

**Letter 196**

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Attn: Sherri Metzker, Director of Community Development  
City of Davis  
23 Russell Boulevard  
Davis, CA, 95616

25 February 2025

RE: Village Farms Project DEIR

**196-1**

I write to comment on potential impacts to biological resources from the proposed Village Farms Project, which I understand would convert 497.6 acres of open space including a wooded slough into 1,800 dwelling units along with roads, utilities, urban parks, and possibly two isolated patches of “restored habitat” referred to as a Biological Resources Preservation Alternative. In support of my comments, I reviewed the Draft Environmental Impact Report (DEIR) and the biological technical report prepared by Madrone Environmental Consulting (Madrone 2024). I am concerned that the DEIR mischaracterizes the wildlife community, inadequately analyzes potential project impacts to wildlife, and provides insufficient mitigation.

My qualifications for preparing expert comments are the following. I hold a Ph.D. degree in Ecology from University of California at Davis, where I also worked as a post-graduate researcher in the Department of Agronomy and Range Sciences. My research has been on animal density and distribution, habitat selection, wildlife interactions with the anthroposphere, and conservation of rare and endangered species. I authored many papers on these and other topics. I served as Chair of the Conservation Affairs Committee for The Wildlife Society – Western Section. I am a member of The Wildlife Society and Raptor Research Foundation, and I’ve lectured part-time at California State University, Sacramento. I was Associate Editor of wildlife biology’s premier scientific journal, *The Journal of Wildlife Management*, as well as of *Biological Conservation*, and I was on the Editorial Board of *Environmental Management*. I have performed wildlife surveys in California for thirty-seven years. My CV is attached.

**SITE VISITS**

**196-2**

I have visited the project site many times over the past 44 years, usually as a runner, but also for wildlife photography and sometimes for wildlife survey. I have observed many species of wildlife on the site, including the following special-status species: burrowing owls, Swainson’s hawks, white-tailed kites, northern harriers, prairie falcon, yellow-billed magpies, American kestrel, red-tailed hawk, re-shouldered hawk, turkey vulture, and Nuttall’s woodpecker. Swainson’s hawks nested just north of the project site, and burrowing owls nested along a fence on a berm between F Street and the City’s decommissioned landfill. In fact, burrowing owls nested along this stretch until at least 2020.



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Many surveys would be needed to accurately report the number and composition of vertebrate species on the project site. However, by use of an analytical bridge, a modeling effort applied to a large, robust data set from a research site can predict the number, but not the composition, of vertebrate wildlife species that make use of the site over the longer term, and this can be done using a survey effort and survey results from the project site. My most recent survey of the project site was a 78-minute visual-scan survey from the periphery of the project site on 22 January 2025, beginning at 15:07 hours. During that survey I detected 26 species of vertebrate wildlife.

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As part of my research, I completed a much larger survey effort across 167 km<sup>2</sup> of annual grasslands of the Altamont Pass Wind Resource Area, where from 2015 through 2019, I performed 721 1-hour visual-scan surveys, or 721 hours of surveys, at 46 stations. I used binoculars and otherwise the methods were the same as the methods I and other consulting biologists use for surveys at proposed project sites. At each of the 46 survey stations, I tallied new species detected with each sequential survey at that station, and then related the cumulative species detected to the hours (number of surveys, as each survey lasted 1 hour) used to accumulate my counts of species detected. I used combined quadratic and simplex methods of estimation in Statistica to estimate least-squares, best-fit nonlinear models of the number of cumulative species detected regressed on hours of survey (number of surveys) at the station:  $\hat{R} = \frac{1}{1/a + b \times (\text{Hours})^c}$ , where  $\hat{R}$  represented cumulative species richness detected. The coefficients of determination,  $r^2$ , of the models ranged 0.88 to 1.00, with a mean of 0.97 (95% CI: 0.96, 0.98); or in other words, the models were excellent fits to the data.

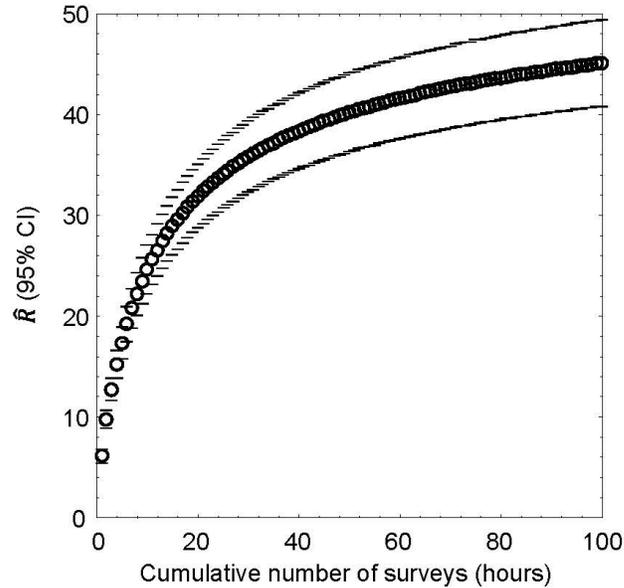
I projected the predictions of each model to thousands of hours to find predicted asymptotes of wildlife species richness. The mean model-predicted asymptote of species richness was 57 after 11,857 hours of visual-scan surveys among the 46 stations of my research site. I also averaged model predictions of species richness at each incremental increase of number of surveys, i.e., number of hours (Figure 1). On average I would have detected 7.2 species over my first 1.3 hours of diurnal surveys at my research site in the Altamont Pass (1.3 hours to match the 1.3 hours I last surveyed at the project site), which composed 12.6% of the predicted total number of species I would detect with a much larger survey effort at the research site. Given the example illustrated in Figure 1, the 26 species that I detected after my 1.3 hours of surveys at the project site likely represented 12.6% of the species to be detected after many more visual-scan surveys over another year or longer. With many more repeat surveys through the year, I would likely detect  $26 / 0.126 = 206$  species of vertebrate wildlife at the site. Assuming my ratio of special-status to non-special-status species was to hold through the detections of all 206 predicted species, then continued surveys would eventually detect 48 special-status species of vertebrate wildlife.



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**Figure 1.** Mean (95% CI) predicted wildlife species richness,  $\hat{R}$ , as a nonlinear function of hour-long survey increments across 46 visual-scan survey stations across the Altamont Pass Wind Resource Area, Alameda and Contra Costa Counties, 2015–2019. Note that the location of the study is largely irrelevant to the utility of the graph to the interpretation of survey outcomes at the project site. It is the pattern in the data that is relevant, because the pattern is typical of the pattern seen elsewhere.



Because my prediction of 206 species of vertebrate wildlife, including 48 special-status species of vertebrate wildlife, is derived from daytime visual-scan surveys, and would detect few nocturnal mammals such as bats, the true number of species composing the wildlife community of the site must be larger. Reconnaissance surveys, such as the survey I relied on above, and species-focused surveys such as performed by Madrone (2024), should serve only as a starting point toward characterization of the site’s wildlife community, but they cannot alone inform of the inventory of species that use the site, nor can they support absence determinations of species. More surveys are needed to reasonably approach an inventory of wildlife on the project site. Nevertheless, the large number of species I predict at the project site is indicative of a relatively species-rich wildlife community that warrants a serious survey effort.

**EXISTING ENVIRONMENTAL SETTING**

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The first step in analysis of potential project impacts to biological resources is to accurately characterize the existing environmental setting, including the biological species that use the site, their relative abundances, how they use the site, key ecological relationships, and known and ongoing threats to those species with special status. A reasonably accurate characterization of the environmental setting can provide the basis for determining whether the site holds habitat value to wildlife, as well as a baseline against which to analyze potential project impacts. For these reasons, characterization of the environmental setting, including the project site’s regional setting, is one of CEQA’s essential analytical steps. Methods to achieve this first step typically include (1) surveys of the site for biological resources, and (2) reviews of literature, databases and



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- 196-5 Cont. ↑ local experts for documented occurrences of special-status species. In the case of the proposed project, these required steps remain incomplete and misleading.
- Environmental Setting informed by Field Surveys**
- 196-6 To CEQA’s primary objective to disclose potential environmental impacts of a proposed project, the analysis should be informed of which biological species are known to occur at the proposed project site, which special-status species are likely to occur, as well as the limitations of the survey effort directed to the site. Analysts need this information to characterize the environmental setting as a basis for opining on, or predicting, potential project impacts to biological resources.
- 196-7 Madrone (2024) did not reportedly perform any reconnaissance wildlife surveys, but instead performed focused surveys for vernal pool brachiopods, Swainson’s hawk, and burrowing owl. By focusing on only a few species, most of the other species making use of the project site were likely missed.
- 196-8 Regarding the burrowing owl surveys, Madrone (2024:11) reports “Surveys were conducted in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012).” However, Madrone deviated from CDFW’s recommended schedule of breeding-season surveys, having completed two of the surveys prior to 15 April. More importantly, Madrone (2024) is silent on the efforts to eradicate California ground squirrels from the project site over the years preceding its surveys. California ground squirrels are important to burrowing owls as the engineers of the burrows that the owls require, and as mutualist predator alarm-callers. Many bait stations were placed amid California ground squirrel colonies, beginning just after the first development – Covell Center – was proposed there.
- 196-9 As described in Madrone (2024), the Swainson’s hawk surveys appear consistent with the CDFW guidelines. However, Madrone (2024) is silent regarding the pruning of trees on the project site during early March 2024, which is just the time when Swainson’s hawks are returning from their winter migration to Mexico. The pruning was aggressive, and included many trees and shrubs on the site. My field notes from 7 March 2024 after visiting the project site read as follows: “This place has been cleared of habitat to the highest degree the developers could manage. Even the riparian trees have been trimmed back.” In my opinion, this activity likely discouraged use of the site by Swainson’s hawks.
- 196-10 Based on its field surveys, Madrone (2024) characterized the channelized reach of Willow Slough as “Covell Drain, along with its associated non-native riparian corridor, cuts from east to west across the Study Area.” Unexplained is what is non-native about the riparian corridor. And even if it is non-native, the species composition of the riparian environment is of no less value to wildlife.
- 196-11 ↓ Madrone (2024) reports that “One of the fields south of Covell Drain contains a large alkali playa/alkali wetland complex. As a result, this field is not farmed, but vegetation is managed for fire hazard reduction.” Unreported by Madrone is that the alkali



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↑ playa/alkali wetland complex was disked in 2024, as it had been repeatedly disked in the past. An alkali playa/alkali wetland complex poses little in the way of fire hazard.

*Photo 1. Poison bait dispenser on the project site on 22 January 2025, placed next to a California ground squirrel burrow visible to the right of the dispenser. Burrowing owls nested within this ground squirrel colony as recently as 2020.*



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**Environmental Setting informed by Desktop Review**

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The purpose of literature and database review and of consulting with local experts is to inform the field survey, and to augment interpretation of its outcome. Analysts need this information to identify which species are known to have occurred at or near the project site, and to identify which other special-status species could conceivably occur at the site due to geographic range overlap and migration flight paths.

196-14

Madrone (2024) did not reportedly review eBird (<https://eBird.org>) or iNaturalist (<https://www.inaturalist.org>) for documented occurrence records at or near the project site. Instead, Madrone (2024) queried the California Natural Diversity Data Base (CNDDB) for documented occurrences of special-status species within four CNDDB quadrangles. By doing so, Madrone (2024) screened out many special-status species from further consideration in the characterization of the wildlife community as part of the existing environmental setting. CNDDB is not designed to support absence



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determinations or to screen out species from characterization of a site's wildlife community. As noted by the CNDDDB, "*The CNDDDB is a positive sighting database. It does not predict where something may be found. We map occurrences only where we have documentation that the species was found at the site. There are many areas of the state where no surveys have been conducted and therefore there is nothing on the map. That does not mean that there are no special status species present.*" Madrone (2024) misused CNDDDB.

196-15

The CNDDDB relies entirely on volunteer reporting from biologists who were allowed access to whatever properties they report from. Many properties have never been surveyed by biologists. Many properties have been surveyed, but the survey outcomes never reported to the CNDDDB. Many properties have been surveyed multiple times, but not all survey outcomes reported to the CNDDDB. Furthermore, the CNDDDB is interested only in the findings of special-status species, which means that species more recently assigned special status will have been reported many fewer times to CNDDDB than were species assigned special status since the inception of the CNDDDB. The lack of many CNDDDB records for species recently assigned special status had nothing to do with whether the species' geographic ranges overlapped the project site, but rather more to do with the brief time for records to have accumulated since the species were assigned special status. And because negative findings are not reported to the CNDDDB, the CNDDDB cannot provide the basis for estimating occurrence likelihoods, either.

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In my assessment based on database reviews and site visits, 114 special-status species of wildlife are known to occur near enough to the site to warrant analysis of occurrence potential (Table 1). Of these 114 species, 24 (21%) were recorded on the project site, and another 45 (39%) species have been documented within 1.5 miles of the site ('Very close'), another 19 (17%) within 1.5 and 4 miles ('Nearby'), and another 26 (23%) within 4 to 30 miles ('In region'). More than three-fourths (77%) of the species in Table 1 have been reportedly seen within 4 miles of the project site. The site therefore supports multiple special-status species of wildlife and carries the potential for supporting many more special-status species of wildlife based on proximity of recorded occurrences. The site is far richer in special-status species than is characterized in Madrone (2024).

Only 24 (21%) of the species in Table 1 are analyzed for occurrence potential in Madrone (2024), having omitted from its analysis 90 (79%) of the species in Table 1. Of the 24 species Madrone analyzes for occurrence potential, Madrone reports only four are present, and determines six have high potential, one has moderate potential, four have low potential, and nine have no habitat on site or are absent. Of the 13 species Madrone determines to have low to no potential for occurrence, one is known on site, the occurrence records of two are very close, and the occurrence records of two more are nearby. On the whole, Madrone's (2024) analyses of occurrence likelihoods comport poorly with occurrence records.



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**Table 2.** Occurrence likelihoods of special-status bird species at or near the proposed project site, according to eBird/iNaturalist records (<https://eBird.org>, <https://www.inaturalist.org>) and on-site survey findings, where 'Very close' indicates within 1.5 miles of the site, "nearby" indicates within 1.5 and 4 miles, and "in region" indicates within 4 and 30 miles, and 'in range' means the species' geographic range overlaps the site. Entries in bold font identify species I detected.

Common name	Species name	Status <sup>1</sup>	DEIR occurrence potentials	Database records, Site visits
Conservancy fairy shrimp	<i>Branchinecta conservatio</i>	FE	Absent	In region
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	FT	Absent	In region
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	FE	Present	In region
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	FT	High	In region
Monarch	<i>Danaus plexippus</i>	FC	High	Very close
Crotch's bumble bee	<i>Bombus crotchii</i>	CCE	Moderate	Nearby
Western bumble bee	<i>Bombus occidentalis</i>	CCE	No habitat	In range
California tiger salamander	<i>Ambystoma californiense</i>	FT, CT, WL	No habitat	In region
Western spadefoot	<i>Spea hammondi</i>	SSC	Low	In region
Northwestern pond turtle	<i>Emys marmorata</i>	SSC	Low	Very close
Giant gartersnake	<i>Thamnophis gigas</i>	FT, CT	No habitat	In region
Fulvous whistling-duck	<i>Dendrocygna bicolor</i>	SSC1		In region
Brant	<i>Branta bernicla</i>	SSC2		Very close
Cackling goose (Aleutian)	<i>Branta hutchinsii leucopareia</i>	WL		Very close
Redhead	<i>Aythya americana</i>	SSC2		Very close
Barrow's goldeneye	<i>Bucephala islandica</i>	SSC		Very close
Western grebe	<i>Aechmophorus occidentalis</i>	BCC		Very close
Clark's grebe	<i>Aechmophorus clarkii</i>	BCC		Nearby
Western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	FT, CE	No habitat	Nearby
Black swift	<i>Cypseloides niger</i>	SSC3, BCC		Very close
Vaux's swift	<i>Chaetura vauxi</i>	SSC2		On site
Costa's hummingbird	<i>Calypte costae</i>	BCC		Very close
Calliope hummingbird	<i>Selasphorus calliope</i>	BCC		Very close
Rufous hummingbird	<i>Selasphorus rufus</i>	BCC		Very close
Allen's hummingbird	<i>Selasphorus sasin</i>	BCC		Very close
Lesser sandhill crane	<i>Antigone canadensis canadensis</i>	SSC3		In region
Greater sandhill crane	<i>Antigone canadensis tabida</i>	CT, CFP		In region
American avocet	<i>Recurvirostra americana</i>	BCC		On site
Mountain plover	<i>Charadrius montanus</i>	SSC2, BCC		Nearby
Snowy plover	<i>Charadrius nivosus</i>	BCC		Nearby
Western snowy plover	<i>Charadrius nivosus nivosus</i>	FT, SSC	No habitat present	In region
Long-billed curlew	<i>Numenius americanus</i>	WL		On site
Marbled godwit	<i>Limosa fedoa</i>	BCC		Very close
Black turnstone	<i>Arenaria melanocephala</i>	BCC		Nearby
Red knot (Pacific)	<i>Calidris canutus</i>	BCC		Nearby
Pectoral sandpiper	<i>Calidris melanotos</i>	BCC		Very close

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Common name	Species name	Status <sup>1</sup>	DEIR occurrence potentials	Database records, Site visits
Short-billed dowitcher	<i>Limnodromus griseus</i>	BCC		Very close
Lesser yellowlegs	<i>Tringa flavipes</i>	BCC		Very close
Willet	<i>Tringa semipalmata</i>	BCC		Very close
Franklin's gull	<i>Leucophaeus pipixean</i>	BCC		Nearby
Western gull	<i>Larus occidentalis</i>	BCC		Nearby
California gull	<i>Larus californicus</i>	BCC, WL		<b>On site</b>
California least tern	<i>Sternula antillarum browni</i>	FE, CE, CFP		In region
Black tern	<i>Chlidonias niger</i>	SSC2, BCC		Very close
Common loon	<i>Gavia immer</i>	SSC		Nearby
Double-crested cormorant	<i>Phalacrocorax auritus</i>	WL		On site
American white pelican	<i>Pelacanus erythrorhynchos</i>	SSC1		On site
California brown pelican <sup>2</sup>	<i>Pelecanus occidentalis californicus</i>	CFP		In region
Least bittern	<i>Ixobrychus exilis</i>	SSC2		Very close
White-faced ibis	<i>Plegadis chihi</i>	WL		Very close
Turkey vulture	<i>Cathartes aura</i>	BOP		<b>On site</b>
Osprey	<i>Pandion haliaetus</i>	WL, BOP		Very close
White-tailed kite	<i>Elanus leucurus</i>	CFP, BOP	Present	<b>On site</b>
Golden eagle	<i>Aquila chrysaetos</i>	BGEPA, CFP, BOP, WL		Very close
Northern harrier	<i>Circus cyaneus</i>	BCC, SSC3, BOP	Present	<b>On site</b>
Sharp-shinned hawk	<i>Accipiter striatus</i>	WL, BOP		Very close
Cooper's hawk	<i>Accipiter cooperii</i>	WL, BOP		<b>On site</b>
Bald eagle	<i>Haliaeetus leucocephalus</i>	CE, BGEPA, BOP		On site
Red-shouldered hawk	<i>Buteo lineatus</i>	BOP		<b>On site</b>
Swainson's hawk	<i>Buteo swainsoni</i>	CT, BOP	Present	<b>On site</b>
Red-tailed hawk	<i>Buteo jamaicensis</i>	BOP		<b>On site</b>
Ferruginous hawk	<i>Buteo regalis</i>	WL, BOP		Very close
Rough-legged hawk	<i>Buteo lagopus</i>	BOP		Very close
American barn owl	<i>Tyto furcata</i>	BOP		On site
Western screech-owl	<i>Megascops kennicotti</i>	BOP		Very close
Great horned owl	<i>Bubo virginianus</i>	BOP		On site
Burrowing owl	<i>Athene cunicularia</i>	BCC, SSC2, BOP, CCE	High	<b>On site</b>
Long-eared owl	<i>Asio otus</i>	BCC, SSC3, BOP		Nearby
Short-eared owl	<i>Asia flammeus</i>	BCC, SSC3, BOP		Nearby
Northern saw-whet owl	<i>Aegolius acadicus</i>	BOP		Very close
Northern pygmy-owl	<i>Glaucidium gnoma</i>	BOP		In region
Lewis's woodpecker	<i>Melanerpes lewis</i>	BCC		Very close
Nuttall's woodpecker	<i>Picoides nuttallii</i>	BCC		<b>On site</b>
American kestrel	<i>Falco sparverius</i>	BOP		<b>On site</b>
Merlin	<i>Falco columbarius</i>	WL, BOP		On site



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Common name	Species name	Status <sup>1</sup>	DEIR occurrence potentials	Database records, Site visits
Peregrine falcon	<i>Falco peregrinus</i>	BOP		Very close
Prairie falcon	<i>Falco mexicanus</i>	WL, BOP		On site
Olive-sided flycatcher	<i>Contopus cooperi</i>	BCC, SSC2		Very close
Willow flycatcher	<i>Empidonax trailii</i>	CE		Very close
Vermilion flycatcher	<i>Pyrocephalus rubinus</i>	SSC2		Nearby
Least Bell's vireo	<i>Vireo bellii pusillus</i>	FE, CE	No habitat present	In region
Loggerhead shrike	<i>Lanius ludovicianus</i>	SSC2		On site
Yellow-billed magpie	<i>Pica nuttalli</i>	BCC		On site
Oak titmouse	<i>Baeolophus inornatus</i>	BCC		Very close
Bank swallow	<i>Riparia riparia</i>	CT	No habitat present	Very close
Purple martin	<i>Progne subis</i>	SSC2		Very close
Wrentit	<i>Chamaea fasciata</i>	BCC		Very close
California thrasher	<i>Toxostoma redivivum</i>	BCC		Very close
Cassin's finch	<i>Haemorhous cassinii</i>	BCC		Very close
Lawrence's goldfinch	<i>Spinus lawrencei</i>	BCC		Very close
Grasshopper sparrow	<i>Ammodramus savannarum</i>	SSC2		Nearby
Black-chinned sparrow	<i>Spizella atrogularis</i>	BCC		In region
Gray-headed junco	<i>Junco hyemalis caniceps</i>	WL		In region
Bell's sparrow	<i>Amphispiza b. belli</i>	WL		In region
Yellow-breasted chat	<i>Icteria virens</i>	SSC3		Very close
Yellow-headed blackbird	<i>Xanthocephalus xanthocephalus</i>	SSC3		Very close
Bullock's oriole	<i>Icterus bullockii</i>	BCC		Very close
Tricolored blackbird	<i>Agelaius tricolor</i>	CT, BCC, SSC1	Low	On site
Virginia's warbler	<i>Leiothlypis virginiae</i>	WL, BCC		In region
Yellow warbler	<i>Setophaga petechia</i>	SSC2		In region
Summer tanager	<i>Piranga rubra</i>	SSC1		Very close
Little brown bat	<i>Myotis lucifugus</i>	WBWG: M		In range
Yuma myotis	<i>Myotis yumanensis</i>	WBWG: LM		Nearby
California myotis	<i>Myotis californicus</i>	WBWG:L		In range
Canyon bat	<i>Parastrellus hesperus</i>	WBWG: M		In region
Big brown bat	<i>Episticus fuscus</i>	WBWG: L		Nearby
Silver-haired bat	<i>Lasionycteris noctivagans</i>	WBWG: M	High	Very close
Hoary bat	<i>Lasiurus cinereus</i>	WBWG: M	High	Very close
Western red bat	<i>Lasiurus blossevillii</i>	SSC, WBWG: H		Nearby
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	SSC, WBWG: H		In range
Pallid bat	<i>Antrozous pallidus</i>	SSC, WBWG: H	High	Nearby
Mexican free-tailed bat	<i>Tadarida brasiliensis</i>	WBWG: L		Very close
Western mastiff bat	<i>Eumops perotis</i>	SSC, WBWG: H		In range
American badger	<i>Taxidea taxus</i>	SSC	Low	Nearby



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<sup>1</sup> Listed as FT or FE = federal threatened or endangered, FC = federal candidate for listing, BCC = U.S. Fish and Wildlife Service Bird of Conservation Concern, CT or CE = California threatened or endangered, CCT or CCE = Candidate California threatened or endangered, CFP = California Fully Protected (California Fish and Game Code 3511), SSC = California Species of Special Concern (not threatened with extinction, but rare, very restricted in range, declining throughout range, peripheral portion of species' range, associated with habitat that is declining in extent), SSC<sub>1</sub>, SSC<sub>2</sub> and SSC<sub>3</sub> = California Bird Species of Special Concern priorities 1, 2 and 3, respectively (Shuford and Gardali 2008), WL = Taxa to Watch List (Shuford and Gardali 2008), and BOP = Birds of Prey (CFG Code 3503.5), and WBWG = Western Bat Working Group with priority rankings, of low (L), moderate (M), and high (H).

