous analysis of total VMT or vehicle trips. While automobile modal share would likely decline under the HNU alternative, we believe that traffic safety impacts to the Cannery could be even greater under this alternative.

20-8 We emphasize that our concern is not solely with potential increases in traffic congestion of potential changes in the level of service. Instead, our concern is that the introduction of a step change increase in commuter traffic volumes to neighborhood streets presents an unacceptable risk to resident safety. Our concerns are heightened by the already significant traffic safety issues presented by the design of the Cannery, including inadequate traffic calming infrastructure and the very serious risks presented by the southwest Cannery Loop elbow. While we applaud the proposed mitigation at the southwest Cannery Loop elbow, we believe this crossing will remain intrinsically dangerous for bicyclists and pedestrians, and that Village Farms bicyclists should be encouraged to utilize safer routes, including the path immediately north of East Covell Boulevard, and the proposed linkage to the Cannery bike path at the northeast corner of The Cannery.

3. Disproportionate noise impacts to The Cannery neighborhood.

20-9 From our review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

Letter 20 Cont.

20-10 While we defer to the expertise of Saxelby Acoustics, we note that their analysis relies heavily on estimates produced by the project's traffic engineer, GHD Group. In the interests of transparency, the City should seek to include any traffic plan, study or analysis created by GHD as part of the public EIR process.

As outlined above, the Board of Directors believes there are significant flaws in the Village Farms development proposal, and for that reason opposes it in its current state. The Board reserves the right to raise further objections as their investigation and review continues. You may reach out to us via email at hoa@boschkenproperties.com with any communication on

this topic. Please keep us apprised with any news on this proposal.

20-11 Sincerely,

The Cannery Homeowner's Association

Elizabeth Coolbrith, President

Nile Garritson, Treasurer

Jill Fitzgibbons, Secretary

The Cannery Board of Directors

Sent from my iPhone

LETTER 20: AIMEE SHREK

Response to Comment 20-1
Please see Master Response 1.

Response to Comment 20-2
Please see Response to Comment 17-1.

Response to Comment 20-3
Please see Response to Comment 17-2.

Response to Comment 20-4
Please see Response to Comment 17-3.

Response to Comment 20-5
Please see Response to Comment 17-4.

Response to Comment 20-6
Please see Response to Comment 17-5.

Response to Comment 20-7
Please see Response to Comment 17-6.

Response to Comment 20-8
Please see Response to Comment 17-7.

Response to Comment 20-9
Please see Response to Comment 17-8.

Response to Comment 20-10
Please see Response to Comment 17-9.

Response to Comment 20-11
Please see Master Response 1.

Letter 21

Dara Dungworth

From: Alexa Bach-McElrone <alexa@bach-mcelrone.com>
Sent: Wednesday, February 19, 2025 9:17 PM
To: Dara Dungworth
Subject: Village Farms feedback from Cannery owner

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hello,

Please accept the following feedback regarding the proposed Village Farms development.

I offer this perspective informed by extensive experience: I have over 20 years in sustainable real estate development and investing experience globally, from small projects to redefining a city's 2030 vision. I served as a Scholar in Residence for Sustainable Development at the Urban Land Institute. My interdisciplinary background spans conservation, policy, law, and planning. Locally, I live at 1651 Cannery Loop—the residential home likely to be most impacted by increasing traffic entering from Village Farms through the farm circle (which we adamantly disagree with). I've served on steering committees with the New Home Company, Leeland, the Cannery, and the city of Davis, and was a point of contact for the city's former Cannery Liaison (hired due to city's lack of expertise and staffing for proper oversight). I've also held multiple Cannery board roles.

21-1

In 2018 and 2019, I personally reviewed the Cannery CFD expenditures while investigating how funds were allocated. We discovered that significant portions were spent on the L Street intersection in preparation for Village Farms—providing no benefit to the Cannery. Moreover, over $70,000 identified by the city and earmarked for traffic calming (with community input) never reached our community and was later "lost." I still have the email records. Notably, I have been informed in recent years that I am the only one with these records, and even with public data requests, the city couldn't produce such information nor answer how our millions in tax dollars had been spent. I was told those records could not be found any longer.

I fully support the comment sent from our Cannery HOA board. Additionally, the city's track record with the Cannery raises serious concerns about its readiness for Village Farms. When we moved to the Cannery in 2017, we learned the city planner supposedly in charge hadn't been on site in over a year—information received during a direct phone call. City council and staff demonstrated limited understanding of the project yet proceeded with approvals. Many of us repeatedly had to explain basic real estate concepts--e.g., just because something was verbally discussed at some point over years the developers and builders (and future subsection owners) had no binding legal requirements. The written language of the Cannery plan and addendums was confusing to city staff and council. Basic procedures weren't followed. Later, we often heard from city staff that there wasn't anything they could do and fingers were pointed at New Home. When language is not put in writing or an addendum is vaguely written to allow for any possible scenario, that is what you will get. No teeth and almost anything goes. Cannery owners daily monitored and reported site safety issues (construction vehicles driven through areas with school children on bikes and forklifts carrying unsecured loads over our cars), working daily with the Cannery liaison not out of want but because the city did not provide oversight. Cannery owners did the job of city employees for years. We are informed, knowledgeable, and have been burned by unmet promises. Should the city of Davis pursue Village Farms in the same vein as the Cannery, I can guarantee you will hear from us on Day 1 and every day after. Our patience died years ago. Given that the Cannery project remains incomplete and challenged, how can the city justify undertaking what would be the largest project in Davis's history?

The handling of the Cannery farm further illustrates these concerns. The city squandered hundreds of thousands of dollars gifted by New Home Company specifically for a farm--and a farm that was functioning when handed over to the

Letter 21 Cont.

city. Initially, the farm was fully operational, producing food for community events and extra for food banks. As advisors to the first tenants (CLBL), my husband (a senior research scientist at USDA and UC Davis professor) and I witnessed fundamental misunderstandings about the farm's purpose. CLBL's vision stemmed from a misinterpretation of ULI case studies (secured at a meeting with the Senior Resident Fellow who was my mentor and good friend years ago), and the city lacked the expertise to provide proper oversight (or to even know what they should question). The final $100,000 was used solely for CLBL staff salary for an employee who was working at another property for almost a year. When she (the CLBL employee) told us, we alerted the city and reviewed the financial documents. However, the city deemed it "too political" to pursue reimbursement or additional services. The farm sat abandoned. Then, after owners invited multiple excellent potential tenants, they were all (ironically) dissuaded from partnering with the city of Davis due to what appeared to be very stringent restrictions and oversight. The city rented the barn to an entity that only wanted to use it as a storage facility—and they have. They've driven away the bike barn and other activities. They only farm a small portion of the Cannery farm and only when Cannery owners become vocal and pushy. It's quite taxing and negative. They currently have storage on the outside porch of the barn—first impressions by the Cannery entrance and sign are turning into slapped-together storage!

21-1 Cont.

The Village Farms proposal itself raises red flags. The renderings are misleading—the depicted spacious layouts with extensive greenery and public spaces cannot possibly fit the actual site plan. The northwest corner floods annually, creating a seasonal pond that attracts migrating birds. This reality cannot be dismissed through hasty plowing or wildlife deterrence measures. Where is the rest of the green space? If that pond is protected, it is unusable. So where is the open space?

21-2

Traffic and safety concerns are paramount. The Cannery Loop to Covell entrance (by the barn) serves as a major route for cyclists and pedestrians, particularly students. Despite city staff's claims otherwise, this is demonstrably a crucial school route from elementary through college age. We've documented dangerous interactions and accidents involving pedestrians and cyclists versus vehicles. Any consideration of additional traffic must address our long-standing safety measures promised since 2016. The community remains underparked and faces ongoing traffic management challenges.

21-3

Specific questions demand answers:

21-4

1. Why pursue a neighboring development when the Cannery remains unfinished and the city has shown no growth in development oversight?

2. How will Village Farms' EIR requirements be enforced across multiple builders and contractors? How do they protect the Cannery and build on the farm/character versus adding a parking lot for small homes that lack buyers? Where are the market data that show Davis has a population of young families wanting to live in sub-1000sf homes for $800,000+? I don't see those data anywhere. Tiny homes may attract Bay Area or Asian (often sight unseen) investors. Both investor groups have been very interested in the Cannery. Per the current plan, Village Farms appears to be a parking lot of expensive tiny homes too small for families, in a college town with a very high rental occupancy rate. So, will Village Farms become a compressed concrete space for college student renters? How will you manage thousands of college students in a high-density, low-rise college housing grouping with many roommates per home and (per Cannery pattern) one car per student on the streets? Neither the EIR nor the site plan consider market data based on reality and provide mitigation measures for such data. The same was true in the Cannery. Feel free to ask us about the homes of 7+ college students with that many cars, often very expensive cars they race through the neighborhood (some literally race at regional tracks). Feel free to also ask us about how underparked we are, how our garbage and waste cans don't fit on the road because the plan used incorrect numbers and how we had waste services threaten to stop servicing the Cannery several times in the initial years. For Heirloom (3-story row homes in the Cannery), our garages weren't built to plan spec and don't fit two cars plus bikes and all three trash/recycling/green waste cans as promised. The plans that show all of those items fit have inaccurate metrics. These are just a few examples of fun conversations owners had to have early on due to city of Davis' selfishness and shortsightedness driven by a shiny metric while ignoring all else including the fact that these are our homes. We, and our biking children, are left to attempt to pick up the city's mess.

21-5

3. Is the city placing excessive trust in familiar partners while ignoring real estate realities?

21-6

4. How will lower- to mid-income buyers navigate potential issues like those facing Cannery residents? The Cannery's ongoing challenges—including 7+-year unresolved HVAC issues, warranty disputes, and the need for legal action against developer/builders—demonstrate the consequences of inadequate oversight. These burdens have strained our

21-7

Letter 21 Cont.

21-7 cont.

community, despite our residents having the resources and expertise to advocate effectively. How will the target demographic for Village Farms navigate this or worse?

If the city genuinely aims to provide housing solutions for the intended Village Farms residents, significant changes are necessary. The proposal must align with site realities, current Davis real estate conditions, and staffing needs experience with complex projects of this size. Most importantly, the city must demonstrate its preparedness through proper staffing, oversight, legal frameworks, and planning mechanisms.

21-8

Sincerely,
Alexa Bach-McElrone and family (who would like to walk and ride safely in our community)

—
Alexa Bach-McElrone
707.246.4596

driving leadership in the good economy

LETTER 21: ALEXA BACH-MCELRONE

Response to Comment 21-1
Please see Master Response 1 and responses to Letter 17.

Response to Comment 21-2
Please see Master Responses 1 and 7.

Response to Comment 21-3
Please see Master Response 5.

Response to Comment 21-4
Please see Master Response 1.

Response to Comment 21-5
Please see Master Response 1.

Response to Comment 21-6
Please see Master Response 1.

Response to Comment 21-7
Please see Master Response 1.

Response to Comment 21-8
Please see Master Response 1.

Letter 22

Dara Dungworth

From: Alison Pease <alisonmp@gmail.com>
Sent: Monday, February 24, 2025 9:40 PM
To: Dara Dungworth
Subject: Comment on Village Farms EIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

I would like to comment on the draft EIR for Village Farms. Although I generally support finding ways to build more housing in Davis, I am disappointed with several aspects of the proposed Village Farms project--particularly its failure to put more focus on finding housing solutions for low income and "missing middle" families and individuals.

22-1

As to the Village Homes EIR, I have 2 comments:
1. The plan to reroute the slough will disrupt a long-term drainage system, thus raising flood risks for no apparent reason other than aesthetics. Moreover, the amount of digging and dirt relocation will have a significant negative environmental impact; and
2. the plan to locate a major park on the corner of Pole Line and Covell rather than further north in the development once again seems based on aesthetics (with an eye to attracting more votes) rather than on environmental concerns. This placement will result in having residents further from transportation access and to the shopping across the street. If it were moved further north (with dense housing being placed in that spot instead), there would be positive environmental impacts by encouraging walking to shopping and higher transit use.

22-2

Sincerely yours,

1

Letter 22 Cont.

Alison Pease
Davis resident

1. Rerouting the slough that crosses the middle of the site is an aesthetic decision that would disrupt a long-term drainage system. It raises flood risk to try to relocate major existing drainage paths such as this one, and the amount of digging and dirt relocation alone would create a major environmental impact that is totally unnecessary to realize any of the alternatives.
2. Placing a major park on the corner of Pole Line and Covell simply pushes housing further away from transit access and makes it even less likely that people could walk to the shopping center that's across the street. This is purely an aesthetic decision made to attract votes. Placing dense housing in that area and moving the park north would reduce environmental impacts by encouraging walking to shopping and supporting higher transit use.

LETTER 22: ALISON PEASE

Response to Comment 22-1
Please see Master Responses 1 and 4.

Response to Comment 22-2
Please see Response to Comment 100-7.

Letter 23

Dara Dungworth

From: allen bohnert <allenbohnert@hotmail.com>
Sent: Sunday, February 23, 2025 2:55 PM
To: Dara Dungworth
Subject: Comments on Village Farms Draft Environmental Impact Report (DEIR) Development - Please see below

Importance: High

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Comments on The Village Farms Draft EIR

23-1 Concern #1 -do not build huge housing complexes on a flood plane. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change.

23-2 Concern #2 traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and pole Line Road which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City has no plan to significantly improve its currently minimal, inadequate and inconvenient public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

Other thoughts and concerns:

23-3 A.-infrastructure costs including a hugely expensive Pole Line bike/ped overcrossing which the developer is not committing to cover all the costs for. How many Davis residents are willing to subsidize the millions for that project?

23-4 B. -what about the additional fire station that is being proposed that is not needed because 90% of the fire department calls are medical, NOT fire related issues. What instead is needed has been advocate for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go East) when the traffic is backed up most of the time?

23-5 C. -habitat impacts including the tearing out of a significant number of trees to dig up group to expand and reroute Channel A which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

23-6 This is just a few of the many problems with the Village Farms project but fortunately Davis residents were not fooled last time and voted it down, so we will not be fooled this time since this project has the same problems and more.

1

Letter 23 Cont.

23-6 Cont.

Village Farms is proposing 1,800 units on over 400-acres is the largest residential project ever proposed in the City if Davis on a site with a plethora of problems impacts. The Village Farms land site has many innate problems, plus it is located is at one of the most highly impacted areas of traffic in the City at Covell Blvd. this project is too big, has far too many impacts and costs, and is simply bad planning.

Most people will not be able to afford these houses anyway. We need affordable housing, not more overpriced houses.

thanks you

allen bohnert
1854 Renoir Ave.
Davis, CA 95618
530-564-4585 (home tele)

LETTER 23: ALLEN BOHNERT

Response to Comment 23-1
Please see Master Response 4.

Response to Comment 23-2
Please see Master Response 5. In addition, Mitigation Measure 4.13-3(b) included in Chapter 4.13, Transportation, of the Draft EIR would require the project applicant to fund the implementation of transit service and facilities improvements to the extent that they are identified in a Transit Service and Facilities Plan led either by Unitrans and Yolobus, or by the City with Unitrans and Yolobus participating as active project partners.

Response to Comment 23-3
Please see Master Responses 1 and 6.

Response to Comment 23-4
Please see Response to Comment 75-51.

Response to Comment 23-5
Please see Master Responses 4 and 7.

Response to Comment 23-6
Please see Master Response 1.

Letter 24

Dara Dungworth

From: Allie Rubin <allie.rubin@gmail.com>
Sent: Tuesday, February 25, 2025 4:36 PM
To: Dara Dungworth; City Council Members; Planning Commission
Subject: Village Farms Feedback

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear City of Davis representatives,

I am writing to voice my concerns regarding the plan for the Village Farms development.

I am a Cannery Resident, living on Cannery Loop just adjacent to the proposed development. I am also a mother of two little boys and am a pediatrician in Davis.

24-1

I echo the concerns regarding environmental impact, traffic and noise pollution that were outlined in the letter sent on behalf of the Cannery HOA. I am also concerned about the environmental impact outlined in the recent Enterprise article.

I understand that there is a desire to add more housing to bring more families to Davis and keep our schools funded. I am not convinced that this is the answer.

Specifically:
- If we want more families in Davis, we need to have homes that are attractive to families. Families want single family homes with backyards that are currently in the 500K-800K range. They do not want to live in apartments and townhouses. The Village Farms plan seems to be labeling affordable family housing as the apartments and townhouses, and then the single family homes will likely be going for 900K plus. What we have seen in the Cannery is that these single family homes will likely be purchased in large numbers by foreign investors. The small apartments will be filled with University students. The townhouses will fill with retirees downsizing.
-Families also want the sweet small town of Davis- this is the main draw to this town. If you add 1800 units and 5000 people to Davis, it is no longer that same small town. Covell and Pole Line will likely become even more traffic congested and I am concerned this will significantly impact the safety and bikeability of our roads.
-The schools at risk in DJUSD are across town (Patwin, Montgomery) - not seeing how building in North Davis impacts those schools significantly.

24-2

Lastly, the Cannery residents have witnessed the false promises of developers and the city regarding the Cannery Urban farm as well as the commercial strip in front of the Cannery that have not been delivered on. It is hard to believe that the promises of additions of bike trail connections over F street and Pole line will come to fruition.

If you want families to move here, keep making Davis nice for families. Make an awesome park in the Cannery commercial strip surrounded by a protected plaza, walking area, and add family friendly restaurants and children's activity centers. The families will come if we invest in nice things for kids and families. We do not need 1800 new residences to achieve this goal.

Sincerely,
Allison Buss

1

LETTER 24: ALLISON RUBIN-BUSS

Response to Comment 24-1

The comment is introductory and refers to The Cannery letter. Please see responses to Letter 17.

Response to Comment 24-2

Please see Master Response 1.

Letter 25

Dara Dungworth

From: Anastasia Karp <amkarp@ucdavis.edu>
Sent: Tuesday, February 25, 2025 10:20 PM
To: Planning Commission
Subject: Comment on the North Davis Vernal Pools

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Good Evening!

25-1 I write to say that regarding the North Davis vernal pools, I am very much in support of the "biological resource alternative" and creating a preserve around the vernal pool along with stewardship. I believe that this is the best option for that crucial area, when taking into consideration how vital it is as a rather rare native Californian ecosystem full of endemic and extremely rare plant species. As such, I believe it is very important that efforts be made to preserve the vernal pool through continuous stewardship. I sincerely hope you will take my input into careful consideration.

Thank you so much for your time and consideration!

All the best,
Anastasia Karp
UC Davis, Class of 2026
Environmental Science & Management Major

LETTER 25: ANASTASIA KARP

Response to Comment 25-1

Please see Master Responses 1 and 7.

Letter 26

Dara Dungworth

From: Ann Privateer <annprivateer@gmail.com>
Sent: Wednesday, January 15, 2025 9:05 AM
To: Dara Dungworth
Subject: Re: The Village Farm Proposal

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear City Staff Member,

26-1 I am a retired teacher and was a city commissioner for thirteen years. The reason I am writing is to because I see many problems in your comments on the Village Farms Draft EIR regarding the project, here are some of the most concerning issues:

26-2 - building hundreds of housing units on the 200 acres of flood plain is an enormous problem, and a fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change.

26-3 -the toxics and other chemical contaminants leaking into the groundwater from the Old City Landfill and Sewage Treatment Plant located immediately adjacent to Village Farms. This includes PFAS "forever chemicals" exceeding maximum concentration levels allowed recently found from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals that cause cancer?

26-4 -traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and pole Line Road which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City has no plan to significantly improve its currently minimal, inadequate and inconvenient public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

26-5 -infrastructure costs including a hugely expensive Pole Line bike/ped overcrossing which the developer is not committing to cover all the costs for. How many Davis residents are willing to subsidize the millions for that project?

26-6 -what about the additional fire station that is being proposed that is not needed because 90% of the fire department calls are medical, NOT fire related issues. What instead is needed has been advocate for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go East) when the traffic is backed up most of the time?

26-7 - habitat impacts including the tearing out of a significant number of trees to dig up group to expand and reroute Channel A which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

26-8 This is just a few of the many problems with the Village Farms project but fortunately Davis residents were not fooled last time and voted it down, so we need to not be fooled this time since this project has the same problems and more.

26-9 This is such an important issue because Village Farms proposing 1,800 units on over 400-acres is the largest residential project ever proposed in the City if Davis on a site with a plethora of problems impacts. The Village Farms land site has many innate problems, plus it is located is at one of the most highly impacted areas of traffic in the City at Covell Blvd. and Pole Line Road which is also very close to where I live and have lived for forty years.

Thank You,

1

Letter 26 Cont.

Sincerely,

Ann Privateer

LETTER 26: ANN PRIVATEER (LETTER 1 OF 2, 01/15/2025)

Response to Comment 26-1
Please see Master Response 1.

Response to Comment 26-2
Please see Master Response 4.

Response to Comment 26-3
Please see Master Responses 1 and 3.

Response to Comment 26-4
Please see Master Response 5 and Response to Comment 23-2.

Response to Comment 26-5
Please see Master Responses 1 and 6.

Response to Comment 26-6
Please see Response to Comment 75-51.

Response to Comment 26-7
Please see Master Responses 4 and 7.

Response to Comment 26-8
Please see Master Response 1.

Response to Comment 26-9
Please see Master Response 1.

Letter 27

Dara Dungworth

From: Ann Privateer <annprivateer@gmail.com>
Sent: Monday, February 24, 2025 11:36 AM
To: Dara Dungworth
Subject: Re: Building on a Flood Plain Makes no Sense

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear City of Davis,

27-1 I was recently talking about this issue with my neighbors, one of whom said, "if this passes we will move away from Davis."

A fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change. Will north Davis resident need to buy flood insurance due to Village Farms?

Please, do not allow this to go forward.
Respectfully,
Ann Privateer

LETTER 27: ANN PRIVATEER (LETTER 2 OF 2, 02/24/2025)

Response to Comment 27-1

Please see Master Response 4.

Letter 28

Dara Dungworth

From: Anna Carr <ascarr1928@gmail.com>
Sent: Tuesday, January 21, 2025 4:26 PM
To: Dara Dungworth
Subject: Opposition to Village Farms Project

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

28-1 As a resident and homeowner in the City of Davis, I am writing to strongly oppose the Village Farms project due to its significant and unavoidable negative impacts on our community.

28-2 **Floodplain Development Risks**
Building 1,800 housing units on 200 acres of floodplain is fundamentally flawed. Climate change increases the likelihood of severe flooding, and legislation prohibits the State from bailing out cities that make reckless decisions to build in flood-prone areas. This risk is too great to ignore.

28-3 **Groundwater Contamination**
The proposed site is adjacent to the Old City Landfill and Sewage Treatment Plant, where toxic chemicals, including PFAS "forever chemicals," are contaminating groundwater. Recent tests show levels exceeding legal limits. How can we expect buyers to invest $700,000 to over $1 million for homes on land with contaminated groundwater linked to cancer risks?

28-4 **Traffic and Transit Concerns**
Located near Covell Boulevard and Pole Line Road, the project would drastically worsen traffic in an already congested area, endangering drivers, pedestrians, and bicyclists. With no plan to improve Davis's minimal and inadequate public transit system, this high-density development would amplify environmental and safety concerns while compromising emergency response times.

28-5 **Infrastructure Costs**
The project would burden the city and its residents with massive infrastructure costs, including a costly Pole Line bike/pedestrian overcrossing, for which the developer has not committed to full funding. Davis taxpayers already face significant financial obligations, including property, parcel, and library taxes—how much more can we bear?

28-6 **Unnecessary Fire Station**
The proposal includes a new fire station despite 90% of calls being medical, not fire-related. Instead, the city should invest in an Emergency Medical Service (EMS), which is more cost-effective. A fire station would cost $14 million to build and require millions more for staffing, equipment, and operations. Moreover, traffic bottlenecks would delay emergency vehicle access to the site.

28-7 **Environmental and Habitat Impacts**
The project would destroy significant habitat, including many trees, to expand and reroute Channel A, raising serious concerns about habitat destruction and increased flooding risks.

28-8 The Village Farms project is too large, too costly, and represents poor planning. Its numerous impacts far outweigh any potential benefits. I urge you to reject this proposal.

Thank you for your consideration.

Best regards,

1

Letter 28 Cont.

Anna Carr

LETTER 28: ANNA CARR

Response to Comment 28-1
Please see Master Response 1.

Response to Comment 28-2
Please see Master Response 4.

Response to Comment 28-3
Please see Master Response 3.

Response to Comment 28-4
Please see Master Response 5.

Response to Comment 28-5
Please see Master Response 1.

Response to Comment 28-6
Please see Response to Comment 75-51.

Response to Comment 28-7
Please see Master Responses 4 and 7.

Response to Comment 28-8
Please see Master Response 1.

Letter 29

Comments on the Draft Environmental Impact Report for the proposed Village Farms development project in Davis, CA

By Ari Halberstadt, Davis resident, February 25, 2025

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29-1

1 Summary

These comments relate to chapter 4 of the Draft Environmental Impact Report (DEIR) for the proposed Village Farms development project in Davis. Chapter 4 addresses air quality, greenhouse gas emissions, and energy impacts. In these comments, I analyze the Biological Resource Preservation Alternative (BRPA), which is the leading option being offered by the city and the developer.

Emissions, especially greenhouse gasses, from the proposed project will be significant, particularly due to emissions from vehicles and electricity consumption. Fortunately, a variety of mitigation measures are available

29-1 Cont.

to reduce emissions. In these comments, I present an alternative to the DEIR's approach for analyzing the emissions expected from the proposed project that is better suited to evaluating mitigation measures, including a community energy system. I also suggest additional mitigation measures that can help reduce emissions from the proposed project.

Compared to the DEIR's approach, this analysis revealed higher short-term emissions for the BRPA scenario, followed by declining emissions due to statewide changes in energy and transportation. The higher short-term emissions were due to several factors, including growth in the population residing in the development from 2028 to 2033, higher estimated electricity consumption for the project, higher emissions from electricity, higher mobile emissions due to inclusion of life-cycle gasoline emissions, and inclusion of embodied emissions from construction materials. Once the population of the development stabilizes, which is expected to happen by 2033, the analysis showed declining emissions. The decline would be expected due to two main reasons. First, state policies and other factors are expected to lead to increased electric vehicle adoption. By 2040 the population of light-duty vehicles could be 65% electric, with much lower emissions than gas-powered vehicles. Second, state and other policies, including renewable portfolio standards, are expected to lead to decreasing emissions from electricity.

Even with these expected declines, though, the project would still cause significant emissions throughout the analyzed timeframe. Emissions would be particularly significant per capita in the earlier years, when there are more gas vehicles and grid electricity is more polluting. The project would therefore benefit from actions the city and developer could take to mitigate emissions further. In these comments I provide recommendations for mitigation measures that could reduce emissions and the environmental impact of the project.

I analyzed the emissions from the project for three scenarios:

1. A "No System" scenario, in which there is no renewable energy installed on site.
2. A "BRPA" scenario, consistent with the BRPA and with compliance with Davis' municipal energy codes, for which I estimate that 8 MW of solar photovoltaic generation would be installed on site.
3. A community energy system ("CES") scenario, in which 16 MW of onsite shared solar photovoltaic generation is combined with 5.8 MW / 50 MWh of shared battery storage.

An on-site community energy system, which I had suggested for study in the EIR in my prior comments for the earlier Notice of Determination, would provide significant mitigation of emissions from electricity use, including electricity used for charging electric vehicles, and would also lower criteria and health pollutant emissions. For the years 2028-2040, a community energy system could reduce GHG emissions to 1,902 metric tons of CO_2-equivalent emissions (tCO_2e) compared to the BRPA's 15,912 tCO_2e, a reduction of 88%. Financial analyses also indicate significant savings are possible with a community energy system, at least some of which could be applied to fund additional mitigation measures.

In these comments I suggest multiple additional mitigation measures. Below are a few of the measures I suggest, and their potential impact.

- Creation of a mitigation fund, which could be financed both by the developer and through revenue from a community energy system. This fund could finance implementation of these and other mitigation measures.
- Expansion of public transit through an electric passenger van fleet, which with a pool of 10 vans might mitigate 1,750 tCO_2e/yr.

Letter 29 Cont.

29-1 Cont.

- Provision of a light-duty electric vehicle shared fleet, which with 77 vehicles might mitigate 3,000 tCO_2e/yr.
- A micromobility electric shared fleet, which with 100 micromobility vehicles might mitigate 194 tCO_2e/yr.
- Conversion of the municipal fleet to an all-electric fleet, which might mitigate 500 to 1,000 tCO_2e/yr.
- Creation or expansion of a city-wide charging network, to encourage and support electrification of vehicles.

Including the community energy system, along with the examples above whose impact I estimated, might mitigate 6,812 tCO_2e/yr. For the year 2033, this would represent a reduction from 21,275 tCO_2e/yr in the unmitigated BRPA scenario to 13,950 tCO_2e/yr in the mitigated scenario, or a reduction of over 34%.

These mitigation measures would implement or support many actions in the city's Climate Action and Adaptation Plan (CAAP). These measures could potentially be expanded beyond the project, and could form a template for mitigation of emissions from other proposed development projects. By including the mitigation measures I describe, the proposed project would have reduced impacts, would be more effective in achieving Davis's climate goals, and potentially more attractive to the project's residents and the Davis community more broadly.

2 Alternative emission estimates

Emissions due to electricity depend on the amount of energy used, when and where it is used, and the emissions associated with the energy sources used to provide the energy. In this section, I describe an approach and provide emission values using hourly electric load shapes and long-run marginal emission factors, for both greenhouse gas emissions and criteria pollutants. In addition, I address emissions due to consumption of the electricity needed to power the electric vehicles expected to be associated with the project. An alternative local energy system incorporating shared solar and storage will be shown to be capable of mitigating approximately 90% of the emissions due to electricity consumption. This mitigation measure should be considered for implementation as part of the project.

2.1 Rates of emissions from electricity

29-2

The DEIR uses a single average rate of emissions. Using a single average rate obscures the effect of the time of use of electricity, which also obscures the effects of mitigation measures such as battery storage and load flexibility. Battery storage can store energy from clean solar generation during the day and discharge it at night. Load flexibility can shift loads from times when the grid is more polluting to times when it is cleaner, such as running an electric water heater at noon instead of at midnight. A single average rate for each year of an analysis also obscures the effects of future policies that could lead to reduced emissions on the grid. California has increasing renewable portfolio standards and is moving towards a 100% zero-carbon electric grid, so emissions from electricity would be expected to decline over time.

The DEIR used an emissions rate of about 206 lbs/MWh, or 93.44 kg/MWh. This rate was based on the power content label for PG&E from 2019 and is calculated, basically, by accounting for the total emissions attributed by PG&E for purchased generation, divided by the amount of generation, over the course of a year. However, the emissions associated with the power actually delivered to a customer depend on the power mix at a given moment on the electric grid providing power at that location. This rate of emissions can be higher or lower than the average, depending on factors including timing, location, method of generation, and effects of transmission

29-2 Cont.

and distribution. The actual power mix used to serve a load, and in particular the marginal generator used to supply a load (or displaced by the lack of a load) does not have to correspond to electricity purchases. To put it succinctly, purchases are financial transactions, whereas emissions are physical events.

The marginal rate of emissions associated with delivering electricity to the location of a load can be used to capture the effect on emissions due to a load. When a new load is served on the grid, it will cause an increase in the output of the marginal generator. Conversely, when a unit of load is avoided, then the marginal generator provides less electricity. The specific marginal generator will vary from moment to moment, as well as the actual emissions generated from it. For instance, marginal emissions could be zero in the middle of a sunny day when there is excess solar on the grid. But, in the middle of the night, marginal emissions could be much higher. At peak grid demand times emissions can increase dramatically, as the dirtiest and least efficient generators are fired up. Each day of the year could have different emission rates, though generally in California, due to an abundance of solar generation, midday emissions are lowest.

The National Renewable Energy Lab (NREL) developed the Cambium emission scenarios to predict the hourly rate of emissions across different regions and for different projections of future grid evolution (NREL 2025c). The resulting hourly metrics can be used to estimate the emissions from load on the CAISO grid for each hour of the year for future years. Their long-run marginal emission rate (LRMER) model captures the impact of possible changes to the grid over time, as well as the resulting marginal emission rates (Gagnon P and Cole W 2022). LRMER avoids some of the limitations of average and short-run emission models. Using a model such as NREL's LRMER can provide a prediction of future emissions from the project that is more likely to match actual emissions, as compared to using a flat historic average value for all hours of the year and all future years.

2.2 Electricity consumption

29-3

The proposed project will use all electric systems; no natural gas would be used. The DEIR, however, used CalEEMod to estimate annual electricity consumption, which does not include models for all-electric energy use. CalEEMod bases its estimates of residential electricity consumption on the CEC's 2019 Residential Appliance Saturation Survey (CalEEMod 2022 pD-12). The homes included in the survey were built to a mix of building standards and, importantly, incorporate a mix of energy sources including natural gas. CalEEMod therefore incorporates electric consumption and non-electric gas consumption. Since gas consumption substitutes for electric consumption for uses like space heating and cooking, the estimate of electricity use will be lower than for an all-electric home. Thus, CalEEMod is using a set of building energy consumption and electricity demand values that are not a good estimate for the consumption that would be expected for the proposed project.

Further, CalEEMod does not incorporate demand from EVs in its emission estimates. As of 2023, 7.33% of light-duty vehicles (LDVs) in Davis are EVs and PHEVs, based on numbers in the CEC's vehicle population tool for Davis' zip codes (95616, 95617, and 95618) (CEC 2025). The number of EVs can be expected to increase in the future, so 7.33% is a lower bound.

29-4

A single EV, driven 12,000 miles a year, might consume 4 MWh/yr. In 2023 there were 46,867 vehicles registered in Davis and 25,941 households (US Census 2025), so there are about 1.8 vehicles per household. With 1.8 vehicles per household, and 1,800 residential units for the proposed development, we can expect about 3,240 vehicles total of which at least 260 might be EVs. In 2033, there might be 998 EVs consuming nearly 4,000 MWh. If the percent of EVs were to reach 65% of vehicles by 2040, then there would be 2,106 EVs associated with the development in 2040, consuming 8,424 MWh/yr.

Letter 29 Cont.

29-4 Cont.

Using CalEEMod's flat 206 lbs/MWh emissions rate, or 93.44 kg/MWh, the 998 EVs in 2033 would produce 374 tCO_2e/yr. Yet, as already discussed, this average rate of emissions obscures the effect of the timing of load. As an illustration of this, consider emissions associated with charging an EV on the night of February 9th, 2025. It takes on average 11 MWh/day to charge 998 EVs. The average rate of emissions from midnight to 6 AM that day was about 250 kg/MWh. Thus, if the vehicles were charged at night, they might cause the emission of 2,750 kg CO2. But, during the day from 9 AM to 3 PM emissions average just 21 kg/MWh, so those same vehicles, if charged during the day, might cause only about 231 kg CO2 in emissions. This is a dramatic illustration of how the timing of energy consumption can affect emissions, in this example leading to a 12x difference in emission rates.

Thus, a mitigation measure would encourage and support the charging of EVs during the day, rather than at night, and the use of energy storage to shift energy from daytime to nighttime for those loads that do run at night. However, this possibility for mitigation is apparent only if emission rates with sufficient temporal resolution are used.

2.3 Hourly electric load model

NREL has produced the ResStock dataset, incorporating simulated electric load shapes at hourly resolution for multiple housing types across a variety of climate zones, along with different combinations of energy measures (NREL 2025b). To model the loads due to the proposed buildings, the housing types proposed for the BRPA were mapped to housing types used in ResStock.

The land uses and housing types for the proposed project were provided in Appendix R of the Village Farms Davis TIS [Transportation Impact Study]. The TIS notes that "Information needed to identify the appropriate ITE residential land use categories was verified by City of Davis staff and the project applicant team, including the anticipated number of floors for the project's multifamily units and the number of single-family units that would be attached or detached." Therefore, I used the information in the TIS as the basis for matching the corresponding ResStock building types to use in the energy model.

29-5

Table 3: Village Farms Davis – BRPA Land Uses

BRPA Project Description			Transportation Analysis Land Use Inputs	
Land Use Type		Quantity[1]	ITE Land Use Category (Type and Code)	Quantity[1]
Residential Dwelling Units		1,800 DU	Single Family Detached Housing (210)	1,230 DU
			Single Family Detached Housing (210)[2]	90 DU
			Single Family Attached Housing (215)	120 DU
			Multifamily Housing Low Rise (220)	90 DU
			Affordable Housing Income Limits (223)	270 DU
Neighborhood Mixed-Use	Neighborhood Services	2.8 Acres	Strip Retail Plaza (822)	30.5 KSF[3]
Public/Semi Public	Fire Station	2.5 Acres	Fire and Rescue Station (575)[4]	32.1 KSF[5]
	Pre-K Early Learning Center	2.4 Acres	Day Care Center (565)	17.7 KSF[6]
Parks/Recreation	Heritage Oak Park	20.3 Acres	Public Park (411)	20.3 Acres
	Village Trails Park	7.5 Acres	Public Park (411)	7.5 Acres

Table 1 Table of housing types for BRPA, from TIS.

Based on the above table from the TIS, the following ResStock building types were selected.

Letter 29 Cont.