<sup>2</sup>Delisted as CFP

Of the 90 species omitted from Madrone's analysis, 19 (21%) have been recorded on the project site, 40 (44%) have been recorded within 1.5 miles of the site, 15 (17%) have been recorded between 1.5 and 4 miles of the site, and 12 (13%) have been recorded between 4 and 30 miles of the site. The omissions hide too many cases of special-status species that have been documented on the site or that have relatively high likelihoods of occurrence due to the proximity of their occurrence records. Again, the site is richer in special-status species than Madrone (2024) reports or implies. One of the reasons for this outcome is Madrone's misuse of CNDDB and failing to consult local experts and eBird and iNaturalist.

**POTENTIAL BIOLOGICAL IMPACTS**

196-17

An impacts analysis should consider whether and how a proposed project would affect members of a species, larger demographic units of the species, the whole of a species, and ecological communities. The accuracy of this analysis depends on an accurate characterization of the existing environmental setting. In the case of the proposed project, the existing environmental setting has not been accurately characterized, and several important types of potential project impacts have been inadequately analyzed. These types of impacts include habitat loss, interference with wildlife movement, bird-window collision mortality, and wildlife-automobile collision mortality.

**HABITAT LOSS**

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Habitat loss not only results in the immediate numerical decline of wildlife, but it also results in permanent loss of productive capacity. Habitat fragmentation multiplies the negative effects of habitat loss on the productive capacities of biological species (Smallwood 2015). However, Madrone (2024) and the DEIR address habitat loss only in terms of acreage. Not analyzed are the losses in numerical or productive capacities of wildlife species such as white-tailed kites, burrowing owls, Swainson's hawks and all birds as a group.

196-19

A Biological Resources Preservation Alternative is presented in the DEIR, but it introduces a number of problems with regard to habitat fragmentation and interference with wildlife movement. The North Village would fragment what would remain of the



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196-19  
Cont. ↑ open space/habitat. The North Village would isolate the Natural Habitat Area, thereby interfering with wildlife movement to and from that area. The North Village would also isolate North Davis Pond and its adjoining upland-grassland, to and from which wildlife currently move on daily and seasonal bases to the riparian environments and the alkali playa/alkali wetland complex on the project site.

196-20 Furthermore, the Alternative would eliminate a strip of riparian forest along the existing southern channel of Willow Slough. And the alternative would eliminate colonies of ground squirrels and their burrows, which until recently were used as habitat by burrowing owls. As of 10 October 2024, the burrowing owl is a candidate for listing under the California Endangered Species Act, so habitat cannot be taken without mitigation. The City and the applicant would need to consult with the California Department of Fish and Wildlife in order to seek an incidental take permit.

196-21 I do not see any plan for habitat restoration in the DEIS, nor do I see any description of what the Natural Habitat Area would look like, or which species of plants and animals would be the targets of restoration. I see no habitat restoration objectives. There is no monitoring to measure success, nor stated consequences for not achieving habitat restoration objectives. I just do not see a plan. The same goes for the Urban Ag Transition Area. I expected that the Biological Resources Preservation Alternative was going to show me a plan, but all it shows me is a project layout; this is not a plan.

196-22 There is no nexus between the habitat layout and wildlife and plant observations. The consultants went out and did some surveys. They report the species they detected, but they do not report where they detected any of the species. I do not see any evidence that the project layout is based on the distributions and abundances of wildlife. The layout should consider where burrowing owls have been residing, where Swainson's hawks are nesting and foraging, and where white-tailed kites and northern harriers are foraging. On 22 January 2025, I saw a prairie falcon hunt the project site, but only where East Village is planned. On that same site was a flock of 22 yellow-billed magpies, which are members of a US Fish and Wildlife Service Bird of Conservation Concern – a species that has declined at least 95% in Yolo County (Smallwood and Nakamoto 2009, and K.S. Smallwood unpublished data). There needs to be an explanation of why the planned open spaces would be located where they are currently mapped.

**TRAFFIC IMPACTS TO WILDLIFE**

196-23 Project-generated traffic would endanger wildlife that must, for various reasons, cross roads used by the project's traffic to get to and from the project site (Photos 2–4), including along roads far from the project footprint. Vehicle collisions have accounted for the deaths of many thousands of amphibian, reptile, mammal, bird, and arthropod fauna, and the impacts have often been found to be significant at the population level (Forman et al. 2003). Across North America traffic impacts have taken devastating tolls on wildlife (Forman et al. 2003). In Canada, 3,562 birds were estimated killed per 100 km of road per year (Bishop and Brogan 2013), and the US estimate of avian mortality on roads is 2,200 to 8,405 deaths per 100 km per year, or 89 million to 340 million total per year (Loss et al. 2014). Local impacts can be more intense than nationally.



Letter 196 Cont.

**Photo 2.** A Gambel's quail dashes across a road on 3 April 2021. Such road crossings are usually successful, but too often prove fatal to the animal. Photo by Noriko Smallwood.



**Photo 3.** Mourning dove killed by vehicle on a California road. Photo by Noriko Smallwood, 21 June 2020.



**Photo 4.** Raccoon killed on Road 31 just east of Highway 505 in Solano County. Photo taken on 10 November 2018.

196-24

The nearest study of traffic-caused wildlife mortality was performed along a 2.5-mile stretch of Vasco Road in Contra Costa County, California. Fatality searches in this study found 1,275 carcasses of 49 species of mammals, birds, amphibians and reptiles over 15 months of searches (Mendelsohn et al. 2009). This fatality number needs to be adjusted for the proportion of fatalities that were not found due to scavenger removal and searcher error. This adjustment is typically made by placing carcasses for searchers to find (or not find) during their routine periodic fatality searches. This step was not taken at Vasco Road (Mendelsohn et al. 2009), but it was taken as part of another study next to Vasco Road (Brown et al. 2016). Brown et al.'s (2016) adjustment factors for carcass persistence resembled those of Santos et al. (2011). Also applying searcher detection rates from Brown et al. (2016), the adjusted total number of fatalities was estimated at 12,187 animals killed by traffic on the road. This fatality number over 1.25 years and 2.5 miles of road translates to 3,900 wild animals per mile per year. In terms comparable to the national estimates, the estimates from the Mendelsohn et al. (2009) study would translate to 243,740 animals killed per 100 km of road per year, or 29 times that of Loss



Letter 196 Cont.

196-24 ↑  
Cont. et al.'s (2014) upper bound estimate and 68 times the Canadian estimate. An analysis is needed of whether increased traffic generated by the project site would similarly result in local impacts on wildlife.

196-25

For wildlife vulnerable to front-end collisions and crushing under tires, road mortality can be predicted from the study of Mendelsohn et al. (2009) as a basis, although it would be helpful to have the availability of more studies like that of Mendelsohn et al. (2009) at additional locations. My analysis of the Mendelsohn et al. (2009) data resulted in an estimated 3,900 animals killed per mile along a county road in Contra Costa County. Two percent of the estimated number of fatalities were birds, and the balance was composed of 34% mammals (many mice and pocket mice, but also ground squirrels, desert cottontails, striped skunks, American badgers, raccoons, and others), 52.3% amphibians (large numbers of California tiger salamanders and California red-legged frogs, but also Sierran treefrogs, western toads, arboreal salamanders, slender salamanders and others), and 11.7% reptiles (many western fence lizards, but also skinks, alligator lizards, and snakes of various species). VMT is useful for predicting wildlife mortality because I was able to quantify miles traveled along the studied reach of Vasco Road during the time period of the Mendelsohn et al. (2009), hence enabling a rate of fatalities per VMT that can be projected to other sites, assuming similar collision fatality rates.

**Predicting project-generated traffic impacts to wildlife**

196-26

The DEIR predicts 44,900,000 annually VMT. During the Mendelsohn et al. (2009) study, 19,500 cars traveled Vasco Road daily, so the vehicle miles that contributed to my estimate of non-volant fatalities was 19,500 cars and trucks × 2.5 miles × 365 days/year × 1.25 years = 22,242,187.5 vehicle miles per 9,462 wildlife fatalities, or 2,351 vehicle miles per fatality. This rate divided into the predicted annual VMT would predict 19,098 vertebrate wildlife fatalities per year due to project-generated traffic. This level of mortality would qualify as a significant impact, and based on my review of the DEIR, it would be unmitigated.

196-27

Is the above prediction credible? Over the past six months I searched for roadkill wildlife fatalities along 2.7 km of roadways adjacent to or near the project site. Over that time, I have found 227 fatalities, half of which were Sierran treefrogs, but also including California kingsnake, Pacific gophersnake, Valley gartersnake, California ground squirrel, California vole, deer mouse, eastern gray squirrel, black rat, brown rat, striped skunk, Virginia opossum, black-tailed jackrabbit, desert cottontail, white-crowned sparrow, golden-crowned sparrow, swamp sparrow, bushtit, yellow-rumped warbler and others. These fatality finds need to be adjusted for the numbers that I did not find. I have yet to estimate that number (there are methods and I have the means), but a threefold adjustment factor is plausible. With this adjustment, I so far have the basis for an estimate of 42 fatalities per km per year, which expanded to the roadways that would be traveled by traffic generated by the project would equal a very large number of fatalities.



Letter 196 Cont.

196-28

Based on my analysis, the project-generated traffic would cause substantial, significant impacts to wildlife. The DEIR does not analyze this potential impact, nor does it propose to mitigate it. Mitigation measures to improve wildlife safety along roads are available and are feasible, and they need exploration for their suitability with the proposed project. Given the predicted level of project-generated, traffic-caused mortality, and the lack of any proposed mitigation, it is my opinion that the proposed project would result in potentially significant adverse biological impacts.

**BIRD-WINDOW COLLISIONS**

196-29

The DEIR does not address bird-window collisions, even though this is one of the primary anthropogenic causes of bird mortality. The project would add 1,800 residential dwelling units to the site. An estimated two birds are killed per dwelling unit per year in the USA, so one can predict 3,600 bird fatalities per year due to collisions with windows. Measures are available to mitigate this impact, and they should be implemented if the project goes forward.

**HOUSE CAT DEPREDATION OF WILDLIFE**

196-30

Considering national trends, it is safe to assume that house cats would be introduced to the project area by residents of the proposed residential units. This is significant because house cats serve as one of the largest sources of avian mortality in North America (Dauphiné and Cooper 2009, Blancher 2013, Loss et al. 2013, Loyd et al. 2017). Loss et al. (2013) estimated 139 million cats in the USA in 2013 (range 114 to 164 million), which killed an estimated 16.95 billion vertebrate wildlife annually (range 7.6 to 26.3 billion). In 2012 there were 0.44 house cats per human, and 122 vertebrate animals were killed per cat, free-ranging members of which killed disproportionately larger numbers of vertebrate wildlife. The DEIR predicts there would be 4,626 new residents. The above rates of cat ownership applied to this number of new residents would predict 2,035 new cats, which would kill 248,270 vertebrate wildlife per year. Many of the wildlife fatalities caused by house cats would be in neighboring open spaces.

House cats also contribute to downstream loading of *Toxoplasma gondii*. According to a UC Davis wildlife health research program, "*Toxoplasma gondii* is a parasite that can infect virtually all warm-blooded animals, but the only known definitive hosts are cats – domesticated and feral house cats included. Cats catch the parasite through hunting rodents and birds and they offload it into the environment through their feces... and ...rain that falls on cement creates more runoff than rain that falls on natural earth, which contributes to increased runoff that can carry fecal pathogens to the sea" (<http://www.evotis.org/toxoplasma-gondii-sea-otters/>).

Impacts to wildlife from the introduction of house cats into the environment would be highly significant, and yet these impacts are not considered in the DEIR. An obvious mitigation measure would be to constrain house cat ownership such as requiring cats to remain indoors.



Thank you for your consideration,



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Shawn Smallwood, Ph.D.

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**Kenneth Shawn Smallwood**

**Curriculum Vitae**

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Born May 3, 1963 in  
Sacramento, California.  
Married, father of two.

**Ecologist**

**Expertise**

- Finding solutions to controversial problems related to wildlife interactions with human industry, infrastructure, and activities;
- Wildlife monitoring and field study using GPS, thermal imaging, behavior surveys;
- Using systems analysis and experimental design principles to identify meaningful ecological patterns that inform management decisions.

**Education**

Ph.D. Ecology, University of California, Davis. September 1990.  
M.S. Ecology, University of California, Davis. June 1987.  
B.S. Anthropology, University of California, Davis. June 1985.  
Corcoran High School, Corcoran, California. June 1981.

**Experience**

- 952 professional reports, including:
  - 94 peer reviewed publications
  - 24 in non-reviewed proceedings
- 832 reports, declarations, posters and book reviews
- 8 in mass media outlets
- 96 public presentations of research results

Editing for scientific journals: Guest Editor, *Wildlife Society Bulletin*, 2012-2013, of invited papers representing international views on the impacts of wind energy on wildlife and how to mitigate the impacts. Associate Editor, *Journal of Wildlife Management*, March 2004 to 30 June 2007. Editorial Board Member, *Environmental Management*, 10/1999 to 8/2004. Associate Editor, *Biological Conservation*, 9/1994 to 9/1995.

Member, Alameda County Scientific Review Committee (SRC), August 2006 to April 2011. The five-member committee investigated causes of bird and bat collisions in the Altamont Pass Wind Resource Area, and recommended mitigation and monitoring measures. The SRC reviewed the science underlying the Alameda County Avian Protection Program, and advised the County on how to reduce wildlife fatalities.



Consulting Ecologist, 2004-2007, California Energy Commission (CEC). Provided consulting services as needed to the CEC on renewable energy impacts, monitoring and research, and produced several reports. Also collaborated with Lawrence-Livermore National Lab on research to understand and reduce wind turbine impacts on wildlife.

Consulting Ecologist, 1999-2013, U.S. Navy. Performed endangered species surveys, hazardous waste site monitoring, and habitat restoration for the endangered San Joaquin kangaroo rat, California tiger salamander, California red-legged frog, California clapper rail, western burrowing owl, salt marsh harvest mouse, and other species at Naval Air Station Lemoore; Naval Weapons Station, Seal Beach, Detachment Concord; Naval Security Group Activity, Skaggs Island; National Radio Transmitter Facility, Dixon; and, Naval Outlying Landing Field Imperial Beach.

Part-time Lecturer, 1998-2005, California State University, Sacramento. Instructed Mammalogy, Behavioral Ecology, and Ornithology Lab, Contemporary Environmental Issues, Natural Resources Conservation.

Senior Ecologist, 1999-2005, BioResource Consultants. Designed and implemented research and monitoring studies related to avian fatalities at wind turbines, avian electrocutions on electric distribution poles across California, and avian fatalities at transmission lines.

Chairman, Conservation Affairs Committee, The Wildlife Society--Western Section, 1999-2001. Prepared position statements and led efforts directed toward conservation issues, including travel to Washington, D.C. to lobby Congress for more wildlife conservation funding.

Systems Ecologist, 1995-2000, Institute for Sustainable Development. Headed ISD's program on integrated resources management. Developed indicators of ecological integrity for large areas, using remotely sensed data, local community involvement and GIS.

Associate, 1997-1998, Department of Agronomy and Range Science, University of California, Davis. Worked with Shu Geng and Mingua Zhang on several studies related to wildlife interactions with agriculture and patterns of fertilizer and pesticide residues in groundwater across a large landscape.

Lead Scientist, 1996-1999, National Endangered Species Network. Informed academic scientists and environmental activists about emerging issues regarding the Endangered Species Act and other environmental laws. Testified at public hearings on endangered species issues.

Ecologist, 1997-1998, Western Foundation of Vertebrate Zoology. Conducted field research to determine the impact of past mercury mining on the status of California red-legged frogs in Santa Clara County, California.

Senior Systems Ecologist, 1994-1995, EIP Associates, Sacramento, California. Provided consulting services in environmental planning, and quantitative assessment of land units for their conservation and restoration opportunities based on ecological resource requirements of



29 special-status species. Developed ecological indicators for prioritizing areas within Yolo County to receive mitigation funds for habitat easements and restoration.

Post-Graduate Researcher, 1990-1994, Department of Agronomy and Range Science, *U.C. Davis*. Under Dr. Shu Geng's mentorship, studied landscape and management effects on temporal and spatial patterns of abundance among pocket gophers and species of Falconiformes and Carnivora in the Sacramento Valley. Managed and analyzed a data base of energy use in California agriculture. Assisted with landscape (GIS) study of groundwater contamination across Tulare County, California.

Work experience in graduate school: Co-taught Conservation Biology with Dr. Christine Schonewald, 1991 & 1993, UC Davis Graduate Group in Ecology; Reader for Dr. Richard Coss's course on Psychobiology in 1990, UC Davis Department of Psychology; Research Assistant to Dr. Walter E. Howard, 1988-1990, UC Davis Department of Wildlife and Fisheries Biology, testing durable baits for pocket gopher management in forest clearcuts; Research Assistant to Dr. Terrell P. Salmon, 1987-1988, UC Wildlife Extension, Department of Wildlife and Fisheries Biology, developing empirical models of mammal and bird invasions in North America, and a rating system for priority research and control of exotic species based on economic, environmental and human health hazards in California. Student Assistant to Dr. E. Lee Fitzhugh, 1985-1987, UC Cooperative Extension, Department of Wildlife and Fisheries Biology, developing and implementing statewide mountain lion track count for long-term monitoring.

Fulbright Research Fellow, Indonesia, 1988. Tested use of new sampling methods for numerical monitoring of Sumatran tiger and six other species of endemic felids, and evaluated methods used by other researchers.

## Projects

Repowering wind energy projects through careful siting of new wind turbines using map-based collision hazard models to minimize impacts to volant wildlife. Funded by wind companies (principally NextEra Renewable Energy, Inc.), California Energy Commission and East Bay Regional Park District, I have collaborated with a GIS analyst and managed a crew of five field biologists performing golden eagle behavior surveys and nocturnal surveys on bats and owls. The goal is to quantify flight patterns for development of predictive models to more carefully site new wind turbines in repowering projects. Focused behavior surveys began May 2012 and continue. Collision hazard models have been prepared for seven wind projects, three of which were built. Planning for additional repowering projects is underway.

Test avian safety of new mixer-ejector wind turbine (MEWT). Designed and implemented a before-after, control-impact experimental design to test the avian safety of a new, shrouded wind turbine developed by Ogin Inc. (formerly known as FloDesign Wind Turbine Corporation). Supported by a \$718,000 grant from the California Energy Commission's Public Interest Energy Research program and a 20% match share contribution from Ogin, I managed a crew of seven field biologists who performed periodic fatality searches and behavior surveys, carcass detection trials, nocturnal behavior surveys using a thermal camera, and spatial analyses with the



collaboration of a GIS analyst. Field work began 1 April 2012 and ended 30 March 2015 without Ogin installing its MEWTs, but we still achieved multiple important scientific advances.

Reduce avian mortality due to wind turbines at Altamont Pass. Studied wildlife impacts caused by 5,400 wind turbines at the world's most notorious wind resource area. Studied how impacts are perceived by monitoring and how they are affected by terrain, wind patterns, food resources, range management practices, wind turbine operations, seasonal patterns, population cycles, infrastructure management such as electric distribution, animal behavior and social interactions.

Reduce avian mortality on electric distribution poles. Directed research toward reducing bird electrocutions on electric distribution poles, 2000-2007. Oversaw 5 foudns of fatality searches at 10,000 poles from Orange County to Glenn County, California, and produced two large reports.

Cook *et al.* v. Rockwell International *et al.*, No. 90-K-181 (D. Colorado). Provided expert testimony on the role of burrowing animals in affecting the fate of buried and surface-deposited radioactive and hazardous chemical wastes at the Rocky Flats Plant, Colorado. Provided expert reports based on four site visits and an extensive document review of burrowing animals. Conducted transect surveys for evidence of burrowing animals and other wildlife on and around waste facilities. Discovered substantial intrusion of waste structures by burrowing animals. I testified in federal court in November 2005, and my clients were subsequently awarded a \$553,000,000 judgment by a jury. After appeals the award was increased to two billion dollars.

Hanford Nuclear Reservation Litigation. Provided expert testimony on the role of burrowing animals in affecting the fate of buried radioactive wastes at the Hanford Nuclear Reservation, Washington. Provided three expert reports based on three site visits and extensive document review. Predicted and verified a certain population density of pocket gophers on buried waste structures, as well as incidence of radionuclide contamination in body tissue. Conducted transect surveys for evidence of burrowing animals and other wildlife on and around waste facilities. Discovered substantial intrusion of waste structures by burrowing animals.

Expert testimony and declarations on proposed residential and commercial developments, gas-fired power plants, wind, solar and geothermal projects, water transfers and water transfer delivery systems, endangered species recovery plans, Habitat Conservation Plans and Natural Communities Conservation Programs. Testified before multiple government agencies, Tribunals, Boards of Supervisors and City Councils, and participated with press conferences and depositions. Prepared expert witness reports and court declarations, which are summarized under Reports (below).

Protocol-level surveys for special-status species. Used California Department of Fish and Wildlife and US Fish and Wildlife Service protocols to search for California red-legged frog, California tiger salamander, arroyo southwestern toad, blunt-nosed leopard lizard, western pond turtle, giant kangaroo rat, San Joaquin kangaroo rat, San Joaquin kit fox, western burrowing owl, Swainson's hawk, Valley elderberry longhorn beetle and other special-status species.



Conservation of San Joaquin kangaroo rat. Performed research to identify factors responsible for the decline of this endangered species at Lemoore Naval Air Station, 2000-2013, and implemented habitat enhancements designed to reverse the trend and expand the population.

Impact of West Nile Virus on yellow-billed magpies. Funded by Sacramento-Yolo Mosquito and Vector Control District, 2005-2008, compared survey results pre- and post-West Nile Virus epidemic for multiple bird species in the Sacramento Valley, particularly on yellow-billed magpie and American crow due to susceptibility to WNV.

Workshops on HCPs. Assisted Dr. Michael Morrison with organizing and conducting a 2-day workshop on Habitat Conservation Plans, sponsored by Southern California Edison, and another 1-day workshop sponsored by PG&E. These Workshops were attended by academics, attorneys, and consultants with HCP experience. We guest-edited a Proceedings published in Environmental Management.

Mapping of biological resources along Highways 101, 46 and 41. Used GPS and GIS to delineate vegetation complexes and locations of special-status species along 26 miles of highway in San Luis Obispo County, 14 miles of highway and roadway in Monterey County, and in a large area north of Fresno, including within reclaimed gravel mining pits.

GPS mapping and monitoring at restoration sites and at Caltrans mitigation sites. Monitored the success of elderberry shrubs at one location, the success of willows at another location, and the response of wildlife to the succession of vegetation at both sites. Also used GPS to monitor the response of fossorial animals to yellow star-thistle eradication and natural grassland restoration efforts at Bear Valley in Colusa County and at the decommissioned Mather Air Force Base in Sacramento County.

Mercury effects on Red-legged Frog. Assisted Dr. Michael Morrison and US Fish and Wildlife Service in assessing the possible impacts of historical mercury mining on the federally listed California red-legged frog in Santa Clara County. Also measured habitat variables in streams.

Opposition to proposed No Surprises rule. Wrote a white paper and summary letter explaining scientific grounds for opposing the incidental take permit (ITP) rules providing ITP applicants and holders with general assurances they will be free of compliance with the Endangered Species Act once they adhere to the terms of a “properly functioning HCP.” Submitted 188 signatures of scientists and environmental professionals concerned about No Surprises rule US Fish and Wildlife Service, National Marine Fisheries Service, all US Senators.

Natomas Basin Habitat Conservation Plan alternative. Designed narrow channel marsh to increase the likelihood of survival and recovery in the wild of giant garter snake, Swainson’s hawk and Valley Elderberry Longhorn Beetle. The design included replication and interspersions of treatments for experimental testing of critical habitat elements. I provided a report to Northern Territories, Inc.

Assessments of agricultural production system and environmental technology transfer to China. Twice visited China and interviewed scientists, industrialists, agriculturalists, and the Directors



of the Chinese Environmental Protection Agency and the Department of Agriculture to assess the need and possible pathways for environmental clean-up technologies and trade opportunities between the US and China.

Yolo County Habitat Conservation Plan. Conducted landscape ecology study of Yolo County to spatially prioritize allocation of mitigation efforts to improve ecosystem functionality within the County from the perspective of 29 special-status species of wildlife and plants. Used a hierarchically structured indicators approach to apply principles of landscape and ecosystem ecology, conservation biology, and local values in rating land units. Derived GIS maps to help guide the conservation area design, and then developed implementation strategies.

Mountain lion track count. Developed and conducted a carnivore monitoring program throughout California since 1985. Species counted include mountain lion, bobcat, black bear, coyote, red and gray fox, raccoon, striped skunk, badger, and black-tailed deer. Vegetation and land use are also monitored. Track survey transect was established on dusty, dirt roads within randomly selected quadrats.

Sumatran tiger and other felids. Upon award of Fulbright Research Fellowship, I designed and initiated track counts for seven species of wild cats in Sumatra, including Sumatran tiger, fishing cat, and golden cat. Spent four months on Sumatra and Java in 1988, and learned Bahasa Indonesia, the official Indonesian language.

Wildlife in agriculture. Beginning as post-graduate research, I studied pocket gophers and other wildlife in 40 alfalfa fields throughout the Sacramento Valley, and I surveyed for wildlife along a 200-mile road transect since 1989 with a hiatus of 1996-2004. The data are analyzed using GIS and methods from landscape ecology, and the results published and presented orally to farming groups in California and elsewhere. I also conducted the first study of wildlife in cover crops used on vineyards and orchards.

Agricultural energy use and Tulare County groundwater study. Developed and analyzed a data base of energy use in California agriculture, and collaborated on a landscape (GIS) study of groundwater contamination across Tulare County, California.

Pocket gopher damage in forest clear-cuts. Developed gopher sampling methods and tested various poison baits and baiting regimes in the largest-ever field study of pocket gopher management in forest plantations, involving 68 research plots in 55 clear-cuts among 6 National Forests in northern California.

Risk assessment of exotic species in North America. Developed empirical models of mammal and bird species invasions in North America, as well as a rating system for assigning priority research and control to exotic species in California, based on economic, environmental, and human health hazards.



**Peer Reviewed Publications**

- Smallwood, K. S. and M. L. Morrison. 2024. Burrowing owls require mutualist species and ample interior habitat space. *Diversity* 2024, 16, 590. <https://doi.org/10.3390/d16090590>
- Smallwood, K. S., and N. L. Smallwood. 2023. Measured effects of anthropogenic development on vertebrate wildlife diversity. *Diversity* 15, 1037. <https://doi.org/10.3390/d15101037>.
- Bell, D. A., S. A. Snyder, J. E. DiDonato, and K. S. Smallwood. 2023. Conspecific carcass removal from a wind project study plot by a great horned owl (*Bubo Virginianus*). *Journal of Raptor Research* 57:489-492.
- Kitano, M., K. S. Smallwood, and K. Fukaya. 2022. Bird carcass detection from integrated trials at multiple wind farms. *Journal of Wildlife Management*: In press.
- Smallwood, K. S. 2022. Utility-scale solar impacts to volant wildlife. *Journal of Wildlife Management*: e22216. <https://doi.org/10.1002/jwmg.22216>
- Smallwood, K. S., and N. L. Smallwood. 2021. Breeding density and collision mortality of loggerhead shrike (*Lanius ludovicianus*) in the Altamont Pass Wind Resource Area. *Diversity* 13, 540. <https://doi.org/10.3390/d13110540>.
- Smallwood, K. S. 2020. USA wind energy-caused bat fatalities increase with shorter fatality search intervals. *Diversity* 12(98); <https://doi.org/10.3390/d12030098>
- Smallwood, K. S., D. A. Bell, and S. Standish. 2020. Dogs detect larger wind energy impacts on bats and birds. *Journal of Wildlife Management* 84:852-864. DOI: 10.1002/jwmg.21863.
- Smallwood, K. S., and D. A. Bell. 2020. Relating bat passage rates to wind turbine fatalities. *Diversity* 12(84); doi:10.3390/d12020084.
- Smallwood, K. S., and D. A. Bell. 2020. Effects of wind turbine curtailment on bird and bat fatalities. *Journal of Wildlife Management* 84:684-696. DOI: 10.1002/jwmg.21844
- Kitano, M., M. Ino, K. S. Smallwood, and S. Shiraki. 2020. Seasonal difference in carcass persistence rates at wind farms with snow, Hokkaido, Japan. *Ornithological Science* 19: 63 – 71.
- Smallwood, K. S. and M. L. Morrison. 2018. Nest-site selection in a high-density colony of burrowing owls. *Journal of Raptor Research* 52:454-470.
- Smallwood, K. S., D. A. Bell, E. L. Walther, E. Leyvas, S. Standish, J. Mount, B. Karas. 2018. Estimating wind turbine fatalities using integrated detection trials. *Journal of Wildlife Management* 82:1169-1184.



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- Smallwood, K.S. 2001. Affidavit of K. Shawn Smallwood, Ph.D. in the matter of the U.S. Fish and Wildlife Service's rejection of Seatuck Environmental Association's proposal to operate an education center on Seatuck National Wildlife Refuge. Submitted to Seatuck Environmental Association in two parts, totaling 7 pp.
- Magney, D., and K.S. Smallwood. 2001. Maranatha High School CEQA critique. Comment letter submitted to Tamara & Efrén Compeán, 16 pp.
- Smallwood, K. S. and D. Magney. 2001. Comments on the Newhall Ranch November 2000 Administrative Draft EIR. Prepared for Ventura County Counsel regarding the Newhall Ranch Specific Plan EIR. 68 pp.
- Magney, D. and K. S. Smallwood. 2000. Newhall Ranch Notice of Preparation Submittal. Prepared for Ventura County Counsel regarding our recommended scope of work for the Newhall Ranch Specific Plan EIR. 17 pp.
- Smallwood, K. S. 2000. Comments on the Preliminary Staff Assessment of the Contra Costa Power Plant Unit 8 Project. Submitted to California Energy Commission on November 30 on behalf of Californians for Renewable Energy (CaRE). 4 pp.
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- Smallwood, K. S. 2000. Comments on the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP). Submitted to California Energy Commission on October 29 on behalf of Californians for Renewable Energy (CaRE). 9 pp.
- Smallwood, K. S. 2000. Comments on the Preliminary Staff Assessment of the Metcalf Energy Center. Submitted to California Energy Commission on behalf of Californians for Renewable Energy (CaRE). 11 pp.
- Smallwood, K. S. 2000. Preliminary report of reconnaissance surveys near the TRW plant south of Phoenix, Arizona, March 27-29. Report prepared for Hagens, Berman & Mitchell, Attorneys at Law, Phoenix, AZ. 6 pp.
- Morrison, M. L., K. S. Smallwood, and M. Robison. 2001. Draft Natural Environment Study for Highway 46 compliance with CEQA/NEPA. Report to the California Department of Transportation. 75 pp.
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- Smallwood, K.S., and R. Leidy. 1996. Wildlife and their management under the Martell SYP. Report to Georgia Pacific, Corporation, Martel, CA. 30 pp.
- EIP Associates. 1995. Yolo County Habitat Conservation Plan Biological Resources Report. Yolo County Planning and Development Department, Woodland, California.
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Fitzhugh, E.L. and K.S. Smallwood. 1987. Methods Manual – A statewide mountain lion population index technique. California Department of Fish and Game, Sacramento.

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Fitzhugh, E.L., K.S. Smallwood, and R. Gross. 1985. Mountain lion track count, Marin County, 1985. Report on file at Wildlife Extension, University of California, Davis.

**Comments on Environmental Review Documents** (Year; pages)

I was retained or commissioned to comment on environmental planning and review documents, including:

- Town & Country Village Project DEIR, El Dorado County (2024; 40);
- Maruchan Expansion Project EIR Addendum, Irvine (2024; 30);
- American River One Project CEQA Exemption, Sacramento (2024; 35);
- Spruce & Red Oak Apartments Project Notice of Exemption Supplement Information, Rancho Cucamonga (2024; 38);
- SDG Commerce 220 Distribution Center DEIR, American Canyon (2024; 39);
- Simi Pak Industrial Project IS/MND, Simi Valley (2024; 33);
- Replies to 4<sup>th</sup> & Hewitt Project DEIR, Los Angeles (2024; 5);
- Replies to Hardt and Brier Business Park IS/MND, San Bernardino (2024; 5);
- Riverview Development Project IS/MND, Santa Clarita (2024; 37);
- Replies to 1360 N. Vine Street Project DEIR, Los Angeles (2024; 5);
- 1360 N. Vine Street Project DEIR, Los Angeles (2024; 29);
- Sites Reservoir Application to California Water Board (2024; 43);
- 022-221-100 Corona Drive, Pacifica (2024; 26);
- Airport South Industrial Park and City Annexation DEIR, Sacramento (2024; 53);
- Early Times Cell Tower at 12415 Fig Road IS/MND, County of Sacramento (2024; 29);
- University Community Plan, San Diego (2024; 10);
- 2720 S Willow Industrial Project IS/MND, Rialto (2024; 31);
- Elisabeth Solar Energy Project EA, Yuma Arizona (2024; 75);
- Jove Solar Energy Project DEIS, Yuma Arizona (2024; 103);
- Tennessee Village Project IS/MND, Redlands (2024; 43);



- Whistling Ridge Energy Project Site Certification Agreement, Washington Energy Facility Site Evaluation Council (2024; 30);
- Replies to Dynamo Solar IS/MND, Napa (2024; 11);
- Dynamo Solar IS/MND, Napa (2024; 37);
- Shirk & Riggin Industrial Park DEIR, Visalia (2024; 37);
- Replies to Cal 98 Holdings IS/MND, Imperial County (2024; 10);
- Cal 98 Holdings IS/MND, Imperial County (2024; 39);
- 2<sup>nd</sup> Replies to Amazing 34 Distribution Center IS/MND, San Bernardino (2024; 28);
- Western States Solar Plan DPEIS, Washington D.C. (2024; 66);
- Patterson Business Center IS/MND, Perris (2024; 30);
- Replies to Sunset and Everett Project SCEA, Los Angeles (2024; 24);
- Sunset and Everett Project SCEA, Los Angeles (2024; 33);
- 605-613 Bridgeway, Sausalito (2024; 28);
- PBP Industrial Project IS/MND, Palmdale (2024; 35);
- Replies to Lockwood III Apartments IS/MND, Oxnard (2024; 19);
- Lockwood III Apartments IS/MND, Oxnard (2024; 42);
- 1169 8<sup>th</sup> Ave. Mixed-use Development City Posting, San Diego (2024; 16);
- 2<sup>nd</sup> Brew Enterprises Warehouse IS/MND, Perris (2024; 39);
- Replies to Hughes SMCC Industrial Project DEIR, San Marcos (2024; 5);
- Hughes SMCC Industrial Project DEIR, San Marcos (2024; 44);
- Harvill and Water Warehouse IS/MND, County of Riverside (2024; 41);
- Brew Enterprises Warehouse IS/MND, Perris (2024; 34);
- Garden Street Hotel Staff Report, Santa Barbara (2024; 31);
- River Walk Specific Plan DEIR, Riverbank (2024; 72);
- Woodlake Holdings Industrial Park DEIR (2024; 34);
- 2<sup>nd</sup> Quail Meadows Apartments CEQA Exemption, Encinitas (2024; 60);
- Replies to One Hamilton Drive Affordable Housing DEIR, Mill Valley (2024; 29);
- Glen Annie Housing Element Update, County of Santa Barbara (2024; 53);
- Replies to 4260 Arch North Drive Class 32 Categorical Exemption, Los Angeles (2023; 10);
- 4260 Arch North Drive Class 32 Categorical Exemption, Los Angeles (2023; 27);
- 2<sup>nd</sup> Replies to Rubio Village IS/MND, San Gabriel (2023; 17);
- West Foothill Development IS/MND, Upland (2023; 9);
- Costco Camarillo IS/MND (2024; 37);
- Shiloh Business Park General Plan Consistency Checklist, Windsor (2023; 25);
- Assembly and Light Industrial Building IS/MND, Grand Terrace (2024; 33);
- SMP 38, SMP 39, SMP 40 DEIR, Livermore (2023; 41);
- Summit Ridge Wind Farm second visit, The Dalles (2024; 43);
- Summit Ridge Wind Farm first visit, The Dalles (2023; 31);
- 3601 E. Mission Class 32 Categorical Exemption, Los Angeles (2023; 31);
- [Redacted] Conservation Easement, Tennessee (2023; 55);
- Hardt and Brier Business Park IS/MND, San Bernardino (2023; 32);



- Sacramento Street CEQA Exemption, San Francisco (2023; 22);
- One Hamilton Drive Affordable Housing DEIR, Mill Valley (2023; 48);
- Elmore North Geothermal site visit, Salton Sea (2023; 32);
- Morton Bay Geothermal site visit, Salton Sea (2023; 53);
- Black Rock Geothermal site visit, Salton Sea (2023; 29);
- Covelop Warehouse IS/MND, Paso Robles (2023; 39);
- Walnut Creek Flow Trail IS/MND (2023; 34);
- Replies to Rubio Village IS/MND, San Gabriel (2023; 15);
- Ashley Warehouse Environmental Checklist, Lathrop (2023; 38);
- Replies on 6615 Pacific Coast Highway Site Plan Review, Long Beach (2023; 12)
- Science Research Park Expansion Project EIR Addendum, San Diego (2023; 40);
- Rubio Village IS/MND, San Gabriel (2023; 14);
- Havana Investment Industrial Categorical Exemption, Jurupa Valley (2023; 22);
- New Cal Centre EIR Addendum, Kern County (2023; 39);
- 4<sup>th</sup> & Hewitt Project DEIR, Los Angeles (2023; 19);
- 4260 N Arch Drive Categorical Exemption, Los Angeles (2023; 27);
- 6700 Pacific Coast Highway Site Plan Review, Long Beach (2023; 29);
- Replies to 6615 Pacific Coast Highway Site Plan Review, Long Beach (2023; 12);
- 6615 Pacific Coast Highway Site Plan Review, Long Beach (2023; 34);
- Moonlight Apartments biological assessment, Encinitas (2023; 46);
- Replies to Modera Melrose Mixed-use DEIR, Oceanside (2023; 11);
- Modera Melrose Mixed-use DEIR, Oceanside (2023; 39);
- 550 Piercy Road Industrial IS/MND, San Jose (2023; 28);
- Living Spaces Development IS/MND, Fresno (2023; 28);
- FIND Food Bank Staff Report, Indio (2023; 19);
- Replies to Shadowbox Studios DEIR, Santa Clarita (2023; 35);
- Shadowbox Studios DEIR, Santa Clarita (2023; 50);
- Tulare 40 Generation Facility IS/MND, Tulare County (2023; 20);
- Garden Street Hotel Staff Report, Santa Barbara (2023; 19);
- Replies to 975 Manhattan Apartments Discretionary Approval, Los Angeles (2023; 10);
- 975 Manhattan Apartments Discretionary Approval, Los Angeles (2023; 12);
- 6<sup>th</sup> visit Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2023; 14);
- Coachella Airport Business Park IS/MND, Coachella (2023; 31);
- 3400 Tecate Warehouse Staff Report, Camarillo (2023; 26);
- Green Valley III Apartments DEIR, Fairfield (2023; 50);
- Pacific Specific Plan DEIR, San Marcos (2023; 55);
- Amara Bay Mixed Use Staff Report, Chula Vista (2023; 46);
- Greenlaw Partners Warehouse IS, Fresno (2023; 23);
- PODS Warehouse IS/MND, Desert Hot Springs (2023; 30);
- 6<sup>th</sup> visit Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2023; 9);
- Replies on Ormat Brawley Solar Project DEIR, Brawley (2023; 80);
- One Hamilton as part of City of Mill Valley's 2023-2031 Housing Element Update