29-5 Cont.

ResStock housing type	ResStock units
Single family detached	1320
Single family attached	120
Multi-family 2-4 units	90
Multifamily 5 plus units	270

Table 2 ResStock housing types and numbers.

Since the proposed project would use all-electric construction, I used measure package 13 from the ResStock dataset, "Ultra High Efficiency Air-to-Air Heat Pump With Electric Backup + Light Touch Envelope + Full Electrification". This measure package is all electric and implements several measures consistent with efficient all-electric construction.

ResStocks's aggregate hourly load shapes for Davis' climate zone for these housing types and the selected upgrade package were used to derive aggregate hourly load shapes for the proposed project. In addition, charging load corresponding to an estimate of EV load was also incorporated into the overall load shape. Total annual load with this model was approximately 21.0 GWh in 2033, compared to the DEIR's estimate of 13.3 GWh. See Figure 1 for estimated annual loads. Load was estimated to grow rapidly from 2028 to 2033 as the proposed project is built and occupied. Load was also estimated to grow due to increasing adoption of electric vehicles, which would continue throughout the years modeled.

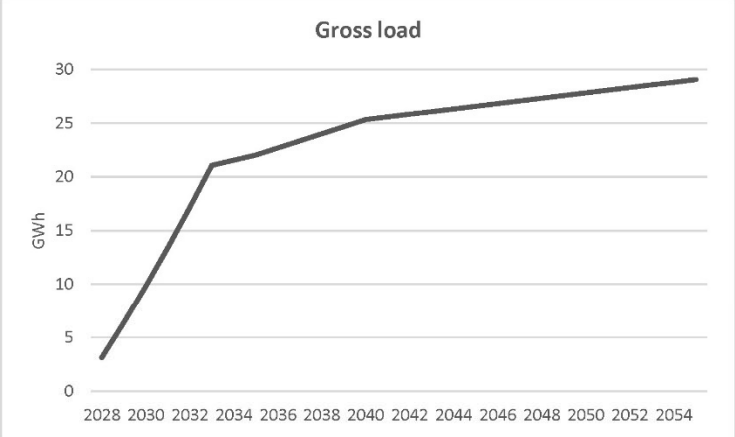


Figure 1 Gross load for each year, adjusted for population growth through 2033 and ongoing EV adoption.

The hourly and annual load values created with this approach are intended to provide an estimate of hourly energy use for the BRPA for a typical year. Actual loads will depend on building energy use as well other loads including electric vehicles. Load for the residential units will depend on the specific types of buildings that are ultimately constructed, the materials and techniques used in their construction, weather patterns, occupant and operational behavior, and more. The actual load shape for the buildings would therefore be expected to vary

Letter 29 Cont.

29-5 Cont.

from the modeled loads; however, I believe that the modeled loads provide a reasonable estimate of the anticipated loads, given the information available at the time of writing.

2.4 Electricity emission scenarios and estimates

The hourly load shapes calculated above, combined with the hourly marginal emission rates, provide the inputs to calculate emissions from the proposed project. The emissions, though, will depend on the sources and patterns of energy used to provide power to the project. Different renewable energy scenarios can lead to very different amounts of emissions. According to the project description, solar energy will be incorporated in accordance with Davis' municipal code. I estimated that compliance with this code would entail installation of about 8 MW of on-site solar generation, in a "BRPA" scenario. Another option, the Community Energy System ("CES") scenario was also analyzed, in which a community solar plus storage system serving power to the development is incorporated into the BRPA project, replacing the 8 MW of solar in the BRPA scenario.

NREL's REopt Web Tool (NREL 2025) is able to calculate optimal economic system size and hourly battery dispatch for a solar plus battery installation. Using the hourly load shapes and PG&E's electricity pricing data as inputs, REopt was used to calculate the size and battery dispatch for a solar plus storage system, as shown in the CES scenario in Table 3 below. For the initial system sizing and battery dispatch analysis using REopt it was assumed that the project was occupied in 2028, annual load was 18,733 MWh, and load did not grow in subsequent years. An estimate of increasing load from increasing occupancy through 2033 and from ongoing EV adoption was then incorporated into subsequent steps of the analysis.

29-6

Scenario	Solar generation	Battery storage
No system	-	-
BRPA	8 MW	-
CES	16 MW	5.8 MW / 50 MWh

Table 3 Scenarios analyzed.

To calculate emissions due to consumption of grid power, marginal hourly emission rates were multiplied by hourly net grid consumption as calculated by REopt. NREL's LRMER values for the midcase scenario in CAISO territory were used for the emissions rates associated with grid electricity consumption. The LRMER values were provided in 5-year increments from 2025 through 2050. Interpolation between each 5 year interval was used to derive values for intermediate years, while for the years after 2050 it was assumed that grid emissions were halved every 5 years. It was assumed that hourly grid consumption patterns remained the same across the years analyzed.

Figure 2 shows total climate emissions using the LRMER emission values. For the No System scenario significantly more climate emissions would be generated by the project from electricity consumption over the analysis period. Under the BRPA scenario emissions could be reduced by about 21%. However, under the CES scenario emissions could be reduced by over 90%, **avoiding the emission of nearly 28,000 tCO_2e**. On a straight annualized basis, this would reduce annual emissions by over 1,000 tCO_2e, as compared to a project with no renewable energy system. However, this straight annualization would obscure the impact of emissions early in the project, when the grid is expected to produce higher emissions than in later years.

Letter 29 Cont.

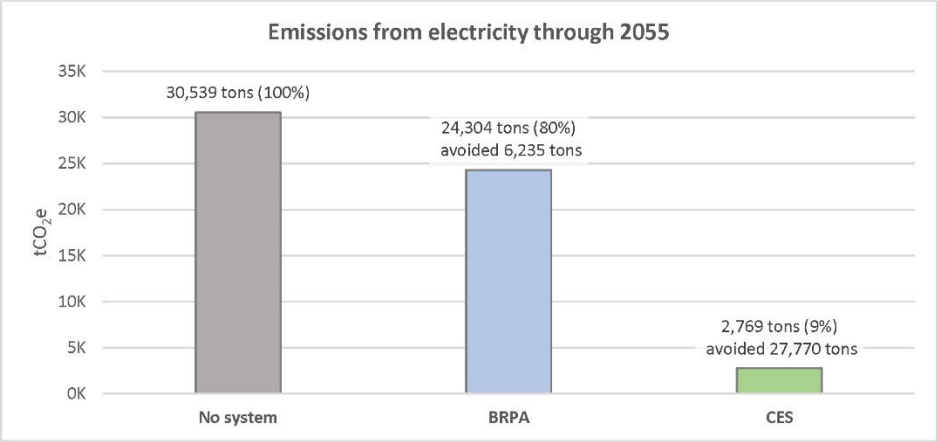


Figure 2 Total estimated climate emissions from 2028 to 2055.

29-6 Cont.

Figure 3 shows annual and cumulative emissions from electricity consumption associated with the three scenarios. For the year 2033, for instance, by which time much of the project would be expected to be in service and consuming electricity, emissions for the No System scenario would be about 2,500 tCO_2e, while for the BRPA scenario emissions would be 1,803 tCO_2e. But, with the CES scenario emissions would be just 219 tCO_2e. Figure 3 also shows how the overall grid is predicted in the LRMER models to become cleaner over time, with significant reductions in emissions through 2036, followed by more moderate reductions through 2055. This declining emissions rate means that emissions in the initial years of the project would be higher than in latter years. For any given year, though, emissions from the CES scenario would be about 10% of the No System scenario. Figure 3 also shows cumulative emissions for the three scenarios. This further illustrates how emissions accumulate rapidly under both the No System and BRPA scenarios, while under the CES scenario cumulative emissions remain much lower.

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29-6 Cont.

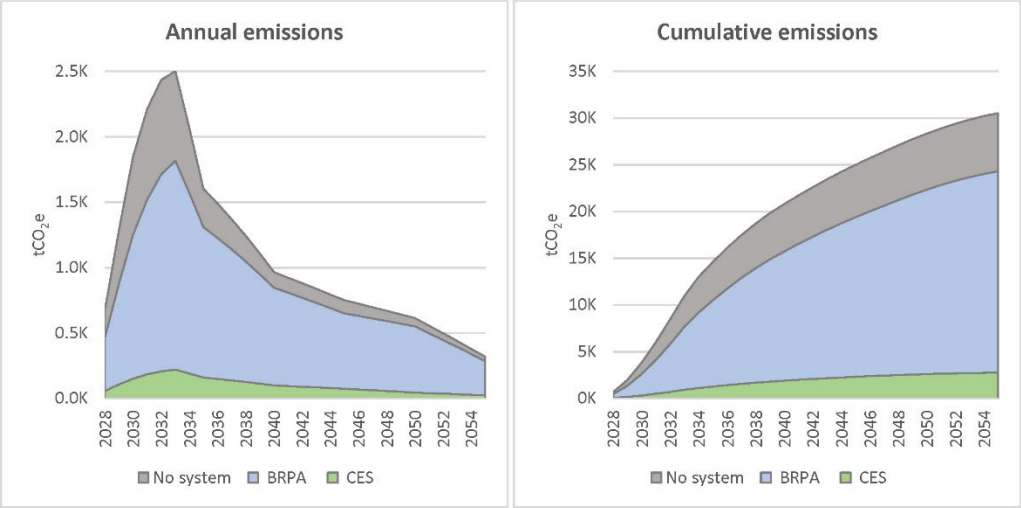


Figure 3 Annual and cumulative climate emissions due to operational energy use.

By using hourly load shapes and long-run marginal emission values, this analysis has shown the dramatic impact possible with a community solar plus storage system providing electricity to the development. The long-run marginal emission values also show a plausible trajectory for future emissions, assuming macro policies and changes are realized as predicted in the model.

2.5 Electric vehicle emissions

As more EVs are adopted, they will increase electricity demand, causing increased grid emissions due to increased electricity consumption. At the same time, conversion of gas-powered vehicles to EVs will result in reduced emissions. The CES scenario can significantly mitigate the emissions due to EV charging, such that emissions from electricity used to charge EVs will be significantly lower with the CES scenario than either the No System or BRPA scenarios.

29-7

Davis has about 1.8 vehicles per residence, given that there are 25,941 residential units (US Census 2025) and 46,867 light-duty vehicles (CEC 2025) in the city. Therefore, the proposed project may be expected to have 3,240 light-duty vehicles, assuming it maintains the same ratio of vehicles to residences as Davis overall. EVs currently constitute between 7 and 8% of vehicles registered in Davis, based on data in CEC's Light-Duty Vehicle Population in California tool (CEC 2025). Overall future EV uptake was modeled to correspond, approximately, to the adoption of EVs at a rate consistent with state goals (Sperling et al 2021), reaching 65% of total vehicles by 2040. Using this model for EV adoption, by 2028 there may be over 13% EVs, or 434 vehicles associated with the project, while in 2033 there could be 998 EVs, and by 2040 this may increase to 2,109 vehicles.

Figure 4 shows annual emissions from EVs, using the LRMER emission values, for the three scenarios and given the modeled number of EVs and expected energy consumption for each EV. For this model, it was assumed that the EVs charged 50% from 8 AM to 4 PM, and 50% during the remaining hours of each day. The solid green line shows the modeled number of EVs in each year. Despite the increasing adoption of EVs, Figure 4 shows annual

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emissions starting to decline in 2032 due to reduced emissions on the grid. Despite these declines, emissions under the No System and BRPA scenarios remain several times higher than for the CES scenario.

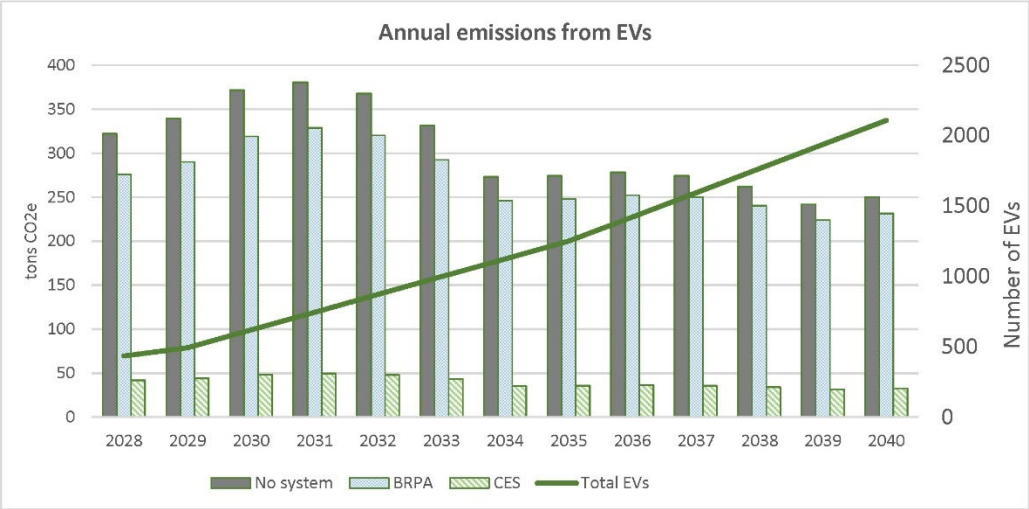


Figure 4 Annual emissions due to grid electricity used to charge EVs, as well as EV adoption curve.

Figure 5 shows modeled cumulative emissions through 2040 associated with EV use. The CES scenario reduced cumulative emissions through 2040 by 87% from the No System scenario, saving 3,452 tCO_2e, a reduction of 288 tCO_2e/yr on average. In contrast, the BRPA scenario reduced emissions by only 11% over the same time period.

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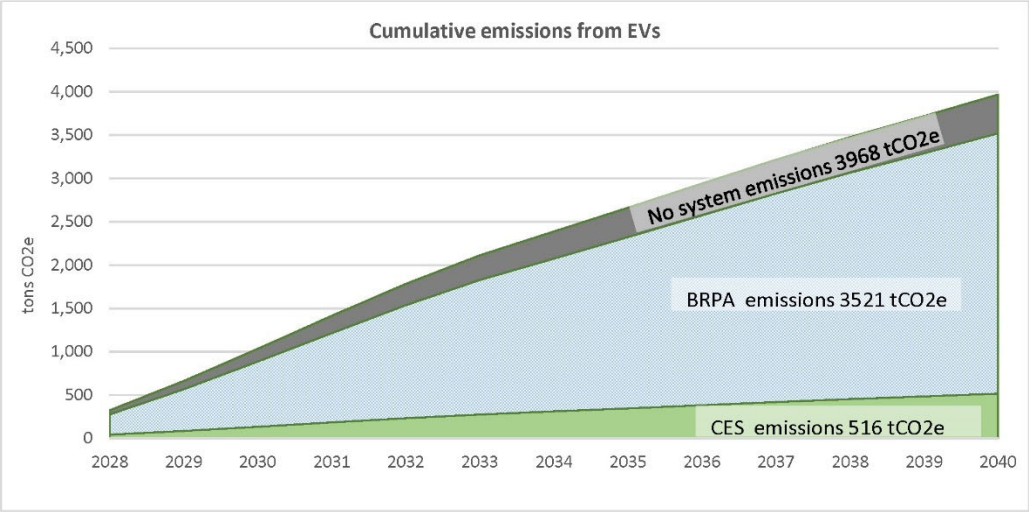


Figure 5 Cumulative emissions due to grid electricity used to charge EVs.

2.6 Mobile emissions

The largest category of emissions in the DEIR are due to mobile emissions. Tables 4.3-20 of the DEIR is reproduced below. The DEIR provides an estimate of 47,900,000 VMT for the BRPA, based on the Transportation Impact Study prepared for the proposed project by Fehr & Peers. The DEIR assumes an average fuel efficiency of 24.8 mpg (p4.3-65). This would result in consumption of 1,931,451 gallons of gasoline. At a tail-pipe emissions rate of 8.887 kg CO_2/gallon (EPA 2022) this would result in 17,165 tCO_2e, very close to the mobile annual GHG emissions provided in table 4.3-20. Note that this assumes that only gasoline is used, e.g., no diesel is used.

29-8

Table 4.3-20
Unmitigated Operational GHG Emissions ($MTCO_2e$/yr) – BRPA

Source	Annual GHG Emissions
Mobile	17,389
Area	23.5
Energy	1,246
Water	138
Waste	406
Refrigerants	3.8
Total Annual Operational GHG Emissions	**19,206**

Note: Rounding may result in slight differences in summation.

Source: CalEEMod, March 2024 (see Appendix C).

Table 4 Operational GHG emissions from DEIR.

The emissions rate used in the DEIR accounts only for tailpipe emissions from ordinary gasoline combustion. Each gallon of fuel consumed, though, is associated with upstream lifecycle emissions. In addition, the EPA's tailpipe emissions rate is a generic rate that does not account for the actual fuel used in California. The California

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Air Resources Board (CARB), under its Certified Fuel Pathways program, assesses the emissions associated with the sources of fuel in California and the California-specific CARBOB fuel blend. CARB provides a value of 100.72 gCO_2e/MJ, as shown in Table 5Table 3 and on CARB's website (CARB 2025). The conversion factor for MJ to gallons of gasoline is approximately 131.75 MJ/gallon, so the CARBOB tailpipe emissions would be 9.7245 kg CO_2e/gallon, while overall emissions from gasoline would be 13.270 kg CO2e/gallon.

Table A.1. Summary Table of CARBOB CI

Component	Total CI* gCO_2e/MJ
Crude Recovery and Crude Transport	12.61
Refining	13.78
CARBOB Transport	0.52
Tailpipe Emissions	73.81
Total CI	100.72

* Individual values may not sum to the total due to rounding

Table 5 Life-cycle emissions of gasoline in California (CARB 2023).

29-8 Cont.

With these numbers, we have

CARBOB tailpipe emissions: 1,931,452 gallons * 9.7245 kg CO_2e/gallon / 1000 kg/t = 18,782 tCO_2e

CARBOB lifecycle emissions: 1,931,452 gallons * 13.270 kg CO_2e/gallon / 1000 kg/t = 25,630 tCO_2e

The mobile lifecycle emissions are thus 147% higher than the emissions accounted for in the EIR. CARB's California-specific lifecycle emissions values better reflect the actual emissions associated with consumption of gasoline. This higher value emphasizes both the need to mitigate mobile emissions, as well as the larger impact that mitigation measures would have.

2.7 Embodied emissions

In my comments for the Notice of Determination I noted that embodied emissions could be significant and should be addressed in the EIR. I estimate that embodied emissions from construction of homes for the project could be nearly 70,000 tCO_2e, which on a 50-year annualized basis is 1,400 tCO_2e/yr. This estimate is based on the given number of units, an estimate of the size of each unit, and an average value of 184 kg CO_2e/m^2 in emissions for residential construction (Magwood C et al 2023), as well as an estimate for emissions from roadway construction (Espinoza M et al 2019). These embodied emissions do not include all embodied emissions, or the actual amounts of embodied emissions that would be created by the project, and so are a rough estimate of these emissions. Yet, "**reductions of 30 to 50 percent can be demonstrated with commercially available, affordable, and code-compliant building materials**" (Magwood C et al 2023). A reduction in embodied emissions of 50% could therefore reduce these emissions by 35,000 tCO_2e and annualized emissions to 700 tCO_2e/yr.

29-9

2.8 Overall population-adjusted emissions

The proposed project is not expected to be fully occupied until around 2033, the year analyzed in the DEIR. Therefore, I assumed that the population of the proposed development would grow steadily from 2028 through 2033, and thus scaled emissions to match this. Figure 6 shows emissions from all quantified sources for the

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DEIR's analysis and for the BRPA and CES scenarios, with all results adjusted for the project's expected population in each year.

Two aspects in particular are evident in these figures. First, emissions are dominated by mobile emissions. Second, emissions grow from 2028 to 2033 as more of the project is constructed and people move into it, and, in the BRPA and CES scenarios, emissions drop thereafter due to modeled transportation electrification and reduced grid emissions consistent with recent statewide policy goals. The left chart in Figure 6 shows total emissions including all categories of emissions, whereas the chart on the right excludes mobile emissions. In the chart on the right it can be seen that under the CES scenario emissions would be significantly reduced. In addition, cumulative emissions (not shown in this figure) under the CES scenario would be much lower, since for each year the CES scenario's emissions are lower than either the BRPA scenario or the DEIR's analysis.

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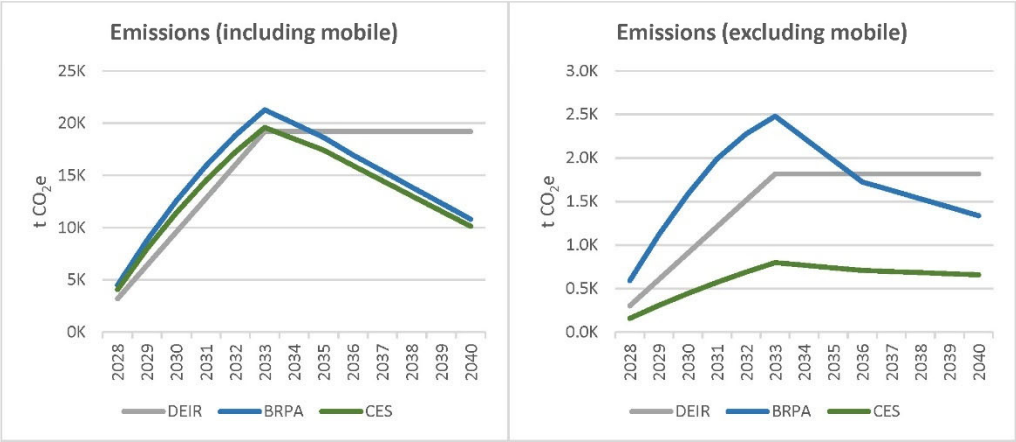


Figure 6 Emissions for DEIR, BRPA, and CES scenarios, adjusted for growth in project population from 2028-2033, including mobile emissions (left) and excluding mobile emissions (right). The BRPA and CES scenario emissions include embodied emissions, which were not included as part of the DEIR analysis.

2.9 Sensitivity of emissions to macro conditions

29-11

As noted, the analyses included the impact of two major factors that are external to the proposed project and that would be expected to reduce emissions over time. These factors are:

1. EV adoption will proceed in a manner consistent with state policies, such that about 65% of light-duty vehicles will be electric in 2040.
2. The overall CAISO electric grid will move toward lower emission intensity, as modeled in NREL's mid-case scenario.

If these two factors do not lead to decarbonization at the expected pace then emissions from the proposed project would be significantly higher. To explore the effect of changing these assumptions, I modeled EV adoption proceeding at 1/3 of the rate along with emissions on the CAISO grid reaching the LRMER's 2030 levels and remaining the same thereafter. The results of these changes are shown in Figure 7.

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Emissions from electricity under these changed predictions are much higher. With the lower EV adoption rate, only 30% of vehicles would be electric in 2040, compared to 65% in the prior analyses. The change in EV adoption reduces electricity consumption, but leads to an increase in mobile emissions from gas vehicles (not shown), while the more polluting grid results in higher emissions from electricity. Cumulatively, emissions under the BRPA exceed 67,000 tCO_2e. In contrast, emissions under the CES scenario remain much lower, at 8,163 tCO_2e, a reduction of 90% and almost 92,000 tCO_2e from the No System scenario and about 59,000 tCO_2e from the BRPA scenario. This demonstrates how a local community energy system could mitigate emissions from the proposed project, even if macro conditions do not develop as expected. In the mitigation section, I propose additional measures to reduce mobile emissions, which could be even more significant if mobile emissions from gas vehicles remain higher due to reduced EV adoption.

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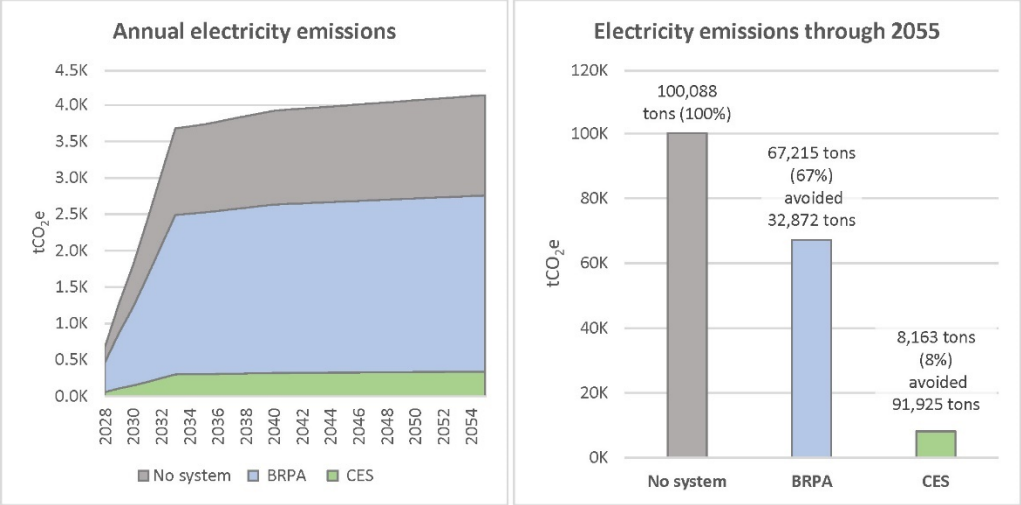


Figure 7 Emissions from electricity assuming 1/3 rate of EV adoption and a CAISO grid that remains at 2030 LRMER mid-case emission levels. The left chart shows annual emissions, while the right chart shows total emissions through 2055.

2.10Other emissions

Emissions of NO_x, SO_2, and PM2.5 from electricity consumption as calculated using NREL's REopt tool are shown in Figure 8. The CES scenario shows significant reductions in emissions of criteria and health pollutants. Pollutant levels under the CES scenario are actually shown as negative, due to displacement of polluting grid energy by exports of clean energy from the community energy system.

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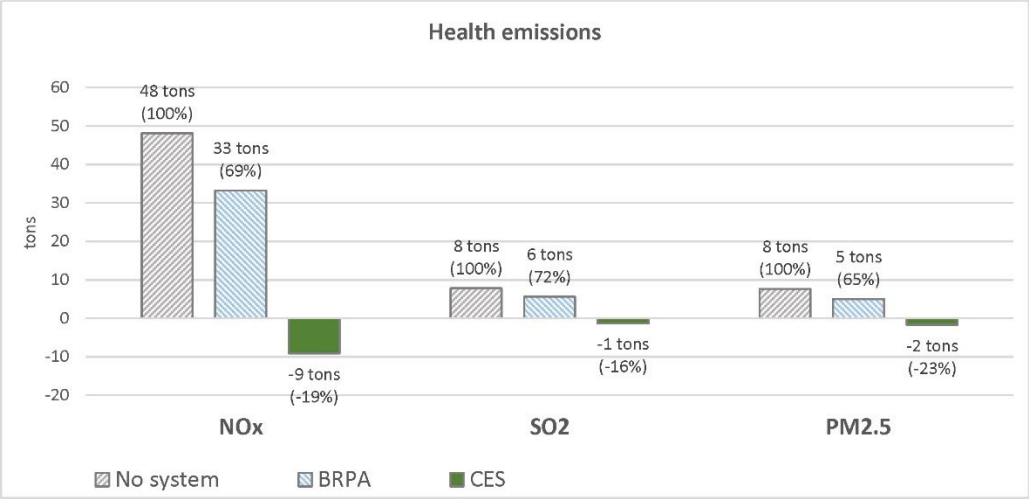


Figure 8 Total health emissions under the three scenarios for a 30 year analysis period.

3 Mitigation measures are needed

Several thresholds and targets are possible and may be consistent with the CAAP, including targets that were adopted as part of the CAAP. The CAAP provided a minimum target for 2030 of 40% below 2016 levels, or 340,200 tCO_2e/yr, which is equivalent to 5.2 tCO_2e/capita/yr assuming a population of 65,423. The CAAP also included a 2040 carbon neutrality target. In addition, the Adaptation Plan Initial Study/Proposed Negative Declaration, which was adopted as part of the CAAP, defined an efficiency threshold. These two approaches are discussed further below.

29-13

Net zero target: The DEIR took 2033 as the year for analysis. Therefore, we need to extend the 2030 target to 2033 to match expected emission levels. To reach net zero by 2040 would require per-capita emissions to decline by 0.52 tCO_2e/yr, so that by 2033 the per capita target would be 3.64 tCO_2e/capita/yr.

Efficiency threshold: The Adaptation Plan Initial Study/Proposed Negative Declaration used an efficiency-based threshold of 2.88 tCO2e/sp/yr, where sp stands for "service population", which is the sum of residents plus employees.

I compared emissions from the proposed project to these thresholds. To calculate per capita emissions for the development, I estimated its population and service population. Davis has 65,832 residents and 25,941 households (US Census 2025), for an average of 2.54 residents per household. If the same average holds for the 1,800 units in the proposed project then there would be 4,572 residents living in the project when it is built. The proposed project would include a fire station, daycare center, and small retail center. I estimated that there might be 100 employees associated with these services, which gives a service population of 4,672.

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		Net zero target 3.64 tCO2e/capita/yr in 2033			Efficiency threshold 2.88 tCO2e/sp/yr		
Scenario	**Estimated emissions (tCO_2e/yr)**	**Per capita (tCO_2e/capita/yr)**	**Excess per capita (tCO_2e/capita/yr)**	**Excess total (tCO_2e/yr)**	**Per service population (tCO_2e/sp/yr)**	**Excess per sp (tCO_2e/sp/yr)**	**Excess total (tCO_2e/yr)**
DEIR	19,206	4.20	0.56	2,564	4.11	1.12	5,751
BRPA scenario	21,275	4.65	1.01	4,633	4.55	1.67	7,819
CES scenario	19,594	4.29	0.65	2,952	4.19	1.31	6,138

Table 6 Emission levels in 2033 from the DEIR analysis and for the BRPA and CES scenarios as analyzed herein, compared to the CAAP's net zero targets and efficiency thresholds.

The Initial Study / Negative Declaration stated that the efficiency-based threshold is particularly relevant to land-use development projects. If a project's GHG emissions would exceed the efficiency-based threshold, then "all feasible mitigation would be required to reduce emissions to a level below the threshold, or GHG offsets/credits purchased if feasible mitigation could not reduce emissions to the level required."

29-13 Cont.

The DEIR states that "the City has not specifically adopted goals or thresholds to analyze GHG emissions associated with construction of proposed projects." The DEIR states that for purposes of evaluating the proposed project in the DEIR that the "The City elected to use the YSAQMD's thresholds of significance, as well as the City of Davis adopted goal of net carbon neutrality by the year 2040, as set forth in the City's CAAP". However, the city could have elected to use the efficiency thresholds previously adopted as part of its CAAP.

Regardless of the choice between these thresholds, Table 6 shows that all three analyses and scenarios (DEIR, BRPA scenario, CES scenario) result in emissions that are above both the net-zero target and the efficiency threshold. The amount in excess depends on the method of analysis. This indicates that mitigation measures should be undertaken to reduce emissions.

In addition, the emissions are not unavoidable. For instance, the CES scenario reduces emissions, relative to the BRPA scenario, by 1,681 tCO_2e/yr. This is due to the reduction in energy emissions under the CES scenario to about 220 tCO_2e/yr in 2033. Applied to the DEIR analysis, this would eliminate much of the excess emissions of 2,564 tCO_2e/yr relative to the net-zero target. Later, I will provide additional suggestions for feasible mitigation measures, showing further that the emissions are not unavoidable.

The DEIR states that "implementation of the Proposed Project/BRPA would be consistent with the overarching goal of the CAAP, which is to reduce GHG emissions." However, the BRPA increases GHG emissions above the thresholds, regardless of the method of analysis. The mitigation measures described in the DEIR in section 4.3-8, pp4.3-77 4.3-79 are not quantified or sufficient to address the increased emissions. The DEIR states "Implementation of Mitigation Measures 4.3-8 would achieve a downward trajectory of operational GHG emissions, assuming an equal-level reduction per year sufficient to reach zero tCO_2e/yr by 2040." To achieve this downward trajectory will require implementing mitigation measures, and it will require ensuring that the trajectory is being maintained.

29-14

The DEIR concludes that no mitigation measures are required. I believe that this conclusion is inconsistent with the analyses both in the DEIR and those that I have performed, it conflicts with the CAAP, with the city's declaration of a climate emergency, and with the city's adopted thresholds of significance. Therefore, in the next section, I suggest a variety of mitigation actions that are feasible and could reduce emissions.

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4 Suggestions for mitigation measures

In this section I describe actions, along with possible funding sources, that could mitigate multiple issues identified in the DEIR. The approach I propose would also lower housing costs, lower energy burdens, and lower costs of transportation. Mitigation measures such are these are necessary to be able to meet the city's climate goals. As noted previously, the analyses I did for the BRPA and CES scenarios included the impact of two major factors that are external to the project and that could reduce emissions over time. These factors are:

1. EV adoption will proceed in a manner consistent with state policies, such that about 65% of light-duty vehicles will be electric in 2040.
2. The overall CAISO electric grid will move toward lower emission intensity, as modeled by NREL's mid-case scenario.

29-15

If actual future conditions do not match the models then project emissions would remain higher for longer. By undertaking the mitigation measures proposed here, as well as others, the city and developer could reduce emissions even if actual conditions do not match the modeled emissions. By providing electricity for the proposed project from a community energy system, the project would benefit from clean electricity with approximately 90% lower emissions. This would ensure that operating emissions from electricity remain low, including from EV charging, regardless of the situation on the overall electric grid. The city and developer could also implement mitigation measures to reduce VMTs and electrify transportation.

29-16

Over the 12 years from 2028 to 2040, the quantified mitigation measures I propose (see Table 7) could avoid an estimated 81,984 tCO_2e. These are rough estimates of emissions that could be mitigated. I did not quantify reductions from all suggested mitigation measures. Thus, these estimates are intended to illustrate the potential reductions possible and to provide a list of suggested actions that could be undertaken to mitigate emissions.

	Action	Emissions category	Reduction (tCO2e/yr)	CAAP actions
29-17	Community energy system	Energy	1,168	BE5 community solar energy BE8 create community microgrids and resiliency hubs TR11 develop sustainable housing
29-18	Mobility actions (see Table 8)	Mobile	4,944	TR1 electric vehicle charging plan TR2 decarbonize the municipal fleet TR3 First mile/last mile transportation TR4 electric micromobility vehicles TR6 expand public transit TR7 strengthen regional transit TR10 low emissions vehicle program
29-19	Reduce embodied emissions	Construction	700	
29-20	Other actions (see suggestions)	Various	Not yet quantified	CR1 Carbon sequestration and removal, and others.
	Total		6,812	

Table 7 Summary of suggested mitigation measures and estimates of potential annual emission reductions.

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Figure 9 shows the effect on emissions of implementing the above mitigation measures. The gold "Mitigated" line shows that emissions are significantly reduced relative to the other scenarios, including the mobile and construction mitigation measures.

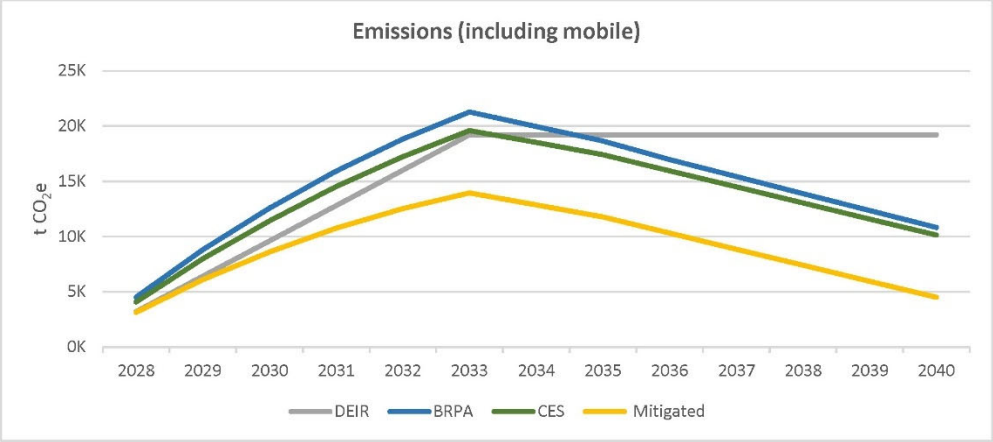


Figure 9 Emissions under all scenarios. The Mitigated scenario includes a community energy system, along with the measures suggested to mitigate embodied and mobility emissions.

29-21

There are multiple feasible mitigation measures that could be implemented, including:

- Incorporation of a community energy system
- Use of construction materials and methods with lower embodied emissions
- Measures to increase adoption of electric vehicles, shared mobility, fleets, etc.
- GHG abatement actions financed from payments into a fund
- Higher density construction aligned with VMT reduction
- Multiple additional measures to reduce VMTs
- Improved transit-oriented development

4.1 A community energy system could mitigate operating emissions

A community energy system could mitigate a significant portion of emissions. By providing cleaner electricity from day 1, emissions due to onsite energy consumption would be significantly reduced.

29-22

These emission reductions would start as soon as the community energy system began operating. If it began operating as early as 2028, then energy emissions would be reduced from that date, without waiting until, say, 2033. This would reduce cumulative emissions, whose impact is especially significant in earlier years as the overall grid is expected to be more polluting in early years and to become cleaner over time, consistent with state clean energy goals.