- DSEIR (2023; 31);
- Second letter on Shinohara Project IS/MND, Chula Vista (2023; 22);
- 3890 Depot Road Project IS/MND, Hayward (2023; 33);
- Wellprofit Wellness Mixed-use project CEQA Exemption, Temecula (2023; 31);
- Quail Meadows Apartments CEQA Exemption, Encinitas (2023; 55);
- RCCB Fresno Distribution Center Notice of Exemption, Fresno (2022; 14);
- Stoddard Wells Industrial Project IS/MND, City of Victorville (2022; 31);
- 16454 Adelanto Road Warehouse Distribution Facility Class 32 Categorical Exemption, Adelanto (2022; 17);
- Replies on Pure Water Project – Las Virgenes-Triunfo Joint Powers Authority FPEIR, Agoura (2022; 26);
- Desert Gateway MND Addendum, Desert Hot Springs (2022; 35);
- Blue Oaks Commerce Center MND Addendum, City of Roseville (2022; 12);
- Replies on Coachillin Amendment to Specific Plan, Desert Hot Springs (2022; 24);
- Island View Mixed-Use CEQA Compliance Memo, City of Rancho Cucamonga (2022; 17);
- Prairie Station Apartments IS/MND, City of Inglewood (2022; 32);
- Golden Land Warehouse CEQA Exemption, City of Rialto (2022; 12);
- South Juarez Street Design Review, Banning (2022; 17);
- Replies on Pentair Expansion Industrial Warehouse FMND, Moorpark (2022; 13);
- 2<sup>nd</sup> Replies on Greentree FEIR, Vacaville (2022; 16);
- Replies on Temporary Outdoor Vehicle Storage FEIR, Port of Hueneme (2022; 21);
- National City-Bayfront, San Diego DEIR (2022; 56);
- Goshen Community Plan General Plan Amendment & Addendum (2022, 6);
- Primrose and Adelanto warehouse Categorical Exemption, Adelanto (2022, 14);
- TenTen Hollywood Categorical Exclusion (2022, 17);
- Waste to Hydrogen project IS/MND, Lancaster (2022, 36);
- Las Virgenes-Triunfo Pure Water Project <Agoura Hills, (2022; 43);
- Shinohara Project IS/MND, Chula Vista (2022; 30);
- Marlborough-Northgate Warehouse IS/MND, Riverside (2022; 33);
- Meyers Ave, Warehouse IS/MND, Escondido IS/MND (2022; 27);
- Northgate Industrial Park IS/MND, Sacramento (2022; 28);
- Ramona-Indian Warehouse IS/MND, Perris (2022; 44);
- Norwalk Entertainment District EIR (2022; 29);
- Breeze Luxury Apartments IS/MND, Oceanside (2022; 40);
- Paso Commons Golden Hills Commerce Center IS/MND, Paso Robles (2022; 35);
- YS Industrial Park Application, Visalia (2022; 20);
- Pentair Expansion Industrial Warehouse IS/MND, Moorpark (2022; 28);
- Salvador Solar IS/MND, Riverside (2022; 27);
- Fresno General Plan Amendment 555 IS/MND (2022; 21);
- 570 Crespi Drive IS/MND, Pacifica (2022; 40);
- Renaissance Ranch Commerce Center DEIR, Temescal Valley (2022; 53);
- Replies on Glen Ivy Senior Living IS/MND, Temescal Valley (2022; 24);



- Glen Ivy Senior Living IS/MND, Temescal Valley (2022; 46);
- FedEx Distribution Warehouse IS, Lancaster (2022; 35);
- Urban Villages EIR Addendum, San Marcos (2022; 32);
- NextEra San Ardos Solar IS/ND, San Ardo (2022; 20);
- Summit Avenue Warehouse IS/MND, Fontana (2022; 28);
- Gateway at the Oaks DEIR, Thousand Oaks (2022; 30);
- Primrose and Adelanto Warehouse CEQA Exemption, Adelanto (2022; 11);
- Fore Apartments Staff Report, Oxnard (2022; 29);
- 975 Manhattan Rd. discretionary approval, Los Angeles (2022; 12);
- Coachillin DEIR, North Palm Springs (2022; 30);
- 2740 W. Nielsen Ave Warehouse IS/MND, Fresno (2022; 25);
- Golf Center Warehouse Staff Report, Indio (2022; 26);
- Desert Peak Energy IS/MND, Palm Springs (2022; 26);
- Replies on Greentree FEIR, Vacaville (2022; 13);
- Greentree DEIR, Vacaville (2022; 31);
- Town Center DEIR, Laguna Niguel (2022; 16);
- 2<sup>nd</sup> Replies on Freedom Circle Focus Area and Greystar General Plan Amendment Project FEIR, San Jose (2022; 3);
- Corydon III CEQA Categorical Exemption, Lake Elsinore (2022; 11);
- Park Edge Apartments IS/MND, Santa Maria (2022; 30);
- Replies on UCSF New Hospital FEIR at Parnassus Heights FEIR. San Francisco (2022; 13);
- Replies on North Central Valley BESS Project IS/MND, Stockton (2022; 21);
- 9248 Holly Road Cannabis CEQA Exemption, Adelanto (2022; 12);
- Replies on Amazing 34 Distribution Center IS/MND, San Bernardino (2022; 10);
- Amazing 34 Distribution Center IS/MND, San Bernardino (2022; 28);
- Replies on Freedom Circle Focus Area and Greystar General Plan Amendment Project FEIR, San Jose (2022; 5);
- Replies on Alviso Hotel Project IS/MND, San Jose (2022; 49);
- Bussetto Foods IS/ND, Fresno (2022; 34);
- Spruce Ave Commerce Center, Rialto (2022;);
- 5006 and 5010 Mission Boulevard Warehouse IS/MND, Montclair (2022; 18);
- Conejo Summit IS/MND, Thousand Oaks (2022; 28);
- Sixth visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2022; 4);
- TC NO. CAL. Development Warehousing and Distribution Facility Project DEIR, Stockton (2022; 33);
- Replies on Davidon Homes FEIR, Petaluma (2022; 49);
- Rural preservation and net conservation benefit coalition reply to post hearing briefs, Garnet Solar (2022; 24);
- Garnet Solar direct testimony, New York (2022; 17);
- Fifth visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2022; 11);
- Shirk & Riggin Industrial Park Application, Visalia (2022; 22);
- Duarte Industrial Application, Visalia (2022; 17);



- Amond World Cold Storage Warehouse IS/MND, Madera (2022; 23);
- Replies on Schulte Logistics Centre EIR, Tracy (2022; 28);
- Alta Cuvee Mixed Use Project Recirculated IS/MND, Ranch Cucamonga (2022; 8);
- Fourth visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2022; 9);
- Replies on 1242 20<sup>th</sup> Street Wellness Center Project FEIR, Santa Monica (2022; 5);
- 656 South San Vicente Medical Office Project EIR, Los Angeles (2022; 21);
- UCSF New Hospital at Parnassus Heights DEIR, San Francisco (2022; 40);
- DPR-21-021 Warehouse IS, Modesto (2022; 19);
- Ormat Brawley Solar Project DEIR, Brawley (2022; 37);
- Site visits to Heber 1 Geothermal Repower Project IS/MND (2022; 31);
- Heritage Industrial Center Design Review, Chula Vista (2022; 13);
- Temporary Outdoor Vehicle Storage DEIR, Port of Hueneme (2022; 31);
- CNU Medical Center and Innovation Park DEIR, Natomas (2022; 35);
- Beverly Boulevard Warehouse IS/MND, Pico Rivera (2021; 28);
- Hagemon Properties IS/MND Amendment, Bakersfield (2022; 23);
- Airport Distribution Center IS/MND, Redding (2021; 22);
- Orchard on Nevada Warehouse Staff Report, Redlands (2021; 24);
- Landings Logistics Center Exemption, Bakersfield (2021; 19);
- Replies on Hearn Veterans Village IS/MND, Santa Rosa (2021; 22);
- North Central Valley BESS Project IS/MND, Stockton (2021; 39);
- 2<sup>nd</sup> Replies on Heber 1 Geothermal Repower Project IS/MND (2022; 21);
- Stagecoach Solar DEIR, Barstow (2021; 24);
- Updated Sun Lakes Village North EIR Amendment 5, Banning, Riverside County (2021; 35);
- Freedom Circle Focus Area and Greystar General Plan Amendment Project EIR, San Jose (2021; 43);
- Operon HKI Warehouse IS/MND, Perris (2021; 26);
- Fairway Business Park Phase III IS/MND, Lake Elsinore (2021; 23);
- South Stockton Commerce Center IS/MND, Stockton (2021; 31);
- Starpoint Warehouse IS/MND, San Bernardino (2021; 24);
- Replies on Heber 1 Geothermal Repower Project IS/MND (2021; 15);
- Heber 1 Geothermal Repower Project IS/MND (2021; 11);
- Alviso Hotel Project IS/MND, San Jose (2021; 43);
- Replies on Easton Research Park West IS/MND, Rancho Cordova (2021; 3);
- Easton Research Park West IS/MND, Rancho Cordova (2021; 31);
- US Cold Storage DEIR, Hesperia (2021; 30);
- 1242 20<sup>th</sup> Street Wellness Center Project FEIR, Santa Monica (2021; 23);
- Third visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2021; 10);
- Roseland Creek Community Park Project IS/MND, Santa Rosa (2021; 23);
- Vista Mar Declaration of Irreparable Harm, Pacifica (2021; 3);
- LogistiCenter at Fairfield IS/MND (2021; 25);
- Alta Cuvee Mixed Use Project IS/MND, Ranch Cucamonga (2021; 29);



- Caligrows Architectural and Site Plan Review, Patterson (2021; 21);
- 1055 E. Sandhill Avenue Warehouse IS/MND, Carson (2021; 10);
- Chestnut & Tenth Street Commercial Project IS/MND, Gilroy (2021; 27);
- Libitzky Management Warehouse IS/MND, Modesto (2021; 20);
- 3rd Replies on Heber 2 Geothermal Repower Project IS/MND, El Centro (2021; 10);
- Medical Office Building DEIR, Santa Cruz (2021; 30);
- Scannell Warehouse DEIR, Richmond (2021; 24);
- Diamond Heights Application, San Francisco (2021; 24);
- Costa Azul Mixed-Use EIR Addendum, San Diego (2021; 25);
- Woodland Research Park DEIR (2021; 45);
- 2<sup>nd</sup> Replies on Diamond Street Industrial IS/MND, San Marcos (2021; 9);
- Replies on Diamond Street Industrial IS/MND, San Marcos (2021; 3);
- Diamond Street Industrial IS/MND, San Marcos (2021; 28);
- DHS 109 Industrial Park IS/MND, Desert Hot Springs (2021; 33);
- Jersey Industrial Complex Rancho Cucamonga (2022; 22);
- 1188 Champions Drive Parking Garage Staff Report, San Jose (2021; 5);
- San Pedro Mountain, Pacifica (2021; 22);
- Pixior Warehouse IS/MND, Hesperia (2021; 29);
- 2<sup>nd</sup> Replies on Heber 2 Geothermal Repower Project IS/MND, El Centro (2021; 9);
- Hearn Veterans Village IS/MND, Santa Rosa (2021; 23);
- Second visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2021; 11);
- Replies on Station East Residential/Mixed Use EIR, Union City (2021; 26);
- Schulte Logistics Centre EIR, Tracy (2021; 30);
- 4150 Point Eden Way Industrial Development EIR, Hayward (2021; 13);
- Airport Business Centre IS/MND, Manteca (2021; 27);
- Dual-branded Hotel IS/MND, Santa Clara (2021; 26);
- Legacy Highlands Specific Plan EIR, Beaumont (2021; 47);
- UC Berkeley LRDP and Housing Projects #1 and #2 EIR (2021; 27);
- Santa Maria Airport Business Park EIR, Santa Maria (2021; 27);
- Replies on Coachella Valley Arena EIR Addendum, Thousand Palms (2021; 20);
- Coachella Valley Arena EIR Addendum, Thousand Palms (2021; 35);
- Inland Harbor Warehouse NOD, Ontario (2021; 8);
- Alvarado Specific Plan DEIR, La Mesa (2021; 35);
- Harvill Avenue and Rider Street Terminal Project MND, Riverside (2021; 23);
- Gillespie Field EIR Addendum, El Cajon (2021; 28);
- Heritage Wind Energy Project section 94-c siting process, New York (2021: 99);
- Commercial Street Hotels project Site Plans, Oakland (2021; 19);
- Heber 1 Geothermal Repower Project MND, El Centro (2021; 11);
- Citrus-Slover Warehouse Project MND, Fontana (2021; 20);
- Scott Ranch Project RDEIR (Davidon Homes), Petaluma (2021; 31);
- Replies on StratosFuel Renewable H2 Project MND, Victorville (2021; 5);



- StratosFuel Renewable H2 Project MND, Victorville (2021; 25);
- Replies on PARS Global Storage MND, Murietta (2021; 22);
- Baldwin-Zacharias Master Plans EIR, Patterson (2021; 38);
- 1000 Gibraltar Drive EIR, Milpitas (2021; 20);
- Mango Avenue Industrial Warehouse Project, Fontana, MND (2021; 20);
- Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2021; 25);
- Replies on UCSF Comprehensive Parnassus Heights Plan EIR (2021; 13);
- 14 Charles Hill Circle Design Review (2021; 11);
- SDG Commerce 217 Warehouse IS, American Canyon (2021; 26);
- Mulqueeny Ranch Wind Repowering Project DSEIR (2021; 98);
- Clawiter Road Industrial Project IS/MND, Hayward (2021; 18);
- Garnet Energy Center Stipulations, New York (2020);
- Heritage Wind Energy Project, New York (2020; 71);
- Ameresco Keller Canyon RNG Project IS/MND, Martinez (2020; 11);
- Cambria Hotel Project Staff Report, Dublin (2020; 19);
- Central Pointe Mixed-Use Staff Report, Santa Ana (2020; 20);
- Oak Valley Town Center EIR Addendum, Calimesa (2020; 23);
- Coachillin Specific Plan MND Amendment, Desert Hot Springs (2020; 26);
- Stockton Avenue Hotel and Condominiums Project Tiering to EIR, San Jose (2020; 19);
- Cityline Sub-block 3 South Staff Report, Sunnyvale (2020; 22);
- Station East Residential/Mixed Use EIR, Union City (2020; 21);
- Multi-Sport Complex & Southeast Industrial Annexation Suppl. EIR, Elk Grove (2020; 24);
- Sun Lakes Village North EIR Amendment 5, Banning, Riverside County (2020; 27);
- 2<sup>nd</sup> comments on 1296 Lawrence Station Road, Sunnyvale (2020; 4);
- 1296 Lawrence Station Road, Sunnyvale (2020; 16);
- Mesa Wind Project EA, Desert Hot Springs (2020; 31);
- 11th Street Development Project IS/MND, City of Upland (2020; 17);
- Vista Mar Project IS/MND, Pacifica (2020; 17);
- Emerson Creek Wind Project Application, Ohio (2020; 64);
- Replies on Wister Solar Energy Facility EIR, Imperial County (2020; 12);
- Wister Solar Energy Facility EIR, Imperial County (2020; 28);
- Crimson Solar EIS/EIR, Mojave Desert (2020, 35) not submitted;
- Sakioka Farms EIR tiering, Oxnard (2020; 14);
- 3440 Wilshire Project IS/MND, Los Angeles (2020; 19);
- Replies on 2400 Barranca Office Development Project EIR, Irvine (2020; 8);
- 2400 Barranca Office Development Project EIR, Irvine (2020; 25);
- Replies on Heber 2 Geothermal Repower Project IS/MND, El Centro (2020; 4);
- 2<sup>nd</sup> comments on Heber 2 Geothermal Repower Project IS/MND, El Centro (2020; 8);
- Heber 2 Geothermal Repower Project IS/MND, El Centro (2020; 3);
- Lots 4-12 Oddstad Way Project IS/MND, Pacifica (2020; 16);
- Declaration on DDG Visalia Warehouse project (2020; 5);



- Terraces of Lafayette EIR Addendum (2020; 24);
- AMG Industrial Annex IS/MND, Los Banos (2020; 15);
- Replies to responses on Casmalia and Linden Warehouse, Rialto (2020; 15);
- Clover Project MND, Petaluma (2020; 27);
- Ruby Street Apartments Project Env. Checklist, Hayward (2020; 20);
- Replies to responses on 3721 Mt. Diablo Boulevard Staff Report (2020; 5);
- 3721 Mt. Diablo Boulevard Staff Report (2020; 9);
- Steeno Warehouse IS/MND, Hesperia (2020; 19);
- UCSF Comprehensive Parnassus Heights Plan EIR (2020; 24);
- North Pointe Business Center MND, Fresno (2020; 14);
- Casmalia and Linden Warehouse IS, Fontana (2020; 15);
- Rubidoux Commerce Center Project IS/MND, Jurupa Valley (2020; 27);
- Haun and Holland Mixed Use Center MND, Menifee (2020; 23);
- First Industrial Logistics Center II, Moreno Valley IS/MND (2020; 23);
- GLP Store Warehouse Project Staff Report (2020; 15);
- Replies to Beale WAPA Interconnection Project EA & CEQA checklist (2020; 29);
- 2<sup>nd</sup> comments on Beale WAPA Interconnection Project EA & CEQA checklist (2020; 34);
- Beale WAPA Interconnection Project EA & CEQA checklist (2020; 30);
- Levine-Fricke Softball Field Improvement Addendum, UC Berkeley (2020; 16);
- Greenlaw Partners Warehouse and Distribution Center Staff Report, Palmdale (2020; 14);
- Humboldt Wind Energy Project DEIR (2019; 25);
- Sand Hill Supplemental EIR, Altamont Pass (2019; 17);
- 1700 Dell Avenue Office Project, Campbell (2019; 28);
- 1180 Main Street Office Project MND, Redwood City (2019; 19);
- Summit Ridge Wind Farm Request for Amendment 4, Oregon (2019; 46);
- Shafter Warehouse Staff Report (2019; 4);
- Park & Broadway Design Review, San Diego (2019; 19);
- Pinnacle Pacific Heights Design Review, San Diego (2019; 19);
- Pinnacle Park & C Design Review, San Diego (2019; 19);
- Preserve at Torrey Highlands EIR, San Diego (2019; 24);
- Santana West Project EIR Addendum, San Jose (2019; 18);
- The Ranch at Eastvale EIR Addendum, Riverside County (2020; 19);
- Hageman Warehouse IS/MND, Bakersfield (2019; 13);
- Oakley Logistics Center EIR, Antioch (2019; 22);
- 27 South First Street IS, San Jose (2019; 23);
- 2<sup>nd</sup> replies on Times Mirror Square Project EIR, Los Angeles (2020; 11);
- Replies on Times Mirror Square Project EIR, Los Angeles (2020; 13);
- Times Mirror Square Project EIR, Los Angeles (2019; 18);
- East Monte Vista & Aviator General Plan Amend EIR Addendum, Vacaville (2019; 22);
- Hillcrest LRDP EIR, La Jolla (2019; 36);
- 555 Portola Road CUP, Portola Valley (2019; 11);
- Johnson Drive Economic Development Zone SEIR, Pleasanton (2019; 27);



- 1750 Broadway Project CEQA Exemption, Oakland (2019; 19);
- Mor Furniture Project MND, Murietta Hot Springs (2019; 27);
- Harbor View Project EIR, Redwood City (2019; 26);
- Visalia Logistics Center (2019; 13);
- Cordelia Industrial Buildings MND (2019; 14);
- Scheu Distribution Center IS/ND, Rancho Cucamonga (2019; 13);
- Mills Park Center Staff Report, San Bruno (2019; 22);
- Site visit to Desert Highway Farms IS/MND, Imperial County (2019; 9);
- Desert Highway Farms IS/MND, Imperial County (2019; 12);
- ExxonMobil Interim Trucking for Santa Ynez Unit Restart SEIR, Santa Barbara (2019; 9);
- Olympic Holdings Inland Center Warehouse Project MND, Rancho Cucamonga (2019; 14);
- Replies to responses on Lawrence Equipment Industrial Warehouse, Banning (2019; 19);
- PARS Global Storage MND, Murietta (2019; 13);
- Slover Warehouse EIR Addendum, Fontana (2019; 16);
- Seefried Warehouse Project IS/MND, Lathrop (2019; 19)
- World Logistics Center Site Visit, Moreno Valley (2019; 19);
- Merced Landfill Gas-To-Energy Project IS/MND (2019; 12);
- West Village Expansion FEIR, UC Davis (2019; 11);
- Site visit, Doheny Ocean Desalination EIR, Dana Point (2019; 11);
- Replies to responses on Avalon West Valley Expansion EIR, San Jose (2019; 10);
- Avalon West Valley Expansion EIR, San Jose (2019; 22);
- Sunroad – Otay 50 EIR Addendum, San Diego (2019; 26);
- Del Rey Pointe Residential Project IS/MND, Los Angeles (2019; 34);
- 1 AMD Redevelopment EIR, Sunnyvale (2019; 22);
- Lawrence Equipment Industrial Warehouse IS/MND, Banning (2019; 14);
- SDG Commerce 330 Warehouse IS, American Canyon (2019; 21);
- PAMA Business Center IS/MND, Moreno Valley (2019; 23);
- Cupertino Village Hotel IS (2019; 24);
- Lake House IS/ND, Lodi (2019; 33);
- Campo Wind Project DEIS, San Diego County (DEIS, (2019; 14);
- Stirling Warehouse MND site visit, Victorville (2019; 7);
- Green Valley II Mixed-Use Project EIR, Fairfield (2019; 36);
- We Be Jammin rezone MND, Fresno (2019; 14);
- Gray Whale Cove Pedestrian Crossing IS/ND, Pacifica (2019; 7);
- Visalia Logistics Center & DDG 697V Staff Report (2019; 9);
- Mather South Community Masterplan Project EIR (2019; 35);
- Del Hombre Apartments EIR, Walnut Creek (2019; 23);
- Otay Ranch Planning Area 12 EIR Addendum, Chula Vista (2019; 21);
- The Retreat at Sacramento IS/MND (2019; 26);
- Site visit to Sunroad – Centrum 6 EIR Addendum, San Diego (2019; 9);



- Sunroad – Centrum 6 EIR Addendum, San Diego (2018; 22);
- North First and Brokaw Corporate Campus Buildings EIR Addendum, San Jose (2018; 30);
- South Lake Solar IS, Fresno County (2018; 18);
- Galloo Island Wind Project Application, New York (not submitted) (2018; 44);
- Doheny Ocean Desalination EIR, Dana Point (2018; 15);
- Stirling Warehouse MND, Victorville (2018; 18);
- LDK Warehouse MND, Vacaville (2018; 30);
- Gateway Crossings FEIR, Santa Clara (2018; 23);
- South Hayward Development IS/MND (2018; 9);
- CBU Specific Plan Amendment, Riverside (2018; 27);
- 2<sup>nd</sup> replies to responses on Dove Hill Road Assisted Living Project MND (2018; 11);
- Replies to responses on Dove Hill Road Assisted Living Project MND (2018; 7);
- Dove Hill Road Assisted Living Project MND (2018; 12);
- Deer Ridge/Shadow Lakes Golf Course EIR, Brentwood (2018; 21);
- Pyramid Asphalt BLM Finding of No Significance, Imperial County (2018; 22);
- Amáre Apartments IS/MND, Martinez (2018; 15);
- Petaluma Hill Road Cannabis MND, Santa Rosa (2018; 21);
- 2<sup>nd</sup> comments on Zeiss Innovation Center IS/MND, Dublin (2018; 12);
- Zeiss Innovation Center IS/MND, Dublin (2018; 32);
- City of Hope Campus Plan EIR, Duarte (2018; 21);
- Palo Verde Center IS/MND, Blythe (2018; 14);
- Logisticcenter at Vacaville MND (2018; 24);
- IKEA Retail Center SEIR, Dublin (2018; 17);
- Merge 56 EIR, San Diego (2018; 15);
- Natomas Crossroads Quad B Office Project P18-014 EIR, Sacramento (2018; 12);
- 2900 Harbor Bay Parkway Staff Report, Alameda (2018; 30);
- At Dublin EIR, Dublin (2018; 25);
- Fresno Industrial Rezone Amendment Application No. 3807 IS (2018; 10);
- Nova Business Park IS/MND, Napa (2018; 18);
- Updated Collision Risk Model Priors for Estimating Eagle Fatalities, USFWS (2018; 57);
- 750 Marlborough Avenue Warehouse MND, Riverside (2018; 14);
- Replies to responses on San Bernardino Logistics Center IS (2018; 12);
- San Bernardino Logistics Center IS (2018; 19);
- CUP2017-16, Costco IS/MND, Clovis (2018; 11);
- Desert Land Ventures Specific Plan EIR, Desert Hot Springs (2018; 18);
- Ventura Hilton IS/MND (2018; 30);
- North of California Street Master Plan Project IS, Mountain View (2018; 11);
- Tamarind Warehouse MND, Fontana (2018; 16);
- Lathrop Gateway Business Park EIR Addendum (2018; 23);
- Centerpointe Commerce Center IS, Moreno Valley (2019; 18);
- Amazon Warehouse Notice of Exemption, Bakersfield (2018; 13);



- CenterPoint Building 3 project Staff Report, Manteca (2018; 23);
- Cessna & Aviator Warehouse IS/MND, Vacaville (2018; 24);
- Napa Airport Corporate Center EIR, American Canyon (2018, 15);
- 800 Opal Warehouse Initial Study, Mentone, San Bernardino County (2018; 18);
- 2695 W. Winton Ave Industrial Project IS, Hayward (2018; 22);
- Trinity Cannabis Cultivation and Manufacturing Facility DEIR, Calexico (2018; 15);
- Shoe Palace Expansion IS/MND, Morgan Hill (2018; 21);
- Newark Warehouse at Morton Salt Plant Staff Report (2018; 15);
- Northlake Specific Plan FEIR “Peer Review”, Los Angeles County (2018; 9);
- Replies to responses on Northlake Specific Plan SEIR, Los Angeles County (2018; 13);
- Northlake Specific Plan SEIR, Los Angeles County (2017; 27);
- Bogle Wind Turbine DEIR, east Yolo County (2017; 48);
- Ferrante Apartments IS/MND, Los Angeles (2017; 14);
- The Villages of Lakeview EIR, Riverside (2017; 28);
- Data Needed for Assessing Trail Management Impacts on Northern Spotted Owl, Marin County (2017; 5);
- Notes on Proposed Study Options for Trail Impacts on Northern Spotted Owl (2017; 4);
- Pyramid Asphalt IS, Imperial County (Declaration) (2017; 5);
- San Geronio Crossings EIR, Riverside County (2017; 22);
- Replies to responses on Jupiter Project IS and MND, Apple Valley (2017; 12);
- Proposed World Logistics Center Mitigation Measures, Moreno Valley (2017, 2019; 12);
- MacArthur Transit Village Project Modified 2016 CEQA Analysis (2017; 12);
- PG&E Company Bay Area Operations and Maintenance HCP (2017; 45);
- Central SoMa Plan DEIR (2017; 14);
- Suggested mitigation for trail impacts on northern spotted owl, Marin County (2016; 5);
- Colony Commerce Center Specific Plan DEIR, Ontario (2016; 16);
- Fairway Trails Improvements MND, Marin County (2016; 13);
- Review of Avian-Solar Science Plan (2016; 28);
- Replies on Pyramid Asphalt IS, Imperial County (2016; 5);
- Pyramid Asphalt IS, Imperial County (2016; 4);
- Agua Mansa Distribution Warehouse Project Initial Study (2016; 14);
- Santa Anita Warehouse MND, Rancho Cucamonga (2016; 12);
- CapRock Distribution Center III DEIR, Rialto (2016; 12);
- Orange Show Logistics Center IS/MND, San Bernardino (2016; 9);
- City of Palmdale Oasis Medical Village Project IS/MND (2016; 7);
- Comments on proposed rule for incidental eagle take, USFWS (2016, 49);
- Replies on Grapevine Specific and Community Plan FEIR, Kern County (2016; 25);
- Grapevine Specific and Community Plan DEIR, Kern County (2016; 15);
- Clinton County Zoning Ordinance for Wind Turbine siting (2016);
- Hallmark at Shenandoah Warehouse Project Initial Study, San Bernardino (2016; 6);
- Tri-City Industrial Complex Initial Study, San Bernardino (2016; 5);
- Hidden Canyon Industrial Park Plot Plan 16-PP-02, Beaumont (2016; 12);



- Kimball Business Park DEIR (2016; 10);
- Jupiter Project IS and MND, Apple Valley, San Bernardino County (2016; 9);
- Revised Draft Giant Garter Snake Recovery Plan of 2015 (2016, 18);
- Palo Verde Mesa Solar Project EIR, Blythe (2016; 27);
- Reply on Fairview Wind Project Natural Heritage Assessment, Ontario, Canada (2016; 14);
- Fairview Wind Project Natural Heritage Assessment, Ontario, Canada (2016; 41);
- Reply on Amherst Island Wind Farm Natural Heritage Assessment, Ontario (2015, 38);
- Amherst Island Wind Farm Natural Heritage Assessment, Ontario (2015, 31);
- Second Reply on White Pines Wind Farm, Ontario (2015, 6);
- Reply on White Pines Wind Farm Natural Heritage Assessment, Ontario (2015, 10);
- White Pines Wind Farm Natural Heritage Assessment, Ontario (2015, 9);
- Proposed Section 24 Specific Plan Agua Caliente Band of Cahuilla Indians DEIS (2015, 9);
- Replies on 24 Specific Plan Agua Caliente Band of Cahuilla Indians FEIS (2015, 6);
- Sierra Lakes Commerce Center Project DEIR, Fontana (2015, 9);
- Columbia Business Center MND, Riverside (2015; 8);
- West Valley Logistics Center Specific Plan DEIR, Fontana (2015, 10);
- Willow Springs Solar Photovoltaic Project DEIR (2015, 28);
- Alameda Creek Bridge Replacement Project DEIR (2015, 10);
- World Logistic Center Specific Plan FEIR, Moreno Valley (2015, 12);
- Elkhorn Valley Wind Power Project Impacts, Oregon (2015; 143);
- Bay Delta Conservation Plan EIR/EIS, Sacramento (2014, 21);
- Addison Wind Energy Project DEIR, Mojave (2014, 32);
- Replies on the Addison Wind Energy Project DEIR, Mojave (2014, 15);
- Addison and Rising Tree Wind Energy Project FEIR, Mojave (2014, 12);
- Palen Solar Electric Generating System FSA (CEC), Blythe (2014, 20);
- Rebuttal testimony on Palen Solar Energy Generating System (2014, 9);
- Seven Mile Hill and Glenrock/Rolling Hills impacts + Addendum, Wyoming (2014; 105);
- Rising Tree Wind Energy Project DEIR, Mojave (2014, 32);
- Replies on the Rising Tree Wind Energy Project DEIR, Mojave (2014, 15);
- Soitec Solar Development Project PEIR, Boulevard, San Diego County (2014, 18);
- Oakland Zoo expansion on Alameda whipsnake and California red-legged frog (2014; 3);
- Alta East Wind Energy Project FEIS, Tehachapi Pass (2013, 23);
- Blythe Solar Power Project Staff Assessment, California Energy Commission (2013, 16);
- Clearwater and Yakima Solar Projects DEIR, Kern County (2013, 9);
- West Antelope Solar Energy Project IS/MND, Antelope Valley (2013, 18);
- Cuyama Solar Project DEIR, Carrizo Plain (2014, 19);
- Desert Renewable Energy Conservation Plan (DRECP) EIR/EIS (2015, 49);
- Kingbird Solar Photovoltaic Project EIR, Kern County (2013, 19);
- Lucerne Valley Solar Project IS/MND, San Bernardino County (2013, 12);
- Tule Wind project FEIR/FEIS (Declaration) (2013; 31);



- Sunlight Partners LANDPRO Solar Project MND (2013; 11);
- Declaration in opposition to BLM fracking (2013; 5);
- Blythe Energy Project (solar) CEC Staff Assessment (2013;16);
- Rosamond Solar Project EIR Addendum, Kern County (2013; 13);
- Pioneer Green Solar Project EIR, Bakersfield (2013; 13);
- Replies on Soccer Center Solar Project MND (2013; 6);
- Soccer Center Solar Project MND, Lancaster (2013; 10);
- Plainview Solar Works MND, Lancaster (2013; 10);
- Alamo Solar Project MND, Mojave Desert (2013; 15);
- Replies on Imperial Valley Solar Company 2 Project (2013; 10);
- Imperial Valley Solar Company 2 Project (2013; 13);
- FRV Orion Solar Project DEIR, Kern County (PP12232) (2013; 9);
- Casa Diablo IV Geothermal Development Project (2013; 6);
- Reply on Casa Diablo IV Geothermal Development Project (2013; 8);
- Alta East Wind Project FEIS, Tehachapi Pass (2013; 23);
- Metropolitan Air Park DEIR, City of San Diego (2013; );
- Davidon Homes Tentative Subdivision Rezoning Project DEIR, Petaluma (2013; 9);
- Oakland Zoo Expansion Impacts on Alameda Whipsnake (2013; 10);
- Campo Verde Solar project FEIR, Imperial Valley (2013; 11pp);
- Neg Dec comments on Davis Sewer Trunk Rehabilitation (2013; 8);
- North Steens Transmission Line FEIS, Oregon (Declaration) (2012; 62);
- Summer Solar and Springtime Solar Projects IS/MND Lancaster (2012; 8);
- J&J Ranch, 24 Adobe Lane Environmental Review, Orinda (2012; 14);
- Replies on Hudson Ranch Power II Geothermal Project and Simbol Calipatria Plant II (2012; 8);
- Hudson Ranch Power II Geothermal Project and Simbol Calipatria Plant II (2012; 9);
- Desert Harvest Solar Project EIS, near Joshua Tree (2012; 15);
- Solar Gen 2 Array Project DEIR, El Centro (2012; 16);
- Ocotillo Sol Project EIS, Imperial Valley (2012; 4);
- Beacon Photovoltaic Project DEIR, Kern County (2012; 5);
- Butte Water District 2012 Water Transfer Program IS/MND (2012; 11);
- Mount Signal and Calexico Solar Farm Projects DEIR (2011; 16);
- City of Elk Grove Sphere of Influence EIR (2011; 28);
- Sutter Landing Park Solar Photovoltaic Project MND, Sacramento (2011; 9);
- Rabik/Gudath Project, 22611 Coleman Valley Road, Bodega Bay (CPN 10-0002) (2011; 4);
- Ivanpah Solar Electric Generating System (ISEGS) (Declaration) (2011; 9);
- Draft Eagle Conservation Plan Guidance, USFWS (2011; 13);
- Niles Canyon Safety Improvement Project EIR/EA (2011; 16);
- Route 84 Safety Improvement Project (Declaration) (2011; 7);
- Rebuttal on Whistling Ridge Wind Energy Power DEIS, Skamania County, (2010; 6);
- Whistling Ridge Wind Energy Power DEIS, Skamania County, Washington (2010; 41);



- Klickitat County's Decisions on Windy Flats West Wind Energy Project (2010; 17);
- St. John's Church Project DEIR, Orinda (2010; 14);
- Results Radio Zone File #2009-001 IS/MND, Conaway site, Davis (2010; 20);
- Rio del Oro Specific Plan Project FEIR, Rancho Cordova (2010;12);
- Results Radio Zone File #2009-001, Mace Blvd site, Davis (2009; 10);
- Answers to Questions on 33% RPS Implementation Analysis Preliminary Results Report (2009; 9);
- SEPA Determination of Non-significance regarding zoning adjustments for Skamania County, Washington (Second Declaration) (2008; 17);
- Draft 1A Summary Report to CAISO (2008; 10);
- Hilton Manor Project Categorical Exemption, County of Placer (2009; 9);
- Protest of CARE to Amendment to the Power Purchase and Sale Agreement for Procurement of Eligible Renewable Energy Resources Between Hatchet Ridge Wind LLC and PG&E (2009; 3);
- Tehachapi Renewable Transmission Project EIR/EIS (2009; 142);
- Delta Shores Project EIR, south Sacramento (2009; 11 + addendum 2);
- Declaration in Support of Care's Petition to Modify D.07-09-040 (2008; 3);
- The Public Utility Commission's Implementation Analysis December 16 Workshop for the Governor's Executive Order S-14-08 to implement a 33% Renewable Portfolio Standard by 2020 (2008; 9);
- The Public Utility Commission's Implementation Analysis Draft Work Plan for the Governor's Executive Order S-14-08 to implement a 33% Renewable Portfolio Standard by 2020 (2008; 11);
- Draft 1A Summary Report to California Independent System Operator for Planning Reserve Margins (PRM) Study (2008; 7.);
- SEPA Determination of Non-significance regarding zoning adjustments for Skamania County, Washington (Declaration) (2008; 16);
- Colusa Generating Station, California Energy Commission PSA (2007; 24);
- Rio del Oro Specific Plan Project Recirculated DEIR, Mather (2008; 66);
- Replies on Regional University Specific Plan EIR, Roseville (2008; 20);
- Regional University Specific Plan EIR, Roseville (2008; 33);
- Clark Precast, LLC's "Sugarland" project, ND, Woodland (2008; 15);
- Cape Wind Project DEIS, Nantucket (2008; 157);
- Yuba Highlands Specific Plan EIR, Spenceville, Yuba County (2006; 37);
- Replies to responses on North Table Mountain MND, Butte County (2006; 5);
- North Table Mountain MND, Butte County (2006; 15);
- Windy Point Wind Farm EIS (2006; 14 and Powerpoint slide replies);
- Shiloh I Wind Power Project EIR, Rio Vista (2005; 18);
- Buena Vista Wind Energy Project NOP, Byron (2004; 15);
- Callahan Estates Subdivision ND, Winters (2004; 11);
- Winters Highlands Subdivision IS/ND (2004; 9);
- Winters Highlands Subdivision IS/ND (2004; 13);
- Creekside Highlands Project, Tract 7270 ND (2004; 21);



- Petition to California Fish and Game Commission to list Burrowing Owl (2003; 10);
- Altamont Pass Wind Resource Area CUP renewals, Alameda County (2003; 41);
- UC Davis Long Range Development Plan: Neighborhood Master Plan (2003; 23);
- Anderson Marketplace Draft Environmental Impact Report (2003; 18);
- Negative Declaration of the proposed expansion of Temple B'nai Tikyah (2003; 6);
- Antonio Mountain Ranch Specific Plan Public Draft EIR (2002; 23);
- Replies on East Altamont Energy Center evidentiary hearing (2002; 9);
- Revised Draft Environmental Impact Report, The Promenade (2002; 7);
- Recirculated Initial Study for Calpine's proposed Pajaro Valley Energy Center (2002; 3);
- UC Merced -- Declaration (2002; 5);
- Replies on Atwood Ranch Unit III Subdivision FEIR (2003; 22);
- Atwood Ranch Unit III Subdivision EIR (2002; 19);
- California Energy Commission Staff Report on GWF Tracy Peaker Project (2002; 20);
- Silver Bend Apartments IS/MND, Placer County (2002; 13);
- UC Merced Long-range Development Plan DEIR and UC Merced Community Plan DEIR (2001; 26);
- Colusa County Power Plant IS, Maxwell (2001; 6);
- Dog Park at Catlin Park, Folsom, California (2001; 5);
- Calpine and Bechtel Corporations' Biological Resources Implementation and Monitoring Program (BRMIMP) for the Metcalf Energy Center (2000; 10);
- Metcalf Energy Center, California Energy Commission FSA (2000);
- US Fish and Wildlife Service Section 7 consultation with the California Energy Commission regarding Calpine and Bechtel Corporations' Metcalf Energy Center (2000; 4);
- California Energy Commission's Preliminary Staff Assessment of the proposed Metcalf Energy Center (2000; 11);
- Site-specific management plans for the Natomas Basin Conservancy's mitigation lands, prepared by Wildlands, Inc. (2000; 7);
- Affidavit of K. Shawn Smallwood in Spirit of the Sage Council, et al. (Plaintiffs) vs. Bruce Babbitt, Secretary, U.S. Department of the Interior, et al. (Defendants), Injuries caused by the No Surprises policy and final rule which codifies that policy (1999; 9).
- California Board of Forestry's proposed amended Forest Practices Rules (1999);
- Sunset Sky ranch Airport Use Permit IS/MND (1999);
- Ballona West Bluffs Project Environmental Impact Report (1999; oral presentation);
- Draft Recovery Plan for Giant Garter Snake (Fed. Reg. 64(176): 49497-49498) (1999; 8);
- Draft Recovery Plan for Arroyo Southwestern Toad (1998);
- Pacific Lumber Co. (Headwaters) HCP & EIR, Fortuna (1998; 28);
- Natomas Basin HCP Permit Amendment, Sacramento (1998);
- San Diego Multi-Species Conservation Program FEIS/FEIR (1997; 10);

**Volunteer comments on other Environmental Review Documents:**

- Proposed Regulation for California Fish and Game Code Section 3503.5 (2015; 12);



- Statement of Overriding Considerations related to extending Altamont Winds, Inc.’s Conditional Use Permit PLN2014-00028 (2015; 8);
- Covell Village PEIR, Davis (2005; 19);
- Bureau of Land Management Wind Energy Programmatic EIS Scoping (2003; 7.);
- NEPA Environmental Analysis for Biosafety Level 4 National Biocontainment Laboratory (NBL) at UC Davis (2003; 7);
- Notice of Preparation of UC Merced Community and Area Plan EIR, on behalf of The Wildlife Society—Western Section (2001: 8.);
- Preliminary Draft Yolo County Habitat Conservation Plan (2001; 2 letters totaling 35.);
- Merced County General Plan Revision, notice of Negative Declaration (2001: 2.);
- Notice of Preparation of Campus Parkway EIR/EIS (2001: 7.);
- Draft Recovery Plan for the bighorn sheep in the Peninsular Range (*Ovis canadensis*) (2000);
- Draft Recovery Plan for the California Red-legged Frog (*Rana aurora draytonii*), on behalf of The Wildlife Society—Western Section (2000: 10.);
- Sierra Nevada Forest Plan Amendment Draft Environmental Impact Statement, on behalf of The Wildlife Society—Western Section (2000: 7.);
- State Water Project Supplemental Water Purchase Program, Draft Program EIR (1997);
- Davis General Plan Update EIR (2000);
- Turn of the Century EIR (1999: 10);
- Proposed termination of Critical Habitat Designation under the Endangered Species Act (Fed. Reg. 64(113): 31871-31874) (1999);
- NOA Draft Addendum to the Final Handbook for Habitat Conservation Planning and Incidental Take Permitting Process, termed the HCP 5-Point Policy Plan (Fed. Reg. 64(45): 11485 - 11490) (1999; 2 + attachments);
- Covell Center Project EIR and EIR Supplement (1997).

**Position Statements** I prepared the following position statements for the Western Section of The Wildlife Society, and one for nearly 200 scientists:

- Recommended that the California Department of Fish and Game prioritize the extermination of the introduced southern water snake in northern California. The Wildlife Society--Western Section (2001);
- Recommended that The Wildlife Society—Western Section appoint or recommend members of the independent scientific review panel for the UC Merced environmental review process (2001);
- Opposed the siting of the University of California’s 10th campus on a sensitive vernal pool/grassland complex east of Merced. The Wildlife Society--Western Section (2000);
- Opposed the legalization of ferret ownership in California. The Wildlife Society--Western Section (2000);
- Opposed the Proposed “No Surprises,” “Safe Harbor,” and “Candidate Conservation Agreement” rules, including permit-shield protection provisions (Fed. Reg. Vol. 62, No. 103, pp. 29091-29098 and No. 113, pp. 32189-32194). This statement was signed by 188 scientists and went to the responsible federal agencies, as well as to the U.S. Senate and



House of Representatives.