The potential reductions were analyzed under the CES scenario. For the years 2028-2040, operating emissions from energy for the BRPA scenario could be 15,912 tCO_2e. With a community energy system, emissions over the same period could be just 1,902 tCO_2e. This is an average reduction of 1,168 tCO_2e/yr.

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A community energy system could implement CAAP action BE8 Create Community Microgrids and Resiliency Hubs. The community energy system could be built as a microgrid. This would enable the entire community to be resilient, including all the homes, the daycare center, any businesses, common spaces, street lighting, and the fire station. The power could potentially stay on even through multiple days of outage on the PG&E grid. Resiliency would extend equitably to all residents and would avoid the need for those with limited mobility to have to evacuate from their homes. It could support everyday energy-dependent activities, including communications and transportation (by providing power to charge electric vehicles).

29-22 Cont.

A community energy system would also support CAAP actions BE5 Community Solar Energy. It could also support BE7 Renewable Energy on City Facilities, by providing power to city facilities, such as the proposed fire station, water pumping facilities, or an adjacent municipal facility.

A community energy system could plan for and provide clean energy to accommodate an increasing number of electric vehicles. Under the BRPA, there is no provision for increasing, over time, the amount of solar generation installed on the project. The amount of solar installed under the BRPA would match the amount specified at the time of construction, without consideration for load growth, much of which would come from electrification of vehicles. A community energy system, though, could grow the amount of generation and battery storage to ensure that affordable clean energy continues to be delivered to the community even as the community's energy needs increase.

4.2 The developer and community energy system could finance a mitigation fund

Since emissions from the project would exceed thresholds defined by the city, then all feasible mitigation measures should be undertaken or offsets/credits purchased. To boost feasible mitigation measures, and in line with purchases of offsets, the developer could pay into a fund that would be used to mitigate emissions. Since there is a defined emissions threshold that specifies the level at which mitigation is required, then payment could occur as emissions exceed the threshold. In addition, the city's goal is to reach zero emissions by 2040, therefore the developer could pay into the fund at least so long as emissions from the project exceed the city's goal or exceed the city's climate budget.

29-23

A community energy system could go further to support emission reductions and improvements in quality of life by providing additional financing to the fund. Based on a financial analysis with plausible assumptions about costs and benefits, a community energy system might realize savings of $110M through 2040 compared to the No System scenario. These savings could be split between residents and the city. Assuming an 8% discount rate for residents and a 4% discount rate for the city, with the city receiving say 45% of the savings, then the city could benefit from a present value of nearly $31M through 2040 from revenues on the sale of electricity to the project's residents. The residents in turn would benefit from the remaining share of the savings on their electric bills. The city's revenue could, for instance, be added to the mitigation fund. In addition, the proposed community energy system would continue to operate beyond 2040, realizing additional savings on electricity. A portion of this ongoing savings could continue to provide funds to implement further actions by the city.

4.3 A mitigation fund could finance multiple measures

29-24

The mitigation fund could provide significant financing to mitigate emissions in the project area and throughout the city.

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29-4 Cont.

Since mobile emissions are the main source of emissions due to the proposed project, the city could implement targeted actions to reduce those emissions. There are many ways this could be accomplished. The actions could provide multiple benefits, including:

- mitigate emissions (including GHGs, particulates, and other pollutants)
- mitigate traffic congestion
- improve equity, by making transit more affordable and available, reducing transit burdens
- retain funds in the city that otherwise would have been spent on gasoline
- reduce the cost of transit by using electric vehicles with lower operating and ownership costs
- provide employment to implement, install, and provide ongoing support for these actions

Below is a list of possible mitigation measures, along with rough estimates of costs and potential impact for several items. These costs and benefits are just initial estimates, while actual costs and mitigation potential may vary. These examples show that there are many feasible actions that could be undertaken to mitigate emissions. Table 8 summarizes examples of transit-related mitigation measures targeted to reduce the largest source of emissions.

29-25

Action	Present cost (10 yrs)	VMT avoided (VMT/yr)	GHG emissions mitigated (tCO_2e/yr)	CAAP actions supported and/or implemented
Electric passenger van fleet (10 vans)	$17M	3.3M	1,750	TR6 expand public transit TR7 strengthen regional transit TR10 low emissions vehicle program
Light-duty electric vehicle shared fleet (77 vehicles)	$10M	5.8M	3,000	TR6 expand public transit TR7 strengthen regional transit TR10 low emissions vehicle program
Microbility electric shared fleet (100 micro-vehicles)	$3M	0.37M	194	TR3 First mile/last mile transportation TR4 electric micromobility vehicles
City-wide charging network (200 units)	$1M			TR1 electric vehicle charging plan
Decarbonize the municipal fleet			500 to 1,100	TR2 decarbonize the municipal fleet (emission reduction numbers from CAAP)

Table 8 Summary of some transit-related mitigation measures.

29-26

Provision of an **electric passenger van fleet** (supporting and implementing CAAP items TR6 expand public transit TR7 strengthen regional transit, and TR10 low emissions vehicle program). Using PG&E's fleet calculator tool, the present cost of a small school bus (a proxy for a passenger van) operated for 10 years is about $310,000. Thus, about $3M could be used to purchase 10 passenger vans. Assuming a driver costs $100k/yr each, and 20 are hired, then this would be another $14M in present costs for 10 years, for a total of $17M in present costs. These vans could be used to transport passengers every day throughout the city. The vans could even transport children to and from school and other activties, relieving a significant source of daily traffic congestion. If each van were to travel 150 miles/day and hold 6 passengers on average, it would potentially displace 900 VMTs/day, or 3.3M VMTs/year. If these passenger VMTs displaced light-duty ICE VMTs it could avoid use of 132,000 gallons of gasoline and mitigate 1,750 tCO_2e/yr (ignoring for now any emissions due to use of charging electricity).

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29-27 Provision of a **light-duty vehicle shared fleet** (supporting and implementing CAAP items TR6 expand public transit, TR7 strengthen regional transit, and TR10 low emissions vehicle program). These could be used by city residents, similar to how shared mobility services operate. Using PG&E's fleet calculator tool, the present cost of an electric passenger vehicle is about $130,000. Thus, $10M of the mitigation fund could purchase and operate 77 shared vehicles, available to the community and displacing emissions from gas vehicles that would otherwise have been used for travel. If each vehicle were to travel 160 miles/day (at about 1/3 utilization), the fleet could displace 16,000 VMTs/day or 5.8M VMTs/yr. If these VMTs displaced ICE VMTs it could avoid use of about 225,000 gallons of gasoline per year and mitigate nearly 3,000 tCO_2e/yr.

29-28 Provision of a **micromobility shared fleet** (supporting and implementing CAAP items TR3 First mile/last mile transportation and TR4 electric micromobility vehicles). Electric scooters and other small vehicles could be purchased and distributed throughout the proposed project and city. If a micromobility vehicle has a lifetime present-cost of ownership of, say, $30,000, then allocating $3M from the mitigation fund could provide 100 such vehicles. If each micromobility vehicle displaced 10 VMTs/day, then the micromobility fleet could displace 1000 VMTs/day or 365,000 VMTs/year. This could avoid use of about 14,600 gallons of gasoline per year and mitigate 194 tCO_2e/yr.

29-29 Provision of a **city-wide charging network** to support vehicle electrification (supporting CAAP item TR1 electric vehicle charging plan). The city could colocate at least some of these charging sites with local energy generation. By owning the energy systems, the city could provide lower-cost charging while retaining revenue in the city that otherwise would have been spent on gasoline or on non-locally owned electricity. If an L2 charge location were to cost $5,000 each, then the city could install 200 charging locations for each $1M spent.

29-30 **Decarbonize the municipal fleet**, implementing CAAP item TR2. The municipal fleet could charge from the community energy system. If a municipal charging facility were built adjacent to the proposed Village Farms project, it would make it possible to charge the municipal fleet from the shared community energy systems.

29-31 The above measures (excluding decarbonization of the municipal fleet) are estimated to cost $31M in present dollars. Of course, any amount could be spent on these or other measures, but this illustrates what could be accomplished without even tapping the full mitigation fund's cashflow. Other examples of actions that could be taken include:

- Providing incentives to support adoption of new or used EVs.
- Providing incentives to support home electrification, such as for electric panel upgrades and appliance replacements.
- Actions and financing to support and/or install distributed energy resources throughout the city.
- Implementing regenerative projects for natural and agricultural lands, to protect and restore habitat, sequester carbon, and provide natural environments for residents to explore and enjoy. This would help implement CAAP item CR1 Carbon Sequestration and Removal.
- Creating a revolving-loan fund with a community bank to finance mitigation measures throughout the city.
- Including load-flexibility measures, to shift energy consumption to times when there is more clean energy.

The examples above are illustrative of the range of actions that the mitigation fund could support.

Letter 29 Cont.

4.4 Embodied emissions could be reduced

In section 2.7 I estimated embodied emissions from construction of the project at 70,000 tCO_2e, or 1,400 tCO_2e/yr on a 50-year annualized basis (using an average embodied carbon value of 0.184 tCO_2e/m^2, an estimate of home sizes for the project, and an estimate of embodied road paving emissions). Yet, reductions of 30 to 50 percent can be achieved with "commercially available, affordable, and code-compliant building materials" (Magwood C et al 2023). This would reduce annualized emissions by 700 tCO_2e/yr. The biggest categories of emissions come from concrete (33-36%), insulation (15-26%), cladding (6-13%), interior surfaces (10-13%), windows (9-11%), and wood framing (5-11%). The developer could select alternatives for these materials and methods to reduce the amount of embodied emissions generated by the project. Examples of alternative materials are shown in Table 9. Embodied emissions could also be reduced by constructing different housing mixes. Smaller, more compact units, and attached or multifamily structures can also reduce embodied emissions by reducing the materials needed for construction.

29-32

up to **140% reduction**

up to **50% reduction**

	As-Built Materials	Best Available	Best Possible
Concrete Mix	0%–14% SCM	15%–29% SCM	30%–50% SCM
Cavity Insulation	Fiberglass	Cellulose	Agricultural residue fibers
Exterior Cladding	Brick	Engineered wood	Bamboo or bio-composite
Flooring	Carpet and tiling	Linoleum and cork	Mycelium composite and clay
Interior Cladding	Drywall	Drywall lowest-emitting product	Lime cork plaster

Note: SCM = supplementary cementitious materials.

Source: C. Magwood and M. Trottier, *Material Emissions Benchmark Report for Part 9 Homes in Vancouver*, 2022

Table 9 Material substitutions with lower climate emissions (from Exhibit 9 of Magwood C et al 2023).

5 References

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LETTER 29: ARI HALBERSTADT

Response to Comment 29-1

Please see Master Response 1. Specific responses to the claims summarized in this comment are provided in Responses to Comments 29-2 through 29-32 below.

Response to Comment 29-2

The industry standard model for estimating emissions for projects in California is web-based California Emissions Estimator Model (CalEEMod) Version 2022, which was used for analyzing the Proposed Project's and BRPA's air quality and GHG emissions. CalEEMod was developed for CAPCOA by public and private industry leading experts and reviewed by a technical advisory committee comprised of other public entities, including, but not limited to, the California Air Resources Board (CARB), California Department of Public Health, City of Sacramento, County of Sacramento, Sacramento Area Council of Governments, and University of California, Davis, as well as several air districts throughout the State. According to the Yolo-Solano Air Quality Management District (YSAQMD) website, YSAQMD recommends use of CalEEMod Version 2022 to prepare air quality and GHG analyses for CEQA documents.[13]

The operational emissions presented in the Draft EIR, including emissions associated with energy consumption, are based on emissions anticipated to occur for the first year of operations. CalEEMod includes the option to choose to use the forecasted GHG emission factors for the first year of operations, rather than the 2019 reported factors, which were applied in the modeling conducted for the Proposed Project and the BRPA. In addition, use of the CalEEMod estimated forecasted factors, rather than the predicted hourly rates suggested by the commenter, represents a conservative analysis. Regardless, as discussed on page 4.3-54 of the Draft EIR, the majority of the Proposed Project's/BRPA's operational criteria pollutant emissions are associated with mobile and area sources, and as shown in Table 4.3-19 and Table 4.3-20, the majority of the Proposed Project's/BRPA's operational GHG emissions are associated with mobile sources. Energy-source emissions represent a relatively small proportion of the Proposed Project's/BRPA's overall operational emissions.

Further, as noted on page 4.3-49 of the Draft EIR, given the program-level entitlements being sought at this time, the project engineer has not yet identified the extent of on-site roof-top solar that would be provided. On-site solar energy generation would be required in compliance with Title 24, through the provision of roof-top solar, and will be calculated prior to issuance of building permits in compliance with Mitigation Measure 4.3-8. For conservative purposes, the modeling in the Draft EIR performed for the current set of program-level entitlements does not account for the provision of on-site solar energy systems. Thus, the Draft EIR has noted that actual energy emissions associated with the Proposed Project and BRPA are likely to be less than what was analyzed in the Draft EIR, and the analysis provided in the Draft EIR represents a conservative, worst-case scenario related to energy source emissions. Overall, the Draft EIR concluded that the Proposed Project/BRPA would result in a significant and unavoidable impact related to operational criteria pollutant and GHG emissions. Thus, even if energy emissions were to be estimated using the recommendations included in the comment, the conclusions of the Draft EIR would not change. The analysis included in the Draft EIR related to energy-source emissions remains adequate.

[13] Yolo-Solano Air Quality Management District. CEQA and Land Use. Available at: https://www.ysaqmd.org/plans-data/ceqa/. Accessed March 2025.

Response to Comment 29-3

The commenter is incorrect. While CalEEMod was used to calculate annual electricity consumption, as discussed on page 4.3-49 of the Draft EIR, and as presented in the CalEEMod results included as Appendix C to the Draft EIR, the modeling assumes that the Proposed Project and the BRPA would be built all-electric. Specifically, the natural gas usage for all land uses within the CalEEMod modeling was set to zero, and electricity usage was adjusted to account for the additional electricity usage that would occur due to the all-electric nature of the Proposed Project.

Response to Comment 29-4

Please see Response to Comment 29-2. Furthermore, the commenter's calculation used to derive the number of electric vehicles (EVs) that would charge on-site, and the timing at which the EVs would be charged, is speculative. As such, the increase in energy demand associated with such use of EV chargers is unknown, and accounting for the increase in energy demand associated with potential EV charging would also be speculative. While all EVs could theoretically only charge during the day or at night, such an occurrence would be unlikely and is not supported by substantial evidence. Further, restricting private residents or visitors to only charge their vehicles during the day is not enforceable. Thus, the commenter's suggested mitigation regarding EV charging restrictions is not feasible.

Response to Comment 29-5

The comment summarizes the information used by the commenter to calculate hourly and annual load values for the project, and does not address the adequacy of the Draft EIR. Please see Response to Comment 29-2.

Response to Comment 29-6

Please see Response to Comment 29-2.

Response to Comment 29-7

Please see Response to Comment 29-4.

Response to Comment 29-8

The average fuel efficiency referenced in the comment was used solely to estimate gasoline consumption associated with the Proposed Project's/BRPA's potential to result in the inefficient or wasteful use of energy, or conflict with a State or local plan for renewable energy or energy efficiency, as discussed under Impact 4.3-5 of the Draft EIR. Such data was not used to estimate mobile GHG emissions. Rather, the mobile GHG emissions presented in Table 4.3-20 were estimated using CalEEMod. Mobile emissions are estimated within CalEEMod based on fleet mix and vehicle emission factor data derived from the CARB EMFAC2021 database. For the Proposed Project/BRPA, the EMFAC data used was based on the Countywide fleet mix, which is comprised of 13 different vehicle types, including both gasoline and diesel-powered vehicles. As discussed in Response to Comment 29-2, above, CalEEMod is the industry standard model for estimating emissions for projects in California. Given that mobile GHG emissions were calculated using the industry standard model, which applies State- and County-specific vehicle fleet mix and emission factor data, the analysis included in the Draft EIR remains adequate.

With regard to the commenter's claims about lifecycle emissions, the California Resources Agency, in adopting the CEQA Guidelines Amendments on GHG emissions, found that a lifecycle analysis was not warranted for project-specific CEQA analyses in most situations, for a variety of reasons, including lack of control over some sources, and the possibility of double-counting

emissions (see Final Statement of Reasons for Regulatory Action, December 2009). Because the amount of materials/fuels consumed during the operation or construction of the Proposed Project is not known, the origin of the raw materials/fuels purchased is not known, and manufacturing information for those raw materials/fuels is also not known, calculation of lifecycle emissions would be speculative. Thus, the inclusion in the Draft EIR analysis of indirect GHG emissions from materials/fuels used by the project is not warranted.

Response to Comment 29-9

The term "embodied emissions" is synonymous with the term "lifecycle emissions." Thus, please see Response to Comment 29-8. In addition, as discussed on page 4.3-63 of the Draft EIR, the Proposed Project and BRPA are required to comply with the California Building Standards Code (CBSC) and CARB standards, including adherence to the most recent CALGreen Code and the Building Energy Efficiency Standards. Further, as required by Section 8.01.090 of the Municipal Code, the Proposed Project/BRPA would comply with Tier 1 standards of the CALGreen Code, which would otherwise be voluntary under the CBSC. Thus, the Proposed Project would be constructed using code-compliant building materials, which would inherently result in a reduction in embodied emissions.

Response to Comment 29-10

The comment summarizes the information used by the commenter to estimate population-adjusted emissions, and does not address the adequacy of the Draft EIR.

Response to Comment 29-11

The comment summarizes the information used by the commenter to calculate reductions in emissions from EV usage and low emission energy usage, and does not address the adequacy of the Draft EIR. Please see Responses to Comments 29-2 and 29-4.

Response to Comment 29-12

Please see Response to Comment 29-2.

Response to Comment 29-13

The City has not specifically adopted goals or thresholds to analyze GHG emissions associated with construction of Proposed Projects. Use of the Sacramento Metropolitan Air Quality Management District (SMAQMD) adopted thresholds of significance for analyzing construction-related GHG emissions is the recommended approach established by YSAQMD, and several other projects within the City of Davis have elected to use a similar approach in their analysis of construction-related GHG emissions.

With regard to construction GHG emissions, the Draft EIR includes Mitigation Measures 4.3-7(a) and 4.3-7(b) which require the use of renewable diesel fuel in all off-road equipment greater than 25 horsepower for both the Proposed Project and BRPA, and for the BRPA only, implementation of on-site construction GHG reduction measures or payment of offset fees to demonstrate that construction-related GHG emissions would be reduced to 1,100 MTCO2e/yr. According to the Draft EIR, implementation of Mitigation Measures 4.3-7(a) and 4.3-7(b) would ensure construction-related GHG emissions would be below the applicable threshold of significance.

With regard to operational GHG emissions thresholds, the commenter identifies the 2.88 $tCO_2e/sp/yr$ efficiency threshold from the Adaptation Plan Initial Study/Proposed Negative

Declaration prepared for the City's CAAP. Page 4.3-46 of the Draft EIR describes why use of this efficiency threshold is not appropriate for the Proposed Project, as follows:

> The 2020 Yolo County Regional GHG Emissions Inventory Update for the Cities of Davis, Winters and Woodland – Draft Technical Memorandum (2020 GHG Emissions Inventory), includes an estimation of citywide 2016 emissions levels, which were used as the basis for the City of Davis's citywide GHG reduction target thresholds.[14] The emissions reductions targets provide a desired rate of reduction, which are more ambitious than the State's most recent target set in EO B-55-18, and include achievement of citywide carbon neutrality by 2040.
>
> The CAAP includes measurable GHG emissions reduction and climate change adaptation actions that align with the City's net neutrality goals. When implemented, the actions are anticipated to reduce GHG emissions within the City by 37 percent below 2016 levels by 2030 and set the community on a trajectory toward the 2040 carbon neutrality goal. As such, projects that were considered within the 2020 GHG Emissions Inventory can be addressed through the CAAP GHG emissions reduction and climate change adaptation actions.
>
> The Proposed Project/BRPA would require a sphere of influence (SOI) amendment, annexation into the City of Davis, a General Plan amendment, and pre-zoning of the site. As such, the Proposed Project/BRPA was not considered within the 2020 GHG Emissions Inventory. In order to maintain the emissions reductions trajectory anticipated by the CAAP and mandated by the City's climate emergency declaration, the Proposed Project/BRPA would be required to demonstrate that operations would not exceed existing emissions levels associated with the project site/BRPA site. Should the Proposed Project/BRPA result in increased on-site emissions relative to existing levels, the project would be responsible for reducing post-project emissions to a level equal to the existing level of emissions. By ensuring that emissions from the Proposed Project/BRPA remain at or below existing levels, the project would provide a proportionate share of emissions reductions and would not inhibit attainment of citywide net carbon neutrality by the year 2040, nor would the project conflict with the City's CAAP.

Simply stated, the project site/BRPA site is currently located outside of the Davis city limits and does not currently have any City of Davis General Plan land use designations; as a result, the Proposed Project was not anticipated in the emissions inventory for the Davis CAAP. Thus, use of the referenced efficiency threshold, which is based on such inventory, is not appropriate for the Village Farms Davis GHG analysis.

With regard to operational GHG emissions, the Draft EIR includes Mitigation Measure 4.3-8 to assure that implementation of the Proposed Project/BRPA would not result in long-term operational impacts related to GHG emissions or the creation of conflicts with an applicable regulation. As discussed under Mitigation Measure 4.3-8(3), should net operational emissions be shown to exceed the maximum emissions levels required for a downward trajectory, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled. Mitigation Measure 4.3-8(3) includes a list of sample reduction measures that could be implemented in order to satisfy this requirement. Regardless, due to uncertainties related to the potential efficacy and feasibility of the GHG reduction measures, as well as the availability of off-site carbon credit programs, the Draft EIR noted that the full GHG reductions associated with the Proposed Project or the BRPA cannot be guaranteed at this time. Therefore,

[14] Yolo County Department of Community Services. *Yolo County Regional Greenhouse Gas Emissions Inventory Update for the Cities of Davis, Winters and Woodland – Draft Technical Memorandum*. April 30, 2020.

the Draft EIR concluded that impacts related to GHG emissions would remain cumulatively considerable and significant and unavoidable.

Response to Comment 29-14

Contrary to the commenter's claim, the Draft EIR includes several mitigation measures related to GHG emissions. Please see Response to Comment 29-13.

Response to Comment 29-15

The comment summarizes the commenter's suggestions for mitigation measures, which are discussed in further detail in the letter's subsequent comments. Please see Responses to Comments 29-16 through 29-32.

Response to Comment 29-16

The calculations used to estimate the reductions presented within the comment are unclear. The suggested mitigation measures included in Table 7 of the comment letter are discussed in further detail within Responses to Comments 29-17 through 29-32 below.

Response to Comment 29-17

Committing to a microgrid is infeasible as additional mitigation for the project. Firstly, a large-scale microgrid could result in substantial additional, unstudied environmental impacts from its construction and operation. A typical microgrid system involves on-site energy generation (such as solar panels) and battery storage for the energy produced. The potential impacts of converting large areas of the project site for solar panels and locating battery storage near residential and urban uses were not analyzed in the EIR, and any analysis would only be speculative at this time, with no design for a microgrid system proposed by the applicant or suggested by any commenter. Secondly, the land required and the financial and engineering feasibility of integrating such a complex system is questionable and likely disproportional for a project of this moderate size, as it would impose substantial design changes and significantly higher costs on a project intended to provide housing options to lower and middle-income residents. The City of Davis is embarking on research regarding the feasibility of a future municipal utility which would likely require a joint powers authority of at least three communities. The suggestion to require the applicant to construct a microgrid system is rejected for the foregoing reasons as too speculative and infeasible. If the City decides in the future to create or join a city municipal utility, the impacts of constructing and operating such a facility would need to be analyzed at that time, once more details are developed.

Response to Comment 29-18

The suggested mobility actions are discussed in further detail within Responses to Comments 29-25 through 29-30 below.

Response to Comment 29-19

Please see Response to Comment 29-9.

Response to Comment 29-20

The commenter is unclear what various other actions they are suggesting be implemented. However, with regard to carbon sequestration, as discussed on page 4.3-79 of the Draft EIR, the Proposed Project and the BRPA would include a total of approximately 186.0 acres and approximately 186.3 acres, respectively, of parks, open space, and greenbelts, including the

Heritage Oak Park and Village Trails Park, and natural vegetation areas along Channel A (including the agricultural buffer). With the exception of the Northern Agricultural Area, which is not anticipated to be planted with a significant number of trees, trees would be planted throughout such areas, in accordance with City requirements. In addition, an oak grove would be included in the 20.3-acre Heritage Oak Park as part of both the Proposed Project and the BRPA. The Proposed Project and the BRPA would be required to select a plant palette that includes a mix of native, drought-tolerant, climate-ready, and carbon-capturing qualities associated with the new trees, shrubs, and seasonal grasses. The provision of such landscaping and greenspace improvements on-site would result in carbon sequestration associated with the Proposed Project and the BRPA.

Response to Comment 29-21

Please see Responses to Comments 29-9, 29-17, and 29-22 through 29-31.

Response to Comment 29-22

Regarding community energy system, see Response to Comment 29-17. As noted on page 4.3-49 of the Draft EIR, given the program-level entitlements being sought at this time, the project engineer has not yet identified the extent of on-site roof-top solar that would be provided. On-site solar energy generation would be required in compliance with Title 24, through the provision of roof-top solar, and will be calculated prior to issuance of building permits in compliance with Mitigation Measure 4.3-8. For conservative purposes, the modeling in the Draft EIR performed for the current set of program-level entitlements does not account for the provision of on-site solar energy systems. Thus, the Draft EIR has noted that actual energy emissions associated with the Proposed Project and BRPA are likely to be less than what was analyzed in the Draft EIR. Although the modeling does not assume any on-site solar, the Proposed Project and the BRPA would both be built in compliance with the requirements of the CalGreen Tier 1 standards, as required by Section 8.01.090 of the Municipal Code, and would include the provision of on-site renewable energy. Additionally, as discussed on page 4.3-78 of the Draft EIR, all on-site residents would also have the opportunity to opt into receiving energy from Valley Clean Energy (VCE), ensuring that the Proposed Project/BRPA would be consistent with Action BE.5 of the CAAP, which is intended for the City to provide increased community solar energy by partnering with VCE to increase capacity in support of citywide building and transportation electrification, invest in community solar energy, and provide solar battery storage, as well as develop financing/incentive options to support building and transportation energy electrification and energy efficiency improvements. Action BE.5 also encourages all subscribers to enroll in the VCE UltraGreen option, which would be provided as an option to on-site residents.

Response to Comment 29-23

The City of Davis has not adopted a GHG mitigation fund. Mitigation Measure 4.3-8 of the Draft EIR includes the option for the project applicant to purchase carbon credits should net operational emissions be shown to exceed the maximum emissions levels required by Mitigation Measure 4.3-8. Mitigation Measure 4.3-8 requires that carbon offset credits be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by CARB, YSAQMD, or the City of Davis, and that off-site mitigation credits be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code Section 38562, subdivisions (d)(1) and (d)(2). The offsets are required to be retired, and emissions must be offset through the year 2045. Such credits shall be based on CARB-approved protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the CCR, and shall not allow the use of offset projects originating outside of California,

except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by the City of Davis and/or the YSAQMD. Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) any registry established by YSAQMD.

With regard to the suggested community energy system, please see Response to Comment 29-17.

Response to Comment 29-24

Please see Responses to Comments 29-23, and 29-26 through 29-30.

Response to Comment 29-25

The suggested transit-related mitigation measures are discussed in further detail within Responses to Comments 29-26 through 29-30 below.

Response to Comment 29-26

Light duty internal combustion engine (ICE) passenger vans are not being contemplated for use in this development. Any ICE light duty vehicles would be associated with the Davis Joint Unified School District (DJUSD) educational farm which will be fully owned and run by the school district, which is governed by the State agencies and regulations responsible for public educational facilities. The electric passenger van fleet would also be redundant and would undermine improving and expanding the existing Unitrans delivery of service to school-age children. It is more appropriate to expand the existing Unitrans route that is currently operating in partnership with DJUSD.

Response to Comment 29-27

Introducing a community-shared light-duty van fleet into a project that does not envision any light vehicle fleets, particularly in a non-fully residential context, presents significant feasibility challenges. Firstly, there are potentially significant unstudied environmental impacts associated with developing and operating such a fleet, including increased traffic, potential noise from vehicle operations, and the infrastructure needed for charging or parking. Secondly, the project's design and operational plans would have to be adapted for the logistical requirements of managing a shared fleet, such as vehicle maintenance space and staff, scheduling, and user access. Thirdly, the financial burden of establishing and maintaining such a fleet, including vehicle procurement, insurance, and operational costs, would likely be substantial and was not incorporated into the project's original financial projections. As noted in Response to Comment 29-17, any substantial increases in project costs could render the affordable components infeasible.

Response to Comment 29-28

The project developer has already proposed to provide pads for micromobility throughout the project. The developer will coordinate with the Yolo Transportation District (YoloTD) and a regional micromobility provider (scooters, bikes, etc.) to ensure proper distribution and ongoing maintenance and servicing.

Response to Comment 29-29

Action TR.1 is targeted for implementation at the City level, and is, therefore, not applicable to the Proposed Project nor the BRPA. Action TR.1 aims to implement specifically located EV charging

projects, as identified in the City's EV Charging Plan, none of which are located on or near the project site/BRPA site. The Proposed Project/BRPA would include the provision of EV charging infrastructure in accordance with Section 8.01.110 of the City's Municipal Code, which includes more stringent requirements beyond the CalGreen requirements. Thus, the Proposed Project/BRPA would provide their fair share of EV charging infrastructure within the City, and the installation of any additional EV charging infrastructure on-site associated with a city-wide charging network would be the responsibility of the City, at their discretion. The comment has been noted for the record and will be forwarded to the decision-makers for their consideration.

Response to Comment 29-30

Action TR.2 aims to decarbonize the municipal fleet and is targeted for implementation at the City level. Thus, Action TR.2 is not applicable to the Proposed Project nor the BRPA. Installation of a municipal charging facility would be the responsibility of the City, at their discretion. The comment has been noted for the record and will be forwarded to the decision-makers for their consideration.

Response to Comment 29-31

Please see Response to Comment 29-23.

Response to Comment 29-32

Please see Response to Comment 29-9.

Letter 30

Dara Dungworth

From: Ashley Bean <ashleybean@mac.com>
Sent: Tuesday, February 25, 2025 3:35 PM
To: Dara Dungworth
Subject: Opposition to the Village Farms Development Proposal

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

I am writing to express my strong opposition to the proposed Village Farms development. As a concerned resident of Davis, I believe this project presents numerous environmental, infrastructure, and financial challenges that would negatively impact our community.

30-1 The proposed development, which includes 1,800 housing units on nearly 500 acres, is located in a fundamentally flawed site. A significant portion of the land—200 acres—falls within a FEMA Zone A Flood Hazard area. Building on a floodplain not only increases the risk of future flooding, particularly in light of climate change, but also exposes the city to financial liabilities, as state legislation now prevents financial bailouts for developments built in high-risk flood zones. Will existing North Davis residents be required to purchase flood insurance due to this project?

30-2 Additionally, the Village Farms site is adjacent to the unlined Old City Landfill and Sewage Treatment Plant, both of which have a long history of toxic chemical leakage, including PFAS "forever chemicals," lead, arsenic, and other carcinogenic substances. The presence of these contaminants raises serious health concerns for future residents. Who would want to purchase homes priced at $700,000 to over $1 million in an area with known groundwater contamination?

30-3 Traffic congestion is another major concern. The Covell Boulevard and Pole Line Road corridor is already one of the most heavily impacted areas in Davis. Adding 1,800 additional housing units will significantly worsen congestion, particularly since the city lacks a robust public transportation system to support higher density housing. Without a serious investment in transit infrastructure, this development will only exacerbate environmental and commuter issues.

1

Letter 30 Cont.

30-4 The project also requires substantial infrastructure investments, including a new fire station at an estimated cost of $14 million, plus long-term staffing and operational expenses. Given that 90% of fire department calls are medical emergencies rather than fire-related incidents, the city would be better served by investing in an Emergency Medical Services (EMS) system rather than an unnecessary fire station. How will the city justify these costs to taxpayers?

30-5 Safe pedestrian and bicycle access is yet another unresolved issue. The feasibility of a Pole Line undercrossing—a critical component for safe transit—has yet to be determined. If it is deemed infeasible, residents will be left without a safe route for non-vehicular travel. If it is feasible, who will cover the millions of dollars required to build it? Will taxpayers be expected to subsidize this project?

30-6 Finally, this development fails to address the need for truly affordable housing. With the majority of units projected to cost between $700,000 and well over $1 million, this project will not be accessible to average-income workers, young families, or those who contribute to the local economy. This contradicts claims that the project will support Davis's workforce or increase school enrollment. Instead, it will encourage more long-distance commuting and further strain city resources.

In summary, the Village Farms project is simply bad planning. It poses significant environmental risks, worsens already overburdened infrastructure, imposes excessive financial costs on Davis residents, and fails to provide affordable housing solutions. I urge the City of Davis to reject this project in favor of a more responsible and sustainable approach to development.

Thank you for your time and consideration.

Sincerely,

Ashley Oney

LETTER 30: ASHLEY ONEY

Response to Comment 30-1
Please see Master Responses 1 and 4.

Response to Comment 30-2
Please see Master Response 3.

Response to Comment 30-3
Please see Master Responses 1 and 5.

Response to Comment 30-4
Please see Master Response 1. In addition, as noted on page 4.12-1 of the Draft EIR, the Davis Fire Department (DFD) provides pre-hospital emergency medical services. In addition, the Draft EIR notes under Impact 4.12-1 on page 4.12-14 that construction of the new fire would allow the DFD to respond to on-site fire and emergency medical events within the applicable response time standard. The fire station could also potentially include a City Emergency Operations Center. Therefore, the proposed fire station would also meet emergency medical needs in the area.

Response to Comment 30-5
Please see Master Responses 1, 5, and 6.

Response to Comment 30-6
Please see Master Response 1.

Letter 31

Dara Dungworth

From: Ashley <weinshya@gmail.com>
Sent: Monday, February 24, 2025 11:47 PM
To: Dara Dungworth
Subject: Village Farms = horrible idea

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

The Village Farm plan is a horrible idea!

1. There's going to be an increase in traffic which means car exhaustion will continue to pollute our air.

2. Car exhaustion is harmful to our health and contain GREENHOUSE GASES that cause climate change.

31-1 3. I thought we were trying to save our planet, make our city healthier, go green, breath freely, not have to wear a mask due to air pollution and the release of greenhouse GASES.

4. By burning fuel, dangerous byproducts are released into our air. These byproducts, such as carbon dioxide, gets trapped in our atmosphere. This causes heat to be trapped causing global warming.

1

Letter 31 Cont.

Ashley Weinshilboum, MA EDU
She/Her/Ella

LETTER 31: ASHLEY WEINSHILBOUM

Response to Comment 31-1

Please see Master Response 1.

Letter 32

February 22, 2025

Dara Dungworth, Principal Planner
City of Davis Department of Community Development
23 Russell Boulevard
Davis, CA 95616
ddungworth@cityofdavis.org

Re: Comments on the Draft EIR for the Village Farms Davis Project (SCH #2023110006)

Dear Ms. Dungworth:

32-1 The Draft EIR (DEIR) the City prepared for the Village Farms Project is incomplete and deficient in multiple ways. The City and its consultants need to prepare higher quality impact analyses that fully disclose the VMT, Energy, and GHG impacts and include all feasible mitigation to reduce these impacts. Detailed comments are provided below.

The Energy Impact Analysis is Inadequate and the Project and BRPA would Result in a Significant Energy Impact

32-2 Comment 1. The energy impact analysis under Impact 4.3-5 fails to evaluate the efficiency of energy consumption associated with project-related transportation. More specifically, it fails to address question VI.a from the CEQA Checklist, which asks whether a project would "result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?" Instead of analyzing the energy efficiency in which project related transportation would function, the energy impact analysis presents the quantities of fossil fuels that would be consumed by vehicle travel associated with operation the Proposed Project and BRPA—this is misleading. Also misleading is whether the energy consumed by the project would be renewable or fossil fuel–based. The efficient use and conservation of renewable energy is also important because as California strives to renewable to fully transition its electrical grid to renewable sources of generation by 2045 pursuant to the Renewable Portfolio Standard, demand for electricity is projected to grow substantially. It is projected that electricity demand will increase 26 percent by 2030 and 76 percent by 2045 compared to 2022 (California Air Resources Board. 2022. 2022 Scoping Plan for Achieving Carbon Neutrality. Approved by CARB December 15, 2022. Available: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed: December 30, 2024. Page 202).

32-3 Instead, the energy impact analysis needs to address CEQA Checklist question VI.a, particularly regarding whether the energy consumed by project-related vehicle trips would be an efficient use of energy. This question is consistent with CEQA Section 21100(b)(3), which requires lead agencies to evaluate a project's potential for wasteful, inefficient, or unnecessary energy consumption. CEQA Guidelines Appendix F, Energy Conservation, provides additional guidance about the focus of an

32-3 Cont.

energy impact analysis. Under the heading, EIR Contents, it states, "Potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project" and, it explains that energy impacts may include "the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives."