#### **Posters at Professional Meetings**

Leyvas, E. and K. S. Smallwood. 2015. Rehabilitating injured animals to offset and rectify wind project impacts. Conference on Wind Energy and Wildlife Impacts, Berlin, Germany, 9-12 March 2015.

Smallwood, K. S., J. Mount, S. Standish, E. Leyvas, D. Bell, E. Walther, B. Karas. 2015. Integrated detection trials to improve the accuracy of fatality rate estimates at wind projects. Conference on Wind Energy and Wildlife Impacts, Berlin, Germany, 9-12 March 2015.

Smallwood, K. S. and C. G. Thelander. 2005. Lessons learned from five years of avian mortality research in the Altamont Pass WRA. AWEA conference, Denver, May 2005.

Neher, L., L. Wilder, J. Woo, L. Spiegel, D. Yen-Nakafugi, and K.S. Smallwood. 2005. Bird's eye view on California wind. AWEA conference, Denver, May 2005.

Smallwood, K. S., C. G. Thelander and L. Spiegel. 2003. Toward a predictive model of avian fatalities in the Altamont Pass Wind Resource Area. Windpower 2003 Conference and Convention, Austin, Texas.

Smallwood, K.S. and Eva Butler. 2002. Pocket Gopher Response to Yellow Star-thistle Eradication as part of Grassland Restoration at Decommissioned Mather Air Force Base, Sacramento County, California. White Mountain Research Station Open House, Barcroft Station.

Smallwood, K.S. and Michael L. Morrison. 2002. Fresno kangaroo rat (*Dipodomys nitratoides*) Conservation Research at Resources Management Area 5, Lemoore Naval Air Station. White Mountain Research Station Open House, Barcroft Station.

Smallwood, K.S. and E.L. Fitzhugh. 1989. Differentiating mountain lion and dog tracks. Third Mountain Lion Workshop, Prescott, AZ.

Smith, T. R. and K. S. Smallwood. 2000. Effects of study area size, location, season, and allometry on reported *Sorex* shrew densities. Annual Meeting of the Western Section of The Wildlife Society.

#### **Presentations at Professional Meetings and Seminars**

Smallwood, K. S. Eagle mortality at wind turbines. Wings over the Columbia Gorge. Friends of the Columbia Gorge, 4 January 2024.

Smallwood, K.S. Ecology and recent population trend of burrowing owls in the Altamont Pass Wind Resource Area. The Wildlife Society – Western Section Burrowing Owl Symposium, Riverside, California, 6 February 2023.



Smallwood, K.S. Renewable energy impacts to burrowing owls. The Wildlife Society – Western Section Burrowing Owl Symposium, Riverside, California, 7 February 2023.

Smallwood, K.S. and D.A. Bell. Long-Term Population Trend of Burrowing Owls in Vasco Caves. Via Zoom to Audubon Society, 21 October 2021.

Long-Term Population Trend of Burrowing Owls in the Altamont. Golden Gate Audubon, 21 October 2020.

Long-Term Population Trend of Burrowing Owls in the Altamont. East Bay Regional Park District 2020 Stewardship Seminar, Oakland, California, 18 November 2020.

Smallwood, K.S., D.A. Bell, and S. Standish. Dogs detect larger wind energy effects on bats and birds. The Wildlife Society, 28 September 2020.

Smallwood, K.S. and D.A. Bell. Effects of wind turbine curtailment on bird and bat fatalities in the Altamont Pass Wind Resource Area. The Wildlife Society, 28 September 2020.

Smallwood, K.S., D.A. Bell, and S. Standish. Dogs detect larger wind energy effects on bats and birds. The Wildlife Survey, 7 February 2020.

Smallwood, K.S. and D.A. Bell. Effects of wind turbine curtailment on bird and bat fatalities in the Altamont Pass Wind Resource Area. The Wildlife Survey, 7 February 2020.

Dog detections of bat and bird fatalities at wind farms in the Altamont Pass Wind Resource Area. East Bay Regional Park District 2019 Stewardship Seminar, Oakland, California, 13 November 2019.

Repowering the Altamont Pass. Altamont Symposium, The Wildlife Society – Western Section, 5 February 2017.

Developing methods to reduce bird mortality in the Altamont Pass Wind Resource Area, 1999-2007. Altamont Symposium, The Wildlife Society – Western Section, 5 February 2017.

Conservation and recovery of burrowing owls in Santa Clara Valley. Santa Clara Valley Habitat Agency, Newark, California, 3 February 2017.

Mitigation of Raptor Fatalities in the Altamont Pass Wind Resource Area. Raptor Research Foundation Meeting, Sacramento, California, 6 November 2015.

From burrows to behavior: Research and management for burrowing owls in a diverse landscape. California Burrowing Owl Consortium meeting, 24 October 2015, San Jose, California.

The Challenges of repowering. Keynote presentation at Conference on Wind Energy and Wildlife Impacts, Berlin, Germany, 10 March 2015.



Research Highlights Altamont Pass 2011-2015. Scientific Review Committee, Oakland, California, 8 July 2015.

Siting wind turbines to minimize raptor collisions: Altamont Pass Wind Resource Area. US Fish and Wildlife Service Golden Eagle Working Group, Sacramento, California, 8 January 2015.

Evaluation of nest boxes as a burrowing owl conservation strategy. Sacramento Chapter of the Western Section, The Wildlife Society. Sacramento, California, 26 August 2013.

Predicting collision hazard zones to guide repowering of the Altamont Pass. Conference on wind power and environmental impacts. Stockholm, Sweden, 5-7 February 2013.

Impacts of Wind Turbines on Wildlife. California Council for Wildlife Rehabilitators, Yosemite, California, 12 November 2012.

Impacts of Wind Turbines on Birds and Bats. Madrone Audubon Society, Santa Rosa, California, 20 February 2012.

Comparing Wind Turbine Impacts across North America. California Energy Commission Staff Workshop: Reducing the Impacts of Energy Infrastructure on Wildlife, 20 July 2011.

Siting Repowered Wind Turbines to Minimize Raptor Collisions. California Energy Commission Staff Workshop: Reducing the Impacts of Energy Infrastructure on Wildlife, 20 July 2011.

Siting Repowered Wind Turbines to Minimize Raptor Collisions. Alameda County Scientific Review Committee meeting, 17 February 2011

Comparing Wind Turbine Impacts across North America. Conference on Wind energy and Wildlife impacts, Trondheim, Norway, 3 May 2011.

Update on Wildlife Impacts in the Altamont Pass Wind Resource Area. Raptor Symposium, The Wildlife Society—Western Section, Riverside, California, February 2011.

Siting Repowered Wind Turbines to Minimize Raptor Collisions. Raptor Symposium, The Wildlife Society - Western Section, Riverside, California, February 2011.

Wildlife mortality caused by wind turbine collisions. Ecological Society of America, Pittsburgh, Pennsylvania, 6 August 2010.

Map-based repowering and reorganization of a wind farm to minimize burrowing owl fatalities. California burrowing Owl Consortium Meeting, Livermore, California, 6 February 2010.

Environmental barriers to wind power. Getting Real About Renewables: Economic and Environmental Barriers to Biofuels and Wind Energy. A symposium sponsored by the Environmental & Energy Law & Policy Journal, University of Houston Law Center, Houston, 23 February 2007.



Lessons learned about bird collisions with wind turbines in the Altamont Pass and other US wind farms. Meeting with Japan Ministry of the Environment and Japan Ministry of the Economy, Wild Bird Society of Japan, and other NGOs Tokyo, Japan, 9 November 2006.

Lessons learned about bird collisions with wind turbines in the Altamont Pass and other US wind farms. Symposium on bird collisions with wind turbines. Wild Bird Society of Japan, Tokyo, Japan, 4 November 2006.

Responses of Fresno kangaroo rats to habitat improvements in an adaptive management framework. California Society for Ecological Restoration (SERCAL) 13<sup>th</sup> Annual Conference, UC Santa Barbara, 27 October 2006.

Fatality associations as the basis for predictive models of fatalities in the Altamont Pass Wind Resource Area. EEI/APLIC/PIER Workshop, 2006 Biologist Task Force and Avian Interaction with Electric Facilities Meeting, Pleasanton, California, 28 April 2006.

Burrowing owl burrows and wind turbine collisions in the Altamont Pass Wind Resource Area. The Wildlife Society - Western Section Annual Meeting, Sacramento, California, February 8, 2006.

Mitigation at wind farms. Workshop: Understanding and resolving bird and bat impacts. American Wind Energy Association and Audubon Society. Los Angeles, CA. January 10 and 11, 2006.

Incorporating data from the California Wildlife Habitat Relationships (CWHR) system into an impact assessment tool for birds near wind farms. Shawn Smallwood, Kevin Hunting, Marcus Yee, Linda Spiegel, Monica Parisi. Workshop: Understanding and resolving bird and bat impacts. American Wind Energy Association and Audubon Society. Los Angeles, CA. January 10 and 11, 2006.

Toward indicating threats to birds by California's new wind farms. California Energy Commission, Sacramento, May 26, 2005.

Avian collisions in the Altamont Pass. California Energy Commission, Sacramento, May 26, 2005.

Ecological solutions for avian collisions with wind turbines in the Altamont Pass Wind Resource Area. EPRI Environmental Sector Council, Monterey, California, February 17, 2005.

Ecological solutions for avian collisions with wind turbines in the Altamont Pass Wind Resource Area. The Wildlife Society—Western Section Annual Meeting, Sacramento, California, January 19, 2005.



Associations between avian fatalities and attributes of electric distribution poles in California. The Wildlife Society - Western Section Annual Meeting, Sacramento, California, January 19, 2005.

Minimizing avian mortality in the Altamont Pass Wind Resources Area. UC Davis Wind Energy Collaborative Forum, Palm Springs, California, December 14, 2004.

Selecting electric distribution poles for priority retrofitting to reduce raptor mortality. Raptor Research Foundation Meeting, Bakersfield, California, November 10, 2004.

Responses of Fresno kangaroo rats to habitat improvements in an adaptive management framework. Annual Meeting of the Society for Ecological Restoration, South Lake Tahoe, California, October 16, 2004.

Lessons learned from five years of avian mortality research at the Altamont Pass Wind Resources Area in California. The Wildlife Society Annual Meeting, Calgary, Canada, September 2004.

The ecology and impacts of power generation at Altamont Pass. Sacramento Petroleum Association, Sacramento, California, August 18, 2004.

Burrowing owl mortality in the Altamont Pass Wind Resource Area. California Burrowing Owl Consortium meeting, Hayward, California, February 7, 2004.

Burrowing owl mortality in the Altamont Pass Wind Resource Area. California Burrowing Owl Symposium, Sacramento, November 2, 2003.

Raptor Mortality at the Altamont Pass Wind Resource Area. National Wind Coordinating Committee, Washington, D.C., November 17, 2003.

Raptor Behavior at the Altamont Pass Wind Resource Area. Annual Meeting of the Raptor Research Foundation, Anchorage, Alaska, September, 2003.

Raptor Mortality at the Altamont Pass Wind Resource Area. Annual Meeting of the Raptor Research Foundation, Anchorage, Alaska, September, 2003.

California mountain lions. Ecological & Environmental Issues Seminar, Department of Biology, California State University, Sacramento, November, 2000.

Intra- and inter-turbine string comparison of fatalities to animal burrow densities at Altamont Pass. National Wind Coordinating Committee, Carmel, California, May, 2000.

Using a Geographic Positioning System (GPS) to map wildlife and habitat. Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.

Suggested standards for science applied to conservation issues. Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.



The indicators framework applied to ecological restoration in Yolo County, California. Society for Ecological Restoration, September 25, 1999.

Ecological restoration in the context of animal social units and their habitat areas. Society for Ecological Restoration, September 24, 1999.

Relating Indicators of Ecological Health and Integrity to Assess Risks to Sustainable Agriculture and Native Biota. International Conference on Ecosystem Health, August 16, 1999.

A crosswalk from the Endangered Species Act to the HCP Handbook and real HCPs. Southern California Edison, Co. and California Energy Commission, March 4-5, 1999.

Mountain lion track counts in California: Implications for Management. Ecological & Environmental Issues Seminar, Department of Biological Sciences, California State University, Sacramento, November 4, 1998.

“No Surprises” -- Lack of science in the HCP process. California Native Plant Society Annual Conservation Conference, The Presidio, San Francisco, September 7, 1997.

In Your Interest. A half hour weekly show aired on Channel 10 Television, Sacramento. In this episode, I served on a panel of experts discussing problems with the implementation of the Endangered Species Act. Aired August 31, 1997.

Spatial scaling of pocket gopher (*Geomysidae*) density. Southwestern Association of Naturalists 44th Meeting, Fayetteville, Arkansas, April 10, 1997.

Estimating prairie dog and pocket gopher burrow volume. Southwestern Association of Naturalists 44th Meeting, Fayetteville, Arkansas, April 10, 1997.

Ten years of mountain lion track survey. Fifth Mountain Lion Workshop, San Diego, February 27, 1996.

Study and interpretive design effects on mountain lion density estimates. Fifth Mountain Lion Workshop, San Diego, February 27, 1996.

Small animal control. Session moderator and speaker at the California Farm Conference, Sacramento, California, Feb. 28, 1995.

Small animal control. Ecological Farming Conference, Asyloamar, California, Jan. 28, 1995.

Habitat associations of the Swainson’s Hawk in the Sacramento Valley’s agricultural landscape. 1994 Raptor Research Foundation Meeting, Flagstaff, Arizona.

Alfalfa as wildlife habitat. Seed Industry Conference, Woodland, California, May 4, 1994.



Habitats and vertebrate pests: impacts and management. Managing Farmland to Bring Back Game Birds and Wildlife to the Central Valley. Yolo County Resource Conservation District, U.C. Davis, February 19, 1994.

Management of gophers and alfalfa as wildlife habitat. Orland Alfalfa Production Meeting and Sacramento Valley Alfalfa Production Meeting, February 1 and 2, 1994.

Patterns of wildlife movement in a farming landscape. Wildlife and Fisheries Biology Seminar Series: Recent Advances in Wildlife, Fish, and Conservation Biology, U.C. Davis, Dec. 6, 1993.

Alfalfa as wildlife habitat. California Alfalfa Symposium, Fresno, California, Dec. 9, 1993.

Management of pocket gophers in Sacramento Valley alfalfa. California Alfalfa Symposium, Fresno, California, Dec. 8, 1993.

Association analysis of raptors in a farming landscape. Plenary speaker at Raptor Research Foundation Meeting, Charlotte, North Carolina, Nov. 6, 1993.

Landscape strategies for biological control and IPM. Plenary speaker, International Conference on Integrated Resource Management and Sustainable Agriculture, Beijing, China, Sept. 11, 1993.

Landscape Ecology Study of Pocket Gophers in Alfalfa. Alfalfa Field Day, U.C. Davis, July 1993.

Patterns of wildlife movement in a farming landscape. Spatial Data Analysis Colloquium, U.C. Davis, August 6, 1993.

Sound stewardship of wildlife. Veterinary Medicine Seminar: Ethics of Animal Use, U.C. Davis, May 1993.

Landscape ecology study of pocket gophers in alfalfa. Five County Grower's Meeting, Tracy, California. February 1993.

Turbulence and the community organizers: The role of invading species in ordering a turbulent system, and the factors for invasion success. Ecology Graduate Student Association Colloquium, U.C. Davis. May 1990.

Evaluation of exotic vertebrate pests. Fourteenth Vertebrate Pest Conference, Sacramento, California. March 1990.

Analytical methods for predicting success of mammal introductions to North America. The Western Section of the Wildlife Society, Hilo, Hawaii. February 1988.

A state-wide mountain lion track survey. Sacramento County Dept Parks and Recreation. April 1986.



The mountain lion in California. Davis Chapter of the Audubon Society. October 1985.

Ecology Graduate Student Seminars, U.C. Davis, 1985-1990: Social behavior of the mountain lion; Mountain lion control; Political status of the mountain lion in California.

**Other forms of Participation at Professional Meetings**

- Scientific Committee, Conference on Wind energy and Wildlife impacts, Berlin, Germany, March 2015.
- Scientific Committee, Conference on Wind energy and Wildlife impacts, Stockholm, Sweden, February 2013.
- Workshop co-presenter at Birds & Wind Energy Specialist Group (BAWESG) Information sharing week, Bird specialist studies for proposed wind energy facilities in South Africa, Endangered Wildlife Trust, Darling, South Africa, 3-7 October 2011.
- Scientific Committee, Conference on Wind energy and Wildlife impacts, Trondheim, Norway, 2-5 May 2011.
- Chair of Animal Damage Management Session, The Wildlife Society, Annual Meeting, Reno, Nevada, September 26, 2001.
- Chair of Technical Session: Human communities and ecosystem health: Comparing perspectives and making connection. Managing for Ecosystem Health, International Congress on Ecosystem Health, Sacramento, CA August 15-20, 1999.
- Student Awards Committee, Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.
- Student Mentor, Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.

**Printed Mass Media**

Smallwood, K.S., D. Mooney, and M. McGuinness. 2003. We must stop the UCD biolab now. Op-Ed to the Davis Enterprise.

Smallwood, K.S. 2002. Spring Lake threatens Davis. Op-Ed to the Davis Enterprise.

Smallwood, K.S. Summer, 2001. Mitigation of habitation. The Flatlander, Davis, California.

Entrikan, R.K. and K.S. Smallwood. 2000. Measure O: Flawed law would lock in new taxes. Op-Ed to the Davis Enterprise.



Smallwood, K.S. 2000. Davis delegation lobbies Congress for Wildlife conservation. Op-Ed to the Davis Enterprise.

Smallwood, K.S. 1998. Davis Visions. The Flatlander, Davis, California.

Smallwood, K.S. 1997. Last grab for Yolo's land and water. The Flatlander, Davis, California.

Smallwood, K.S. 1997. The Yolo County HCP. Op-Ed to the Davis Enterprise.

#### **Radio/Television**

PBS News Hour,

FOX News, Energy in America: Dead Birds Unintended Consequence of Wind Power Development, August 2011.

KXJZ Capital Public Radio -- Insight (Host Jeffrey Callison). Mountain lion attacks (with guest Professor Richard Coss). 23 April 2009;

KXJZ Capital Public Radio -- Insight (Host Jeffrey Callison). Wind farm Rio Vista Renewable Power. 4 September 2008;

KQED QUEST Episode #111. Bird collisions with wind turbines. 2007;

KDVS Speaking in Tongues (host Ron Glick), Yolo County HCP: 1 hour. December 27, 2001;

KDVS Speaking in Tongues (host Ron Glick), Yolo County HCP: 1 hour. May 3, 2001;

KDVS Speaking in Tongues (host Ron Glick), Yolo County HCP: 1 hour. February 8, 2001;

KDVS Speaking in Tongues (host Ron Glick & Shawn Smallwood), California Energy Crisis: 1 hour. Jan. 25, 2001;

KDVS Speaking in Tongues (host Ron Glick), Headwaters Forest HCP: 1 hour. 1998;

Davis Cable Channel (host Gerald Heffernon), Burrowing owls in Davis: half hour. June, 2000;

Davis Cable Channel (hosted by Davis League of Women Voters), Measure O debate: 1 hour. October, 2000;

KXTV 10, In Your Interest, The Endangered Species Act: half hour. 1997.



Reviews of Journal Papers (Some scientific journals for whom I've provided peer review)

Journal	Journal
American Naturalist	Journal of Animal Ecology
Journal of Wildlife Management	Western North American Naturalist
Auk	Journal of Raptor Research
Biological Conservation	National Renewable Energy Lab reports
Canadian Journal of Zoology	Oikos
Ecosystem Health	The Prairie Naturalist
Environmental Conservation	Restoration Ecology
Environmental Management	Southwestern Naturalist
Functional Ecology	The Wildlife Society--Western Section Trans.
Journal of Zoology (London)	Proc. Int. Congress on Managing for Ecosystem Health
Journal of Applied Ecology	Transactions in GIS
Ecology	Tropical Ecology
Wildlife Society Bulletin	Peer J
Conservation Biology	Biology Open
Western Wildlife	PLOS One
Heliyon	Global Ecology and Conservation
Wildlife Monographs	Renewable and Sustainable Energy Reviews
Biological Control	The Condor

Committees

- Scientific Review Committee, Alameda County, Altamont Pass Wind Resource Area
- Ph.D. Thesis Committee, Steve Anderson, University of California, Davis
- MS Thesis Committee, Marcus Yee, California State University, Sacramento

**Other Professional Activities or Products**

Testified in Federal Court in Denver during 2005 over the fate of radio-nuclides in the soil at Rocky Flats Plant after exposure to burrowing animals. My clients won a judgment of \$553,000,000. I have also testified in many other cases of litigation under CEQA, NEPA, the Warren-Alquist Act, and other environmental laws. My clients won most of the cases for which I testified.

Testified before Environmental Review Tribunals in Ontario, Canada regarding proposed White Pines, Amherst Island, and Fairview Wind Energy projects.

Testified in Skamania County Hearing in 2009 on the potential impacts of zoning the County for development of wind farms and hazardous waste facilities.

Testified in deposition in 2007 in the case of O'Dell et al. vs. FPL Energy in Houston, Texas.



Testified in Klickitat County Hearing in 2006 on the potential impacts of the Windy Point Wind Farm.