More specifically, the energy efficiency analysis should be directly consistent with the VMT analysis provided under Impact 4.13-4, where the DEIR concludes that the Proposed Project and BRPA would be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) because the VMT efficiency of the residential component of the Proposed Project and the BRPA would be worse than both the local and regional VMT per capita averages. In other words, the VMT efficiency of the Proposed Project and the BRPA would be too high (i.e., too inefficient) relative to city-wide and regional averages. For these reasons, the DEIR determined that the VMT impact would be significant and unavoidable. For these same reasons, the DEIR should determine that the Proposed Project and BRPA would result in the wasteful, inefficient consumption of energy, thereby resulting in a significant energy impact.

The DEIR Fails to Analyze Whether the Proposed Project would Conflict with or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency

32-4

Comment 2. The DEIR needs to address question VI.b from the CEQA Checklist which asks whether a project would "conflict with or obstruct a state or local plan for renewable energy or energy efficiency."

In addition to being a GHG reduction plan, CARB's 2022 Scoping Plan, like its previous iterations, is a state plan for both developing more renewable energy generation and implementing energy efficiency measures, which is the type of plan mentioned in CEQA Guidelines Appendix G Checklist question VI.b). CARB's 2022 Scoping Plan calls for reductions in VMT per capita to achieve statewide GHG targets. CARB's 2022 Scoping Plan calls for calls for VMT per capita reductions of 25 percent below 2019 levels by 2030 and 30 percent below 2019 levels by 2045 and identifies local governments as lead actors to achieve these goals, both through VMT reductions and through GHG mitigation actions taken pursuant to the California Environmental Quality Act (CEQA) (California Air Resources Board. 2022. *2022 Scoping Plan for Achieving Carbon Neutrality*. Approved by CARB December 15, 2022. Available: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed: December 30, 2024. Page 77). Managing total demand for transportation energy, including electricity used by EVs, by reducing the miles people drive on a daily basis is also critical as the state aims for a sustainable transportation sector in a carbon neutral economy (*ibid.*, page 192). The Scoping Plan points to the need to accelerate infill development and housing production at all affordability levels in transportation-efficient places, with a focus on housing for lower-income residents as a VMT Strategy for Achieving Success (*ibid.*, page 195).

This analysis should also be consistent with the VMT analysis provided under Impact 4.13-4, where the DEIR concludes that the Proposed Project and BRPA would be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) because the VMT efficiency of the residential component of the Proposed Project and the BRPA would be worse than both the local and regional VMT per capita averages. In other words, the VMT efficiency of the Proposed Project and the BRPA

32-4 Cont.

would be too high (i.e., too inefficient) relative to city-wide and regional averages. For these reasons, the DEIR determined that the VMT impact would be significant and unavoidable. For these same reasons, the DEIR should determine that the Proposed Project and BRPA would conflict with CARB's 2022 Scoping Plan, resulting in a significant energy impact.

The DEIR Fails to Disclose that the Operational VMT of the Proposed Project and BRPA would Conflict with the Davis Climate Action and Adaptation Plan

32-5

Comment 3. The DEIR fails to disclose that operational VMT of the Proposed Project and BRPA would also conflict with the City of Davis 2023 *Climate Action and Adaptation Plan* (CAAP). However, there is no mention of the City's CAAP in the transportation impact analysis in Section 4.13 of the DEIR. This is poor preparation of a CEQA document, and the DEIR should be revised to fully disclose this highly relevant VMT goal in its transportation impact analysis. CAAP Action TR.11, Develop sustainable housing, states the city's climate action goal to "increase housing opportunities to support the jobs/housing balance *and decrease vehicle miles traveled*. Develop incentive options to increase housing construction in the city, including high-density, mixed-use (especially office space and food service), transit-oriented, and affordable options" [italics added for emphasis] (page 83). Thus, the City clearly recognizes the importance of high VMT efficiency in achieving its GHG reduction targets. The DEIR analysis needs to recognize this as well. The public deserves to know that the City of Davis developed a plan to achieve GHG reduction, which includes the goal to decrease vehicle miles traveled, and that the Proposed Project and BRPA would directly conflict with this plan. This important point should be disclosed in the DEIR.

Mitigation Measure 4.3-8 to Reduce Operational GHG Emissions is Disingenuous

32-6

Comment 4. Mitigation Measure 4.3-8 to reduce operational GHG emissions is improperly deferred and delegated mitigation that violates CEQA Guidelines Section 15126.4(a)(1)(B), which states:

> Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.

Mitigation Measure 4.3-8 states, "The project proponent shall prepare and implement a GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG

32-6 Cont. emissions, towards the goal of zero net GHG emissions by the year 2040." This mitigation measure is highly problematic for multiple reasons:

32-7 Comment 5. Discretion, responsibility, and enforcement of this mitigation measure is delegated to some unknown "city" representative.

32-8 Comment 6. The analysis of, and discretion over, which mitigation measures are ultimately incorporated into the Proposed Project or BRPA and their efficacy would take place outside of the public review process.

32-9 Comment 7. Mitigation Measure 4.3-8 lacks commitment to specific GHG reduction measures and it lacks commitment to a performance standard that can be shown to be achievable. There is no mention of the criteria that would be used to determine whether onsite mitigation would be feasible, or whether purchasing and retiring carbon offsets would be feasible. The DEIR fails to explain the need to defer the selection of GHG reduction measures and a feasibility analysis of potential GHG reduction measures. It fails to explain why it is impractical or infeasible to include those details in its analysis.

32-10 Comment 8. Item 3 on pages 4.3-81 and4.3-82 lists several deferred GHG mitigation measures that are currently feasible today. The City should evaluate their efficacy in this DEIR and include them in the modeling to determine if they would enable the project to meet the GHG emissions reduction performance targets set forth in item 2 (pages 4.3-80 and 4.3-81) rather than defer this analysis to a future time when members of the public cannot review it.

32-11 Comment 9. Mitigation Measure 4.3-8 violates multiple points stated in the court's decision in *Golden Door Properties, LLC v. County of San Diego (2020) 50 Cal.App.5th 467*. The City and its CEQA consultants should review the holding in *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467 and revise Impact 4.3-8 such that the analysis, selection and incorporation of feasible GHG mitigation measures, and lead agency discretion are not improperly deferred.

32-12 Comment 10. Mitigation Measure 4.3-8 is unenforceable and disingenuous. It lacks assurance that GHG reduction measures will be evaluated in an honest way. It gives too much discretion to the City and YSQMD. It includes no opportunity for members of the public to review and comment on the feasibility analysis prepared by the applicant, the criteria the applicant uses in its feasibility analysis, and the GHG reduction measures the applicant ultimately selects.

Moreover, the public has no assurance that the applicant will be in existence during the entire 7-year period that GHG reduction measures must be identified and implemented. The public has no assurance that the applicant will exist shortly after the Proposed Project/BRPA is built, much less in the year 2040 when the applicant is allegedly required to demonstrate its last iteration of GHG reduction. This concern is especially strong given that the North Davis Land Company is a Limited Liability Company—this critical information is not included in the DEIR. The DEIR does not even state who the applicant is.

32-13 Comment 11. One of the bulleted measures in part 3 of Mitigation Measure 4.3-8 states, "Provide electric vehicle charging infrastructure in excess of existing Tier 1 CBSC requirements." Instead,

32-13 Cont.

Mitigation Measure 4.3-8 should require that CalGreen Tier 2 requirements be achieved. The Tier 2 standards have already been determined to be feasible by CBSC.

The DEIR should Provide More Clarity about Consistency of the Proposed Project/BRPA with the City of Davis Climate Action and Adaptation Plan

Comment 12. It appears that the DEIR is being intentionally unclear about what the actions and measures in the CAAP actually require.

- On page 4.3-77, the DEIR states, "CAAP Action BE.6, and many of the other measures included in the CAAP, are not directly applicable to the Proposed Project or the BRPA. Both the Proposed Project and the BRPA would be generally consistent with the remaining CAAP actions that are applicable to the Proposed Project/BRPA." And "Action TR.11 aims to 'develop sustainable housing'..."
- On page 4.3-78, the DEIR states, "Several CAAP actions, such as Action TR.5, which is directly applicable to the Proposed Project and the BRPA, and Citywide actions such as Actions TR.3, TR.4, TR.6, and TR.7, are related to increasing the use of alternative transportation modes within the [c]ity."

32-14

- And on page 4.3-49 the DEIR states, "the project applicant has committed to several project design features that would ensure the Proposed Project is developed in accordance with the CAAP goals. On page 4.3-75, the DEIR states, "the project applicant has committed to several project design features that would ensure the Proposed Project is developed in accordance with the CAAP goals. For example, the project applicant has committed to the prohibition of natural gas on site; a portion of on-site units would be affordable housing units; the Proposed Project would include several bicycle and pedestrian infrastructure improvements; and the Proposed Project would implement TDM strategies to reduce VMT, as required by Mitigation Measure 4.13-4 of this EIR."

The DEIR should explain the pertinent CAAP actions and measures in full, rather than speaking to whether the Proposed Project and the BRPA would be "generally consistent" with them. Please provide a table or list of all the actions and measures in the City of Davis CAAP and discuss whether those actions and measures are applicable to the Proposed Project and BRPA and if and how the Proposed Project and BRPA would implement those measures. This method would provide the most clarity to the reader about whether the Proposed Project and BRPA would conflict "conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs," which in this case is the City of Davis CAAP. Furthermore, the City, its CEQA consultants, and the applicant should identify its role in helping the city implement its CAAP. Not all actions in the CAAP are to be implemented by the City. Many are to be implemented by the developers planning new development.

Additional Feasible Mitigation Shall be Implemented to Reduce Operational VMT and GHG Emissions

The project shall consider all mitigation measures that would reduce the project's operational VMT and GHG emissions, including the measures listed below. By reducing VMT, all these measures would also reduce mobile-source GHG emissions. If any of these measures are infeasible, the DEIR should provide an explanation supported by detailed evidence:

32-15

Comment 13. Implement Measure T-17, Improve Street Connectivity, from CAPCOA's 2021 *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Equity and Health*, page 130 (Available: https://www.airquality.org/ClimateChange/Documents/Handbook%20Public%20Draft_2021-Aug.pdf. Accessed: September 13, 2024). CAPCOA states, "This measure accounts for the VMT reduction achieved by a project that is designed with a higher density of vehicle intersections compared to the average intersection density in the U.S. Increased vehicle intersection density is a proxy for street connectivity improvements, which help to facilitate a greater number of shorter trips and thus a reduction in GHG emissions." The project applicant shall coordinate with the City and Unitrans to include at least one street connection between the proposed project and the existing Northstar neighborhood for travel by transit buses. And ideal connection would connect the east end of Anderson Rd. in the Northstar neighborhood to the west end of Moore Blvd. in the Wildhorse neighborhood. in This would enable Unitrans and Yolo Bus to more efficiently serve the land uses of the Proposed Project and BRPA with the existing land uses in Northstar. A bus should be able to travel between the Proposed Project/BRPA site, the existing Northstar neighborhood, and the Wildhorse neighborhood without having to backtrack to Covell Blvd. Such street connections would result in lower VMT by transit buses, reduce Unitrans travel times, and positively influence transit ridership. Moreover, this connection would enable commercial delivery vehicles (e.g., DoorDash, Uber Eats, FedEx, UPS, U.S. Mail) to efficiently make deliveries to the land uses that comprise the Proposed Project/BRPA site, the existing Northstar neighborhood, and the existing Wildhorse neighborhood. These types of delivery trips are important because commercial deliveries are the fastest growing sector of VMT. Such street connections would also make it more convenient for residents of the Proposed Project/BRPA to carpool with residents of the existing Northstar neighborhood. (Moreover, this measure would also improve access for emergency vehicles and reduce response times by first responders). If desired, the street connections between the Proposed Project/BRPA site and the Northstar neighborhood could be restricted to transit vehicles, delivery vehicles, emergency vehicles, cyclists, and pedestrians. It's important to incorporate transit *into* project design rather than locate the project *near* transit. This distinction is important. To do otherwise is piecemeal planning.

32-16

Comment 14. The project applicant shall develop additional affordable housing on one or more infill sites in or near downtown Davis. Research shows that residents who live in affordable housing located on infill sites generate less daily VMT than the regional average. Such a project would be GHG efficient and would offset the poor VMT efficiency of the proposed project.

32-17

Comment 15. The project applicant shall implement a free transit pass program. This entails providing a free transit pass to every resident who is not otherwise eligible for a free transit pass (e.g., UC Davis students, DJUSD students). Each resident shall have the choice of a free transit pass for Yolo Bus or Unitrans. This measure is consistent with Measure T-29, Reduce Transit Fares, in CAPCOA's 2022 *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Equity and Health*, page 199.

32-18

Comment 16. Install and maintain a designated secure, indoor bicycle storage area for all residential land uses, including multifamily dwelling units. The measure is consistent with Measure T-10, Provide End-of-Trip Bicycle Facilities in CAPCOA's 2021 CAPCOA's 2021 *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Equity and Health* (page100). This measure encourages commuting by bicycle, thereby reducing VMT, GHG emissions, and wasteful consumption of energy.

32-19

Comment 17. Fund, install, and maintain bike racks or bike lockers at the bus stops closest to the project site that are part of the Unitrans lines P, Q, L, T, F, and E, the Yolobus 43 and 230 routes. This measure will also help reduce the level of VMT generated by the project, as well as other nearby developed areas.

Additional Feasible Mitigation Shall be Implemented to Reduce Operational GHG Emissions

32-20

The project shall consider all mitigation measures that would reduce the project's operational GHG emissions, including the measures listed below. If any of these measures are infeasible, the DEIR should provide an explanation using supporting evidence.

Comment 18. Implement all applicable energy efficiency standards set forth in Tier 2 of California Green Building Energy Codes (CALGreen) in the design of all buildings.

32-21

Comment 19. Install solar panels on all building rooftops and on canopies above all parking lots, as well as battery energy systems, sufficient to meet the 90 percent of the annual electricity demand, including anticipated demand for charging electric vehicles. Design all buildings with south facing rooftops to maximize solar energy. Install solar panels on any shade structures at the parks and Pre-K early learning center

32-22

Comment 20. Provide a Level EV charging station at every single-family residence, cottage, and townhome. The project description in the DEIR states only that all single-family residential units "would support Level 2 EV charging," which is vague. The project shall include actual Level 2 EV chargers at every single-family residence, cottage, and townhome.

32-23

Comment 21. Install cool roofs on all buildings. Cool roofs are designed to reflect more sunlight and absorb less heat than a standard roof, keeping buildings cooler in the summertime and thus reducing air-conditioning loads. Newly constructed buildings shall be designed to include Cool Roofs in accordance with the requirements set forth in Tier 2 of

32-23 Cont. the most recent version of the California Green Building Energy Code (CALGreen). Alternatively, install green roofs that consist of a layer of vegetation on top of buildings, which provides natural insulation and climate control benefits. These roof designs will provide energy efficiency benefits to the buildings, particularly during the heat of summer.

32-24 Comment 22. Implement Mitigation Measure E-21, Install Cool Pavements, from the CAPCOA *Handbook*. Install cool pavements in place of dark pavements. Cool pavements help to lower ambient outdoor air temperatures when compared to dark-colored, heat-absorbent pavements such as asphalt. This reduces the electricity needed to provide cooling in climates like the Sacramento Valley.

32-25 Comment 23. For all dwelling units in multifamily residential units that are not dedicated as affordable, below market rate units, requiring parking costs to be unbundled from costs to rent or own a residential unit.

32-26 Comment 24. Install cool pavements in place of dark pavements along all streets, parking lots, driveways, bike paths, and sidewalks. Cool pavements help to lower ambient outdoor air temperatures when compared to dark-colored, heat-absorbent pavements such as conventional asphalt. This reduces the electricity needed to provide cooling, thereby reducing associated GHG emissions depending on the project parameters.

32-27 Comment 25. Install rainwater collection and storage systems as part of every building rooftop so that collected rainwater can be used for outdoor irrigation.

32-28 Comment 26. Install graywater systems in every building with indoor water use. These design features will reduce the volume of water needed to be supplied to the project site from offsite systems, and associated energy consumption.

32-29 Comment 27. All swimming pools, including those at the aquatic complex, shall be designed and constructed to use solar water heating or other technologies with equivalent energy efficiency. Natural gas or other fossil fuels should not be used for heating swimming pool water.

32-30 Comment 28. The project shall replace diesel-powered agricultural pumps in Yolo County with electric pumps and install the necessary electricity connections to the grid or solar photovoltaic systems that supply the pumps with necessary power. This would be a local GHG offset measure.

32-31 The project shall also implement the five VMT mitigation measures listed under Comment s 13–17, which would have the co-benefit of reducing mobile-source GHG emissions.

32-32 **The Mass Emission Threshold Used to Evaluate for Construction-related GHGs is Unsubstantiated**

Comment 29. The analysis of construction-related GHGs under Impact 4.3-7 applies SMAQMD's threshold of 1,100 MTCO2e/year. This threshold is inappropriate for the current project for multiple reasons.

32-32 Cont.

The use of this threshold for the specific conditions in Davis is not supported, and never was supported, by substantial evidence. SMAQMD first developed this threshold based on a screening analysis in which it examined 102 EIRs and MNDs for projects in Sacramento County between 2014 and 2018. SMAQMD's screening analysis determined that a threshold of 1,100 MTCO2e/year would capture 98 percent of operational GHG emissions associated with new land use development in Sacramento County. SMAQMD decided to recommend the same criterion to evaluate GHG emissions generated by project construction (SMAQMD 2020. *Greenhouse Gas Thresholds for Sacramento County*, page 39. Available: https://www.airquality.org/LandUseTransportation/Documents/ SMAQMDGHGThresholds2020-03-04v2.pdf. Accessed September 12, 2024). And SMAQMD's development of this threshold was based on a public input process that included input from the cities and counties in its jurisdiction, SMUD, and the Environmental Council of Sacramento.

Comment 30. First, the threshold of 1,100 MTCO2e/year is out of date because it does not reflect the state's current goals of climate neutrality, as mandated by AB 1279 of 2022. SMAQMD developed its thresholds of significance before the State Legislature passed AB 1279, which established a statewide policy for California to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net-negative emissions thereafter (as noted on page 4.3-26 of the DEIR). This means the SMAQMD's threshold was developed before the state's mandate of carbon neutrality. When SMAQMD first developed its threshold of 1,100 MTCO2e/year, it "sought to capture only those projects that are necessary to meet AB 32 goals." (SMAQMD. 2014. *Justification for Greenhouse Gas Emissions Thresholds of Significance*, page 10. Available as part of the SMAQMD Board of Directors Meeting Agenda for October 23, 2014. Available: https://www.airquality.org/meetings/board-of-directors/board-of-directors-meetings. Accessed September 15, 2024.)

The DEIR, YSAQMD, the City of Davis, and its consultant have not provided evidence that the mass emission threshold SMAQMD developed for Sacramento County can also be used for projects in Yolo County or the City of Davis. When SMAQMD developed its threshold, it did not examine data from development in Davis or other parts of YSAQMD's jurisdiction and it did not collect public input from entities in Davis or other parts of YSAQMD's jurisdiction. The GHG emissions inventory in Sacramento County is substantially different than the GHG inventory in Davis, as are the types of land use development, the jobs–housing balance, and the area's VMT efficiency. Without supporting evidence, SMAQMD's threshold of 1,100 MTCO2e/year should not be used to evaluate projects in Davis. Just because YSAQMD says it is okay does make it a defensible threshold. The analysis shall apply a threshold that is supported with substantial evidence, and if necessary, the City should develop a threshold based on substantial evidence. If the City or YSAQMD indeed recommends the use of 1,100 MTCO2e/year as a threshold for analyzing projects in Davis, the DEIR should supply supporting evidence. If there is no substantial evidence for using 1,100 MTCO2e/year as a threshold for analyzing construction-related GHG emissions for a project in Davis, a revised impact analysis should be provided that applies a threshold that is based on substantial evidence. One such threshold would be 0 MTCO2e. Another approach would be to qualitatively determine whether the construction activity would implement specific best management practices that are consistent with CARB's 2022 Scoping Plan. One such measure that would be consistent with CARB's 2022 Scoping Plan would involve only using certified renewable diesel fuel in all diesel-

32-32 Cont.

powered equipment used during construction. Another measure consistent with CARB's 2022 Scoping Plan would be requiring at least 25 percent of the construction equipment be electric powered, on an energy consumption basis for all construction activity before 2045, and 75 percent thereafter—as stated in Table 2-1, on page 77 of CARB's 2022 Scoping Plan.

Comment 31. The City should develop a meaningful, substantiated threshold of significance to evaluate the mass of construction-related GHG emissions associated with development of the Proposes Project or BRPA. One defensible threshold would be zero. Alternatively, the City could develop a non-zero threshold that is based on the applicable modeling assumption used to develop CARB's 2022 Scoping Plan. This assumption is found in Table 2-1, on page 77 of CARB's 2022 Scoping Plan (and in Table C-1 in Appendix C to the Scoping Plan [page 16]). Here the 2022 Scoping Plan states that the energy demand of construction equipment should be 25 percent electrified by 2030 and 75 percent electrified by 2045. Thus, the project proponent shall use all-electric or hybrid electric construction equipment to meet, at a minimum, the 25 percent standard. If doing so is in feasible due to the lack of availability of electric or hybrid-electric construction equipment, the project proponent shall purchase offsets from the voluntary offset market to meet the standard.

The DEIR Fails to Fully Disclose the Impact of Construction-related GHG Emissions

32-33

Comment 32. Even if 1,100 MTCO2e/year were a legitimate threshold to evaluate construction-related GHGs for projects in Davis, the DEIR does not fully disclose the impact of construction-related GHG emissions for the Proposed Project and the BRPA because it does not disclose, in a way meaningful to the general public, how many years during the construction phase that this quantitative threshold would be exceeded. Based on the CalEEMod output values shown on pdf sheet number 154 of Appendix C to the DEIR, construction of the Proposed Project would exceed the level of 1,100 MTCO2e/year for 3 consecutive years. Similarly, based on the CalEEMod output values shown on pdf sheet number 8 of Appendix C, construction of the BRPA would also exceed the level of 1,100 MTCO2e/year for 3 consecutive years. This should be disclosed in the analysis under Impact 4.3-7 of the DEIR. Readers would also likely appreciate that this section of the DEIR disclose the total estimated level of GHG emissions that would be associated with construction of both the Proposed Project and the BRPA.

SMAQMDs 1,100 MTCO2e/year Threshold is Not Applied Meaningfully

32-34

Comment 33. Even if 1,100 MTCO2e/year were a legitimate threshold to evaluate construction-related GHGs for projects in Davis, the DEIR incorrectly interprets this criterion as being 1,100 MTCO2e *during any calendar year*. Instead, the analysis should evaluate whether project construction would possibly generate 1,100 MTCO2e *during any 12-month period*. Table 4.3-17 in the DEIR indicates that, with implementation of Mitigation Measure 4.3-7(a), construction of the Proposed Project would generate a maximum of 1,086.93 MTCO2e/year, which is less than the criterion of 1,100 MTCO2e/year. A note at the bottom of Table 4.3-17, states "Source: CalEEMod, November 2024 (see Appendix C)." Unfortunately, this value cannot be found in Appendix C. The way this value was calculated needs to be included in the DEIR. And, given that 1,086.93

32-34 Cont.

MTCO2e/year is approximately 1 percent below the criterion of 1,100 MTCO2e/year no evidence is presented that that construction-generated GHG would not exceed the criterion *during any 12-month period*.

Even if substantial evidence supports the use of 1,100 MTCO2e/year as a significance threshold, the analysis should be revised to disclose whether this mass emission criterion could be exceeded *during any 12-month period*. According to the CalEEMod output file for the Proposed Project, on pdf sheet number 4, it was assumed that construction would begin on April 1, 2024. What if construction began later in that calendar year? Or earlier? How would that effect the level of GHGs, with implantation of Mitigation Measure 4.3-7(a), that would occur during any single calendar year?

Other parts of Appendix C show that it was assumed that construction would occur 5 days per week. However, it's not uncommon for construction to take place 6 or 7 days per week. If this were the case for the Proposed Project, then it would generate a level of GHG emissions that exceeds the criterion of 1,100 MTCO2e/year, even with implantation of Mitigation Measure 4.3-7(a). An exceedance of the criterion could also occur if construction phases overlapped more than assumed in the modeling (e.g., architectural coatings, structure building happening simultaneously).

For these reasons, more disclosure is needed in the DEIR. As is, the analysis of construction-related GHGs in the DEIR is inadequate.

32-35 Cont.

Comment 34. To make matters worse, Mitigation Measure 4.3-7(b) includes the following two measures for reducing construction-related GHG emissions:

- Modify the construction schedule to reduce the intensity of construction to lower emissions;
- Ensure that phases of development do not overlap.

These measures do not reduce the total level of GHG emissions that would be emitted during construction. They merely change the timing and pace of construction-related GHG emissions.

32-36

Comment 35. Mitigation Measure 4.3-7(b) also states, "Use alternative fuels for generators at construction sites such as propane or solar, or use electrical power." It is unclear how using propane-fueled generators would lower the level of GHG emissions during construction.

32-37

Comment 36. Mitigation Measure 4.3-7(b) is inconsistent with CARB's 2022 Scoping Plan. As mentioned in Comment 3, Appendix C to the Scoping Plan states that to "decarbonize the industrial energy supply (construction equipment)" the 2022 Scoping Plan assumes that the energy demand of such equipment would be 25 percent electrified by 2030 and 75 percent electrified by 2045. Therefore, Mitigation Measure 4.3-7(b) should include the use of all-electric and hybrid-electric construction equipment as one of the many ways to reduce construction emissions.

GHG-emitting Construction Activity would Conflict with the Scoping Plan

32-38

Comment 37. The DEIR contains no analysis about whether construction of the Proposed Project would be consistent with CARB's 2022 Scoping Plan. In Table 2-1 on page 77 of its 2022 Scoping

Letter 32 Cont.

32-38 Cont.

Plan, CARB indicates the need to stop using fossil fuels to power construction equipment. It states that the energy demand of construction equipment should be 25 percent electrified by 2030 and 75 percent electrified by 2045. The Proposed Project would not incorporate any measures consistent with this goal and therefore project-related construction activity would not be consistent with the Scoping Plan. This should be part of the qualitative analysis in the DEIR to properly answer the CEQA Checklist question that asks whether the project would "conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs."

Thank you for the opportunity to submit these comments.

Sincerely,

Austin Kerr
Davis, CA
jakerr44@gmail.com

LETTER 32: AUSTIN KERR

Response to Comment 32-1

The comment is introductory and expresses general dissatisfaction with the Draft EIR. Please see Responses to Comments 32-2 through 32-38. As detailed therein, the analyses and conclusions of the Draft EIR are adequate.

Response to Comment 32-2

As stated on page 4.3-65 of the Draft EIR, vehicle trips generated by both the Proposed Project and the BRPA would result in an approximately 0.01 percent increase in the State's current consumption of gasoline. However, the Draft EIR notes that such an increase is likely an overestimate, as the estimate does not account for the increasing ownership of electric vehicles.

The Draft EIR also notes that the Proposed Project and BRPA would both be required to comply with all applicable regulations associated with vehicle efficiency and fuel economy which would help to reduce consumption of gasoline and reduce the State's dependence on petroleum products. The Proposed Project and BRPA would also be required to comply with the CBSC and the City of Davis Municipal Code, which also require new developments to include the necessary electrical infrastructure for EV charging stations. Given the Proposed Project's/BRPA's required compliance with all applicable regulations associated with vehicle efficiency and fuel economy, the Draft EIR reaches the reasonable conclusion that transportation energy usage would not be inefficient or wasteful.

Response to Comment 32-3

Please see Response to Comment 32-2. In addition, the VMT analysis for the residential components of the Proposed Project/BRPA used a VMT per capita metric. This metric captures VMT associated with all vehicle travel activity that would start or end at the Proposed Project/BRPA's residential uses and divides that VMT value by the number of project residents. This, in turn, creates a VMT-generation rate on a per resident basis. However, residential VMT per capita is different than other VMT metrics, such as total VMT, which includes VMT on roadways within a given geographic area associated with both project-related trips and all background trips generated by other uses. The foregoing different VMT metrics are not to be compared to each other, as they present an "apples-to-oranges" comparison. Sufficient research exists that supports the notion that increasing residential densities, in and of itself, presents a viable approach to reducing VMT. In addition, for projects that improve destination proximity, it is common for VMT analysis results to indicate an increase in project-generated VMT and a decrease in total VMT that occurs within a geographic boundary due to a reduction in trip distances. In the case of the Proposed Project/BRPA, while the Proposed Project/BRPA would result in a significant and unavoidable impact related to per capita VMT, the Proposed Project/BRPA would add to the housing stock within the City of Davis, thus, providing residents with higher-density housing opportunities closer to destinations within the City, such as employment uses and the UC Davis campus. By providing such higher-density housing opportunities within the City limits, the Proposed Project would be reasonably anticipated to decrease regional commute trip lengths, resulting in a decrease in the project's total VMT. As a result, transportation energy usage associated with the Proposed Project/BRPA would not be inefficient or wasteful.

Response to Comment 32-4

Please see Responses to Comments 32-2 and 32-3.



Response to Comment 32-5

The comment states that the Proposed Project would conflict with the City of Davis' adopted CAAP because the project is inconsistent with CAAP Action TR.11. The Proposed Project's consistency with TR.11 is analyzed in the discussion of Impact 4.3-8 in the Draft EIR. As discussed therein, Action TR.11 aims to "develop sustainable housing", which is further expanded on as "Increase housing opportunities to support the jobs/housing balance and decrease vehicle miles traveled. Develop incentive options to increase housing construction in the City, including high-density, mixed-use (especially office space and food service), transit oriented, and affordable options." As described in the Draft EIR, the Proposed Project and the BRPA are generally consistent with Action TR.11, as the Proposed Project/BRPA would increase housing opportunities, including high-density, mixed-use, transit oriented, and affordable options. While the Proposed Project and BRPA would have a significant VMT impact with respect to the VMT per capita standards used for the transportation analysis, Action TR.11 includes no explicit reference to new housing having to be at or below the City's VMT per capita thresholds. Instead, it correctly states that providing more local housing development will improve the City's jobs/housing balance, thereby resulting in fewer long-distance trips into the City from adjacent communities (see also the section in Master Response 5 entitled "Project Effect on Region-Wide VMT"). The Action does reference the additive benefits of that housing having density, being situated in infill sites, and/or being a transit-oriented development. However, the policy does not conclude that this is the only type of housing that should be considered to achieve the Action. Therefore, the fact that the Proposed Project would result in increased per capita VMT does not in itself render the project inconsistent with Action TR.11, given that the project does meet most of the objectives of the policy.

Response to Comment 32-6

Mitigation Measure 4.3-8 requires that the project proponent prepare and implement a GHG Reduction Plan to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040, and that, prior to approval of the entitlement for each phase of the project, the project proponent shall indicate how to complete and implement a series of actions.

Firstly, the proponent shall model the GHG emissions of the subject phase, taking into account applicable building standards and other regulatory requirements, as well as building design, use of renewable energy, etc. The modeled emissions should meet the targets included in Mitigation Measure 4.3-8 for the specified year, as shown in the below table. Accordingly, a specific performance standard is included in Mitigation Measure 4.3-8 in the form of the downward targets that must be met, as specified in the following table:

BRPA		
Year	**Maximum Permitted Net Project Emissions ($MTCO_2e$)**	**Emissions Reductions Achieved ($MTCO_2e$)**
2033	19,206.00	0.00
2034	16,462.29	2,743.71
2035	13,718.57	5,487.43
2036	10,974.86	8,231.14
2037	8,231.14	10,974.86
2038	5,487.43	13,718.57
2039	2,743.71	16,462.29
2040	0.00	19,206.00
Total Emissions Reductions		*76,824.00*

The mitigation measure recognizes the possibility that the targets cannot be met, and accordingly, identifies a number of examples of reasonable means to achieve compliance with the stated performance standard. The ultimate effectiveness of the examples included in the mitigation measure to reduce GHG emissions to below the stated performance standard is uncertain at this time. It is important to recognize, however, that the referenced GHG mitigation measures are not illusory, insofar as specific performance standards are specified, available means to achieve performance standards are included, and the City and applicant are committed to implementing the mitigation measures to reduce the project's GHG emissions. Notwithstanding this, the ability for such actions to fully reduce the project's GHG emissions below the applicable thresholds is uncertain. For example, if carbon off-sets are needed to meet the specified trajectory targets in Mitigation Measure 4.3-8, the future availability of carbon off-set credits that provide ongoing carbon off-sets (as compared to one-time off-sets) cannot be determined with complete certainty.

Because Mitigation Measure 4.3-8 includes a specific, enforceable performance standard and identifies potential actions necessary to achieve the standard, Mitigation Measure 4.3-8 meets the requirements of Section 15126.4(a)(1)(B) of the CEQA Guidelines, and the EIR does not inappropriately defer mitigation.

Response to Comment 32-7

As stated in Mitigation Measure 4.3-8 of the Draft EIR, the City of Davis Department of Community Development is the monitoring agency for the mitigation measure. As discussed further in Chapter 4 of this Final EIR, Section 15097 of CEQA requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports. The intent of the MMRP is to ensure the implementation of adopted mitigation measures. Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Davis. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City of Davis will be responsible for monitoring compliance.

Response to Comment 32-8

Pursuant to CEQA Guidelines Section 15126.4(a)(1)(B):

> Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure.

As stated above, the specific details of a mitigation measure may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review. It is impractical to include a finite list of measures within MM 4.3-8 because the regulatory environment and available technologies concerning GHG emissions continues to evolve and advance. Thus, it is reasonable for the City to allow the applicant flexibility as to how the reduction targets in MM 4.3-8 can be met.

Response to Comment 32-9
Please see Responses to Comments 32-6 and 32-8.

Response to Comment 32-10
Please see Responses to Comments 32-6 and 32-8.

Response to Comment 32-11
The commenter claims that Mitigation Measure 4.3-8 violates multiple points stated in the court's decision in *Golden Door Properties, LLC v. County of San Diego (2020)* 50 Cal.App.5th 467 but provides no substantial evidence to support this claim.

Response to Comment 32-12
Please see Response to Comment 32-8. The applicant will adhere to all requirements by the City of Davis, YSAQMD, and any relevant and required agencies. Moreover, mitigation measures, conditions of approval and any other additional requirements imposed on the project through, for example, the development agreement, "run with the land" such that even if the property is sold, the requirements persist regardless of the developer's identity.

Response to Comment 32-13
Please see Response to Comment 32-8. In addition, regarding EV charging infrastructure, specifically, Mitigation Measure 4.3-8 references Tier 1 CBSC standards because the Proposed Project/BRPA would be required to comply with such standards in accordance with the City of Davis Municipal Code. The language regarding EV charging infrastructure within Mitigation Measure 4.3-8 is intended to provide flexibility to allow the project applicant to provide EV charging infrastructure in excess of the required Tier 1 CBSC standards, which could be in compliance with Tier 2 standards, or in excess of the Tier 2 standards. Thus, by providing flexibility within the referenced measure, the mitigation measure allows for EV charging infrastructure to be provided at a rate that exceeds the current Tier 2 standards.

Response to Comment 32-14
Contrary to the commenter's statement, the Draft EIR includes a detailed discussion of the CAAP measures that would be applicable to the Proposed Project, as well as a discussion of the CAAP measures that are intended for City-wide application, and, therefore, are not applicable to individual development projects like the Proposed Project/BRPA. The Draft EIR is not required to present the CAAP measures in a table or list format as part of the CAAP consistency analysis. As such, the CAAP consistency analysis within Impact 4.3-8 of the Draft EIR is adequate.

Response to Comment 32-15
The project plans clearly show a street connection from the project site/BRPA site to Wildhorse through an extension of Moore Boulevard into the Village Farms Davis neighborhoods. While a bicycle and pedestrian overcrossing is identified for a connection over F Street and the UPRR track, a full-size vehicle connection at that location is not feasible because there is not sufficient land near F Street to accommodate the necessary radii, grades, and rights-of-way. An at-grade crossing connecting F Street to Village Farms Davis is not feasible due to UPRR's policy of not

allowing new at-grade crossings. More information can be found within the Union Pacific Railroad Public Projects Manual.[15]

Response to Comment 32-16

As discussed within the Project Description chapter of the Draft EIR, the Proposed Project would include a total of 300 on-site affordable housing units, and the BRPA would include a total of 270 on-site affordable housing units. Such units would be restricted for households meeting the definitions established by Davis Municipal Code Section 18.05.020, and a land dedication would be developed and managed by a regional Affordable Housing developer for the development of the on-site affordable housing units. Development of off-site affordable housing is not included as part of the Proposed Project/BRPA, and a nexus does not exist to require the project to construct such development. Such a proposal would be considered a separate development application, and is required to be considered by the City for review and approval separate from the Proposed Project/BRPA. The comment has been forwarded to the applicant and City decision-makers for their consideration.

Response to Comment 32-17

Mitigation Measure 4.13-3(b) requires that the project applicant fund a Transit Service and Facilities Plan for the area encompassing the project site/BRPA site and other development along the north side of the Covell Boulevard and Mace Boulevard corridor between the westerly city limits and the I-80 interchange. Mitigation Measure 4.13-3(b) includes a list of potential transit improvements, one of which would require implementing transit pass/fare subsidies for residents and employees.

Response to Comment 32-18

Multifamily units are being built by non-profit developers with their own funding models. The applicant can encourage developers to include features such as bike storage areas, but cannot commit them to so many specific amenities that can then undermine the developers' ability to get funding. The remaining residential units will have garages or other areas designated for bike storage.

Response to Comment 32-19

The City cannot require the applicant to implement the suggested improvements at existing off-site bus stops, which are under the ownership of another agency. However, Mitigation Measure 4.13-3(b) requires that the project applicant fund a Transit Service and Facilities Plan for the area encompassing the project site/BRPA site and other development along the north side of the Covell Boulevard and Mace Boulevard corridor between the westerly city limits and the I-80 interchange. The Transit Service and Facilities Plan shall identify transit service and facility improvements required in accordance with Unitrans and Yolobus policies related to unmet transit needs, timing for improvements, transit service warrants, and performance standards. Mitigation Measure 4.13-3(b) includes a list of potential transit improvements, one of which would require improving terminal facilities (i.e., stops) to accommodate additional passengers and transit vehicles.

[15] Union Pacific Railroad. *Union Pacific Railroad Public Projects Manual*. July 30, 2021. Available at: www.up.com/cs/groups/public/@uprr/@corprel/documents/up_pdf_nativedocs/pdf_up_public_projects_manual.pdf. Accessed March 2025.

Response to Comment 32-20

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. City of Davis Municipal Code Section 8.01.090 currently requires compliance with CalGreen Tier 1 standards. Mitigation Measure 4.3-8 requires future phase developers to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. The suggested measures to achieve compliance with the reduction requirements include some actions or equipment that are contemplated in the CalGreen Tier 2 standards, such as increased use of energy-efficient appliances.

Response to Comment 32-21

As presented on page 4.3-49 of the Draft EIR, on-site solar will be required in compliance with Title 24 through roof-top solar; however, the modeling did not assume or account for the required on-site solar. Therefore, the operational emissions estimates in the Draft EIR are conservative in that they do not account for the further reductions that will be provided through the required implementation of on-site solar, as suggested by some commenters. The quantification and analysis of GHG emissions required at each phase of development pursuant to Mitigation Measure 4.3-8 will demonstrate a further reduction of emissions since that analysis, unlike the Draft EIR, will take into account the required on-site solar.

Response to Comment 32-22

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. Moreover, as required by Mitigation Measure 4.3-8, if at the time that subsequent development applications are submitted, net operational emissions are shown to exceed the maximum emissions levels set forth in the mitigation measure's schedule of annual reductions, "the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled." Potential reduction measures include providing EV charging infrastructure in excess of existing Tier 1 CBSC requirements. As EV adoption grows, an EV-ready home is more attractive to buyers. Installing the infrastructure during construction is much cheaper than retrofitting later.

Response to Comment 32-23

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. Currently, the City Code requires compliance with Tier 1 standards, which include cool/solar-reflective roofs.

Response to Comment 32-24

The use of cool pavements will be considered amongst other measures that may be implemented for compliance with Mitigation Measure 4.3-8, if further GHG reductions are determined to be necessary after each development phase's emissions are quantified.

Response to Comment 32-25

The TIS prepared for the Proposed Project by Fehr & Peers identifies potential TDM strategies to reduce project-generated VMT, which would be required through implementation of Mitigation Measure 4.13-4. As discussed on page 4.13-41 of the Draft EIR, one TDM strategy that would be required to be implemented as part of Mitigation Measure 4.13-4 would be to unbundle residential parking costs from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost. The measure would result in decreased vehicle ownership and, therefore, a reduction in VMT. The strategy would be relevant to any rental dwelling units that comprise the

residential component of the Proposed Project. The revenue generated can also be used for supporting public transportation system operations and management.

Response to Comment 32-26

Please see Response to Comment 32-24.

Response to Comment 32-27

The Proposed Project/BRPA would incorporate comprehensive water conservation measures that align with the City of Davis's water efficiency requirements, including drought-tolerant landscaping, high-efficiency irrigation systems with smart controllers, water-efficient plumbing fixtures in all residences, and low-water-use appliances in all units. These measures, which have proven effective in reducing water consumption in similar developments, will help ensure the project meets the City's water conservation goals. Furthermore, additional costs for design, materials, installation, and long-term maintenance by the homeowners of these systems could place an undue financial burden on the project and ultimately affect housing affordability.

Response to Comment 32-28

Greywater plumbing infrastructure would not be included as part of the Proposed Project/BRPA, as the cost of such infrastructure adds significant expenses that would create a barrier to affordable multifamily construction and attainable housing pricing. However, the Proposed Project/BRPA would include several design features to reduce water consumption on-site such as use of climate-adapted landscaping and installation of non-potable water infrastructure. In addition, the project applicant has committed to implementing a Sustainability Implementation Plan concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at the project site/BRPA site to ensure compliance with the environmental sustainability features that are incorporated into the project.

Response to Comment 32-29

The Proposed Project/BRPA does not include an aquatic complex, and is not proposing any swimming pools at this time. In addition, the Proposed Project/BRPA would be constructed as an all-electric development.

Response to Comment 32-30

A nexus does not exist to require the project applicant to replace off-site agricultural pumps within the County. As discussed above, the Proposed Project/BRPA would be required to implement Mitigation Measure 4.3-8, which includes a number of examples of reasonable means to achieve a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. The measures included in Mitigation Measure 4.3-8 are focused on providing meaningful reductions in on-site GHG emissions. In addition, Mitigation Measure 4.3-8 includes the option to purchase carbon credits to offset project annual emissions. Purchase of carbon offset credits could be used to fund off-site GHG mitigation programs, which could include the replacement of GHG emitting infrastructure, such as off-site agricultural pumps within the County, if such programs are deemed applicable by the City of Davis or YSAQMD.

With regard to on-site improvements, the Proposed Project/BRPA would be constructed as an all-electric development.

Response to Comment 32-31

Please see Responses to Comments 32-15 through 32-19.

Response to Comment 32-32

As stated on page 4.3-15 in the Air Quality, Greenhouse Gas Emissions, and Energy chapter of the Draft EIR, the City has not specifically adopted goals or thresholds to analyze GHG emissions associated with construction of proposed development projects. The YSAQMD currently recommends that GHG analysis of development projects' construction and operational activities be consistent with the SMAQMD's adopted thresholds of significance. As such, the Draft EIR uses the SMAQMD's significance threshold of 1,100 $MTCO_2e$/yr, consistent with YSAQMD and SMAQMD guidance.

In addition, while the GHG portion of *Tsakopoulos Investments, LLC v. County of Sacramento* (2023) 95 Cal.App.5th 280, was not certified for publication, the case provides instructive language related to the analysis of construction-related GHG emissions. Specifically, in *Tsakopoulos Investments, LLC v. County of Sacramento* (2023) 95 Cal.App.5th 280, the Third District Court of Appeal affirmed a judgment denying a CEQA challenge to Sacramento County's approval of a mixed-use development project known as the Mather South Community Master Plan (MSCMP). As discussed therein, in the Air Quality chapter of the EIR prepared for the MSCMP, the County did not develop a threshold of significance for construction-related GHG emissions. As part of its reasoning for such an approach, the County explained that "[e]missions resulting from the usage of off-road vehicles is only 4.7 percent of the total inventoried emissions in Sacramento County, which include emissions from recreational and industrial equipment in addition to construction fleets. Although emissions from the operation of newly constructed buildings adds to existing building stock resulting in a cumulative year-on-year increase in emissions, the level of construction activity required to build new buildings in a region does not result in a cumulative increase in emissions because of their temporary nature." Citing construction activities' required compliance with existing regulations, such as the CARB Low Carbon Fuel Standard, as well as standard mitigation applied for the purpose of reducing other air pollutants, the County determined in the MSCMP EIR that "…construction emissions would not contribute to a significant climate change impact, and no threshold is necessary."

Although the County did not provide a threshold for GHG emissions generated during construction, the County still calculated and presented the MSCMP's anticipated GHG emissions from construction-related activities for each year in an appendix to the EIR. The appendix additionally contained the anticipated annual GHG emissions that would occur during operations of the MSCMP associated with the project's residential, non-residential, and transportation uses. The Third District Court found that "[t]he final report is informative as to the level of emissions expected from construction-related activities and provides the public with the ability to compare those numbers against the greenhouse gas emissions expected upon project build out."

Ultimately, the Third District Court cited CEQA Guidelines Section 15064.4, which focuses on a lead agency's responsibilities for determining the significance of impacts from GHG emissions. The Third District Court ruled that "[t]he County complied with the Guidelines and Tsakopoulos presents no credible argument to the contrary."

Given the Third District Court's determination in *Tsakopoulos Investments, LLC v. County of Sacramento* (2023) 95 Cal.App.5th 280, the Draft EIR's analysis of GHG emissions similarly complies with CEQA Guidelines Section 15064.4, as, unlike the MSCMP EIR (which was found to contain an adequate GHG analysis), the Draft EIR provides quantitative thresholds against which to analyze GHG emissions. The 1,100 $MTCO_2e$/yr numerical threshold used by SMAQMD is a screening level threshold that has been established as an accepted threshold and is used by

several other air districts throughout the State, including the Placer County Air Pollution Control District (PCAPCD), which also has jurisdiction of a portion of the SVAB. Similar to the MSCMP EIR, the Draft EIR also includes data in Appendix C that allows the public to compare the level of GHG emissions expected from construction-related activities against the emissions expected upon project buildout. Thus, the analyses and conclusions in the Draft EIR's Air Quality, Greenhouse Gas Emissions, and Energy chapter are adequate.

Response to Comment 32-33

The construction GHG emissions presented within Impact 4.3-7 of the Draft EIR represent the maximum $MTCO_2e$/yr that would be emitted during the construction period. The industry standard approach is to present the highest emissions modeled; by doing so, the analysis ensures that the conclusions are based on a worst-case scenario. While Impact 4.3-7 of the Draft EIR could be revised to include the additionally requested information, the presentation of such information would not change the conclusions presented within the Draft EIR. In addition, such information can be found in the modeling results, which were provided as Appendix C to the Draft EIR.

Response to Comment 32-34

Please see Response to Comment 32-32. SMAQMD also has jurisdiction over a portion of the SVAB, which is the same air basin managed by the YSAQMD. In addition, the portion of the SVAB governed by the SMAQMD has similar characteristics to the portion of the SVAB governed by the YSAQMD. As stated within Chapter 6, Greenhouse Gas Emissions, of the SMAQMD Guide to Air Quality Assessment in Sacramento County, the threshold of significance for the construction phase of all project types is "1,100 metric tons of CO_2e per year." Contrary to the comment, the applicable threshold is not defined as 1,100 $MTCO_2e$ during any 12-month period. In addition, the emissions presented in Table 4.3-17 of the Draft EIR were based on the CalEEMod results, with the reductions applied off-model using guidance from the U.S. Department of Energy. As such, the analysis and conclusion of Impact 4.3-7 of the Draft EIR are adequate.

Response to Comment 32-35

As stated within Chapter 6, Greenhouse Gas Emissions, of the SMAQMD Guide to Air Quality Assessment in Sacramento County, the threshold of significance for the construction phase of all project types is "1,100 metric tons of CO_2e per year." By modifying the construction schedule to reduce the intensity of construction to lower emissions or ensuring that phases of development do not overlap, the annual construction-related GHG emissions would be reduced. Therefore, given that the threshold is based on annual GHG emissions, inclusion of the aforementioned reduction measures within Mitigation Measure 4.3-7 is adequate.

Response to Comment 32-36

Propane fuel has a lower carbon content than conventional gasoline and diesel fuel. According to the U.S. Energy Information Administration, a total of 12.68 pounds of CO_2 are emitted for every gallon of propane, while a total of 18.73 pounds of CO_2 are emitted for every gallon of finished motor gasoline, and a total of 22.45 pounds of CO_2 are emitted for every gallon of diesel.[16] Thus, use of a propane generator as compared to a gasoline or diesel powered generator would result in a reduction of GHG emissions during construction.

[16] U.S. Energy Information Administration. *Carbon Dioxide Emissions Coefficients.* Available at: https://www.eia.gov/environment/emissions/co2_vol_mass.php. Accessed March 20, 2025.

Response to Comment 32-37

The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. Table 2-1 of the 2022 Scoping Plan includes statewide actions that were included in the Scoping Plan Scenario modeling intended to reduce statewide GHG emissions. However, the 2022 Scoping Plan does not state that such measures are required to be implemented by local development projects. Specifically, the 2022 Scoping Plan includes separate guidance related to local actions in Appendix D of the plan. As stated on page 9 of Appendix D, local governments that prepare CEQA-qualified CAPs that include strategies in priority areas such as transportation electrification, VMT reduction, and building decarbonization are contributing to alignment between local climate action and the State's climate goals. As discussed on page 4.3-79 of the Draft EIR, implementation of the Proposed Project/BRPA would be consistent with the overarching goal of the CAAP, which is to reduce GHG emissions. Thus, the Proposed Project/BRPA would generally be consistent with the guidance related to local actions included in Appendix D of the 2022 Scoping Plan.

Response to Comment 32-38

Please see Response to Comment 32-27.

Letter 33

Dara Dungworth

From: Aveen Alkhatib <aveenalkhatib@gmail.com>
Sent: Wednesday, February 19, 2025 1:20 PM
To: Dara Dungworth
Subject: Opposition to village farms

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hello,

33-1 I am a home owner of an heirloom townhome at the cannery. What attracted me to the location was the promise of a community that included farmland, shops and a quiet community.

I am disappointed and strongly oppose g the building of the village farms to pave over the fields near the community as well as increase traffic. Please do not move forward with this plan, thank you

Dr. Aveen Alkhatib,PhD
956 Legend Terrace

1

LETTER 33: AVEEN ALKHATIB

Response to Comment 33-1

Please see Master Response 1.

Letter 34

Dara Dungworth

From: clutterbarbara@gmail.com
Sent: Wednesday, February 19, 2025 6:04 PM
To: Dara Dungworth
Subject: Village Farm EIR comment

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Ms. Dungworth,
Below is my comment for the EIR.
Barbara

34-1 Davis NEEDS housing desperately. However, I have 3 major concerns about the EIR.

34-2 First, at the Planning Commission meeting, concerns were raised by the proximity of the development to an old landfill. Old landfills could be suspect for **toxic waste contamination** of the area. This was not addressed in the EIR.

34-3 Second, Commissioner Valencia asked about the **absent wastewater drainage system** and was told that they didn't have information on that. That seems like an egregious error in an EIR, especially when there is possible contamination from the landfill.

34-4 Third, safe pedestrian and bicycle crossings of Poleline are critical to this project being safe and sustainable. They were described in the EIR, but commitment by the project developers to specifics of the building of this necessary crossing and to it being built before new residents move in, were lacking.

Thank you for reading.
Barbara Clutter

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LETTER 34: BARBARA CLUTTER

Response to Comment 34-1
Please see Master Response 1.

Response to Comment 34-2
Please see Master Response 3.

Response to Comment 34-3
The comment is unclear; please see Master Response 1. In addition, Planning Commissioner comments provided at the February 12, 2025 public hearing to accept comments on the Draft EIR are summarized and responded to in Letter 217.

Response to Comment 34-4
Please see Master Response 6.

Letter 35

Dara Dungworth

From: Barbara Molloy <barbmolloy@gmail.com>
Sent: Tuesday, February 25, 2025 10:02 AM
To: Dara Dungworth
Subject: Village Farms DEIR comments

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hello Ms. Dungworth,

The Village Farms proposal has many problems, here are just some to consider for why this project needs to be rejected:

35-1 **Overview: Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has a lot of problems primarily because it is a handicapped site with a 200-acre flood plain, and it is adjacent to the unlined Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including carcinogenic PFAS "forever chemicals"). The Covell Blvd. and Pole Line Rd. area already has enormous traffic and adding 1,800 housing units would exacerbate it. There would be no bicycle/pedestrian safe access via an undercrossing or overcrossing from the west, north or south, and now the DEIR is questioning the "feasibility" of a Pole Line Undercrossing to the east. Additionally, there would be all the costs imposed by the enormous amount of infrastructure needed, as well as the massive impacts on the native plants, wildlife and habitat from re-routing Channel A and tearing out 952 trees. Beyond all that, the housing would be unaffordable to local workers and young families with average incomes since the homes would be at least $700,000-$800,000 with a major number of them being $1 million and over. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, and Village Farms is *outside* the City limits in Yolo County.**

35-2 **- Building hundreds of housing units on the 200 acres of a FEMA Zone A Flood Hazard flood plain makes no sense** and would bring flooding problems. A fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change. Will north Davis resident need to buy flood insurance due to Village Farms?

35-3 **-The toxics and other chemical contaminants leaking into the groundwater from the Old City Landfill and Sewage Treatment Plant located immediately adjacent to Village Farms**. This includes carcinogenic PFAS "forever chemicals" and manganese exceeding maximum concentration levels recently found from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals like PFAS's that cause cancer? There are also solid toxics exceeding MCL's including lead, arsenic, and toxaphene which is a neurotoxin and potential carcinogen.

35-4 **-Traffic impacts which would be far worse than they are now from adding 1,800 more housing units at Covell Blvd. and Pole Line Road** which is already heavily impacted. Shoe-horning in 1,800 units on this Village

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Letter 35 Cont.

35-4 Cont. Farms site is not going to be "environmentally superior" with those numbers. It is illogical since the City has no plan to significantly improve its currently minimal, inconvenient and inadequate public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

35-5 **- Massive infrastructure costs including anun-needed new Fire Station because 90% of the fire department calls are medical, NOT fire related issues**. Instead, what is needed, and has been advocated for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go east) when the traffic is backed up most of the time?

35-6 **-Uncertain "feasibility" of the only bicycle/pedestrian grade-separated crossing for safe access particularly for children. The Pole Line bike/pedestrian undercrossing is now *uncertain* since the DEIR says it has not yet determined its "feasibility".** This is likely due to existing infrastructure such as underground utilities and the land needed for its construction, particularly on the east side of Pole Line Road near Moore Ave. Furthermore, even *if* it is feasible, the developer is *not* committing to covering all the costs for the undercrossing. How many Davis residents are willing to subsidize the millions of dollars for that project? This is a major access component of the project however; the DEIR admits that it is not even sure if the undercrossing is feasible due to other existing infrastructure. Why don't they have an answer yet? When? After the vote?

35-7 **-Unaffordable housing where the vast majority of the homes will be McMansion's**, Market homes will not be cheaper than $700,000 - $800,00 but the majority of them will be well over $1 million, the same as the unaffordable homes currently being built in northwest Davis. This does not help our average workers or particularly families with young kids, so this project will *not* help bring a lot of kids to the schools contrary to the developer's claims. This housing would *not* help workers and young families with average incomes since they will not be able to afford these homes.

35-8 - **Habitat impacts including tearing out 952 trees to dig up to expand and re-route Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

35-9 **In summary, Village Farms is proposing 1,800 units on roughly 400-acres as the largest residential project ever proposed in the City of Davis, on a site with a plethora of problems, impacts and costs.** It is located at one of the most highly impacted area of traffic in the City at Covell Blvd. and Pole Line Road which would be much worse. There are toxics issues, flooding risks, access issues, public safety issues, and enormous costs that would be imposed on Davis residents. Therefore, this project needs to be rejected just as Covell Village was for the same reasons and more.

Thank you for considering these important issues.

Barbara Molloy

Davis resident since 1985

LETTER 35: BARBARA MOLLOY

Response to Comment 35-1
Please see Master Responses 1, 3, 4, 5, 6, and 7.

Response to Comment 35-2
Please see Master Response 4.

Response to Comment 35-3
Please see Master Response 3.

Response to Comment 35-4
Please see Master Response 5 and Response to Comment 23-2.

Response to Comment 35-5
Please see Master Response 1 and Response to Comment 75-51.

Response to Comment 35-6
Please see Master Responses 1 and 6.

Response to Comment 35-7
Please see Master Response 1.

Response to Comment 35-8
Please see Master Response 7.

Response to Comment 35-9
Please see Master Response 1.

Letter 36

Dara Dungworth

From: Dara Dungworth
Sent: Sunday, February 16, 2025 11:19 AM
To: Dara Dungworth
Subject: Village Farms_Zeller_Bar

Categories: VFD Comment

From: Barbara Zeller <zeller.be1@gmail.com>
Sent: Thursday, February 13, 2025 3:49 PM
To: Planning Commission <PlanningCommission@cityofdavis.org>
Subject: Village Farms

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

To Whom It May Concern:

36-1 I am opposed to the development. The Cannery development currently has traffic issues. There is no indication the traffic from this project will not further impact the Cannery. Traffic during rush hour is currently impacted on Covell. I've heard the comment that we need to be biking or walking. The population is aging. Many people are unable to walk or bike to local stores.
The cost of the homes is high in relation to the size of the homes. Some schools in Davis need to be closed or put to other use to save money.

Barbara Zeller
Berryessa Ln.
Davis

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LETTER 36: BARBARA ZELLER

Response to Comment 36-1

Please see Master Response 1.

Letter 37

Dara Dungworth

From: Barry Katzman <blkatzman@yahoo.com>
Sent: Friday, February 21, 2025 2:13 PM
To: Dara Dungworth
Subject: Village Farms Draft EIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

37-1 The EIR should be more forthcoming with regard to the project's removal of a very large number of Arizona (Velvet) Ash trees. It is misleading to single out Arizona Ash for exclusion on the alleged basis that it not native. (Page 4.4-44) This species is equally as "regionally native" as Coast Live Oak, which are listed in Table 4.4-10, and should likewise appear there. This omission suggests that the EIR has intentionally obscured the impact on this California native tree because the project will entail removal of nearly 400 of them. Together with other California native trees, the nearly half of the approximately 950 trees proposed to be removed by the project are native species, contrary to contentions on Page 4.4-44 that the impact on native species will be minimal ("less than seven percent"). The EIR should own up to the true impact in order to address appropriate mitigation.

--Barry Katzman, Davis Resident

1

LETTER 37: BARRY KATZMAN

Response to Comment 37-1

The assertion that Arizona ash (*Fraxinus velutina*) is not native is based on the stated range for the species published in the Jepson eFlora. According to the Jepson eFlora, the range of *Fraxinus velutina* includes the Southern Sierra Nevada, South Coast, Transverse Ranges, East of Sierra Nevada, and the Mojave Desert and Mountains. This species is well adapted to the desert climates within its natural range, which has made it a popular landscape tree, and in this case, successful at escaping cultivation. On the other hand, the range of coast live oak (*Quercus agrifolia*) includes the City of Davis and surrounding areas. According to the Jepson eFlora, the range of *Quercus agrifolia* includes the Sacramento Valley (including Davis), inner and outer North Coast Ranges, the Central Coast and San Francisco Bay Area, inner and outer South Coast Ranges, South Coast, Channel Islands, and the Transverse and Peninsular Ranges, including the adjacent Mountains. As stated in the Draft EIR, Davis is within the native range of *Quercus agrifolia*, but not within the native range of *Fraxinus velutina*.

Letter 38

Dara Dungworth

From: Becky Zeigler <bzeigler@internationalstudents.org>
Sent: Thursday, February 13, 2025 5:37 PM
To: Dara Dungworth
Subject: Village Farms proposal

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Dara,

38-1 I'm very concerned about this current Village Farms proposal.
I do not want to see it go forward.

38-2 - Building hundreds of housing units on 200 acres of FEMA Zone A Flood Hazard flood plain makes no sense. There is a high likelihood of flooding especially in my neighborhood Wildhorse.

38-3 -adjacent to old city landfill and sewage treatment plant with a long history of leakage into the ground, water of toxic and chemical contaminants.

- the impact on habitat, wildlife, and native plants.

38-4 - traffic issues that are already at play on Covell and Poleline will be multiplied influencing traffic and congestion as well as infrastructure needs and costs.

38-5 Please do not move forward on this. It will detract from Davis, there is a lack of foresight.
Thank you,
Becky Zeigler

Sent from my iPhone

1

LETTER 38:BECKY ZEIGLER

Response to Comment 38-1
Please see Master Response 1.

Response to Comment 38-2
Please see Master Response 4.

Response to Comment 38-3
Please see Master Response 3.

Response to Comment 38-4
Please see Master Responses 1, 5, and 7.

Response to Comment 38-5
Please see Master Response 1.

Letter 39

Dara Dungworth

From: Beverly Wooster <bevmrw@gmail.com>
Sent: Sunday, February 23, 2025 12:13 PM
To: Dara Dungworth
Subject: Village Farms proposed development

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

39-1 I am an eighty-seven-year-old and have lived in The Cannery for over four years. It has been a good neighborhood, safe and quiet. I am able to walk and enjoy the surroundings, especially when I see children playing in their yards and in the open areas. If Village Farms is developed, I don't think I will be able to enjoy my walks and the peaceful atmosphere by because of added traffic, which will pose a danger to children, dogs, walkers, etc. I am absolutely opposed to the Village Farms development in its present form.

Sent from my iPhone

LETTER 39: BEVERLY WOOSTER

Response to Comment 39-1

Please see Master Response 1.

Letter 40

Feb. 23, 2025. Document: 14 pp.
Attachment: 10 p.p.

InRe: Village Farms Davis Project Draft EIR
Public Comment concerning adequacy
herebelow proposed project termed "VFD"

From: BJ Klosterman 2906 Pole Line Rd. Unit 4, Davis, CA 95618
Questions? : Phone (530) 760-5679

To: Dara Dungworth, Principal Planner
City of Davis Dept. of Community Development
23 Russell Blvd., Suite 2, Davis, CA 95616

RECEIVED
FEB 25 2025
City of Davis
Community Development

Included here, as part of my comments, by reference, are my prior comments of 7 Dec. 2023 on VFD Draft EIR scope and content, delivered attn: Sherri Metzker. Copy attached here for your convenience. The Draft EIR is sadly inadequate regarding subjects covered by many of my prior comments. Now to these current comments.

40-1 Given Project Objectives: Most private property development with improvements can generate property tax revenue to city. The revenue to city objective creates an inappropriate a priori bias toward "prefered" alternatives being increased development. And that leads to G.I.G.O. conclusion that an alternative with even worse than proposed project impacts on wildlife, water, noise, and air (and related noise + air pollution health impacts on human health) and traffic (and related impacts on human safety) is the second place environmentally preferred alternative. Inaccurate; Inadequate. EIR means environmental, not economic, impact report. Economic objectives should be covered instead in economic analysis document.

Letter 40 Cont.

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City of Davis
Community Development

p.2: Draft EIR, VFD Public Comment BJ Klosterman

40-2

Reasonable Alternatives: "A range of reasonable alternatives" should be IDed and reviewed, and "disclose other ways objectives of project could be obtained." Instead Draft EIR presents reasonable number of Unreasonable alternatives. Inadequate.

40-3

Examples: Off-site alternative as the twice-public-rejected tech. + MF housing sites outside City limits east of Mace Blvd, with all the attending negative impacts; Ag. preservation alternative of a urban-trapped narrow, impractical to commercially farm, parcel south of Channel A along Pole Line. I've already commented, above, on the 'drill, baby, drill' increased/intensified development all the way north alternative.

40-4

In my prior comments (refer to pages 2 and 3), two alternatives were IDed that would a) preserve a major parcel of usable (and currently + historically successfully used) ag. resources; and b) provide alternative (off-site) housing and education and public services facilities locations. (I add here to that alternative the "horse ranch" site east side Wildhorse, and the inside Mace Curve east of Harper Jr. High, and (a rezone) the South part of Cannery project to my prior listing.) Obviously, a hybrid of these would also be reasonable project alternative: the proposed VFD landuses + densities South of Channel A only. And the d.u. proposed for North of Channel A provided instead by infill, redevelopment and alt. siting.

Letter 40 Cont.

p.3: Draft EIR, VFD Public Comment BJ Klosterman

40-4 Cont.

These 3 above-listed reasonable project alternatives would all be equal or better compared to proposed project, and EIR Draft proposed alternatives, for objectives, while simultaneously lessening/mitigating a large number of significant impacts compared, (except for No project alternative).

40-5

Cumulative Effects/Impacts: Where environmental impacts are already significant, project-specific contributions that exacerbate should have project-specific mitigations. Example is the General Plan noise standards for residential are already exceeded for existing housing along Pole Line Rd., and LOS stop and go traffic "jams" happen most weekdays during p.m. peak times on this Davis/Woodland Commuter route and trucks transport route, with attendant air quality problems. Any proposed VFD project impacts here are not merely cumulative to Davis, but also concentrated in negative effects on existing Pole Line neighborhoods. Therefore, in the EIR project-specific mitigations that influence impacts on noise and air quality should be IDed and timing of mitigation implementation should be tied to development phases.

40-6

The Draft EIR's nebulous approach of city should be lead agency for cumulative mitigation (eg. on noise) efforts and developer contribute fair share is inadequate. In practice, it is an excuse for money in the city's coffers, but env. and neighbors left damaged and lacking in relief.

Letter 40 Cont.

p.4 Draft EIR, VFD Public Comment BJ Klosterman

This argument also applies where cumulative impacts/effects to date do not exceed standards of significance but the addition of the proposed project would additively trigger or exceed the threshold/standard.

Ananology: The Wildhorse west neighborhood park installation, required of the developer, went in on time. The south-east neighborhood park, that had development Major Project Financing Plan fees to city with City as lead agency has Council-approved park design and schedule (originally 2003-2004). And as of 2025 it's still a blank water-gobbling plot of grass, the project not done. Result is Wildhorse's south and east affordable housing areas are left without this promised and needed recreational resource (that's called for by General Plan standards). This is a repeat of what happened with the prolonged delay for Oak Grove park, and the lack of adequate space and city spending in park needs in that area for decades.

40-6 Cont.

Example of a project-specific mitigation for project contribution to cumulative impacts: Wildhorse project exacerbated already excessive cumulative traffic noise pollution. Mitigation was by direct ~~project~~ action involving double-pane windows and improved exterior wall insulation for the most severely impacted existing neighboring dwelling units. Wildhorse developer paying all costs and mitigation coordinated with timing of development's first phase, which involved Pole Line access.

Letter 40 Cont.

p.5 Draft EIR, VFD Public Comment BJ Klosterman

Examples of some potential VFD mitigations, project specific, that influence cumulative effects:

40-7 First I'll note the traffic noise analysis seems to be based on inadequate data, e.g. one single, ~~solitary~~ solitary day, with a mere 2 stations on Pole Line; neither measuring point adjacent to existing housing; the day a tule fog January 29, 2024.

40-8 The following suggestions relate to mostly, but not exclusively, noise, traffic safety, air quality and climate change, wildlife.
Since in mitigations and development planning, design and implementation, "God and the Devil are in the details, the EIR mitigations should be detailed.

40-9 Project sound walls along Pole Line? This can increase noise impact on existing across-street neighbors. Wall surface materials and surface treatments of wall-sides facing Pole Line shall be muffling to sound, not hard-reflective-of-noise. Example: textured surface with planted vines climbing wall.

40-10 Pole Line Rd. Greenstreet set backs space shall be adequate for large or dense shade trees and other vegetation that shall be chosen in part for sound muffling capacity. Tree root zone spacing shall be adequate to minimize root displacement of bike/ped. paths and related safety hazards.
All trees in public spaces, such as greenstreets, greenbelts, parks, as well as all trees planted for new development by commercial/for-profit entities shall be planted to Tree Davis specifications or equivalent to improve "survive and thrive" success. Spaces provided for root zones shall be adequate for mature tree health.

Letter 40 Cont.

p.6 Draft EIR, VFD Public Comment Bd Klosterman

40-10 Cont. We don't need or want 15 gallon pot-bound tree specimens bunged into post holes (what happened on a lot of Wildhorse west phase public green spaces.)

40-11 As e-vehicles are quieter as well as less air polluting, all Single Family low density and medium density market rate dwelling units shall have one e.v. charging station per d.u. All residential density higher than medium shall have at least one e.v. charging station for every four d.u.

40-12 Proposed project shall be modified to have centrally located north-south oriented collector or minor arterial road with project ~~traffic feeding into this~~ smaller streets feeding into this road, the main road placed parallel to Pole Line (then 90° turn or curve south of Channel A if no development north of it) with connection east-west to 4 way signalized intersection at Pole Line and Moore, and south end access at Covell Blvd. (This allows some alternative traffic routing for cars via Wright to Covell westward without all impacts at Pole Line/Covell intersection.

40-13 Proposed project shall be modified so that no 4-way intersections are located at Donner or Picasso.

Proposed project shall be modified to have no development Channel A northward and no traffic intersections with Pole Line north of Channel A. (This is consistent with City's intent with Wildhorse project to 'draw the line in the sand' at Channel A.)

(These existing east of Pole Line Rds do not have either major traffic destinations, nor good thru routing.)

Letter 40 Cont.

p7 Draft EIR, VFD Public Comment BJ Klosterman

40-14 If any roadway infrastructure improvements are done to Pole Line Rd., involving paving materials, wheel-noise-muffling/absorbing paving options shall be ~~incorporated~~ included if technically feasible.

40-15 VFD south east corner park: at least 25 percent land shall be committed to medium and large shade trees, varied species including valley oaks, with compatable irrigation and other vegetation, to be done with east phase housing. (This helps mitigate air quality, climate change and wildlife impacts.)

40-16 The Draft EIR analysis of the impacts of those 4 Pole Line proposed intersections on stop and go gear shifting of truck traffic and truck related ~~truck~~ safety/noise/air pollution seems inadequate. And mitigations inadequate too. Trucks don't accelerate + decelerate with the ease and limited travel distance of cars. See prior suggestion of mitigation by getting rid of plans for 4-way intersections for cars + trucks at Picasso and at Donner (p. 6, here above).

40-17 To protect Wildhorse Affordable Apartment residents from vehicle exhaust, noise, intersection traffic safety hazards and crime dangers, VFD mixed use area near Moore/Pole Line intersection shall not be used for gas station or alcohol-selling convenience store.

Letter 40 Cont.

p 8 Draft EIR, VFD Public Comment BJ Klosterman

Mitigations continued:

Rooftop PhotoVoltaic/Solar Panel Systems are best installed at time of building/roof development so that later roofing material redo aren't ripping up PV installations before their "useful life" is over. Roofing material useful life and PV systems useful life should be coordinated.

40-18 Therefore all Single Family and medium ~~middle~~ density market-rate housing (if sold by individual dwelling units) shall have, at time of construction, installed PV systems sized maximally to available roof space. All other housing shall have PV systems, at buildings' time of construction, installed with system sized to maximum technically feasible or shall be mandatorially on Valley Clean Energy 100% renewable or PG+E 100% renewable energy services rate structure. ~~Medium-dense~~ Medium High and High density shall be exempt if these densities have greater than 25% affordable housing.

40-19 Buildings shall have light (not dark, sun-heat-absorbing) roofing materials. North walls should be considered appropriate for Yin Min Blue paint. No natural gas lines or appliances shall be installed.

40-20 Package delivery depots shall be installed for low ~~Single~~ and medium density housing areas, so delivery vehicles are not idling in streets for package deliveries from Amazon, UPS, etc, while driver walk-delivers to individual home doorways.

Letter 40 Cont.

p9 Draft EIR, VFD Public Comment BJ Klosterman

Cumulative Impacts and Mitigations, Continued:

40-21 As this will be a development in the 21st Century, not the 20th, for mitigations of Climate Change, energy use matters, why hasn't an expert organization such as the Rocky Mountain Institute been harnessed to help ID and ~~detail~~ flesh out mitigations?

Wildlife:

Both proposed project and several alternatives seem to choke down Channel A and its riparian type vegetation into a very narrow space on the eastern part of the project site. This would negatively impact wildlife territorial movement and migration. It would also negatively impact seasonal flows to the Wildhorse section of Channel A, and its wildlife value. Include mitigation requiring remedy of this 40-22 choke down narrowing. Local Audubon folks, Sierra Club folks, State Fish & Game folks responsible for this area or raptor species, Cornell Lab of Ornithology, as well as County and City Wildlife staff, would/could be helpful in properly defining project parameters and mitigations to actually ~~fact~~ negate, or fully balance with wildlife benefits, the projects negative impacts. Draft EIR is currently inadequate in identifying reasonable, technically feasible mitigations.

Letter 40 Cont.

p.10 Draft EIR, VFD Public Comment BJ Klosterman

Wildlife cont'd:

Historically there have been vernal pool type seasonal pools, supporting among other small creatures, Brine Shrimp just north of channel A on the western half of site,

40-23 Biological mitigation could be not BRPA's bio. space south of channel A, but rather a biological safe space ~~not~~ north of channel A extending up to APN 042-110-029.

Mitigations re Ag land and also Swainson's hawk migration resource needs: APN 042-110-029 shall be placed in perpetuity or for a period **40-24** of not less than 60 years into open space agricultural easement with the Yolo County Land Trust or equivilant non-profit ~~organized~~ non-government organization.