**Memberships in Professional Societies**

The Wildlife Society  
Raptor Research Foundation

**Honors and Awards**

Fulbright Research Fellowship to Indonesia, 1987  
J.G. Boswell Full Academic Scholarship, 1981 college of choice  
Certificate of Appreciation, The Wildlife Society—Western Section, 2000, 2001  
Northern California Athletic Association Most Valuable Cross Country Runner, 1984  
American Legion Award, Corcoran High School, 1981, and John Muir Junior High, 1977  
CIF Section Champion, Cross Country in 1978  
CIF Section Champion, Track & Field 2 mile run in 1981  
National Junior Record, 20 kilometer run, 1982  
National Age Group Record, 1500 meter run, 1978

**Community Activities**

District 64 Little League Umpire, 2003-2007  
Dixon Little League Umpire, 2006-07  
Davis Little League Chief Umpire and Board member, 2004-2005  
Davis Little League Safety Officer, 2004-2005  
Davis Little League Certified Umpire, 2002-2004  
Davis Little League Scorekeeper, 2002  
Davis Visioning Group member  
Petitioner for Writ of Mandate under the California Environmental Quality Act against  
City of Woodland decision to approve the Spring Lake Specific Plan, 2002  
Served on campaign committees for City Council candidates



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## **LETTER 196: SHAWN SMALLWOOD**

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### **Response to Comment 196-1**

Please see Master Response 1.

### **Response to Comment 196-2**

The comment discusses the commenter's personal observations. All species observed by the commenter: burrowing owl, Swainson's hawk, white-tailed kite, northern harrier, prairie falcon, yellow-billed magpie, American kestrel, red-tailed hawk, re-shouldered hawk (red-shouldered hawk), turkey vulture, and Nuttall's woodpecker were addressed in the Draft EIR as appropriate. Protocol-level surveys for burrowing owl (both breeding and non-breeding season surveys) and Swainson's hawk were completed in 2023 and 2024. The comment does not raise any specific biological issues related to the Draft EIR prepared for the Proposed Project, and as such, further response is not required.

### **Response to Comment 196-3**

While a comprehensive report of the number and composition of vertebrate species present on the project site/BRPA site would be informative, it is not necessary to evaluate what special-status species have the potential to occur within a given site, and (consequently) have the potential to be impacted by a project proposed on that site.

### **Response to Comment 196-4**

The commenter's prediction of wildlife on the project site/BRPA site is inherently speculative, inaccurate, and lacks foundation. Accordingly, any use of the model that he developed to predict purported species "not detected" at the project site is not based on substantial evidence. (CEQA Guidelines, Section 15384(a) ["Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence"]; CEQA Guidelines, Section 15204 ["an effect shall not be considered significant in the absence of substantial evidence"]; see *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928 ["mere argument, speculation, and unsubstantiated opinion, even expert opinion, is not substantial evidence"].)

Five Madrone biologists documented wildlife species over 25 survey days at the project site/BRPA site to inform the Biological Resources chapter of the Draft EIR. Seven protocol-level surveys were conducted in accordance with the Swainson's Hawk Technical Advisory Committee's 31 May 2000 Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (TAC 2000), which included documentation of all bird species observed. Four burrowing owl surveys were conducted in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012), including breeding and non-breeding season surveys which included documentation of all bird species observed. Eleven surveys were conducted during vernal pool branchiopod surveys conducted in accordance with the November 2017 Survey Guidelines for the Listed Large Branchiopods (USFWS 2017), which included documentation and reporting of vertebrate species incidentally captured. Additionally, a giant garter snake habitat assessment was conducted which included a detailed transect survey of the Covell Drain and documentation of potential predator and prey species. In addition to reviewing information in existing databases regarding species recorded on and near the project site/BRPA site (see Draft EIR, pg. 4.4-55), significant man-hours were spent surveying and generally observing the site, and all species identified were documented.



The commenter notes that the model was developed during previous research while surveying the annual grasslands of the Altamont Pass Wind Resources Area in Alameda County. The commenter, however, does not explain how a survey model for predicting wildlife in Alameda County is at all predictive of wildlife located in Yolo County, where the project site/BRPA site is located. Wildlife composition, biodiversity, and population densities are not consistent across sites, and the habitat generally available at the Altamont Pass Wind Resource Area is inherently different than the project site/BRPA site, which is actively and intensively farmed and adjacent to existing developments within the City of Davis. Accordingly, in addition to the model being inherently speculative, use of the model to predict the amount of wildlife at the project site/BRPA site lacks the site-specific details necessary to rise to the level of substantial evidence under CEQA.

### **Response to Comment 196-5**

The commenter mischaracterizes what type of analysis is required in an EIR's discussion of existing environmental setting. According to CEQA, the description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternative(s) in order to give the most accurate and understandable picture of the project's likely near- and long-term impacts (See CEQA Guidelines, Section 15125(a).) The commenter does not allege any near- or long-term impacts of the Proposed Project/BRPA that were not addressed in the Draft EIR.

Further, as discussed in detail in Response to Comment 195-4, the assessment of the special-status species that are likely to occur at the project area are based on a review of literature, field surveys, and habitat analysis, and are therefore supported by substantial evidence. The Draft EIR extensively describes the physical setting of the project site/BRPA site and the habitat extant therein (see Draft EIR, pg. 4.4-2), so as to provide the public an understanding of the Project and the potential impacts of the Project on the biological resources found on-site. As noted in Response to Comment 196-4, this analysis is based on review of relevant literature and databases, multiple protocol-level field surveys, a review of the Project plans, literature review of biological resources occurring on the Project site and surrounding vicinity, and an investigation of the various habitat conditions existing on-site.

Field surveys were conducted on-site, the existing conditions of the project site/BRPA site are well-documented, and the methods for research and field collection conducted for the Project's BRA were consistent with those standardly accepted for CEQA analysis. Accordingly, the analysis represents substantial evidence supporting the description of the existing environmental setting on the site, and the adequacy of the BRA that was prepared by expert biologists.

### **Response to Comment 196-6**

As noted in detail in Responses to Comments 196-4 and 196-5, the Draft EIR's analysis of special-status species that may occur on the project site/BRPA site is informed by numerous visits to the site by expert biologists, including several comprehensive protocol-level surveys, as well as extensive literature review of species occurrence databases. Accordingly, the Draft EIR's analysis regarding potential biological impacts at the project site, including its discussion of the environmental setting, is supported by substantial evidence.

### **Response to Comment 196-7**

As discussed in the EIR and BRA, Madrone conducted field surveys of various portions of the study area on August 23 and 25, October 3, November 7, and December 14, 2023, as well as on



January 17, 23, and 24, February 7, and April 22, 2024, to map land covers, assess the suitability of habitats onsite to support special-status species, and conduct the protocol-level surveys listed below. Meandering pedestrian surveys were performed on foot throughout the Study Area, and a list of all wildlife species observed during both protocol and reconnaissance-level field surveys were included as Attachment E of the BRA (see Appendix D of the EIR). As noted in Attachment G to the BRA (Burrowing Owl Surveys) and Attachment H to the BRA (Swainson's hawk nest surveys), all bird species observed during these surveys were documented (not just target species). As noted in Attachment F to the BRA (Branchiopod Survey Report), all aquatic organisms observed during wet and dry season surveys were documented. As noted in Attachment J to the BRA (Giant Garter Snake (GGs) Habitat Assessment), the area was surveyed for both GGS predator and prey species as a component of this assessment.

As noted in detail in Responses to Comments 196-4, 196-5, and 196-6, the Draft EIR contains extensive analysis and investigation of sensitive biological resources that are or could occur on the Project site. This analysis is supported by substantial evidence in both the Draft EIR and the BRA. In criticizing the adequacy of the environmental review, the comment mischaracterizes the requirements of CEQA, as CEQA does not require an EIR to provide an exhaustive list of every species that may be found on or near a project site. Accordingly, the analysis of the Project's potential impacts to biological resources is adequate and supported by substantial evidence.

### **Response to Comment 196-8**

The avian biologist checked his notes and determined that the April 9 date was a typo. That survey was instead conducted on April 19 (although a different survey was conducted on April 9 and burrowing owls would have been documented if incidentally observed). Therefore, the timing of the burrowing owl surveys was entirely in accordance with the Staff Report protocol. Page 4.4-56 of the Draft EIR, under the Field Surveys header, is hereby revised for clarification purposes, as follows:

- **Burrowing Owl Surveys:** Four non-breeding-season surveys were completed on October 3, November 7, and December 14, 2023 and January 17, 2024. Four breeding-season surveys were conducted on March 21, April 19, May 14, and June 20, 2024. Surveys were conducted in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (2012). A report is included as Attachment G to the BRA.

In addition, a revised BRA is included as Appendix D to this Final EIR, also reflecting the correct survey date of April 19.

Madrone and the Property owner do not have any knowledge of ground squirrel eradication on the project site/BRPA site. Based on this comment, these allegations, as well as a photograph of a claimed bait/poison delivery device provided was shared with the current farmer, and he has advised that this device is not a bait station, but rather a pressure relief valve for the irrigation system that had been broken and excavated (likely due to trespass and vandalism). No poison bait is currently in use on the site (nor has it been used in the past, based on discussions with the Property owner and farmer).

### **Response to Comment 196-9**

Normal pruning to maintain use of the farm roads occurs annually on the site. As this pruning is near ground level, it does not affect Swainson's hawk use of the trees. As noted in Attachment H of the BRA (Swainson's Hawk Survey Report for Village Farms Davis), Swainson's hawk was observed on-site, including nesting in the riparian corridor along Channel A in the area the



commenter discusses, as well as in trees just off-site to the north. Successful nesting observed on-site refutes the claim that tree pruning discouraged Swainson's hawk use of the site.

### **Response to Comment 196-10**

The description of the Valley Foothill Riparian vegetation on page 4.4-6 of the Draft EIR states, “this land cover is almost entirely comprised of non-native trees.” This is stated as fact and is not used to suggest that the species composition has any less value to wildlife. The Draft EIR acknowledges potential effects to riparian habitat associated with the Proposed Project/BRPA, and that this riparian habitat may support northwestern pond turtle, Swainson's hawk, white-tailed kite, and roosting bats and included mitigation measures to minimize potential impacts. The riparian area is treated as native “Valley Foothill Riparian” for purposes of Yolo HCP land cover impacts (a higher fee is required for such habitat), as that is the HCP landcover type that most closely matches this habitat on-site.

### **Response to Comment 196-11**

Please see Master Response 7.

### **Response to Comment 196-12**

The equipment depicted in photo 1 is an irrigation head, not a poison bait dispenser.

### **Response to Comment 196-13**

Please see Responses to Comments 196-4 and 196-5.

### **Response to Comment 196-14**

Lead agencies have discretion to employ survey methodologies of its choosing, as long as its choice of methodology is supported by substantial evidence. As discussed in detail in Responses to Comments 196-4, 196-5, and 196-6, the Draft EIR's findings, as supported by the BRA, constitute substantial evidence with regard to the project's analysis of potential impacts on special-status species that may be found on-site. The additional databases noted in the comment letter (eBird and iNaturalist) provide occurrence data that is not confirmed or verified by the resource agencies, and these public databases do not have a search function that reports a comprehensive list of species documented in a given area.

### **Response to Comment 196-15**

As discussed in detail in the Response to Comment 196-14, the Draft EIR uses a variety of sources to determine if special-status species could be significantly impacted by the Proposed Project/BRPA (including the biologist's knowledge of species in the region), and the choice of methodology is within the discretion of the lead agency if backed by substantial evidence, as is the case here. Further, CEQA requires that information developed in EIRs and negative declarations be incorporated into a database, such as CNDDDB, which may be used for subsequent or supplemental environmental determinations. (See Pub. Resources Code, Section 21003(e). The CNDDDB was not used to estimate occurrence likelihoods. The methodology for determining occurrence likelihoods is outlined on Draft EIR page 4.4-11, and the only reference to the CNDDDB in that methodology is that an occurrence on the site supports a "High" likelihood of occurrence. A low likelihood of occurrence is based on habitat characteristics, not lack of CNDDDB records. CNDDDB occurrence data is provided for informational purposes only.



### **Response to Comment 196-16**

The commenter's definition of special-status species is not consistent with the definition of special-status species provided in the Draft EIR on page 4.4-10. The definition of special-status species in the Draft EIR includes only species of sufficient rarity to be considered under CEQA. Fifty-five species (48 percent) of all the species included on the commenter's Table 1 are not of sufficient rarity to be considered under CEQA (Watch List, Bird of Prey, Bird of Conservation Concern, and Western Bat Working Group Low), rendering false the commenter's assertion of Madrone only analyzing 21 percent of the special-status species "near enough to the site."

Furthermore, the foothills of the Coast Ranges are only 15 miles west of the site; thus, inclusion of species up to 30 miles away introduces species that occur in very different habitat types. The biologists did consider many of the species on the commenter's list, but, as suitable habitat does not occur within the site, the species were not added to the table.

The commenter notes, "Of the 13 species Madrone determines to have low to no potential for occurrence, one is known on site, the occurrence records of two are very close, and the occurrence records of two more are nearby." The first discussed (one on-site) is tricolored blackbird, which the Draft EIR noted as having a low potential to occur on-site. This occurrence is consistent with the Draft EIR statement. Several more were noted to be documented "very close" or "nearby." Substantially different habitats occur within four miles of the site (the extent of the "nearby" category the commenter has established), including the almost-adjacent Northstar Ponds and Putah Creek, which support substantially different habitats than occur within the project site/BRPA site. The presence of species in such different habitats located within an arbitrary distance of the project site/BRPA site does not mean that such species would occur within the site.

In addition, the commenter does not note how the records were documented. A species that flies over a location does not indicate use of that location, but could be documented as occurring at that location (including on-site). Nevertheless, some of the bird and bat species that the commenter notes could use the site. Mitigation Measures 4.4-11 and 4.4-12 of the Draft EIR are sufficiently protective of these species (e.g., preconstruction nesting bird and bat surveys, implementation of non-disturbance buffers if protected species found on-site, etc.).

### **Response to Comment 196-17**

Please see Responses to Comments 196-4 and 196-5.

### **Response to Comment 196-18**

Section 4.4-11 of the Draft EIR analyzes "Impacts to nesting birds and raptors protected under the [Migratory Bird Treaty Act (MBTA)] and [California Fish and Game Code (CFG)], either directly or through habitat modifications," and determines, based on substantial evidence, that the Proposed Project/BRPA's impacts to nesting birds would be less-than-significant with implementation of mitigation (See Draft EIR, page 4.4-87). The Draft EIR recognizes that the project area provides suitable nesting habitat to accommodate nesting songbirds and raptors protected under the MBTA and CFGC, and that the Proposed Project/BRPA could have a substantial adverse effect, either directly or through habitat modifications, on these species.

Because disturbance to or destruction of migratory bird eggs, young, or adults is in violation of the MBTA and is considered a potentially significant impact, the Draft EIR contains protections for nesting birds in Mitigation Measure 4.4-11. The implementation of Mitigation Measure 4.4-11



involves conducting a preconstruction nesting bird survey prior to ground disturbance or other construction activities. If nesting birds are found, then mandatory protections are put in place to protect these birds consistent with the MBTA.

The comment regarding loss of productive capacities of these species is speculative, as there is not a known, reliable way to quantitatively determine such impacts or their potential significance. Speculative impacts are not required to be addressed under CEQA.

### **Response to Comment 196-19**

Please see Master Response 7.

### **Response to Comment 196-20**

Willow Slough is not a feature within the project site/BRPA site. The commenter could possibly be referring to the riparian impacts along Channel A, which have been addressed in Master Response 7. Burrowing owl is a Covered Species under the Yolo HCP, of which CDFW is a signatory. The Proposed Project/BRPA would be required to comply with AMM 18 (Draft EIR Mitigation Measure 4.4-9), which addresses burrowing owl impacts.

### **Response to Comment 196-21**

It is unclear as to why the commenter thinks a restoration plan with restoration objectives should be included in the Draft EIR. Not only is the analysis within the Draft EIR programmatic due to the requested entitlements, such that design-level detail is not yet available, but the Natural Habitat Area is an avoidance area.

### **Response to Comment 196-22**

A map of static special-status species (i.e., species unable or unlikely to move from discrete habitat patches) documented on-site is provided as Figure 4.4-6 of the Draft EIR. The Proposed Project design was based on maintenance of tree canopy along Channel A (as noted in Master Response 7, based on design refinements, a substantial amount of the riparian canopy can be avoided) and the Valley oak trees around the old homestead in the southern portion of the site. The BRPA was additionally designed to avoid habitat that is unique in the region (the alkali playas and alkali wetlands) and that supports federally listed species. The agricultural fields that the commenter discusses are ubiquitous to the northwest, north, and northeast of the project site/BRPA site, and it is reasonable to assume that highly mobile foragers such as the bird species mentioned would use the aforementioned fields, as well as other locations around the site.

### **Response to Comment 196-23**

The comment is speculative and does not show that the Proposed Project/BRPA would have any direct impacts on any special-status species due to project-generated traffic. (CEQA Guidelines, Section 15384(a) ["Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence"]; CEQA Guidelines, Section 15204 ["an effect shall not be considered significant in the absence of substantial evidence"]; see *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928 ["mere argument, speculation, and unsubstantiated opinion, even expert opinion, is not substantial evidence".]) As such, further response is not required.



### **Response to Comment 196-24**

As explained in Response to Comment 196-23, the comment fails to show any direct impacts of the Proposed Project/BRPA on special-status species and is inherently speculative. As such, further response is not required.

### **Response to Comment 196-25**

With regard to the Traffic Fatality Model, any results obtained are inherently speculative as the commenter applies survey-sample results from Contra Costa County and attempts to apply them to all areas generically, regardless of the amount of traffic, existing roadway locations and sizes/existing traffic volumes, and regardless of the surrounding environment and wildlife that is extant in any particular area. Because the use of the Traffic Fatality Model is inherently speculative and invites generic results that lack foundation and could contain inaccuracies, the application of the Traffic Fatality Model to impacts of the Proposed Project/BRPA does not constitute substantial evidence of a significant impact to wildlife under CEQA.

Further, the commenter presents no evidence particular to the project site/BRPA site that increased traffic in the area would result in a significant increase in wildlife roadkill or increased significant impacts to special-status species.

### **Response to Comment 196-26**

The comment uses the estimated VMT from the Draft EIR applied to the Traffic Fatality Model to predict that traffic from the Proposed Project/BRPA would result in 19,098 vertebrate wildlife fatalities a year, and that those would be a unmitigated significant impact.

As detailed in Responses to Comments 196-23 and 196-25, the use of the Traffic Fatality Model is inherently speculative, and the Draft EIR's findings with regard to significant impacts to special-status species and other wildlife is supported by substantial evidence.

### **Response to Comment 196-27**

None of the species documented as road fatalities in this comment are special-status. The comment fails to show how the Proposed Project/BRPA would directly impact special-status species.

### **Response to Comment 196-28**

Please see Responses to Comments 196-23 through 196-27.

### **Response to Comment 196-29**

The commenter states that "An estimated two birds are killed per dwelling unit per year in the USA" but fails to provide any citation. Further, there are many types of dwelling units in the USA, and, as reported in the San Francisco Standards for Bird Safe Buildings and other documents, the typical bird strike zone is from at-grade to 60 feet in elevation, the primary concern is with any uninterrupted glazing 24 square feet or larger in size, and the likelihood of strike depends on the glazing used, the angle of the glass, the orientation of the building, and landscaping. Many of the birds killed per dwelling unit may be killed by large apartment buildings or other large/tall structures with uninterrupted window glazing. The commenter does not provide evidence that the Proposed Project/BRPA would result in significantly increased bird-window collisions for special-status bird species.



**Response to Comment 196-30**

The surrounding residential developments to the west, south, and east of the project site/BRPA site are an existing source of house cats that have the opportunity to hunt within the project site/BRPA site and surrounding areas. These existing cats have access to all portions of the project site/BRPA site, including any areas that would be avoided by the Proposed Project/BRPA. The new cats that are brought in by new homeowners would hunt in adjacent areas, which are either already developed, or already accessed by existing cats. While it is possible that additional outdoor house cats would result from development and occupancy of the project site/BRPA site, any additional impacts would be marginal given existing adjacent residential uses. The comment provides no evidence that any new cats would result in a new impact to special-status species, and is inherently speculative. As such, further response is not required.



**Letter 197**

**Dara Dungworth**

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**From:** Sherrill Futrell <safutrell@ucdavis.edu>  
**Sent:** Monday, January 13, 2025 5:06 PM  
**To:** Dara Dungworth  
**Subject:** No on Village Farms  
  
**Categories:** Yellow Category

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

197-1

Building in the floodplain, building houses above poisoned water, and building in more traffic nightmares for Davis residents are all dumb ideas. Let's not. Thanks. - Sherrill Futrell, 151 Inner Cir, Davis 95618



**LETTER 197: SHERRILL FUTRELL**

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**Response to Comment 197-1**

Please see Master Responses 1, 4, and 5.



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

Steven Deverel, Ph.D., P.G., C.HG., P.H., Principal Hydrologist, HydroFocus, Inc., Davis, CA.

There are three key areas that are inadequately addressed in the DEIR as follows.

1. Design of the storm water system does not sufficiently account for groundwater and surface water interactions or climate change.
2. Flow of contaminated groundwater to the storm water system.
3. Excavation of soils with high concentrations arsenic and toxaphene can be a risk to human health.

Storm water system design

The design of the storm water system does not sufficiently account for hydrologic interactions of surface and groundwater flow and thus can affect project and downstream hydrologic conditions. The hydrology of the proposed project area is influenced by groundwater-surface water interactions and a more holistic analysis is required to fully assess impacts. For example, based on modeling and data collection, HydroFocus (2010) concluded that Willow Slough at Road 102 was consistently a gaining stream, i.e., groundwater flowed into the Slough. Shallow groundwater influences surface water levels during wet periods and needs to be considered in the storm-water flow analysis. Specifically, shallow groundwater that rises above the base of the channel as illustrated in Figure 4.8-3 will impede the soil infiltration of storm water. This can cause storm water levels to be higher than anticipated and potentially result in downgradient flooding.