Mitigation: If no development channel A northward (on County Assessor Parcel 35-970-33) is a mitigation, the following mitigation shall also apply:

Channel A northward ~~is~~ to northern limit of this parcel shall be placed in perpetuity ~~of~~ or for a period **40-25** of not less than 60 years into open space easement held by a nonprofit land trust or agricultural easement for land north of channel A's ~~[illegible]~~ center line, said easement to be with Yolo County Land Trust or equivilant non-profit, non-government organization.

Letter 40 Cont.

p.11 Draft EIR, VFD Public Comment BJ Klosterman

Trees: South Oaks cluster

Mitigation should include provisions about what goes around these trees in "drip line". Excessive root disturbance, or regular irrigation could turn one or more of the valley oaks into "widow-makers" by causing acute large limb failure. The City does not need this liability and trees don't need the lasting bad rap. The big heritage valley oak, ~~on~~ located in the ag. land that became El Macero Estates phases 2 etc. in Davis had that unfortunate habit when exposed to major changes in water availability.

40-26

Housing segregation:

The proposed project segregates low density S.F. into rich, isolated neighborhoods, like Donald Trump country club territory. # units only one ~~has~~ housing type exceeds General Plan standards? In contrast, the BRPA jams med-high and high (Multi Family/apartments) type housing together at the south end of site (240 du or 44%? in violation of the G. Plan's 150 du of basically one housing type maximum in one area?) Given medium density, dus can be lots of types of housing, perhaps development could have some mixing of low density and medium density du locations ~~some~~ south of channel A. The ~~BRPA's~~ BRPA's arrangement is just ghettoization, and is an inappropriate negative impact that the City/EIR consultant should amend/correct.

40-27

Letter 40 Cont.

p.12 Draft EIR, VFD Public Comment BJ Klosterman

Water:

Given climate changes, over the life of the proposed VFD project, the Sacramento River may well become like the Colorado, with supply of water inadequate to meet demand. Consequently, 1800+ new ~~[illegible]~~ straws in the city's water glass is a significant negative impact.

40-28

Our community demand peaks in summer due to irrigation of urban landscape. Therefore the project EIR ~~should~~ must, to be adequate, include three following mitigations.

40-29

① All developer-installed or forprofit installed or City-installed landscaping or landscaping components shall ~~[illegible]~~ strictly follow all good Xeriscape principles.

(If EIR-prep. Staff or City Staff are unfamiliar with these principles, which BJ Klosterman has previously provided to Community Development in writing in regard to this project site, call BJ and she'll be happy to meet with Staff and review these.)

② As our rainfall is roughly 17 inches/year, but turf grasses need about 48+ inches water/year, turf grasses shall be strictly limited or forbidden for everything except young child play areas and public sports playing fields.

This mitigation should state what these limited square footage areas of turf grass allowed are for the different land uses, Especially for low and medium ~~density~~ density housing areas.

Letter 40 Cont.

p.13 Draft EIR, VFD Public Comment BJ Klosterman

40-30

Water Mitigations, continued:
All quasi-public and public landscape spaces shall be irrigation piped to potentially ~~handle~~ carry reclaimed water.
In other words, "Purple pipe it" guys and gals!

40-31

Are the low density dev. with their large lots required to have systems to take advantage of rainfall coming off house roofs, such as downspout rainbarrels, rainwater gardens ~~and~~ and "streambeds" for drainage to be used on-site, or rainwater cisterns? If not, why not?! Large lots on average have larger areas of landscape and that increases summer peak water demands.

40-32

Back to noise and air pollution cumulative effects:
The proposed projects exacerbating these effects along Pole Line aren't negative impacts spread over the Davis population evenly. Rather these impacts are concentrated health threats + injuries incurred unfairly by near neighbors. For the affordable housing apartment residents at Terracina (mostly families, often with young children) the following mitigation should be included: with VFD developer paying for install; City, for maintenance Wate For The Pole Line Rd greenstreet and setback, and the Moore Blvd greenstreet and setback, adjacent to the Wildhorse affordable apartment complex, these areas shall be landscape retrofitted to install trees and shrubs ~~for~~ of type and density (and infrastructure irrigation) to muffle traffic noise and help absorb traffic exhaust. City shall thereafter provide greenstreets' maintenance.

Letter 40 Cont.

p. 14 Draft EIR, VFD Public Comment BJ Klosterman

The following is from the 2025 calendar titled "Spirit of Place America's Treasured Lands"

see top right picture and note what it is in the company of:



40-33

Letter 40 Cont.

Feb 23, 2025 from BJ Klosterman Attachment
Attn: Dara Dungworth, Principal Planner
7 Dec. 2023

IN RE: Village Farms Davis Draft EIR,
Proposed project, scope and content of document,
Public Comment on.
In these comments, proposed project termed "VFD"
pp. 10

Attn: Sherri Metzker
City of Davis Community Development Department
23 Russell Blvd. Ste. 2, Davis, CA 95616

RECEIVED
FEB 25 2025
City of Davis
Community Development

From: BJ Klosterman
2906 Pole Line Rd. Unit 4, Davis, CA 95618
Questions on Comments? telephone ~~530 756 3920~~ now 530 760-5679

Commentor's View Biases:
I am a 43 year long resident of the La Buena Vida condo neighborhood (built as affordable housing) immediately east across Pole Line Rd. from the proposed project. I have background in Biology and planning and design or operations experiences involving some residential projects in Davis and elsewhere in California. I chaired Davis' first major projects financing plan task force and served on following economics commission. I served on first Board of Directors of Tree Davis. Thank You for legal comment period, and my comments follow here.

40-34

Some env. impact topics noted here overlap; each subject, whatever the heading, is applicable to scope and content of Draft EIR.

I. Davis, a compact, natural resources efficient, utility and infrastructure efficient urban city in a valued rural setting? Proposed project VFD of 1800 du involving 390.55 acres on mostly high ~~value~~ quality ag. soil, averaging well under 5 du./acre. Looks like urban sprawl to me, with attendant negative environmental impacts.

~~Sugge~~ next page

Letter 40 Cont.

Village Farms Davis Draft EIR Scope... 7Dec2023 p2, BJK

Suggest Environmentally Superior Alternative or Mitigations:

(A.) Leave Channel A in current place and plan a denser urban VFD with at least 1800 du on APN 035-970-33 only south of channel A, use remaining parcel (channel A and northward) as part of drainage, flood control, ag. mitigation and part of wildlife mitigations (aligned with NorthStar North Drainage Pond, Channel A in Wildhorse, Wildhorse golf course open space (public easement) and Davis perimeter greenbelt/ag buffer around Wildhorse.) (see this area for public and University birds habitat programs)

40-35

Please note: During planning of Wildhorse development PD3-89 east across Pole Line / Rd 102, City of Davis Community Development Department and Public Works Department emphasized, from concerns for both urban planning and Pole Line / Rd. 102 L.O.S. and safety, that experts in these departments were strongly opposed to housing development north of the current channel A location. On Wildhorse, the golf course was allowed as ag.-compatable recreation open space with the course land swaled directly north of Channel A and course designed near Pole Line to create flood water (Channel A overflow) holding capacity. Also the course was designed as links style to reduce turf irrigation, I.P.M. was required, and, for wildlife habitat/migration corridor and ~~see~~ public scenic vista mitigations, an openspace easement was required, Davis perimeter greenbelt with ag buffer, 200 ft., most of border.

40-36

(B) Environmentally Superior Alternative, a second suggestion: Leave this parcel(s) in agriculture. Instead meet housing needs by/via redevelopment of property lands to south of this site, E.g.: Redevelop Oak Tree Plaza, SC commercial below, MF stories above at PD 6-75 B, PD 2-87, PD6-85; redevelop senior apts. PD9-76 for senior 1st floor, MF stories above, (south of Cannery Project) and redevelop Office Park (also PD 9-76) for MF

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BJK

40-36 Cont.

stories above offices; develop the part of PD 1-82 (on Kennedy Place) that is vacant parcel. Also, move Nugget Fields to Harper JHS back acreage, then develop at about 15 du/acre the DJUSD infill parcel on Moore and Pole Line. These are just examples of past use that is really current under utilization of lands within City. City Staff being very competent could identify more.

II. Water Matters: Climate Change too.

40-37

(A) Wet/Flood 1.) 100 yr. flood zone maps updated recently? Climate change likely effects? What parts of VFD site in 100 yr. flood zones? 2.) There are historic wetlands, both in lower west-east swale, and in part just northwest ~~of~~ of Channel A. 3.) What of properly up-sizing du roof gutters and downspouts (for SF, MF, etc) to cope with the heavier rains to come due to climate change? Termite infestation, rot-fungus precautions?

40-38

(B) Dry/Drought?
Confident Sacramento River water good for demands over next 50 to 60 yrs. (typical useful life of housing)? Or will Sac. River be like Colorado River, overobligated and overdrawn? So does VFD have grey water systems? composting toilets? "purple pipes" infrastructure for non-potable or recycled water use in public landscape spaces like greenstreets and greenbelts? Xerophytic ~~principals~~ principles used in landscapes? Cistern/rain barrel roof water collection systems? That is, how will VFD be efficient in using water quantity; selective on water quality use; and resilient to drought, heat, and water shortages?

40-39

What species or cultivers of trees that are drought-tolerant, relatively lower water needs, but diseases resistant will be developer- or builder-installed? Tree diversity to reduce disease spread? Irrigation arrangements to protect trees in drought (for shade and cooling) so dry trees do not become Fire spread Hazard along greenbelts, greenstreets, parks? (But lesser plants allowed to be stressed?)

next page.

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BJK

III Air Quality, Pollution and Human Health, Climate changes

40-40

A) Mitigations re Construction, site prep soil moving and winds? Impacted neighborhoods Cannery and Oak Tree Plaza use when winds from north; La Buena Vida and Graystone MF when winds from westly.

B.) Cumulative Effects: (includes traffic)

40-41

Air: Pole Line + Covell Intersection heavily used by sensitive receptors (school kids) as pedestrians + bicyclists. In 2001, City shrugged off a Wildhorse EIR required NO_x monitoring mitigation condition. What are cumulative or project VFD impacts on CO_x, NO_x, particulates air quality for existing residential areas along Pole Line and for ped./bike users of Pole Line corridor, nearby Covell corridor, including intersections of Pole Line + Covell? (Writer's personal note: frequently have to close condo windows due to motor vehicle exhaust and ~~road~~ road related particulates, esp during peak use hours. Otherwise, raw throat, sinus distress. My condo about 100ft. east of Pole Line on back of building facing away from road for 4 of my 6 windows.)

Recommend mitigation for cumulative effects includes air quality monitoring at Pole Line & Covell intersection.

C.) Some Climate Change impact mitigations for VFD:

40-42

1. Project approval requires all SF detached du (except Formal Affordable Housing) to have substantial rooftop PV (solar panels) systems (may be part of roof tiles themselves), installed before first sale of each particular house.
2. All SF and MF roof materials (except PV systems) to be light-colored (dark roofs absorb heat, then heat attics, which overheat homes). eg, avoid dark roof tiles, dark asphalt shingles. Proper attic ventilation, as well as insulation, for warming climate, shall be required.
3. All housing shall have proper voltage and electric vehicle charging stations: 1/du SF, 1 per 4 du MF.

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C)f. Vast majority SF lots to be directionally aligned for optimal PV system function or passive solar benefits,

5. Adequate spaces (both land/soil and air space) shall be reserved for mature root zones and canopies/crowns of full sized shade trees, including in Affordable Housing areas and all MF du properties -- to avoid functional "red-lining" and related excess hot weather air conditioning needs for these housing types. Please note: space needs for shade trees should be required in greenbelts and greenstreets such that roots are not creating off-setting of pavement materials, ~~trucks~~ are hazards to pedestrians & bicyclists.

40-43

IV. Trees, Existing Conservation Efforts / Preservation!

A) Oaks, loose group in southern part VFD site.

B) Channel A riparian trees

C) Along west side rail tracks.

40-44

A) Cultural Resource? Unique hand-made human grave stone or memorial monument with cross inset and angled plaque top within dripline under oldest oak in A) group noted above here. (Unless someone has moved recently,) possible human grave in root zone. Do Not Disturb.

40-45

A) Oak group historic Swainson's nesting site (~~repeat~~) repeatedly used.

B) Riparian trees, at least 1 tree Swainson's nest site in past. Current?; Giant Garter Snake likely? (Writer has seen, but not visited VFD recently).

40-46

V. Wildlife and Channel A riparian area

Refer also to IA section above.

Existing trees important for avian food, shelter, nesting. As Cornell Ornithology Laboratories notes, there are severe, substantial losses in perching and song bird populations throughout the U.S. just in last 50 yrs. So Channel A corridor is important.

40-47

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BJK

Unfortunately, many projects "wildlife mitigation" are locations so far out from planned development that existing or intended wildlife habitat or migration corridors are fragmented patches, and needed continuity is lost. Also, often such patches lack adequate year round water access. What about VFD proposal?

40-47 Cont.

II Growth Inducement

North of Channel A residential urban land uses would be growth pressure, promoting a Davis to Woodland Rd 102 corridor ~~Creep~~ creep. For example: The owner of Wildhorse golf course has already proposed that the Public should sacrifice a wildlife and scenic vista critical part of the openspace easement on the course, so that he can private profit from condo development there at public expense. If VFD extends north, with all the city-maintained infrastructure involved, the sound walls cutting wildlife flow and views, then why not have those condos, and develop the ag. parcel north of Wildhorse while you're at it!?? You'll already have another or need intersection into Pole Line anyway.

40-48

III Consistency with Davis General Plan Policies?

Many of these specific policies are environmentally oriented. Of these, how in-line with those policies is the VFD as proposed? Mitigations should be included as needed.

40-49

IIII North of Channel A, continued:

(A) Is old Firing Range still in use for explosives? Is portion of VFD ~~site~~ site within shrapnel range, (as previously defined in Wildhorse EIR)?

40-50

(B) former garbage dump north, close to here. Any potential hazardous waste ground-water movement to soils that long-term residential homeowners, eating from backyard gardens, might get exposed to in VFD?

40-51

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IX- Construction/Development Directional Phasing; Rodents Issue:
Urbanizing this large land area will displace a great many rodents, which will flee/migrate, potentially flooding nearby existing residential neighborhoods and Oak Tree plaza (think grocery store) with pests. For example, this happened with Wildhorse ground prep in phase one, which was done north to south, thereby driving rodents en mass into existing La Buena Vida neighborhood. (In an upstairs condo, I went through over 200 mouse trappings in less than two months and my adjoining neighbor at that time resorted to rat poison in our shared garage space.) Can this ~~&~~ development-period environmental impact be avoided or mitigated with VFD by directional phasing of ground elevation preparations/earth moving? I ~~realize~~ realize rodent populations can cycle, some years low then ~~swelling~~ swelling over several years to high, then down again. But I bring this possible environmental impact to your attention.

40-52

X- Tale of Two Cities? Density of du types, location proximity to greenspace Vs. Big roadways:
There seems to be a trend to locating higher-density (relatively lower cost) housing close to larger roadways -- even though these residents have fewer motorized ~~vehicles~~ vehicles per capita. Result is to maximize number of persons being exposed to maximum amount of vehicle air pollution and noise pollution (both proven health hazards). ~~Meanwhile~~ Meanwhile, this same higher-density housing is placed to have relatively less access to publicly paid for/maintained parks and neighborhood green-belts (with bike and pedestrian transportation access and health

40-53

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promoting trees and open space greenery producing clean oxygen). Davis main-drag bike lanes, bumpy bike paths in green streets and less-than-dependable, infrequent buses is not the same thing. (Says this commentor, who lives along Pole Line and has not used/owned car/truck since later 1980s, so considerable experience.)

In contrast, lower-density (relatively more expensive) housing is located away from bigger roads, but next to scenic edge-of-town vistas and publicly paid-for parks and neighborhood greenbelts. Residents here, better off financially, both have and use more motor vehicles per capita and have access to much more open space already (private ownership large lots). The less-rich are essentially exposed to more pollution hazards from traffic and are "red-lined" in re trees/open space and urban heat impacts due to lack of adequate tree shade and landscape greenery evapo-transpirative cooling. Environmentally disparate. So, how does VFD do on this?

40-53 Cont.

For example, arrange higher-density housing alongside the public greenspaces, such as neighborhood greenbelts and parks, (not on larger road greenstreets and then assign these denser-housing development areas the cost of maintaining those greenstreets themselves in the road right of ways).

Please see also previous comments about tree crown and root zone spaces in MF sites, as well as tree selections, under IIIc mitigations and II Dry/Drought, hereabove.

XI Noise Pollution

40-54

(a) Construction/development work hours? in re noise pollution to existing neighborhoods, as this is large ~~project~~ project extending over lengthy calendar period. What mitigations are provided?

next page.

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BJK

XI (b) Pole Line Rd. traffic increases, Noise impacts to existing neighborhoods; cumalative impacts;

40-55 Noise levels, What areas of existing residential neighborhoods (such as La Buena Vida four-plexes) east of Pole Line Rd. are predicted to be exposed to greater than 60 dB CNEL? Health impacts of noise pollution and resultant stress are known. What mitigations would lower this to 60 dB CNEL or less? Wildhorse mitigations provided some mitigations to directly adjoining addresses only. And, sadly, recent renovation of Pole Line Rd. by city did not include vehicle wheel-sound-damping materials?

40-56 (c) If Pole Line Rd traffic ~~management~~ noise-management for nearby planned VFD housing is accomplished in part by sound wall(s) adjoining Pole Line corridor, how does this reflect/bounce of noise back at existing residential east of Pole Line Rd get mitigated? Surfacing materials/textures of wall to dampen sounds?

XII Traffic LOS? Wait times, during peak use hours on Pole Line Rd, for intersection of Pole Line and Donner where Donner vehicles are making left turn (west to southbound) into Pole Line? Mitigations? And given the recent choked-intersection risks to ~~bicyclists~~ street-

40-57 bikes making right turn from Pole Line to Donner, or from Donner to Pole Line, why hasn't city cut seperate bike right-turn-lanes into/thru all that pseudo ~~bike~~ brick choker areas? As VFD will contribute traffic impacts, ~~we~~ perhaps could contribute cost/funds to correct that oversight/lack?

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XIII Scenic vistas:

Photo-contest-winning, panoramic (south to north) views of solar gear westward to the inner coastal mountain ranges over the ag. fields -- the art tapestry view long-hanging in council/community chambers. The sensory proof of Davis' place in the agricultural setting (with its agricultural based university). Loss is significant impact (esp. at sunsets) to Davis Community and to existing east-side pole line near residential neighborhoods. (Also drivers and bikers who often pull-over to cell phone photograph the views to share with friends and family.) Mitigations? A pedestrian viewing "tower"? Linked to above grade bike/ped bridge crossing of pole line?

And on that high flying note, thanks again for considering my comments.

BJ Klosterman

40-58

End.

LETTER 40: BJ KLOSTERMAN

Response to Comment 40-1
As stated on page 3-2 of the Draft EIR, the project objectives were developed by the project applicant, as is appropriate under CEQA. The applicant's objectives are wide ranging and nothing precludes the inclusion of an objective focused on economics.

Response to Comment 40-2
Please see Master Response 2.

Response to Comment 40-3
Please see Master Response 2. An Off-Site Project Alternative was evaluated in the Draft EIR and substantial evidence demonstrates that the off-site project alternative would avoid or substantially lessen at least one of the project's significant impacts. Thus, the Off-Site Project Alternative evaluated in the Draft EIR meets the requirements of CEQA.

Response to Comment 40-4
Please see Master Response 2. In addition, the Palomino Place Project has received its entitlements from the City of Davis, and accordingly, intends to move forward with construction. Therefore, it is not reasonable nor informative to include evaluation of an off-site alternative at the Palomino Place project site in the Village Farms Davis Project Draft EIR.

The commenter suggests that other locations be considered such that a hybrid of sites compose the Off-Site Project Alternative. This general supposition has already been evaluated in Chapter 7, Alternatives Analysis, of the Draft EIR, within the Alternatives Considered But Dismissed From Further Analysis section. Specifically, the Draft EIR considered a Buildout Within City Limits Alternative, as follows:

> **Buildout Within City Limits Alternative**
> The Buildout Within City Limits Alternative would consist of development of the same project components as the Proposed Project within the City of Davis city limits. Because the City does not contain one contiguous plot of land that is currently undeveloped and would be large enough to accommodate all components of the Proposed Project, the Buildout Within City Limits Alternative would include development over multiple vacant and underutilized off-site parcels that are located within the City of Davis.
>
> As the project would not be located all on one site, the Buildout Within City Limits Alternative would not be capable of meeting all of the project objectives, and the opportunity for the project to include a variety of benefits would not occur. For example, the Buildout Within City Limits Alternative would not fully meet Project Objective #3 in that it would not include construction of a fourth fire station within the north Davis area. This fire station is not only needed to serve the Proposed Project, but also existing communities within north Davis that are outside of the City's emergency response time goals.
>
> Most importantly, and the primary reason for rejection, is the City's lack of available vacant and underutilized sites to accommodate the Proposed Project. For example, Table 62, Vacant and Underutilized Sites, City of Davis, September 2023, of the Davis Housing Element, identifies a total residential unit capacity of 242 units for the vacant and underutilized sites within the City.[17] However, as noted, Table 62 does not include the

[17] City of Davis. *2021-2029 Housing Element, City of Davis*. Adopted December 5, 2023.

capacity in the Downtown area that was created with the Downtown Davis Specific Plan. Appendix E of the Housing Element identifies a potential build-out capacity for the Downtown Davis Specific Plan area of 780 units. While this would close the gap between the Proposed Project's 1,800 units and 242 residential unit capacity in Table 62 of the Housing Element, only approximately 50 percent of the total Project units could be accommodated.

Overall, the Buildout Within City Limits Alternative would not be considered a feasible alternative to the Proposed Project and has been dismissed from further evaluation.

Response to Comment 40-5

The Draft EIR included an analysis of cumulative impacts based on implementation of the Proposed Project/BRPA in combination with cumulative development within the applicable area or region within each of the technical chapters, pursuant to CEQA Guidelines Section 15130. In addition, with respect to noise impacts, as discussed under Impacts 4.10-2 and 4.10-4, project-specific and cumulative operational noise impacts would be less than significant, and mitigation measures are not required. Furthermore, with respect to cumulative transportation effects related to level of service and congestion, please see Master Response 5. Pursuant to the CEQA Guidelines Section 15064.3, environmental documents must use VMT rather than LOS as the metric to analyze transportation impacts. Lastly, cumulative air quality impacts are discussed under Impact 4.3-6 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR.

Response to Comment 40-6

The alleged unfulfilled commitments within the Wildhorse subdivision are not relevant to the Proposed Project and associated Draft EIR. Please see Master Response 1.

Response to Comment 40-7

The baseline noise level data was collected over a period of 24 hours. Noise levels emanating from roadways do not typically fluctuate substantially from day-to-day, with the exception of weekends typically being quieter than weekdays. The traffic noise analysis was conducted using the FHWA traffic noise prediction model. The model predicts relative changes in average noise levels based upon changes in vehicle volumes. Even if the total noise exposure from day to day were to change somewhat, the relative change between project and no project would remain the same, and thus would have no effect on the conclusions of the noise study.

Response to Comment 40-8

Specific responses to the claims summarized in this comment are provided in Responses to Comments 40-9 and 40-32 below.

Response to Comment 40-9

Saxelby Acoustics reviewed the potential for increased noise due to sound wall reflections using the SoundPLAN noise model. The model concluded that the maximum potential increase in noise levels for receptors along the east side of Pole Line Road was 0.2 dBA L_{dn}. Landscaping will provide additional scattering of sound and this is not considered in the noise model.

The project traffic volumes alone on Pole Line Road, North of Picasso, has been predicted to increase by a maximum of 1.3 dBA under the Proposed Project (Draft EIR, Table 4.10-13). With the potential sound wall reflection increase this change would be a total of +1.5 dBA. The test of

significance along this segment is + 3 dBA. Therefore, even with the potential sound wall reflection, this would remain a less-than-significant impact.

Response to Comment 40-10

Please see Master Response 1. The Proposed Project and the BRPA would include new plantings of native, drought-tolerant trees, shrubs, and seasonal grasses within the proposed Heritage Oak Park and Village Trails Park, as well as within the greenbelts that would occur along portions of all the site's boundaries, as well as adjacent to and/or within the proposed residential villages.

Response to Comment 40-11

Please see Master Response 1 and Response to Comment 32-13. There is no nexus to the project for the EV charging requirement beyond the requirements of the CBSC or the City of Davis Municipal Code, as recommended by the commenter.

Response to Comment 40-12

Please see Master Response 1.

Response to Comment 40-13

Please see Master Response 1.

Response to Comment 40-14

Please see Master Response 1. Based on the transportation noise analysis performed for the project and presented in Chapter 4.10, Noise, of the Draft EIR, there is no nexus to the project for quiet pavement as recommended by the commenter.

Response to Comment 40-15

Please see Master Response 1.

Response to Comment 40-16

The traffic noise analysis assumes that traffic flows at a continuous rate of speed. While an accelerating vehicle can produce periods of higher noise levels than a vehicle that may be coasting or breaking, steady flows of traffic at full speed traffic flow tends to result in higher noise levels. The traffic noise analysis is conservative in this respect.

Response to Comment 40-17

Please see Master Response 1. The preliminary planned development for the project does not include gas stations as an allowable or conditionally permitted use within the Neighborhood Mixed Use area.

Response to Comment 40-18

As discussed on page 4.3-49 of the Draft EIR:

> Given the program-level entitlements being sought at this time, the project engineer has not yet identified the extent of on-site roof-top solar that would be provided. On-site solar energy generation would be required in compliance with Title 24, through the provision of roof-top solar, and will be calculated prior to issuance of building permits in compliance with Mitigation Measure 4.3-8. For conservative purposes, the modeling in this EIR performed for the current set of program-level entitlements does not account for the provision of on-site solar energy systems.

On-site solar would be provided consistent with the building codes in effect at the time of building permit issuance.

Response to Comment 40-19

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. Currently, the City Code requires compliance with Tier 1 standards, which include cool/solar-reflective roofs. In addition, as discussed throughout the Draft EIR, neither the Proposed Project nor the BRPA would include the use of natural gas.

Response to Comment 40-20

Please see Master Response 1.

Response to Comment 40-21

Please see Master Response 1.

Response to Comment 40-22

Please see Master Response 7.

Response to Comment 40-23

Please see Master Response 7.

Response to Comment 40-24

Please see Master Response 7. In addition, the Proposed Project/BRPA would be subject to Mitigation Measure 4.4-10, which requires compliance with Yolo HCP/NCCP AMM16 related to Swainson's hawk.

Response to Comment 40-25

Please see Master Response 1.

Response to Comment 40-26

Please see Master Response 1. The Proposed Project/BRPA would be subject to Mitigation Measure 4.4-17, which requires compliance with the City's Tree Ordinance.

Response to Comment 40-27

Please see Master Response 1.

Response to Comment 40-28

Please see Master Response 1. Impacts related to water supply are addressed under Impact 4.14-2 in Chapter 4.14, Utilities and Service Systems, of the Draft EIR. As determined therein, the City's projected available water supply would meet the anticipated demand for water generated by the Proposed Project/BRPA and the City's existing commitments, as well as reasonably foreseeable cumulative development, during normal, single dry, and multiple dry years. The statement that climate change may result in the Sacramento River becoming like the Colorado River is speculative. Pursuant to CEQA Guidelines Section 15145, Speculation, "If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

Response to Comment 40-29

The Proposed Project/BRPA would be subject to the requirements of the current CALGreen Code, including mandatory reduction in outdoor water use through compliance with a local water-efficient landscaping ordinance or the DWR's Model Water Efficient Landscape Ordinance (MWELO). The City has adopted the MWELO (City of Davis Municipal Code Section 39.02.045[a][4]).

Response to Comment 40-30

Please see Response to Comment 40-29. Reclaimed water is not currently available in the City of Davis.

Response to Comment 40-31

As stated on page 4.8-22 of the Draft EIR,

> LID measures would be integrated throughout the project site/BRPA site to provide stormwater quality treatment. LID components refer to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. The LID measures are anticipated to include both volume-based BMPs (e.g., bioretention, infiltration features, pervious pavement, etc.) and flow-based BMPs (e.g., vegetated swales, stormwater planter, etc.). The use of the features would be dependent upon location and setting within the project. The BMPs would be designed in accordance with the stormwater quality control standards established by Davis Municipal Code Article 30.03 and the CASQA – California Stormwater BMP Handbook.

The list of LID measures is conceptual at this time due to the programmatic entitlements being sought by the project applicant. Other LID measures mentioned by the commenter can be considered during future design so long as they comply with the CASQA BMP Handbook.

Response to Comment 40-32

While vegetation can theoretically attenuate traffic noise, a width of approximately 100 feet of dense and tall year-round vegetation is required to achieve a notable (-5 dB) reduction in noise levels. Therefore, a single or double row of trees or shrubs is considered to be an ineffective barrier for noise. Furthermore, the Draft EIR concluded that impacts related to traffic noise would be less than significant, and mitigation was not required.

Response to Comment 40-33

Please see Master Response 1.

Response to Comment 40-34

Please see Master Response 1.

Response to Comment 40-35

Please see Master Responses 1 and 2.

Response to Comment 40-36

Please see Master Response 2 and Response to Comment 40-4.

Response to Comment 40-37
Please see Master Response 4.

Response to Comment 40-38
Please see Response to Comment 40-28.

Response to Comment 40-39
Please see Master Response 1 and Responses to Comments 40-30 and 40-31.

Response to Comment 40-40
Please see Master Response 1. A detailed discussion regarding air quality and GHGs and applicable mitigation measures can be found in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR.

Response to Comment 40-41
Please see Master Response 5 and Response to Comment 75-9.

Response to Comment 40-42
Please see Responses to Comments 40-18, 40-19 and 181-6.

Response to Comment 40-43
Please see Master Response 1.

Response to Comment 40-44
Please see Master Responses 1 and 7.

Response to Comment 40-45
Please see Master Response 1. Impacts related to cultural resources were discussed in Chapter 4.5, Cultural and Tribal Cultural Resources, of the Draft EIR. As stated on page 4.5-20:

> Furthermore, the monument is located in a portion of the project site/BRPA site planned for Heritage Oak Park, and would not be disturbed by residential or other development included as part of the Proposed Project or the BRPA. Additionally, because neither development scenario would include construction near the concrete monument, physical changes to the monument or the ground beneath the monument would not occur. Finally, according to the Cultural Resources Study, previous cultural resource studies that included the project site/BRPA site did not identify human remains within the site or its vicinity.

Response to Comment 40-46
As discussed in Impact 4.4-10 of the Biological Resources chapter of the Draft EIR, Swainson's hawk is a Yolo HCP/NCCP Covered Species and would be protected, should they nest on-site, through compliance with species-specific Yolo HCP/NCCP AMM 16 to address potential impacts to the species.

With respect to the giant garter snake, as discussed on page 4.4-25 of the Draft EIR:

> **No Habitat Present.** Channel A and the uplands within the study area do not represent suitable habitat for the species. The lack of perennial or semi-perennial water needed to

support a prey base, the lack of suitable basking habitat due to the dense riparian canopy, and the highly disturbed and farmed nature of the uplands surrounding Channel A make the study area unsuitable. Additionally, the lack of adjacent wetlands or rice farming to the Channel A also contributes to the unsuitability of the study area. Please see the giant garter snake habitat assessment for additional information on this species (Attachment J of the BRA, which is included as Appendix D to this EIR).

Response to Comment 40-47
Please see Master Response 7.

Response to Comment 40-48
Please see Master Response 1. A detailed discussion of growth-inducing impacts is provided in Chapter 6, Statutorily Required Sections, of the Draft EIR.

Response to Comment 40-49
Please see Master Response 1. A detailed discussion of consistency with City of Davis General Plan policies is included in Table 4.9-2 in Chapter 4.9, Land Use and Planning, of the Draft EIR.

Response to Comment 40-50
Please see Master Response 1.

Response to Comment 40-51
Please see Master Response 3.

Response to Comment 40-52
Please see Master Response 1.

Response to Comment 40-53
Please see Master Response 1.

Response to Comment 40-54
Please see Master Response 1. The Proposed Project/BRPA would be subject to Mitigation Measure 4.10-1, which requires construction activities to only take place between the hours of 7:00 AM and 7:00 PM, Monday through Friday, and 8:00 AM and 8:00 PM, on Saturday, pursuant to the City's Noise Ordinance.

Response to Comment 40-55
Please see Master Response 1. As discussed under Impact 4.10-2 in Chapter 4.10, Noise, of the Draft EIR, Pole Line Road is subject to existing noise levels in excess of 60 dBA L_{dn}, and the Proposed Project/BRPA would not result in increases in traffic noise levels above the applicable Federal Interagency Committee on Noise (FICON) increase significance criteria.

Response to Comment 40-56
Please see Response to Comment 40-9.

Response to Comment 40-57
Please see Master Response 5.

Response to Comment 40-58

Please see Master Response 1. Impacts related to scenic vistas were discussed under 4.1-1 in Chapter 4.1, Aesthetics, of the Draft EIR, and were determined therein to be significant and unavoidable, with feasible mitigation unavailable.

Letter 41

Dara Dungworth

From: City of Davis eNotification <webmaster@cityofdavis.org>
Sent: Wednesday, February 19, 2025 6:59 PM
To: Dara Dungworth
Subject: village farms (what a joke)

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Message submitted from the <City of Davis, CA> website.

Site Visitor Name: blake mcdonald
Site Visitor Email: judymcd1983@gmail.com

41-1 You're f234king kidding! 1800 units, the people of Davis do NOT want this, how many times does this crap need to be defeated. Years ago Measure X on this site was defeated, and recently DISC twice. The ugly ass Cannery, why was that ever built? They advertised in SF to sell units, they, until a few years ago, had a sign on the freeway "Hurry you can still own a piece of the Cannery" Who the hell are you building these UNITS for? Last week Davis had 57 houses for sale, one was for $500,000. There is other housing already approved. This has so many problems, it is beyond stupid. Why not 18,0000000!

LETTER 41: BLAKE MCDONALD

Response to Comment 41-1

Please see Master Response 1.

Letter 42

Dara Dungworth

From: Brenda Padilla <brenpadilla.bp@gmail.com>
Sent: Wednesday, February 12, 2025 6:54 PM
To: Planning Commission
Cc: Mike PAdilla
Subject: Village "Flawed" Farms

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

42-1 We, as long time residents of Davis - Wildhorse - are opposed to this project and have grave concerns about the proposal.

42-2 The 1800 units on 497 acres project is excessive, unnecessary, too big and has far to many impacts and costs, and is bad planning. The thought of building housing in that area and to the east of it is a bad planning.

Davis does not need this.

What we first needed is improved and enhanced infrastructure and possibly retail - so we're not all running to Woodland for our needs!

42-3 The impact studies indicate this project also has a "significant" risk to large increases in storm drain levels that would occur within the drainage features along Covell drain in the Wildhorse golfcourse - along with many other negative environmental impacts.

It would be egregious to proceed with this horrific and horrendous project.

42-4 This project needs to be rejected due to all the impacts and costs it would bring.

Brenda Padilla

LETTER 42: BRENDA PADILLA

Response to Comment 42-1
Please see Master Response 1.

Response to Comment 42-2
Please see Master Response 1.

Response to Comment 42-3
Please see Master Responses 1 and 4.

Response to Comment 42-4
Please see Master Response 1.

Letter 43

Dara Dungworth

From: burchb <burchb@protonmail.com>
Sent: Wednesday, February 12, 2025 6:41 PM
To: Dara Dungworth
Subject: village farms draft environmental report

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hello Ms. Dungworth,

43-1 After reading more about the Village Farms DEIR, I am opposed to this project and its current DEIR.

Burch Bryant
2013 Hopper Place
Davis

Sent with Proton Mail secure email.

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LETTER 43: BURCH BRYANT

Response to Comment 43-1

Please see Master Response 1.

Letter 44

Village Farms: Proposed Housing north of Davis

February 2025

44-1 I have two main concerns regarding the proposed development. First, where is the water coming from for the new homes and landscaping? Secondly, how is the increased traffic from this development going to be managed? I, along with thousands of others in Davis have removed their lawns, in an effort to transition to much lower water usage. It became evident two years ago that with increasing global temperatures, future water delivery will be reduced. We as a city came very close to mandatory rationing during 2022. Eighteen hundred more homes from Village Farms, and surrounding landscaping means much more year-round water demand. Is this how the city manages water usage, asking its citizens to switch to xeroscape landscaping, then turning around and adding many, many more permanent users of a limited resource?

44-2 We all know about traffic congestion along the Hwy I-80 corridor. Most likely a large share of the new homeowners will be traveling to Sacramento or East Bay for work. Or just locally. We already have serious congestion at Pole Line and Covell Blvd., and with regional growth, the upgraded I-80 corridor will rapidly reach carrying capacity. I haven't seen any new mitigation measures proposed to move traffic away from central Davis. During commuting times, the city's major roads, i.e. Eight St. and Covell Blvd, are almost gridlocked. Without expanding our current road system, the city is heading towards complete lockdown during these hours.

44-3 One argument I have read that favors additional new homes, is that it would increase the number of students attending Davis K-12 schools. Student enrollment has been dropping the last few years and directly affects funding for the same schools. This is reminiscent of an old argument that more development is critical because it brings in more tax revenue needed by the city. Both are just vicious cycles of argument. More houses/students means more expenditures needed from the city both for education and accommodating infrastructure. Taking into consideration that state and national birth rates are in decline, this argument makes no sense (the same can be said for most developed countries). It's just a temporary patch to a much broader issue. It's time we learn to live within the budgets we have, since student enrollment will only continue to decline through time.

Letter 44 Cont.

44-4

Rather than create more congestion, pollution, and water demands for Davis, why not just transform this area into a natural preserve, something just about everyone in Davis and beyond would favor. We just need generous donors.

Davis Resident, C. H. Pickett

Charlespickett1952@gmail.com

LETTER 44: C.H. PICKETT

Response to Comment 44-1
Please see Master Response 1. Impacts related to water supply are discussed in detail in Chapter 4.14, Utilities and Service Systems, of the Draft EIR.

Response to Comment 44-2
Please see Master Responses 1 and 5.

Response to Comment 44-3
Please see Master Response 1.

Response to Comment 44-4
Please see Master Response 1.

Letter 45

Dara Dungworth

From: Callie Garritson <calliegarritson@yahoo.com>
Sent: Tuesday, February 25, 2025 3:52 PM
To: City Council Members; Planning Commission; Dara Dungworth
Cc: Nile Garritson Old
Subject: Village Farms DEIR Feedback

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**
(Apologies for the second send. I was alerted to additional recipients that should be on the email.)

Hi Ms. Dungworth and Planning Commissioners-

I have reviewed the Village Farms DEIR and am providing my feedback below. This proposed development includes 1,800 units, which at the assumed rate of 2.67 people per dwelling, will bring 4,800 additional people to Pole Line and Covell.

Overall Comments

45-1 It is unacceptable that there was no alternate less dense or smaller footprint option analyzed. This neighborhood as designed will be devastating for Cannery Residents. There was no outreach to the Cannery and in fact the developer went out of their way to avoid us and exclude us from any outreach efforts. I wonder why? DJUSD board members and others have stated they are depending on this neighborhood to save our schools. However, this neighborhood is full of small dense units which are not family friendly. Not many people will move to Yolo County from elsewhere to live in a condo or an 800 sq ft bungalow. Planning folks should be asking if there are enough SFH for families and not just units, units, units. Smaller houses are appealing for investors, so why are we building a huge neighborhood for investors? Why are we designing a neighborhood that will be 35-50% UCD students all the way across down.

VMT

45-2 The conclusion that making the neighborhood denser reduces VMT is flawed, and I assume is one of the signals that led to one of the Planning Commissioners to state that some aspects of the CEQA/DEIR process has been corrupted. Ask any faculty member of the UC Davis Transportation department about this assumption (which we did) and they will tell you VMT will only going down as density rises if there is a whole transportation infrastructure around the development like subways, increased bus routes, etc. There is no plan for any of these.

45-3 Traffic

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Letter 45 Cont.

45-3 Cont.

I am very concerned about traffic on Pole Line and Covell. These areas are already impacted by traffic during commute hours. I did not see any details in the plan to address the additional road traffic. Even more devastating is the connection between Village Farms and The Cannery. The road will cut through the Cannery Farm and through a bike/walk path that many children ride/use to get to Holmes middle school and North Davis Elementary School. Since the densest part of the development is close to the Cannery Roundabout, no doubt hundreds of cars a day will cut through the Cannery to avoid the terrible traffic at Pole Line and Covell, when heading to points west or UC Davis. Why should the Cannery have to absorb the noise, pollution and congestion associated with this neighborhood?

Also with the neighborhood designed the way it is now it will be filled with UCD students and traffic will be impacted all the way down Covell to Anderson.

Flooding

45-4

Two years ago, when we had a lot of rain, the drainage basin to the north of the cannery filled up to the top. When we pave over 200 acres of floodplain, I am not convinced this project has planned adequately for scenarios that used to be referred to as 100-year events but are occurring much more often. Who will be liable when the Cannery floods?

Soil Toxics

45-5

There are known toxins PFAS/forever chemicals in the soil not just near the old landfill but throughout the project. How is it a good idea to dig this up and have the wind blow this contaminated dirt on neighborhoods, soccer fields, preschools, etc. Also, Montessori Country Day Preschool is steps away from the project and was not considered in the Draft EIR. The toxic dirt will blow directly on dozens of 2-5 years olds daily, for the years it takes to build this project. Not to mention the health risks and legal exposure when you build houses on toxic soil and ground water. There is also a preschool inside the Cannery.

Costs

45-6

The city will have the burden of funding multiple expensive overdressing/undercrossing projects that haven't been scoped. The neighborhood should be better designed to account for these obstacles instead of just leaving it like a big question mark. The fire station is unnecessary if not for this crazy dense neighborhood.

Conclusion

45-7

I urge you to please represent your current constituency and city residents rather than putting developer and future potential residents' need ahead of ours. We are significant contributors to our community. We are AYSO coaches, Little League coaches, PTA members, parents of special

Letter 45 Cont.

45-7 Cont.

needs kids, doctors, teachers, state workers, nurses, retirees, grandparents and more. We are not disposable.

I don't speak for all the residents of the Cannery, but many of us are fine with a neighborhood going in next to us. But it should be nice, appropriately sized and work in a congruent way with the existing Cannery neighborhood.

Thank you,
Callie

LETTER 45: CALLIE GARRITSON

Response to Comment 45-1
Please see Master Responses 1 and 2.

Response to Comment 45-2
Please see Master Response 5 and Response to Comment 23-2.

Response to Comment 45-3
Please see Master Response 5.

Response to Comment 45-4
Please see Master Response 4.

Response to Comment 45-5
Please see Master Response 3.

Response to Comment 45-6
Please see Master Response 1.

Response to Comment 45-7
Please see Master Response 1.

Letter 46

February 22, 2025

Concerns/Problems with Village Farms Project

I am the owner of an apartment in the Buena Vista community off Pole Line and Donner Avenue. I attended the city meeting on 2/12/2025 and have read the EIR and documents available on the City of Davis website. I understand that Davis needs more affordable housing for employees that work within Davis. However, the Village Farms Project for 1,800 or even 2,700 units is far too dense. If consideration could be given to building a smaller number of units without affecting the flood plain and the soil from the Davis landfill, it may be a good compromise. However, I feel that another location should be selected for development for the following concerns/problems.

46-1

1. Moving 1 million cubic feet of dirt that is contaminated from the Davis landfill. It was an unlined land fill from 1950 to 1970's. Toxins could leach into the ground water. PFAS are forever chemicals that are carcinogenic. This landfill did not provide the 1000-foot zone to protect PFA's and carcinogenic materials from leaching into the soil.

46-2

2. Soil will be used to raise the ground for housing pads approximately 29 feet. This means that when there is heavy rain, there could be problems with the flood plane even though the developers plan includes Urban Ag Transition Area and Agricultural Mitigation with claims to manage flood zone by constructing detention facilities.

46-3

Based on discussions by Wildhorse residents, the city has not maintained the flood channel along the Wildhorse golf course/Covell drain. Repairs and maintenance costs have been the responsibility of residents where the city and the developer should be held accountable for lack of execution and management.

46-4

3. Traffic congestion – proposal to add lights at Picasso, Donner and Moore on Pole Line. In addition, a proposed circular street which will further slow traffic. If this goes through, these lights will have to be synchronized, or traffic will be at a standstill. This would be dangerous for cars, bike traffic and pedestrians as this is a very busy area which includes access to the Oak Tree Plaza Nugget shopping center area, Nugget fields, little league fields, dense apartment complexes, The Cannery and Wildhorse developments.

46-5

Thank you.

Caren Murray

fourmurrays@hotmail.com

LETTER 46: CAREN MURRAY

Response to Comment 46-1
Please see Master Responses 1 and 2.

Response to Comment 46-2
Please see Master Response 3.

Response to Comment 46-3
Please see Master Response 4.

Response to Comment 46-4
Please see Master Response 1.

Response to Comment 46-5
Please see Master Response 5.

Letter 47

Dara Dungworth

From: Carole Markese <carolemm@pacbell.net>
Sent: Monday, February 24, 2025 8:01 PM
To: Dara Dungworth
Subject: Village Farms: Letter of Concerns

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Subject: Village Farms

47-1 1. Traffic:
Air pollution and green house gases due to automobile car and truck exhaust regarding in gridlock from backed up vehicles. This is what will occur if Village Farms project of 1,800 units is approved at Covell Blvd and Poleline.

47-2 2. The sites issue has a flood plain because of its location: next to the old city landfill and sewage treatment plant. This area has a history of leakage into the ground water of toxins and other chemical contaminants.

47-3 3. Vernal Pools: Vernal pools need more adequate protection.

47-4 4. Soil toxics are an enormous issue.

47-5 5. Habitat impacts:
Tearing down 952 trees to expand and change the route Channel A will have enormous impacts on habitat most of all endangered species.

47-6 6. Infrastructure costs:
For one example the additional fire station is not needed.

47-7 7. Unaffordable Housing:
700,000-800,000 cost for medium home and higher end homes costing more.

47-8 8. EIR: DEIK is flawed because it is lacking important information for example the undercrossing is uncertain and fails to comply with CEQA requirements. EIRs need to include alternatives and create less impacts.

A smaller footprint is in order and tossed on the table before moving forward.

Thank you for hearing my concerns.

Sincerely,
Carole Markese
36 year resident of Davis.

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LETTER 47: CAROLE MARKESE

Response to Comment 47-1
A detailed discussion regarding air quality and GHGs can be found in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, in the Draft EIR. As discussed therein, mobile emissions were accounted for within the emissions modeling conducted for the Proposed Project/BRPA. Project-specific trip generation and VMT data provided by Fehr & Peers for full buildout of the Proposed Project and full buildout of the BRPA was applied to the project modeling. In addition, please see Response to Comment 75-9.

Response to Comment 47-2
Please see Master Responses 3 and 4.

Response to Comment 47-3
Please see Master Response 7.

Response to Comment 47-4
Please see Master Response 3.

Response to Comment 47-5
Please see Master Response 7.

Response to Comment 47-6
Please see Master Response 1 and Response to Comment 75-51.

Response to Comment 47-7
Please see Master Response 1.

Response to Comment 47-8
Please see Master Responses 2 and 6.

Letter 48

Dara Dungworth

From: Carolina Roberts <carolina.a.roberts@gmail.com>
Sent: Wednesday, February 19, 2025 1:33 PM
To: Dara Dungworth
Subject: Concerns About Village Farms

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

48-1 I am writing as a concerned resident regarding the proposed Village Farms development project and its potential impact on our community. While I recognize the need for responsible development, I strongly oppose the current plan due to its significant environmental and community consequences, as well as the lack of transparency in the planning process.

Environmental Impact

48-2 One of my primary concerns is the adverse effect this project will have on The Cannery Urban Farm. The farm is an essential part of our neighborhood's identity and was a key component of the original vision for The Cannery as a sustainable, farm-to-fork community. The proposed road cutting through this space directly contradicts that vision, disrupting a vital resource that serves as a learning and gathering space for residents. Paving over this area for high-traffic access is both short-sighted and unnecessary when alternative infrastructure solutions exist.

Traffic and Safety Concerns

The projected increase in traffic through The Cannery neighborhood presents unacceptable safety risks, particularly for children, pedestrians, and cyclists. Based on the data referenced in the Draft Environmental Impact Report, traffic volumes on Cannery neighborhood streets could more than quadruple, effectively turning our residential roads into high-traffic thoroughfares. The potential for increased accidents and decreased quality of life for residents should not be overlooked.

Lack of Transparency

48-3 It is troubling that key details regarding traffic flow, environmental impact, and alternative development plans have not been adequately addressed in the public process. The community deserves full transparency from both the City and the developers, as well as a commitment to meaningful public input before any decisions are finalized. The omission of critical traffic data from public review raises concerns about whether all potential consequences have been fully considered.

For these reasons, I strongly urge the City to reconsider moving forward with the Village Farms project in its current form. I ask that you prioritize environmental preservation, resident safety, and transparency as you evaluate this proposal. I appreciate your time and consideration and look forward to hearing how the City intends to address these concerns. Carolina Roberts - 956 Stebbins Ln, Davis, CA

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LETTER 48: CAROLINA ROBERTS

Response to Comment 48-1
Please see Master Response 1.

Response to Comment 48-2
Please see Master Response 5.

Response to Comment 48-3
Please see Master Response 1. In addition, contrary to the assertion of the commenter, the Draft EIR, which is available to the public, provided detailed discussion of all environmental impacts associated with the Proposed Project/BRPA, alternative development plans, and impacts related to transportation.

Letter 49

Dara Dungworth

From: Carolyn Poutasse <cmpoutasse@gmail.com>
Sent: Wednesday, February 12, 2025 5:08 PM
To: Planning Commission; Dara Dungworth
Subject: Public Comment: Village Farms Project DEIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Good afternoon,

49-1 I'm a resident of the LBV community with a question and a comment about the PFAS results from the Village Farms Project DEIR. While I'm unable to attend the Planning Commission meeting tonight (2/12), I hope that my remarks may still be considered for the EIR process.

49-2 My question assumes that PFAS in landfill leachate could impact the Village Farms Project development area. I made this assumption because on page 9 of Section 4.8, the DEIR states that a singular direction of groundwater flow from the unlined Old Davis Landfill could not be calculated, suggesting that a groundwater plume underneath the development site is possible. Based on previous research (Titaley 2022, Kapuscinski 2024, Brusseau 2024, Schumacher 2024, and Cerlanek 2024), there's evidence that PFAS in landfill leachate and groundwater can lead to vapor intrusion, or the migration of vapor-forming chemicals from subsurface sources into an overlying building. **What containment and/or transformation measures has the developer proposed to include to mitigate future PFAS vapor intrusion at the Village Farm Project?** Please note that the PFOA half-life is more than 90 years. Based on the reported concentrations, PFAS will remain in the groundwater at levels that could negatively impact human health for over 180 years. Under these circumstances, PFAS mitigation strategies should be recommended for the project.

49-3 My comment is that as of April 2024, the US EPA regulates PFAS using a mixture hazard index of PFHxS, PFNA, HFPO-DA, and PFBS, in addition to MCLs (https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas). These calculations are not present in the DEIR, but should be included to account for PFAS synergistic health effects and to be in compliance with the current regulations. According to Appendix O, PFAS were monitored using the DoD Quality Systems Manual Table B-15, which includes PFOA, PFOS, PFHxS, PFBS, 4:2 FTS, 6:2 FTS, 8:2 FTS, NEtFOSAA, and NMeFOSAA as analytes, such that this calculation can be conducted with the data already available. **Please modify the DEIR to calculate the PFAS mixture hazard index and include associated implications/broader health impacts.**

Thank you,
—
Carolyn Poutasse, PhD
Science Supporting Society
cmpoutasse@gmail.com

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LETTER 49: CAROLYN POUTASSE

Response to Comment 49-1
Please see Master Responses 1 and 3.

Response to Comment 49-2
Please see Master Response 3.

Response to Comment 49-3
Please see Master Response 3. PFAS have been identified in groundwater above the MCLs for drinking water. Therefore, no groundwater extraction, use, or interception is proposed for domestic use. Additional quantification of PFAS health effects related to groundwater exposure is not appropriate in the absence of a groundwater exposure pathway.

Letter 50

Dara Dungworth

From: Carrie Weinrich <candyone@icloud.com>
Sent: Monday, February 24, 2025 7:01 PM
To: Dara Dungworth
Subject: Village Farms DEIR

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Ms Dungworth,

50-1 Having lived in a house that was built in a 100 yr flood plain, I have my doubts about the drainage plan for the Village Farms project. No, I am not an engineer, but, thinking that you can change how nature operates, is not something anyone can 100% guarantee. Everyone wants to hear that it will work if we put the houses up higher etc. With climate change, I don't know how you can guarantee anything. Living in a flooded area is not something anyone wants. Building anything upsets the natural balance, and sometimes, you shouldn't build there. Period.

50-2 I also take issue with where the traffic from 1,800 units is going to go on Poleline. It is already congested on a daily basis, and you will add 1,800 cars to that? Will it also be one way in, one way out? Then there are the contaminants from the old city landfill and sewage treatment plant, we seem to keep building on land that is contaminated, but saying it's ok after enough money is thrown at it. Mace ranch comes to mind. What will they do to protect the Vernal pools? These are things that need to be considered, and not glossed over because someone wants the project to be approved.

Thank you, Carrie Weinrich

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LETTER 50: CARRIE WEINRICH

Response to Comment 50-1

Please see Master Response 4.

Response to Comment 50-2

Please see Master Responses 3, 5, and 7. In addition, a detailed description of the proposed circulation system is provided on pages 3-12 and 3-34 , and within Figure 3-6 and Figure 3-17 of the Draft EIR. As shown therein, the Proposed Project and BRPA would include multiple ingress/egress points to serve the proposed development.

Letter 51

Dara Dungworth

From: Catherine Brinkley <ckbrinkley@ucdavis.edu>
Sent: Wednesday, February 12, 2025 9:23 PM
To: Dara Dungworth
Subject: comments on DEIR

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dara,

[I was not sure if we commissioners should also submit comments, but Greg has- so I will as well. Please let me know if this is not how you prefer we move forward].

51-1 The DEIR should have evaluated viable and desirable alternatives. One such alternative would include preservation of the critical habitat *as well as* reduction in VMT with increased density.

51-2 In California, an Environmental Impact Report (EIR) is required for projects that may have one or more significant environmental impacts. This project has 7 significant impacts. An EIR is an informational document that helps the public and decision-makers evaluate a project. An EIR shall describe **a range of reasonable alternatives to the project**, or to the location of the project, which would **feasibly attain *most* of the basic** objectives of the project, but would **avoid or substantially lessen *any* of the significant effects of the project**, and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6[a])

Here are the stated project goals with logical suggestions for viable alternatives:

1. Facilitate development of varied housing options, including affordable housing, and in sufficient quantities to meaningfully help to meet the City's Regional Housing Needs Allocation (RHNA) expectations for multiple income levels.
    a. This goal could be achieved to a greater degree with higher-density multifamily housing. The current proposals over-emphasize single family homes.
2. Guide urban growth in undeveloped areas closest to the central city to facilitate compact growth and to reduce potential vehicle miles traveled (VMT) and excessive sprawl.

51-3

a. The addition of transit to this plan could help fulfill this goal with bike highways or matching funds for public transit.
2. Provide educational and other public service facilities to serve the needs of any population growth resulting from facilitated development.

a. Preservation of trees and critical habitat would certainly help provide public services in flood control and educational opportunities.
2. Facilitate development that promotes non-vehicular travel and supports active modes of transportation.

a. Added bike and mixed use development at a higher density (eg.100-200 units per acre) would support non-vehicular travel

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Letter 51 Cont.

2. Plan development to reduce greenhouse gas (GHG) emissions by aligning with the City's 2040 Climate Action and Adaptation Plan.

    a. This goal could be achieved through added density. More density results in reduced VMT. Why not increase the density to 100-200. Urban planning experts since Jane Jacobs have described a "good" density per acre for an urban environment as between 100 and 200 dwelling units per acre; this density allows for a mix of uses, access to amenities, and a vibrant community feel without becoming overly crowded. Below are some examples that would fit the Davis model:

- Del Mar Station in Pasadena, California, with 347 units on 3.4 acres, achieves a density of 102 dwelling units per acre.
- Paseo Verde in North Philadelphia, with 120 units on 1.9 acres, 63.2 units per acre.
- Storrs Center in Connecticut, with 668 units on 47.7 acres, has 14 units per acre.
- Orenco Station in Hillsboro, Oregon, with 2,394 units on 150 acres, has 16 units per acre.units per acre while reducing the development footprint?

51-3 Cont.

6. Establish and preserve agricultural buffer areas where proposed development would border existing agricultural areas.

    a. The loss of prime farmland with this project does not mitigate this impact. Mitigation should and could include significant investment in permanent easements in the Davis urban growth boundary.

7. Increase City property tax revenue.

a. Again, this objective is best achieved with increased density as the current DEIR indicates. We should get more "neighborhood for our streets" with less investment in infrastructure to save even more upfront and long-term public costs. This is only achieved with higher density multi-family housing.

Below are a few notes on some of the significant impacts of the project:

- Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance … even with implementation of mitigation measures. In addition, even with implementation of mitigation, the EIR determined that the Proposed Project would result in a cumulatively considerable and significant and unavoidable impact related to involving changes in the existing environment which, due to their location or nature, could cumulatively result in loss of Farmland to non-agricultural use.
    - This impact should be mitigated by significant investment in purchasing permanent conservation easements in the city's agricultural buffer zone.

51-4

- Air Quality, GHG Emissions, and Energy. The EIR determined that the Proposed Project would result in significant and unavoidable impacts related to conflicting with or obstructing implementation of the applicable air quality plan during operation of the Proposed Project because the reactive organic gases (ROG) and respirable particulate matter (PM10) emissions would be above the applicable Yolo-Solano Air Quality Management District (YSAQMD) thresholds of significance. Additionally, the EIR determined that, even with implementation of mitigation, the amount of ROG and PM10 emissions generated by the Proposed Project would result in a cumulatively considerable and significant and unavoidable net increase of a criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard (AAQS). The EIR also determined that the Proposed Project would result in a cumulatively considerable and significant and unavoidable impact related to the generation of GHG emissions, either directly or indirectly, that may have a significant impact on the

51-5

Letter 51 Cont.

51-5 Cont.

environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs during operation.

- A viable Alternative should include advanced GHG reduction strategies such as community solar and a microgrid. As commenter Richard McCan noted- an increase in low and mid-income affordable housing would increase the number of people who can live and work in Davis–a figure he notes is currently near 30% with workers commuting into the city and living well outside.

51-6

- Biological Resources. The EIR determined that, even with implementation of Mitigation Measures 4.4-15(a) through 4.4-15(c), the Proposed Project would result in a significant and unavoidable impact related to having a substantial adverse effect on State- or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. In addition, the EIR concluded that a cumulatively considerable and significant and unavoidable impact would occur related to the cumulative loss of habitat for special-status species associated with the Proposed Project.
  - A viable Alternative could avoid or reduce these impacts with a smaller footprint that preserves the critical habitat.

51-7

- Given the site location near a former unlined landfill, I am surprised to not see significant impacts on water quality as significant amounts of soil is moved across a sensitive canal structure.
  - The DEIR notes, "The cumulative setting for impacts related to hydrology and water quality encompasses the Covell Drain watershed, which, as discussed above, spans a total of approximately 17 square miles, and includes the entirety of the project site, as well as additional land in the project vicinity."
-

51-8

- In response, the DEIR states, "Construction of the Proposed Project/BRPA would include grading, excavation, trenching for utilities, and other construction-related activities that could cause soil erosion at an accelerated rate during storm events. In addition, soil would be disturbed during construction of the proposed off-site improvements, including a new roundabout and signals along Pole Line Road, a new traffic signal at the intersection of East Covell Boulevard and L Street, and off-site water line improvements within three existing roadways in the project vicinity. This EIR also covers the potential environmental affects that could result from future construction of grade-separated pedestrian/bicycle crossings at F Street and Pole Line Road. All such activities have the potential to affect water quality and contribute to localized violations of water quality standards if impacted stormwater runoff from construction activities enters the Covell Drain in the project area, which eventually drains to the Willow Slough Bypass."

51-9

The DEIR also states, "because a final Stormwater Control Plan has not been prepared, ongoing maintenance of the proposed stormwater treatment system and incorporation of proper source-control measures cannot be ensured at this time. Thus, project operation could violate water quality standards or waste discharge requirements or otherwise degrade water quality, and a significant impact could occur."

The DEIR also states that, "As such, Cunningham Engineering designed the drainage channel and detention basin to comply with the recommended elevation to ensure that contaminated groundwater is not infiltrated into the channel and does not impact the water quality of off-site flows. The proposed channel/detention basin base elevations of 26.5 feet amsl are consistent with the existing Channel A elevation and the existing Cannery basin elevations, both of which have been reported by the City not to have standing ground water at any time during winter months.18 Therefore, substantial evidence exists to conclude that potentially contaminated groundwater from the Old Davis Landfill would not come into contact with the Proposed

Letter 51 Cont.

51-9 Cont.

Project/BRPA storm water system"- but what about the excavated and exposed soil's impacts on areas outside of the project— and therefore outside of the Environmental Impact Review

If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines Section 15126.6[d]).

51-10

- Currently, the proposed alternatives fail to robustly meet many of the stated project goals as well as adequately mitigate the significant impacts. Rather, each alternative (with the exception of "no development") in its own way doubles down on various limitations of the original proposal—presenting Davis residents with a false choice as opposed to better options.

Dr. Catherine Brinkley
Faculty director | ELFS Lab
Search the contents of California's city and county plans: https://plansearch.caes.ucdavis.edu/



LETTER 51: CATHERINE BRINKLEY

Response to Comment 51-1

Please see Master Response 2. There is no "critical habitat" on-site. When a species is proposed for listing as endangered or threatened under the Endangered Species Act (ESA), the USFWS identifies specific areas that are essential to its conservation. These are the species' critical habitat. The USFWS has not designated any critical habitat on-site. Notwithstanding, the equal-weight BRPA includes a 47.1-acre Natural Preserve Area that avoids alkali playa wetlands wherein the endangered vernal pool tadpole shrimp were found.

Response to Comment 51-2

Please see Master Response 2.

Response to Comment 51-3

Please see Master Responses 1 and 2. Regarding the comment about transit, please see Response to Comment 45-2. Regarding the comment about trees, please see Master Response 7. The reference to "added bike and mixed use development" is unclear; however, regarding bicycle infrastructure, please refer to Mitigation Measure 4.13-2, wherein several bicycle improvements are required. Regarding the comment about prime farmland, Mitigation Measure 4.2-1 requires the project to provide compensatory farmland mitigation. Regarding the comments about increasing density, Chapter 7, Alternatives Analysis, includes evaluation of a Higher Number of Units – Same Footprint Alternative.

Response to Comment 51-4

As shown on page 4.2-25 of the Draft EIR, Mitigation Measure 4.2-1 requires the project applicant to set aside in perpetuity, active agricultural acreage elsewhere in unincorporated Yolo County through the purchase of development rights and execution of an irreversible conservation or agricultural easement, consistent with Section 40A.03.025 of the Davis Municipal Code.

Response to Comment 51-5

As shown on pages 4.3-80 through 4.3-82 of the Draft EIR, Mitigation Measure 4.3-8 requires the project applicant to prepare and implement a GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. Should net operational emissions be shown to exceed the maximum emissions levels presented in the applicable table above, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled, such as the installation of on-site photovoltaic systems in excess of City's or State standards. Therefore, implementation of Mitigation Measure 4.3-8 would include GHG reduction strategies, consistent with the recommendation of the comment. However, due to uncertainties related to the potential efficacy and feasibility of the GHG reductions measures, as well as the availability of off-site carbon credit programs, the full GHG reductions associated with the Proposed Project or the BRPA cannot be guaranteed. Therefore, the Draft EIR concluded that the impact would remain significant and unavoidable.

Regarding a microgrid, please see Response to Comment 29-17.

Response to Comment 51-6
Please see Response to Comment 51-1.

Response to Comment 51-7
Please see Master Response 3.

Response to Comment 51-8
The comment includes an excerpt from page 4.8-19 of the Draft EIR under Impact 4.8-1 intended to explain how construction of the Proposed Project/BRPA could potentially impact water quality. However, the discussion within the Draft EIR continues, and ultimately concludes that compliance with the State NPDES Construction General Permit would minimize the potential degradation of stormwater quality and downstream surface water. Such compliance is required by Mitigation Measure 4.8-1 of the Draft EIR.

Response to Comment 51-9
Please see Master Response 3. It is unclear what excavated soil the commenter is referring to. In addition, the Proposed Project/BRPA would be subject to Mitigation Measure 4.8-2, which requires preparation of a final Stormwater Control Plan.

Response to Comment 51-10
Please see Master Response 2.

Letter 52

Dara Dungworth

From: Catherine Keller <catherinekeller13@gmail.com>
Sent: Monday, February 24, 2025 11:43 PM
To: Dara Dungworth
Subject: Village Farms DEIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara Dungworth, This is a letter of concern about Village Farms. This is an area that has been repeatedly rejected by Davis voters for housing. Now, the largest project thus far is being proposed. Here are my concerns:

52-1 1. Is this a situation where the will of Davis voters is being tested? Increasing the number of housing units is not showing respect for the concerns of Davis voters.

52-2 2. The proposed site is on a 200 acre flood plain. This is subjecting the proposed housing and its new residents to water problems, high insurance premiums, and currently an unsympathetic Legislature for homeowners buying in areas that are prone to the forces of nature. And with climate change, those forces are unpredictable.

52-3 3. Adjacent to this site is an old city landfill. The seepage from this landfill has allowed toxic waste into the ground water.

52-4 4. The currently plan will remove 952 trees. Trees that are additive to the surrounding air, soil, and creatures that live there. Can the Federally-protected vernal pools be left unscathed with a proposed 1800 unit housing project?

52-5 5. The proposed expansion and rerouting of Channel A could cause the contaminated groundwater to mix with the channel runoff. This flows through Wildhorse. At the last Planning Commission meeting some Wildhorse residents informed the Commission and those of us attending about the water problems homeowners already suffer with.

52-6 6. CEQA's interest do not include traffic and make assumptions about vehicle miles traveled. Without a public transit system that regularly goes anywhere other than to the University, the assumptions are just that. There was nothing in the project description that these homes are for UCD employees - so it cannot be assumed the UCD bus system is going to reduce the environmental impacts of cars headed to anywhere else.

52-7 7. The DEIR refers to questionable "feasibility" of a Pole Line Road under crossing. Without safe alternatives for pedestrians and bicyclists, car travel must be expected. And with it, increased carbon dioxide, nitrous oxide, and other greenhouse gases. Vehicles contribute to the formation of ground-level ozone, which is a common component of smog. And all these add to global warming. Davis should be looking at ways to be good stewards of our air, water, soil, and native inhabitants - both plants and creatures.

52-8 8. While CEQA demands alternatives with less impact, a major focus of the Planning Commission meeting concerned 1800 to 2700 housing units. Including an assertion that 2700 units would reduce vehicle miles traveled. That kind of assumption does not make sense to me. I do not see any commitment in the DEIR for the City and University to expand Unitrans so it becomes a robust transit system which is ready to ride when new residents arrive. Without such an alternative in place to reduce vehicle pollution, Village Farm will not attract residents who can prioritize alternative transportation. Without public transit riders, the DEIR assumption about 2700 units is without foundation.

Please reject the Village Farms proposal based on the DEIR.

Thank you.

Catherine Keller

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Letter 52 Cont.

.

- .
- **Other pollutants**

Vehicles emit nitrogen dioxide, carbon monoxide, hydrocarbons, benzene, and formaldehyde.

-

Climate change

- **Global warming**: Vehicles are a major contributor to global warming.

-

LETTER 52: CATHERINE KELLER

Response to Comment 52-1
Please see Master Response 1.

Response to Comment 52-2
Please see Master Response 4.

Response to Comment 52-3
Please see Master Response 3 and Response to Comment 34-3.

Response to Comment 52-4
Please see Master Response 7.

Response to Comment 52-5
Please see Master Response 3 and Response to Comment 34-3.

Response to Comment 52-6
Please see Master Response 5. It is for reasons set forth by the commenter that the External Walk, Bike, and Transit reductions applied in the project's trip generation estimate (Table 4.13-5) were kept considerably low.

Response to Comment 52-7
Please see Master Responses 1, 5, and 6, and Response to Comment 47-1.

Response to Comment 52-8
Please see Master Response 5 and Response to Comment 52-6.

Letter 53

Dara Dungworth

From: Catherine Portman <cportman@gmail.com>
Sent: Tuesday, February 11, 2025 1:53 PM
To: Dara Dungworth
Subject: burrowing owl sighting on the Village Farms project

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hi Dara

53 I have a reported sighting of a pair of burrowing owls during breeding season on the Village Farms project.

--

Catherine Portman
Burrowing Owl Preservation Society
burrowingowls.org
5306660882

LETTER 53: CATHERINE PORTMAN

Response to Comment 53-1

Please see Master Response 1. In addition, impacts to burrowing owl are discussed in detail under Impact 4.4-9 in Chapter 4.4, Biological Resources, of the Draft EIR. As discussed therein, suitable habitat exists on-site, and the Proposed Project and the BRPA could have a substantial adverse effect, either directly or through habitat modifications, on burrowing owl. The Proposed Project and BRPA would be subject to Mitigation Measure 4.4-9, which requires compliance with Yolo HCP/NCCP AMM18. The project applicant would be required to retain a qualified biologist to conduct planning-level surveys and identify western burrowing owl habitat within or adjacent to (i.e., within 500 feet of) a covered activity. If habitat for this species is present, additional surveys for the species by a qualified biologist are required, consistent with CDFW guidelines. If burrowing owls are identified during the planning-level survey, the project applicant would be required to minimize activities that would affect occupied habitat.

Letter 54

Dara Dungworth

From: Charles Auchterlonie <chuckauch@gmail.com>
Sent: Monday, February 17, 2025 5:19 PM
To: Dara Dungworth
Cc: Linda Deos
Subject: Village Farms upcoming Planning Commission Vote - NO

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hi Dara:

54-1 Charles Auchterlonie and Sara Yost here. We live on 811 Colby Dr in Davis. We do not support the proposed Village Farms development. We recommend the Planning Commission not approve this massive development.

54-2 Our primary concern is the 1,800 new units. The current infrastructure primarily roads are not sufficient to support a development of this size. It will lead to gridlock on Covell Blvd and Pole Line Road. We are disheartened to see yet another proposed large development in Davis with little or no consideration regarding the impact to existing residents. Infrastructure (roads and traffic impact) must be addressed prior to the approval of large developments. Otherwise Davis will become yet another city snarled in traffic, cars polluting the neighborhood air and a reduced quality of life.

54-3 We support additional housing in Davis but of a more moderate approach with appropriate infrastructure planning first.

Thank you for your consideration. Vote No on the current Village Farms development.

Charles and Sara
916-541-7486

LETTER 54: CHARLES AUCHTERLONIE AND SARA YOST

Response to Comment 54-1
Please see Master Response 1.

Response to Comment 54-2
Please see Master Responses 1 and 5.

Response to Comment 54-3
Please see Master Response 1.

Letter 55

Dara Dungworth

From: Chen Zhao <czhao0308@gmail.com>
Sent: Wednesday, February 19, 2025 5:50 PM
To: Dara Dungworth
Cc: wmlowen
Subject: Village Farms project - effect on The Cannery residents

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hello,

55-1 I am writing to express my concerns regarding the upcoming planned housing project (Village Farms) and the effects of necessary construction on the effects of existing Cannery residents.

I live in The Cannery (Gala Condos) with my 2 children (10 and 3). I have another child on the way.

55-2 The proposed construction will introduce heavy traffic into our community and poses a safety hazard to residents, including young children who ride their bikes in the Cannery Loop.

55-3 Furthermore, the original intent of The Cannery was as an urban farm and a walkable community. Paving over parts of the urban farm and introducing heavy traffic is against the spirit and nature of this community.

One of the reasons we moved here is for the urban farm and we adamantly oppose paving over the farm to accommodate this construction project.

55-4 I strongly oppose this housing project unless the above concerns have been addressed with feasible solutions for The Cannery community.

Thank you for your attention to this urgent matter.

Chen Zhao and Marcus Lowenhaupt
1661 Spring St, Unit 225, Davis, CA 95616

LETTER 55: CHEN ZHAO AND MARCUS LOWENHAUPT

Response to Comment 55-1
Please see Master Response 1.

Response to Comment 55-2
Please see Master Response 5.

Response to Comment 55-3
Please see Master Response 5.

Response to Comment 55-4
Please see Master Response 1.

Letter 56

Dara Dungworth

From: Cristopher Martinez <cris44martinez@gmail.com>
Sent: Wednesday, February 12, 2025 10:01 AM
To: Planning Commission
Subject: Public comment on Village Farms EIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Planning Commission,

As a Cannery resident, my three primary concerns with the proposed Village Farms project are below:

56-1 1. Disruption/damage to The Cannery Urban Farm. The EIR proposes paving a high-traffic road through the middle of our urban farm in order to connect the highest-density portion of the proposed development to our Cannery traffic circle. As imagined, designed, and built, The Cannery was sold to us as having an urban farm, and it is an essential portion of our community. Allowing such blatant disruption of the farm would run contrary to the concept of the The Cannery homes that our residents bought in to.

56-2 2. Traffic safety concerns related to our already unsafe narrow roads. The EIR study by GHD indicates that the relevant portion of Cannery Loop currently carries 970 average daily trips, and the study expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farm, this would create unacceptable safety hazards, especially to our vulnerable elderly and child residents.

56-3 3. Disproportionate noise impacts to The Cannery neighborhood. From a review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

56-4 For the reasons above, I urge our City leaders to rethink the proposal and to incorporate the wellbeing and safety of The Cannery community into any analysis on the topic.

Sincerely,
Cris Martinez

LETTER 56: CHRISTOPHER MARTINEZ

Response to Comment 56-1
Please see Master Response 5 and Responses to Comment 17-2 and 17-3.

Response to Comment 56-2
Please see Master Response 5 and Response to Comment 17-5.

Response to Comment 56-3
Please see Response to Comment 17-8.

Response to Comment 56-4
Please see Master Response 1.

Letter 57

Dara Dungworth

From: cborrego@sbcglobal.net
Sent: Tuesday, January 28, 2025 2:51 PM
To: Dara Dungworth
Subject: NO to Village Farms development

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara Dungworth,

57-1 I strongly oppose the proposed development called Village Farms at Covell and Pole Line Road.

57-2 - There is already WAY too much traffic on Covell and Pole Line. That enormous development on the south side of Woodland and the Cannery on Covell negatively impacts the traffic every single day. Adding more cars is not a good idea!

57-3 - Public transit in Davis is already inadequate. There seem to be no plans to support public transit – and therefore the residents of the City will be expected to subsidize this rich developer so he can have more money and not have to live with the mess he is creating. NO.

57-4 - With more traffic comes more danger to bicyclists and pedestrians, as well as drivers. The City needs to spend money to support overcrossings in places we have already built.

57-5 - Building houses in a flood plain is poor planning.

57-6 - I am given to understand that there are chemical contaminants leaking into the soil and water immediately adjacent to the proposed site, so disturbing the ground there risks the people who already live near the site as well as those who would live on top of it.

57-7 - It would require a new fire station, but what we truly need is an EMS station to meet the needs we presently have.

57-8 - Habitat loss. Those fields provide important habitat for a multitude of plant and animal species.

57-9 - The Cannery was supposed to be a beautiful, multi-use area, but it is actually an UGLY, cramped eyesore. The last thing we need is another horrendous development that makes John Whitcombe rich but makes the rest of us miserable.

57-10 Village Farms, with 1,800 units on over 400-acres, is the largest residential project ever proposed in the City of Davis. The Village Farms land site has many innate problems, plus it is located at one of the most highly impacted area of traffic in the City at Covell Blvd. and Pole Line Road.

57-11 Altogether, building on that land is a terrible idea for humans, animals, and the City.

I strongly encourage you to SAY NO.

Sincerely,
Coleen Borrego

1

LETTER 57: COLEEN BORREGO

Response to Comment 57-1
Please see Master Response 1.

Response to Comment 57-2
Please see Master Responses 1 and 5.

Response to Comment 57-3
Please see Master Responses 1 and 5, and Response to Comment 23-2.

Response to Comment 57-4
Please see Master Responses 1 and 5.

Response to Comment 57-5
Please see Master Response 4.

Response to Comment 57-6
Please see Master Response 3.

Response to Comment 57-7
Please see Response to Comment 75-51.

Response to Comment 57-8
Please see Master Response 7.

Response to Comment 57-9
Please see Master Response 1.

Response to Comment 57-10
Please see Master Response 1.

Response to Comment 57-11
Please see Master Response 1.

Letter 58

Colin Milburn and Peter Holman
1055 Pierce Lane
Davis, CA 95616

February 22, 2025

Dara Dungworth, Principal Planner
City of Davis Department of Community Development,
23 Russell Boulevard, Davis, CA 95616

Dear Dara Dungworth,

We are writing in regard to the DRAFT EIR (State Clearing House # 2022110006) for the proposed Village Farms Davis Project. We vehemently object to this development project based on its likely environmental impacts, most of which would not be sufficiently mitigated by the Biological Resources Preservation Alternative (BRPA).

58-1 As residents of Davis for more than 20 years, and based on our review of the EIR and its assessment of both the Proposed Project and the Biological Resources Preservation Alternative (BRPA), we conclude that this proposed development project would bring tremendously destructive changes to the quality of life in Davis and to the local environment. The scale of the proposed development project alone, gobbling up vast acreage of mostly undeveloped land and open-space farmland and transforming it into a sprawl of single-family homes, is staggering and distressing.

Both the Proposed Project and the BRPA would cause many of the same problems:

- **58-2** Traffic congestion, traffic noise, and traffic emissions in North Davis, especially around Covell Boulevard, are already unpleasant. This proposed project would exacerbate the traffic situation to intolerable levels. The traffic impacts of this project would not only ripple through the City of Davis but would clearly impact the traffic conditions on nearby freeways, including Interstate 80 (I-80), Interstate 5 (I-5), and State Route 113 (SR 113). The increased population represented by this project proposal would not be accommodated by job opportunities in Davis, and it is clear that many or most of the residents in this new development would be commuting by car towards Sacramento or towards Vacaville, Fairfield, and the Bay Area. This is a huge number of additional cars to be putting on the streets of Davis and the local freeways, especially during commuter hours. The air quality conditions and noise conditions would be proportionately negatively impacted, as well. **58-3** Traffic accidents and fatalities—including human as well as wildlife fatalities—would inevitably increase. (County Road 102 is already a death trap for animals, and as a two-lane road it certainly cannot safely handle the traffic expansion entailed by this project.) **58-4** The suggestion by the developers that many residents of the single-family homes in the Village Farms development would use public transportation alternatives is disingenuous and absurd, as we already see how commuter traffic currently operates in Davis and on the local highways, relative to the bus and train service options. The distance of Village Farms from the Amtrak station (coupled with the small size of

58-4 Cont.

the train station parking lot) suggests that it will be much more likely that the majority of affluent residents in this sprawling suburban development will be commuting in and out of Davis by car on a daily basis.

58-5

- Note that these traffic impacts do not yet even take into consideration the many other "In Process," "Pending Construction," and "Under Construction" development projects in Davis, both in the vicinity of the Village Farms project and elsewhere in the city. These other projects – some of which seem to have stalled out but may get completed at any time – represent sources of as-yet untested traffic impacts and other environmental impacts, whose cumulative effects on the quality of life in Davis remain unknown but would only likely worsen conditions if the Village Farms project proceeds.

58-6

- While the City of Davis has often prided itself on environmentally responsible management and sustainable growth, the suburban sprawl of this project, extending the city's boundaries into undeveloped open lands and adding thousands of homes and vehicles, would produce a massive environmental impact. The anticipated carbon emissions represented by this development are shocking. The effects on wildlife would be massive.

58-7

- In regard to aesthetic considerations, the impact of this proposed development to current residents of Davis, especially those in North Davis, would be vicious. Noise, air pollution, and other factors during the construction process would make life very unpleasant for many years, and some of these issues would continue even after the construction phase is completed. Moreover, the boundary edge between the City of Davis and the more rural lands beyond has always been a distinctive aesthetic feature of this city (though of course it has changed over the decades) and many of us chose to settle here because of that feature. To alter this feature in such a cavalier way would be cruel to current residents, and the city as a whole would suffer, without any clear compensatory factors.

58-8

The BRPA alternative does at least address an enormous concern about the project — namely, the partial preservation of an existing seasonal wetlands area and part of its surrounding space, which currently serve as vital resources for local wildlife and migratory birds protected by the Migratory Bird Treaty Act. However, this BRPA alternative is still not acceptable for addressing the scope of what would be needed to actually and effectively preserve biological resources. The area in the BPRA designated as "Natural Habitat Area" is indeed an essential area to preserve, undeveloped, in perpetuity. However, the effect of the BRPA plan would be to surround this Natural Habitat Area completely by a barrier wall of suburban housing, with the Cannery to the south, the Village Farms to the north and the east, and the existing city to the west, across the train tracks and F Street. This Natural Habitat Area would become effectively an island – or a wasteland. While such a habitat area might address habitat needs for certain bird and insect species, it would become inaccessible to the mammals, reptiles, and other species that currently access this area from the north and east. Moreover, even if the goal were merely to preserve a bird habitat, this would not be sufficient at all for the many birds of prey who currently frequent this area – including threated local and native species such as the Swainson's hawk – who depend on mammals and reptiles being able to access the area, as well. Designing this habitat

58-8 Cont.

area as an enclosed island in the middle of a cityscape, rather than the end of a wildlife corridor (as it currently is), would not make it a habitable habitat at all for many species.

58-9

Moreover, the Village Farms development would also impact the wildlife routes that currently connect the area north of the Cannery to the North Star Pond area to the west. In other words, Village Farms would make the North Star Pond area into an island, as well. While F Street has always represented a danger to wildlife crossing from the north farmlands to the North Star Pond area, it nevertheless is currently a crossing route. This would be changed dramatically by closing this area off by surrounding it with more suburban sprawl.

58-10

Finally, even though the Natural Habitat Area is designated for preservation in the BRPA, it is not clear if the actual construction phase of the Village Farms development would destructively impact the preservation goals (e.g., construction equipment and machinery accessing that part of the natural habitat), or if any of the trees in the vicinity would be preserved effectively (currently they provide the nesting areas and migration stopover areas for many bird species, as well as some arboreal mammals). The maintenance and protection plan for this habitat area is also not clear in the BPRA. As we know from many unfulfilled promises made by some development companies responsible for other projects in Davis, certain aspects of proposed plans do not always go the way they were promised to go. (For example, the Cannery Marketplace, which has passed from developer to developer and remains perpetually under construction and unlikely to ever match the initial promises made by the New Home Company when the project was originally approved. Also, consider the ways in which some proposed commercial spaces in the Cannery and other developments in the city were later turned into apartment buildings, adding many more residents to developments that were initially promised to have fewer residents.)

In other words, what would be the actual enforcement mechanism for preserving this habitat area in Village Farms as a biological resources habitat, in the future? What is the sustainability plan that would keep this area functioning as a habitat over time?

To be clear: the BRPA is infinitely preferable to the much, much worse alternatives described by the Proposed Project. But it still does not go far enough. Indeed, it represents such an insufficient alternative that one wonders if the more egregious alternatives presented in the Project Plan were not simply strategic ploys—as if the developers may have intentionally presented a development vision so horrific that even a mediocre mitigation alternative such as the BRPA would seem attractive in comparison. While the BRPA is better, it is not acceptable.

58-11

The Village Farms project should not be approved to go forward, based on its environmental impacts.

If the City of Davis believes that the city needs to grow its population and its residential capacities, this is not the way to do it.

We urge the city planners to consider, if the city really needs to grow, that we live in a rapidly changing world and that growth needs to managed differently than it was in the past. It is clear to everyone that climate change is accelerating and that even small environmental risks in California – say, a little wildfire – can quickly expand to have outsized, catastrophic effects. The

Letter 58 Cont.

58-11 Cont.

City of Davis should not be in the position of considering ridiculous proposals from greedy, backwards-looking developers who continue to propose projects in the mode of 1950s suburban sprawl and car culture. Instead, if growth is necessary (but really, is it actually necessary?), then the city planners might instead consider encouraging development proposals to grow the city inwards and upwards, not outwards. Today, all rational models of sustainable urban development for the future of our world suggest that cities should be growing vertically, with denser residential areas and taller buildings, and should not be growing horizontally. New developments like Village Farms that propose expanding the existing city borders so radically should really be disqualified from the start, especially if their vision is just more of the same: more single-family homes, as far as the eye can see.

There are alternative ways of managing sustainable urban growth. This is not it. The city must reject this Village Farms proposal and voters must continue to reject proposals like it that would not enhance but only devastate the quality of life and the environmental conditions in our fair town.

Sincerely,



Colin Milburn and Peter Holman

LETTER 58: COLIN MILBURN AND PETER HOLMAN

Response to Comment 58-1
Please see Master Response 1.

Response to Comment 58-2
Please see Master Responses 1 and 5.

Response to Comment 58-3
Please see Master Responses 1 and 5. Wildlife road fatalities are typically related to common species. The comment fails to show how the project would directly impact special-status species.

Response to Comment 58-4
Please see Master Response 1. It is for reasons set forth by the commenter that the External Walk, Bike, and Transit reductions applied in the project's trip generation estimate (Table 4.13-5) were kept considerably low.

Response to Comment 58-5
Contrary to the assertion of the commenter, the Draft EIR included a detailed discussion of cumulative transportation impacts based on the implementation of the Proposed Project and the BRPA in combination with other proposed and pending projects in the region, including Palomino Place; Shriners Property; Davis Innovation Sustainability Campus (DiSC) 2022; the Cannery Remainder Commercial Parcels; Sutter Davis Expansion (including adjacent Communicare Expansion); various Bretton Woods developments; the Promenade/Nishi; and Olive Drive Mixed Use. Cumulative transportation impacts are discussed under Impacts 4.13-7 through 4.13-11 in Chapter 4.13, Transportation, of the Draft EIR.

Response to Comment 58-6
Please see Master Response 1.

Response to Comment 58-7
Please see Master Response 1. The Draft EIR acknowledges the project's significant aesthetic impacts in Chapter 4.1.

Response to Comment 58-8
Please see Master Response 7.

Response to Comment 58-9
Please see Master Response 7.

Response to Comment 58-10
Please see Master Response 7. Furthermore, with respect to potential temporary construction impacts to the BRPA Natural Habitat Area, as shown in Figure 4.4-9 of the Draft EIR, such area would be avoided.

Response to Comment 58-11
Please see Master Response 1.

Letter 59

Dara Dungworth

From: Colin Murphy <cwmurphy78@gmail.com>
Sent: Tuesday, February 25, 2025 1:54 PM
To: Dara Dungworth; Planning Commission
Subject: Comment on Village Farms draft EIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

To the City Planners and Planning Commission for the City of Davis,

59-1 I research sustainable transportation policy at UC Davis Institute of Transportation Studies and I have been a homeowner in the Cannery since 2021, in a unit about 100 yards from the Cannery Loop traffic circle. As a long-time Davis resident and 2nd generation UCD graduate with two degrees from the school over 10 years apart, I am acutely aware of the housing shortage our city has experienced over the last several decades. While I have not had the time to extensively review the DEIR, I have attended a community listening session about it and am following the issue via local media. Clearly, there are many steps left to be taken in this process and I urge thorough and deliberate consideration of each, but based on what I have seen so far, I am cautiously supportive of the process so far. I wanted to offer two comments on major issues as the DEIR is considered by the planning commission and city council.

59-2 1) Traffic - I recognize that the addition of a significant new residential development next to the Cannery will impact traffic flows in my neighborhood. While I would obviously prefer less traffic to more, I recognize that any additional housing will bring additional traffic and the estimated impact on the Cannery, as described in the DEIR would be an acceptable annoyance for the public good. While I enjoy the benefit of having a working farm in the Cannery, I recognize the utility of having a connection from the Cannery Loop traffic circle to the new development, and am willing to accept the loss of public green space it would bring, provided it seeks to minimize impacts on the farm space to the greatest extent possible. Additionally, I think it is critical that the Village Farms development have multiple outlets to local arterial roads, like Covell and Pole Line; it's fine to have Cannery Loop be part of the road network servicing the new development, but it should not be the entirety of it. Additionally, there needs to be expanded transit service to our area of town, and would ask that funding for expanded Unitrans service to this area be included as part of the mitigation measures the Village farm developers must provide.

59-3 2) Impact on habitat and environment - I recognize that with any development of natural or agricultural land, there are some necessary tradeoffs between development and preservation of ecosystems. For the most part, CEQA specifies and adequate consideration of such impacts and while I have not reviewed this part of the document, I generally trust City of Davis staff, and associated contractors to follow the requirements it lays out. The presence of sensitive habitat, such as vernal pools, and potential soil contamination from the old landfill or industrial activities is concerning, however. I would urge the City to take a risk-averse, precautionary approach when considering the risks of disturbing threatened ecosystems or exposing residents to pollution. While there clearly is a need for more housing in Davis, the risk to both residents' health and surrounding ecosystems is quite real. I urge the Planning Commission and the City Council to consider these issues carefully and would rather see a more limited project scope that avoids environmental harm if these risks cannot be thoroughly mitigated within the project scope. "First, do no harm," should be the operational principle guiding these decisions.

Thank you for your consideration and the significant effort that has gone into this project to date.

Sincerely,

Colin W Murphy Ph.D.

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LETTER 59: COLIN MURPHY

Response to Comment 59-1
Please see Master Response 1.

Response to Comment 59-2
Please see Master Responses 1 and 5, and Response to Comment 23-2.

Response to Comment 59-3
Please see Master Response 1, 3, and 7.

Letter 60

Dara Dungworth

From: corrie schmidt <winniecs@yahoo.com>
Sent: Monday, February 17, 2025 1:22 PM
To: Dara Dungworth
Subject: Regarding village farms project

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

60-1

Dear city council member,
I have been living in Davis for 20 years now. My husband & I moved up here from Southern California so he could attend UC Davis for his masters & ultimately his PhD.
What I have grown to love over the years, is the beautiful farm lands that surround our charming community. Raising our children here has also been wonderful because the town remained relatively small. I know my kids are safe riding their bikes around & meeting friends at local parks because it's a small town.
I don't want to be reminded of Southern California when I hear about these new projects being considered that will create MORE traffic. I moved away from TRAFFIC for a reason! I also don't want to see beautiful farm land destroyed to make room for EXPENSIVE housing.
I attended one of the informational meetings at Pioneer library back in January. It's sounds like this project is a repeat of the Canary.
I urge you to vote no as I will be doing in November if & when the citizens get a chance to have the final say.
SAVE our farmland & SAVE our charming town that many of us moved here for!
Sincerely,
Corrie Acuna, a voter
Sent from my iPhone

1

LETTER 60: CORRIE ACUNA

Response to Comment 60-1

Please see Master Responses 1 and 5.

Letter 61

Dara Dungworth

From: Caroline Robertson <cerobertson0601@gmail.com>
Sent: Monday, February 24, 2025 11:33 AM
To: Dara Dungworth
Subject: A No Vote on Village Farm Development

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Mr. Dungworth,

61-1 When my husband and I purchased our home(s) in the Cannery it was with the understanding that the area where your proposed Village Farm was to be, would be a small commercial business development such as restaurant, medical/dental, athletic space. We understood that affordable housing was part of the original plans but so was the opportunity to have some retail/medical space available. Not MORE housing or concrete.

If anything needs to be built in that space it's another pool for the added housing/community to use and the original commercial space as promised.

We ask that this development NOT be built.

Kind regards and respect,
Curtis & Caroline Robertson

1

LETTER 61: CURTIS AND CAROLINE ROBERTSON

Response to Comment 61-1

Please see Master Response 1.

Letter 62

Dara Dungworth

From: Cynthia Carter Ching <ccching@ucdavis.edu>
Sent: Wednesday, February 12, 2025 3:27 PM
To: Dara Dungworth
Subject: Support for Housing

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms Dungworth & City Planning Commission,

62-1 I am a 16-year homeowner in the City of Davis, University Estates, near Willett Elementary. I'm writing to express my support for two housing projects before the City Council: Village Farms and Sweetbriar Townhomes.

62-2 The City of Davis needs to address our housing shortage in meaningful and substantial ways, with major developments having proximity to business and services. Tiny infill projects will not be sufficient for this need. Furthermore, Davis schools have been increasingly reliant on out-of-district students. Additional housing will help bolster the number of Davis families supporting our schools, through both local enrollment and new-sale property taxes.

62-3 Ironically, I received your contact information through a flyer being circulated in my neighborhood, from a resident who is very much *against* the developments named above. But I wanted you to know that our household of three voters supports a large and significant increase of housing in Davis.

Thank you for reading, and I wish you the best in helping these projects (and others) come to fruition.

62-4 Yours,
Cynthia Ching
1202 Bucknell Drive

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LETTER 62: CYNTHIA CHING

Response to Comment 62-1
Please see Master Response 1.

Response to Comment 62-2
Please see Master Response 1.

Response to Comment 62-3
Please see Master Response 1.

Response to Comment 62-4
Please see Master Response 1.

Letter 63

Dara Dungworth

From: Darlene Boyce <darleneb@dcn.davis.ca.us>
Sent: Friday, February 21, 2025 8:47 PM
To: Dara Dungworth
Subject: Village Farms

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

To whom it may concern,

63-1 Have read a bit about the proposed Village Farms project. From my point of view I cannot understand why the City of Davis would entertain a project that includes proximity to a former dump and sanitation plant. What about the health of prospective buyers? They will expect the site to be safe. Naturally. How can we sleep at night knowing there could be dire results of poor planning.

63-2 In addition, what is the city's definition of affordable housing? $800,000 and up? Not my definition.

I hope this ill defined project is rejected.

Thank you,
Darlene Boyce
833 Oak, Davis
Sent from my iPad

LETTER 63: DARLENE BOYCE

Response to Comment 63-1
Please see Master Responses 1 and 3.

Response to Comment 63-2
Please see Master Response 1.

Letter 64

Dara Dungworth

From: Darlene Boyce <darleneb@dcn.davis.ca.us>
Sent: Saturday, March 1, 2025 4:59 PM
To: Dara Dungworth
Subject: Re: Streets (VFD Comment)

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Thank you for the confirmation. Yes, I would like this comment to be included along with my earlier one. Wasn't sure I got it in in time. Hope it can apply to subsequent new build areas as well. Thank you.
Sent from my iPad

> On Feb 28, 2025, at 8:05 PM, Dara Dungworth <DDungworth@cityofdavis.org> wrote:
>
> Good evening,
>
> I am writing to confirm the Planning Commission's receipt of your message. Thank you for your thoughts.
>
> Did you intend for this message to be a comment on the Village Farms Draft EIR? If so, please reply by 5 pm on Tuesday March 4 to confirm so it can be included in the formal responses being provided in the Final EIR.
>
> Thank you,
>
> Dara
>
> DARA L. DUNGWORTH (she/her)
> Principal Planner
> OFFICE: 530-757-5610, ext. 5882
> Community Development
> ddungworth@cityofdavis.org
> 23 Russell Boulevard
>
> Davis, CA 95616
> CITYOFDAVIS.ORG
>
> -----Original Message-----
> From: Darlene Boyce <darleneb@dcn.davis.ca.us>
> Sent: Monday, February 24, 2025 1:01 PM
> To: Planning Commission <PlanningCommission@cityofdavis.org>
> Subject: Streets
>
> CAUTION: External email. Please verify sender before opening attachments or clicking on links.
>
> I hope any newly developed neighborhoods will have streets wide enough for two lanes of traffic plus parking on both sides . When I visit newer areas I find congestion and lots of it. Imagine a fire engine trying to negotiate. What are we waiting for? A tragedy?
>
> Yes, i know my idea will lower the number of homes. . But more important, the homes that are built will be safer.
>

64-1

LETTER 64: DARLENE BOYCE

Response to Comment 64-1

Please see Master Responses 1 and 5. As discussed under Impact 4.13-5 in Chapter 4.13, Transportation, of the Draft EIR, the design of the on-site roadways and intersections would be subject to City of Davis Code and Public Works Department staff review and approval. Overall, by providing multiple access and egress points, the Proposed Project/BRPA would meet City of Davis standards for providing emergency vehicle access to the site.

Letter 65

Dara Dungworth

From: Dave Kreske <dave.kreske@deacon.com>
Sent: Tuesday, February 18, 2025 9:23 AM
To: Dara Dungworth
Subject: Village Farms - Multifamily portion

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dara,

65-1 I see that Village Farms is a new potential development in north Davis. Deacon is a top Northern California multifamily General Contractor in Sacramento. Do you happen to know if the development group, which appears to be a group of local property owners, have selected a GC or Architect on this development yet. Or is it too soon? Deacon would be very interested to assist with preconstruction and construction of the multifamily product.
Also, would this project be excluded from CEQA for the Affordable housing piece as most communities have waived due to the shortage of housing?

Dave Kreske
Vice President

Deacon Construction, LLC

P: 916.969.0900
M: 916.618.3138
deacon.com

Seattle | Portland | Sacramento | Pleasanton

LETTER 65: DAVE KRESKE

Response to Comment 65-1

Please see Master Response 1.

Letter 66

Dara Dungworth

From: david0474@att.net
Sent: Sunday, February 23, 2025 10:09 AM
To: Dara Dungworth
Subject: Village Farms DEIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

66-1 By some definition the houses in the Village Farms plan may seem affordable, but they're not the kind of affordable starter homes, condos or rentals which Davis needs to bring in families.

66-2 The project is too large for its space. Extra cars will bring more pollution and safety concerns, especially since there is no outlet going north or west over the train tracks. We have already had a fatality at the corner of Pole Line and Covell with an adult bicyclist. And planning a park on that corner raises safety concerns, as well as subjecting the children playing to more pollution as cars idle at the lights. Even now at busy times, cars line up for nearly a block waiting for their turn.

66-3 Why is there no alternative plan with a smaller footprint? I was at a meeting (last summer I believe) where several people suggested such an approach.

66-4 I also heard the Sierra Club discussion, where it seemed only one person was in favor of the plan. I attended the planning commission meeting on February 12th, too. Despite the Vanguard's favorable write- up, very few people were in support. Perhaps they counted the Thompson group as supporters because they wanted some development. However, the Thompson group also criticised the plan as too big, having too few truly affordable houses and no rentals for new families.

66-5 If anyone thinks that the bus system will decrease traffic (VMT), I disagree. The bus system is designed for UCD students and as such is not very useful for residents. I have a senior pass and can ride for free, but rarely do since it doesn't go where I need to go, like the library or Mondavi.

66-6 As others have pointed out, there are way too many environmental problems here with inadequate mitigations. This is not a good fit for the betterment of Davis.

Sincerely, David Bakay

LETTER 66: DAVID BAKAY

Response to Comment 66-1
Please see Master Response 1.

Response to Comment 66-2
Please see Master Response 1.

Response to Comment 66-3
Please see Master Response 2.

Response to Comment 66-4
Please see Master Response 1.

Response to Comment 66-5
Please see Master Responses 1 and 5.

Response to Comment 66-6
Please see Master Response 1.

Letter 67

67-1 The Village Farms project is too large and has too many negative issues that cannot be ignored. It's DEIR is seriously inadequate. This project is trying to shoehorn in 1,800 housing units on land with too many problems and at an intersection which already has massive traffic impacts.

67-2 1) Removing 952 trees along the channel is unacceptable for many reasons including the enormous destruction to the habitat including some endangered species like the Swainson's Hawk.

67-3 2) It has a floodplain of over 200 acres and housing should never be built on huge floodplains like this. That is basic common sense. The State will not financially rescue city's which build on big flood plains when flooding disasters happen now.

67-4 3) The housing would be built over an area where the groundwater has PFAS "forever chemical" which have leaked from the adjacent Old City Landfill and Sewage Treatment Plant. Tring to mitigate this by using toxic soil with arsenic levels 50X – 70X of what should be in residential soil is a terrible concept and leaves the City open for liability. Also, who would want to buy a house on top of toxics.

67-5 4) Infrastructure costs would be a huge burden o the City and residents. A new fire station would cost $14 to build and many millions more to staff. Equip and operate long t4re. not needed. Since 90% of the Fire Dept. calls are medical, the logical solution is to instead have a emergency medical service which would cost far less and could be located anywhere in east Davis since it only needs a small footprint of space. Also, the developer does not want to pay for the Pole Line undercrossing if it is feasible and those costs need to be 100% on the developer for his project, and no cost to Davis residents.

67-6 5) Teachers and most other workers and young families in Davis will not be able to afford homes in Village Farms with housing prices being from $700,000 to over $1 million.

67-7 The DEIR is missing much important information like not knowing if the Pole Line Undercrossing is "feasible". Also. The DEIR is missing lesser impact alternatives that need to be analyzed like the "reduced footprint' alternative which would build only below the channel, preserve the vernal pools and build 900-1,000 housing units or less.

This Village Farms project is too big and has too many problems and costs and this proposal is unacceptable.

Sincerely,

David McGlocklin

LETTER 67: DAVID MCGLOCKLIN

Response to Comment 67-1
Please see Master Response 1.

Response to Comment 67-2
Please see Master Response 7.

Response to Comment 67-3
Please see Master Response 4.

Response to Comment 67-4
Please see Master Response 3.

Response to Comment 67-5
Please see Master Responses 1 and 6, and Response to Comment 75-51.

Response to Comment 67-6
Please see Master Response 1.

Response to Comment 67-7
Please see Master Responses 1, 2, 6, and 7.

Letter 68

Dara Dungworth

From: deborah hunter <hunter.deborah2255@yahoo.com>
Sent: Wednesday, February 5, 2025 11:12 AM
To: Dara Dungworth
Subject: village farms

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hi Dara-

68-1 This Deborah again!

Hello....I'd like to express some serious concerns about the construction project called Village Farms.

I live directly across the designated site in a senior HUD housing off J street. This proposed housing project will cause-

-Horrific traffic on East Covell which is already packed -the busiest street in Davis (I have lived here 13 years-I know) So many car accidents occur at Pole Line and Covell

-Add dirt and toxic pollutants into the air

68-2 -Create more noise to an already noisy busy area

-Take AWAY farm area--it's open land that Davis is seeing less and less of

-create more demand on water for us all

-create more demand on energy of all forms

-hurt the wild life of all kinds

68-3 We who live in this area feel it is very over populated (it's very hard to find any parking in the Nugget/CVS plaza on E. Covell) and we certainly do not need more people and cars! I find such a housing plan unconscionable.

Yes..I understand about the state housing allotment. I spoke in length to Tom.

This is not the area of Davis to sprawl.

68-4 I am not alone in my feelings. I could get a petition signed by neighbors and may need to do so to be heard.

Thank you for your consideration and time

Deborah Hunter -!221 Kennedy Pl. Davis 95616 530 601 3099

LETTER 68: DEBORAH HUNTER

Response to Comment 68-1
Please see Master Response 1.

Response to Comment 68-2
Please see Master Response 1.

Response to Comment 68-3
Please see Master Response 1.

Response to Comment 68-4
Please see Master Response 1.

Letter 69

Dara Dungworth

From: Diana L Miglioretti <dmiglioretti@ucdavis.edu>
Sent: Tuesday, February 25, 2025 8:56 AM
To: Dara Dungworth
Subject: Opposition to Proposed Village Farms Development

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

To whom it may concern:

As a homeowner in Davis and a Professor at UC Davis, I am writing to express my strong opposition to the proposed new Village Farms development. This project, which would be the largest ever built in Davis, raises several significant concerns:

69-1

1. **Traffic Impact**: The added traffic on Covell and Pole Line—already known for congestion—would place an unreasonable burden on our community. It makes no sense to worsen an existing problem.

69-2

2. **Housing Demand**: Davis does not currently need additional housing. Numerous developments have been completed in recent years, and growth continues at a steady pace.

69-3

3. **Environmental Concerns**: The plan to replace farmland with a subdivision is a shortsighted use of land. The proposed removal of trees for water channel rerouting is excessive and wasteful, depleting our natural resources. Increased vehicle emissions from traffic congestion and the destruction of wildlife habitat further compound the environmental impact.

69-4

4. **Floodplain and Toxic Site Risks**: The development site lies on a known floodplain and borders a former toxic waste site containing harmful pollutants like PCBs. Disturbing this soil could release toxins into the environment, posing health risks to the community. Additionally, the current open space serves as an essential wildlife corridor and provides an aesthetic buffer that would be lost.

69-5

Davis prides itself on environmental stewardship and sustainable growth. Approving this project would compromise these values for short-term gain. Instead, we should preserve the farmland and natural habitats that make our community unique.

Thank you for considering my concerns. I strongly urge you to reject this development proposal.

Sincerely,

Diana Miglioretti, PhD

Diana L. Miglioretti, PhD
she/her/hers

Department of Public Health Sciences
Professor and Division Chief of Biostatistics

UCD Comprehensive Cancer Center
Population Sciences and Health Disparities Program Co-Leader

University of California, Davis
One Shields Ave., Med Sci 1C, Room 116
Davis, CA 95616

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Letter 69 Cont.

530-752-7168 telephone
530-309-5530 mobile
dmiglioretti@ucdavis.edu

Appointments: Beverly Bock (babock@ucdavis.edu)

https://dianamiglioretti.ucdavis.edu/
http://www.bcsc-research.org

UCDAVIS HEALTH

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LETTER 69: DIANA MIGLIORETTI

Response to Comment 69-1
Please see Master Response 5.

Response to Comment 69-2
Please see Master Response 1.

Response to Comment 69-3
Please see Master Responses 4, 5, and 7. Impacts related to vehicle emissions are discussed in Chapter 4.3, Air Quality GHG Emissions, and Energy, of the Draft EIR.

Response to Comment 69-4
Please see Master Response 3, 4, and 7.

Response to Comment 69-5
Please see Master Response 1.

Letter 70

Dara Dungworth

From: Diane Simon <simonsez@sbcglobal.net>
Sent: Tuesday, February 11, 2025 7:39 AM
To: Dara Dungworth
Subject: Village Farms DEIR

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

To: city staff

70-1 I am very concerned about the plans for Village Farms, in particular about the plan to build housing on a flood plain that is designated a FEMA Special Flood Hazard Area. This seems like a disaster waiting to happen, especially in light of the climate crisis. In addition I oppose the plan to use soil contaminated with arsenic and lead, from land adjacent to the old city landfill and sewage treatment plant, to fill the flood plain.

70-2 Equally concerning is the plan to build housing on land adjacent to the old landfill and sewage treatment plant, where the groundwater is known to be contaminated with toxic and cancer-causing chemicals, including PFAS.

70-3 And rerouting runoff water in Channel A from farmlands could have serious environmental consequences as it potentially mixes with the contaminated groundwater and flows through Wildhorse and into the wetlands beyond. Again, this would expose the area to the possibility of severe flooding.

70-4 In addition, almost 1,000 trees would have to be removed!!

70-5 This is an ill-conceived plan, which I believe desperately needs to be modified. I propose that housing only be built below the channel. Density in that area could be increased.

Thank you for considering my input.

Diane Simon

Sent from AT&T Yahoo Mail for iPhone

LETTER 70: DIANE SIMON

Response to Comment 70-1
Please see Master Responses 3 and 4.

Response to Comment 70-2
Please see Master Response 3.

Response to Comment 70-3
Please see Master Response 4.

Response to Comment 70-4
Please see Master Response 7.

Response to Comment 70-5
Please see Master Response 1.

Letter 71

Dara Dungworth

From: Donna Lemongello <dlemongello53@gmail.com>
Sent: Tuesday, February 18, 2025 8:52 AM
To: Dara Dungworth
Subject: village farms

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

71-1 Hi,
The DEIR for this development as it stands now is grossly inadequate to address traffic and circulation issues, and also the environmental impacts, from habitat and tree loss, to the presence of toxics on site. These points have been made across the board by others already, extensively,

Donna Lemongello

LETTER 71: DONNA LEMONGELLO

Response to Comment 71-1

Please see Master Responses 1, 3, 5, and 7.

Letter 72

Dara Dungworth

From: Dylan Sommer <sommerds2001@gmail.com>
Sent: Tuesday, February 25, 2025 4:00 PM
To: Dara Dungworth
Subject: Village Farms Davis Draft DEIR Comment

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dara Dungworth,

I hope this email finds you well. I wanted to submit a brief comment regarding the draft DEIR for the Village Farms Davis project, in particular the BRPA protection of a 47.1 acre natural habitat area. I am strongly in favor of the inclusion of this natural habitat area, in the interest of preserving vernal pool habitat, which has only become more rare and therefore ecologically valuable with the unceasing development of California's central valley.

72-1

My only concern is the management of said natural habitat area - simply setting the land aside will not optimally protect the ecosystem, as unmanaged vernal pool habitat is often overrun by non-native grasses. Creating a stewarded preserve in this location, allowing for the possibility of carefully considered vegetation management, would give the land the best possible chance of remaining healthy and viable over time. Additionally, active stewardship could open the possibility of the land working as an educational resource for interested visitors. If you would like me to send you any resources regarding vegetation management in vernal pools and potential positive impacts, please don't hesitate to reach out!

Sincerely,

Dylan Sommer

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LETTER 72: DYLAN SOMMER

Response to Comment 72-1

Please see Master Responses 1 and 7.

Letter 73

Dara Dungworth

From: edleemd@yahoo.com
Sent: Wednesday, February 19, 2025 12:00 PM
To: Dara Dungworth
Subject: Village Farms Proposal

Categories: VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

73-1

I am a resident of The Cannery. I'm extremely concerned about the impact the proposed Village Farms development will have on me, my family, and the community - not just within the Cannery but also in the adjacent areas. I wholeheartedly agree with the letter sent on behalf of the Cannery residents from our HOA President.

1. Unacceptable, material, and adverse alteration to The Cannery Urban Farm
2. Unacceptable traffic safety impacts to The Cannery neighborhood.
3. Disproportionate noise impacts to The Cannery neighborhood.

Sincerely,
Ed Lee
Cannery Resident

1

LETTER 73: ED LEE

Response to Comment 73-1

Please see Master Responses 1 and 5, as well as responses to Letter 17.

Letter 74

Dara Dungworth

From: Ed Taillon <edtaillon@gmail.com>
Sent: Tuesday, February 25, 2025 4:31 PM
To: Dara Dungworth
Subject: Village Farms feedback

Categories: VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

74-1

As outlined in a response in a 3 page letter from the Board of Directors of The Cannery, I too believe there are significant flaws in the Village Farms development proposal, and for that reason oppose it in its current state.

I agree entirely with The Cannery Board of Directors and will avoid a litany of additional reasons why I find this development to be not only a bad idea for the Cannery community, but all of Davis.

Is it not reasonable to expect the city to enforce completion of existing developments to include the Cannery front along Covell. The desire of Davis will not be maintained if you think just build, build, build, without proper long term planning considerations. We do not want to become another Roseville.

Edward Taillon
cannery resident

LETTER 74: EDWARD TAILLON

Response to Comment 74-1

Please see Master Response 1.