Climate change effects have not been sufficiently considered in the groundwater-surface water interactions illustrated in Figure 4.8-3. One of the consequences of climate change is that more extreme precipitation events will occur (Bedsworth et al. 2018) which can cause shallow groundwater levels to rise within in the project area during wet years as illustrated in Figure 4.8-3 which shows elevated groundwater levels in Water Year 2019 which was classified as wet by the California Department of Water Resources. Modeling conducted for the Yolo Subbasin Groundwater Sustainability Plan includes future projections based on climate change model simulations to estimate the potential impacts on groundwater. Five climate change scenarios were simulated to project future groundwater levels to mid-2030s and mid-2070s. For one future scenario, groundwater storage in the Subbasin was predicted to increase which can mean

198-1



Letter 198 Cont.

198-1  
Cont.

increased incidence of elevated groundwater levels which can exacerbate surface water flooding.

Contaminated groundwater in storm water drainage

On p. 18 of Chapter 4.8 of the DEIR states “In order to ensure that contaminated groundwater associated with the Old Davis Landfill does not enter the proposed storm water system for the Proposed Project/BRPA, Geocon prepared a Channel Evaluation Report to assess the depth at which contaminated groundwater could be encountered on-site during excavation of the drainage system, including the channel and detention basin. As previously discussed, and shown in Figure 4.8-3, the substantial majority of groundwater elevation data points are below 26.5 amsl [above mean sea level]. Thus, the Drainage Channel Evaluation prepared for the Proposed Project/BRPA by Geocon recommended the proposed drainage channel be designed with a base elevation above the groundwater elevation (i.e., 26.5 feet amsl).”

198-2

While the data shown in Figure 4.8-3 shows that the majority of the groundwater levels measured in the monitoring wells are below 26.5 feet amsl, there are by my count 9 events with which groundwater levels were equal to or above 26.5 feet amsl. This means that based on the available historic data, groundwater levels periodically will be shallow enough to allow contaminated groundwater associated with the Old Davis Landfill to flow toward and into the storm water system. The authors stated that the drainage channel will “be designed with a base elevation above the groundwater elevation (i.e., 26.5 feet amsl) to limit the infiltration of groundwater into the channel that may be impacted by [per- and polyfluoroalkyl substances] PFAS or manganese.” The use of the word “limit” is inconsistent with use of the word “ensure that associated with the Old Davis Landfill does not enter the proposed storm water system for the Proposed Project/BRPA.” The data shown in Figure 4.8-3 clearly demonstrate the potential movement of contaminated groundwater into the stormwater channel.

It is important to recognize and characterize the key contaminants of concern for the ecosystem, PFAS and selenium. Per- and polyfluoroalkyl substances (PFAS) represent a potential threat to the ecosystem. Scientific studies have shown that exposure to PFAS in the environment may be linked to harmful health effects in humans and animals (<https://www.epa.gov/pfas/pfas-explained>.) Peritor et al. 2023 reviewed the PFAS threat to animal health and stated that the experimental studies that have allowed us to understand the long-term effects on animals which include the alteration of thyroid functions, and the ability to induce carcinotoxicity.” Per- and polyfluoroalkyl substances are persistent in the environment and they accumulate in the food chain. Houde et I. (2011) reviewed PFAS monitoring research and stated that PFAS are magnified in the food chain which included birds.



Letter 198 Cont.

198-2  
Cont.

Selenium is not mentioned as a constituent of concern in the Hydrology and Water Quality Section, but relatively high concentrations were measured in groundwater samples in 2024 ( Table 3, Universal Engineering Services (UES), 2024). Specifically, concentrations ranged from 5.1 to 68 micrograms per liter. For comparison, a 2 microgram per liter level is recommended for protection of aquatic life in the Bay-Delta and San Joaquin River (Presser and Luoma, 2006 ). Elevated selenium levels in surface water can represent a risk to birds (Presser and Luoma, 2006). Loads of selenium and PFAS to the storm water system potentially represent a threat to animals that reside within and near the storm water system.

While the extent of the PFAS contamination is not completely defined, as stated in UES (2024), these contaminants will likely migrate with time. Per- and polyfluoroalkyl substances were detected in monitoring wells MW-4 and MW-5 located south of the former landfill within and adjacent to the proposed development footprint. UES (2024) recommended continued monitoring.

Consistent with Water Board letter dated January 7, 2023, it should be demonstrated that the storm water system comply with the Antidegradation Policy (State Board Resolution 68-16) which stated that any discharge of waste to high quality waters must apply treatment or control to prevent pollution. Future efforts should demonstrate how the proposed project will ensure that contaminated groundwater associated with the Old Davis Landfill will not enter the proposed storm water system.

198-3

**Arsenic and toxaphene in soils**

The authors of the Hazards and Hazard Materials section 4.7 reported that arsenic was detected in the soil samples at concentrations ranging from 6.1 to 8 mg/kg, which are greater than the California Department of Toxic Substance Control (DTSC) screening level for arsenic in residential soil (0.11 mg/kg) and that these arsenic levels are within the typical range of regional background soil arsenic concentrations. However, according to the Urban Development Area Phase II ESA, arsenic was not detected in on-site soils indicating the elevated arsenic in soil samples collected in the UATA area were not strictly related to regional geologic and soil processes. I posit that high-arsenic soils should not be placed on soils slated for urban development where there were no arsenic detections. The DTSC should be included in the evaluation of the proposed placement of soils with elevated arsenic concentrations in the proposed urban development area. DTSC (2020) stated that site-specific soil arsenic concentrations should be evaluated on a site-by-site basis, in consultation with the DTSC project Geologist and Toxicologist.

The authors of this section also stated that toxaphene concentrations in four of the five composite surface soil samples gathered throughout the former structure area, as well as the



Letter 198 Cont.

198-3  
Cont.

↑ samples taken from the northern end of the former structure area, near the former barn ranged from 1,000 to 1,200,000 micrograms per kilogram ( $\mu\text{g}/\text{kg}$ ). These concentrations exceeded the DTSC screening level for toxaphene in residential soil ( $450 \mu\text{g}/\text{kg}$ ). These concentrations could expose workers to hazardous materials during “ground-disturbing activities.” The authors further stated that “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), “

The missing piece here is the determination of the extent of the toxaphene elevated soil concentrations. The extent of the contamination and determination of volume of soil requiring removal need to be determined prior to assessing the feasibility of off hauling of contaminating soils. Moreover, the DEIR is deficient in not including DTSC in the development of plans to address with water and soil contaminant issues.

Summary

198-4

The proposed project will potentially create hydrologic problems and contamination within and outside of its footprint. Proposed disturbances, excavation for storm drainage and of contaminated soils, will mobilize contaminants. The contaminated groundwater in its current

198-5

state does not pose a serious risk to human or ecosystem health . Proposed disturbances will mobilize PFAS and selenium into the surface water and potentially pose a long-term risk to the ecosystem and human health. In their current state, arsenic laden soils do not pose a significant

198-6

risk to the ecosystem or human health. Excavation of these soils and placement on soils where arsenic was not detected can potentially pose a risk to human health. Lack of holistic

198-7

consideration of groundwater-surface water interactions and climate change effects can potentially lead to flooding beyond that anticipated in the design.

References



**Letter 198 Cont.**

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DTSC (2020) Human Health Risk Assessment NOTE NUMBER 11, Southern California Ambient Arsenic Screening Level <https://dtsc.ca.gov/wp-content/uploads/sites/31/2019/04/HHRA-Note-3-2019-04.pdf>

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Presser, T.S. and Luoma, S.N., 2006. *Forecasting selenium discharges to the San Francisco Bay-Delta Estuary: ecological effects of a proposed San Luis Drain extension* (No. 1646). US Geological Survey Professional Paper 1646.

Universal Engineering Services, 2024, Groundwater Monitoring Report, Old Davis Landfill, Davis, CA, prepared for the City of Davis, Public Works Utilities and Operations Department



**LETTER 198: STEVE DEVEREL (HYDROFOCUS, INC.)**

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**Response to Comment 198-1**

Please see Master Response 3.

**Response to Comment 198-2**

Please see Master Response 3.

**Response to Comment 198-3**

Please see Master Response 3.

**Response to Comment 198-4**

Please see Master Response 3.

**Response to Comment 198-5**

Please see Master Response 3.

**Response to Comment 198-6**

Please see Master Response 3.

**Response to Comment 198-7**

Please see Master Response 3.



Letter 199

**Dara Dungworth**

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**From:** Steve G <stevegellermusic@gmail.com>  
**Sent:** Tuesday, February 25, 2025 3:01 PM  
**To:** Dara Dungworth  
**Subject:** Village Farms Davis Project question  
**Categories:** VFD Comment

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

Dear Ms. Dungworth--

After reading the recent Draft EIR letter about this project, I have a question about one of the Significant Impacts: Noise.

Is the noise impact on the level of "construction vehicles/tools making noise at the site" or is it on the level of "blasting with dynamite to excavate and clear the area," etc? Do you have additional details for me about the noise impact? Also, do you have a proposed timeline for the duration of the project?

Thanks for your time and help.

--Steve

199-1



**LETTER 199: STEVE GELLER**

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**Response to Comment 199-1**

Impacts related to noise are discussed in Chapter 4.10, Noise, of the Draft EIR. The analysis therein is based primarily on the Environmental Noise Assessment prepared by Saxelby Acoustics and is included in Appendix P of the Draft EIR. As discussed in Impact 4.10-1 of Chapter 4.10, Noise, of the Draft EIR, the maximum average noise exposure would be 89 dBA  $L_{eq}$  at 50 feet from the center of activity. In addition, as noted on page 4.10-28 of the Draft EIR, the Proposed Project/BRPA would use typical construction equipment and would not require significant sources of vibration such as pile driving or blasting. As such, the Environmental Noise Assessment did not assume blasting would occur.

Please see Master Response 1. A timeline of the Proposed Project and the BRPA is discussed in Chapter 4.3, Air Quality, GHG Emissions, and Energy, of the Draft EIR. Page 4.3-47 states that the Proposed Project and the BRPA would both be built out over four phases across approximately seven years.



**Letter 200**

**Dara Dungworth**

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**From:** Susan Padgett <spadgett2018@gmail.com>  
**Sent:** Monday, February 24, 2025 3:50 PM  
**To:** Dara Dungworth  
**Subject:** EIR Comment on Village Farms

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

I would like to submit the following related to the environmental impact of the Village Farms development:

**200-1**

1. The land being proposed for Village Farms is agricultural land and it appears to be currently in use for farming. We need housing desperately but also need to value our farm land. I would like to encourage the developer to consider a smaller footprint with more housing density to leave as much open land as possible.

**200-2**

2. Covell is a main bus route in Davis. Currently the developer is planning a park along Covell. I would encourage the developer to move the park and use the land along Covell for fairly dense housing so that those living there would be within an easy walk to the shopping center or bus stop.

Thank you.  
Sincerely,  
Susan Padgett  
618 Flicker Ave.  
Davis, CA 95616



**LETTER 200: SUSAN PADGETT**

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**Response to Comment 200-1**

Potential impacts to agricultural resources, including conversion of farmland to non-agricultural uses, are discussed in Chapter 4.2, Agricultural Resources, of the Draft EIR.

**Response to Comment 200-2**

Please see Response to Comment 100-7.



Letter 201

Village Farms DEIR Research & Questions  
Standard of Care – First Do No Harm

201-1

<https://pubs.usgs.gov/fs/fs07603/#:~:text=Development%20along%20stream%20channels%20and,inundate%20a%20larger%20area%20upstream.>  
<https://water.ca.gov/Programs/Flood-Management/Flood-Planning-and-Studies/Central-Valley-Flood-Protection-Plan>

**Development on floodplains in California can be dangerous because it can increase the risk of residential flooding and damage the environment.**

**Increased risk of flooding**

- **Altered water flow:** Development can change the way water flows through a channel, causing water to rise higher and flood a larger area.
- **Obstructed floodwaters:** Structures built in floodplains can block floodwaters, causing them to build up and flood nearby areas.
- **Increased flood damage:** As development increases, so do the average annual losses from flooding.

201-2

**Environmental damage**

- **Loss of natural resources:** Development can destroy wetlands and other natural resources that help absorb floodwaters and protect communities.
- **Loss of wildlife habitat:** Development can degrade and destroy the habitats of fish and other wildlife.
- **Increased pollution:** Development can increase pollution sources.

Examples of development that can increase flood risk: *Clearing vegetation, covering floodplains with impervious surfaces, Re-routing stormwater, Channelizing rivers,* and Building bridges and other structures that narrow the channel.

201-3

**Flood Plain**

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

New development on flood plains near the Sacramento River can be dangerous because of the risk of flooding. Floodplains can cause loss of life and property, disruption of commerce, and health and safety hazards.

The area adjacent to a channel is the floodplain. Floodplains are



Letter 201 Cont.

illustrated on inundation maps, which show areas of potential flooding and water depths. In its common usage, the floodplain most often refers to that area that is inundated by the 100-year flood, the flood that has a one percent chance in any given year of being equaled or exceeded. The 100-year flood is the national minimum standard to which communities regulate their floodplains through the National Flood Insurance Program (NFIP). The 500-year flood is the flood that has a 0.2 percent chance of being equaled or exceeded in any given year. **The potential for flooding can change and increase through various land use changes and changes to land surface, which result in a change to the floodplain. A change in environment can create localized flooding problems inside and outside of natural floodplains by altering or confining natural drainage channels. These changes are most often created by human activity.**

201-3  
Cont.

In addition to those 100- and 500-year floodplains regulated under the NFIP, recent California legislation resulting from Senate Bill 5 (2007) requires cities and counties within the Sacramento-San-Joaquin Valley to address new flood protection standards of the 1-in 200 year (0.5 percent chance of being equaled or exceeded in any given year) flood when considering new development. These standards are under development and will become effective over the next several years as ongoing technical studies are performed.

According to the 2008 Flood Insurance Study for the County, flooding can occur in Sacramento and Yolo Counties planning area anytime from October through April. Flooding results from prolonged heavy rainfall and is characterized by high peak flows of moderate duration and by a large volume of runoff. Flooding is more severe when antecedent rainfall has resulted in saturated ground conditions. Cloudburst storms, sometimes lasting as long as three hours, occur over Sacramento and Yolo Counties anytime from late spring to early fall, and they may occur as an extremely severe sequence within a general winter rainstorm. Cloudbursts are high-intensity storms that can produce peak flow equal to or somewhat greater than those of general rainstorms in portions of the study area. Flooding from cloudbursts is characterized by high peak flow, short duration of flood flow, and small volume of runoff.

*We must be aware of EVER COMING CLIMATE CHANGE EVENTS, in CEQA or not.*

**Planning: The Phasing out of Cul-de-Sacs**

Cul-de-sacs are *increasingly seen as* undesirable in urban planning because they promote car dependency, limit walkability, create inefficient traffic patterns, (are difficult for Fire Engines) and generally lack connectivity to other areas, making it difficult to access amenities without driving, which is considered a negative aspect of suburban development. Also because people back up and hit children due to diminished visibility.

**Cul de sacs make roads more dangerous.** They lead to the terrible idea of collector roads and arterials, which end up being very busy multi-lane highways. This is dangerous to pedestrians and results in a positive feedback loop inducing more vehicular traffic. ANOTHER BUFFER TO AVOID DECENT PUBLIC TRANSPORTATION. Doesn't the City Admin. See that Davis is an I-80 pinch point and grid lock causation? Presently, anterior roads being backed up so that perpendicular

201-4



Letter 201 Cont.

201-4  
Cont.

roads cannot pass. Has City Admin. seen Pole Line, 113 and other roads to I-5 clogged up? This is important to understand in the need of evacuation. (See 'Fire Access')

**Issues Regarding Landfill and Sewage Plant Abandonment for Planning, Liability and Insurance**

Building near a landfill can be dangerous because of the risk of exposure to toxic gases, the potential for explosions, and the possibility of subsidence.

What is a safe distance to live near a landfill?

What are the risks of living near toxic waste sites? **Research shows adverse health effects most likely occur within a 1.8 mile, 1000 feet boundary** around a Superfund site. One of the most significant risks of building on an old landfill site is the potential for soil and groundwater contamination. Landfills contain various hazardous substances, including heavy metals, organic compounds, and other toxic chemicals. Over time, these substances can leach into the surrounding soil and groundwater, potentially contaminating nearby wells and water supplies. In addition, the breakdown of organic material in landfills can produce methane gas, posing a serious explosion risk if not properly managed. The highest action is to remove it and restore nature.

201-5

**PFAS from Landfill:**

Current scientific research suggests that exposure to certain PFAS may lead to adverse health outcomes. However, research is still ongoing to determine how different levels of exposure to different PFAS can lead to a variety of health effects. Research is also underway to better understand the health effects associated with low levels of exposure to PFAS over long periods of time, especially in children. EPA: What We Know about Health Effects of PFAS exposures Current peer-reviewed scientific studies have shown that exposure to certain levels of PFAS may lead to:

- Reproductive effects such as decreased fertility or increased high blood pressure in pregnant women.
- Developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes.
- Increased risk of some cancers, including prostate, kidney, and testicular cancers.
- Reduced ability of the body's immune system to fight infections, including reduced vaccine response.
- Interference with the body's natural hormones.
- Increased cholesterol levels and/or risk of obesity.



Letter 201 Cont.

**Cal Fire Access Requirements**

(Since it is almost impossible to get fire insurance in CA now, it is essential that the Fire Department has good access).

**We must adapt to the times in which we are living.**

**Recommendations from The Fire Department Authorities is wise.**

**Learn from Fire Events in California, who are now calling for new access codes.**

**Article 2 Ingress and Egress**

**1273.00. Intent**

Roads, and Driveways, whether public or private, unless exempted under 14 CCR 1270.03(d), shall provide for safe access for emergency Wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a Wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

**1273.01. Width.**

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless

other standards are provided in this article or additional requirements are mandated by Local Jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section

35250.

(b) **All One-way Roads** shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including Shoulders. The Local Jurisdiction may approve One-way Roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) Residential Units. (2) In no case shall a One-way Road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each One-way Road. (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

**§ 1273.02. Road Surface**

(a) Roads shall be designed and maintained to support the imposed load of Fire Apparatus weighing at least 75,000 pounds, and provide an aggregate base.

(b) Road and Driveway Structures shall be designed and maintained to support at least 40,000 pounds.

(c) Project proponent shall provide engineering specifications to support design, if requested by the Local Jurisdiction.

**1273.03. Grades**

(a) At no point shall the grade for all Roads and Driveways exceed 16 percent.

(b) The grade may exceed 16%, not to exceed 20%, with approval from the Local Jurisdiction and with mitigations to provide for Same Practical Effect.1273.04.

201-6



Letter 201 Cont.

201-6 Cont.	<p><b>Radius</b> (a) No Road or Road Structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet. (b) The length of vertical curves in Roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.</p> <p>§ 1273.05. <b>Turnarounds</b> (a) Turnarounds are required on Driveways and Dead-end Roads. (b) Two ways to exit developments is recommended.</p> <p>Building to the fire department access requirements is building a sustainable and resilient community - a stellar example to other communities. Probably the only way to get fire insurance. Buyers Beware: Flood Insurance? It's a new day....</p>
201-7	<p><b>Trees Located in Flood Zone:</b> Removing hundreds of trees in a flood zone can increase the risk of flooding. Trees help manage rainwater and snowmelt, which can <i>reduce the risk</i> of extreme flooding. To remove a small forest in a watershed is ecocide (The killing of ecosystems in nature).</p>
201-8	<p><b>TRAFFIC</b> High traffic volume near a middle school; refers to a situation where a large number of vehicles are present on the roads surrounding a middle school, usually occurring during drop-off and pick-up times, leading to congestion and potential <i>safety concerns for students walking or biking to school.</i></p> <p>High-volume roadways are considered those with an AADT of 50,000 or more. Low-volume roads are considered those with an AADT of 400 or less. These categorizations vary by state and country, and as such are only a guideline. As an illustration, consider a road with an AADT of 400, a low-volume road. Many commuters are taking Poleline to I-5 instead of I-80 for – now there is gridlock on both. People commute from Marysville and Yuba City as well as Sacramento.</p>
201-9	<p>TRAFFIC GRIDLOCK WOULD RESULT IN MORE GREENHOUSE GASES (GHG) AND AIR QUALITY DETERIORATION. THIS IS BECAUSE CEQA IGNORES TRAFFIC CIRCULATION IMPACTS BUT <b>IT CANNOT IGNORE GHG's AND AIR QUALITY DETERIORATION DUE TO THE BACKED-UP TRAFFIC AND GRIDLOCK.</b></p>
201-10	<p><b>Comments &amp; Recommendations</b></p> <p><b>Proposed Davis Guiding Principles: Living Community Challenge:</b> <a href="https://living-future.org/lcc/">https://living-future.org/lcc/</a></p>



Letter 201 Cont.

201-10  
Cont.

This standard of sustainable and resilient community planning is now a global document and it provides a good follow-on to the progressive Davis General Plan that is not being followed, no, it is being threatened to being eliminated by the current Developer Mayor.

***It is highly recommended that the City of Davis provide the Living Community Challenge Standards as Guiding Principles to all developers, who must read and follow. There are also actions for the Davis Community to follow for resilience safety.***

With the recent attempt by a developer team try to game the DEIR with an All or Nothing approach, that isn't even legal to do; to even THINK of putting million dollar homes next to an unlined landfill and abandoned sewage treatment plant *is not sustainable thinking* – it is Return on Investment, big money, toss cares to the wind moves by developers who want to build status quo minimum code homes on the cheap with a few frills – then skate away with their millions while the City of Davis and design professionals will be in great legal liability for Health, Safety and Welfare and Standard of Care Laws – not being upheld – when the class action law-suits come in for the cancers and birth defects that start happening from being near the toxic mass. *Insurance may well be a difficult issue for potential home buyers to even get.* Moral Blame is strong in courts. CA Case law – Duty even when not the final decision maker. Contractual protections do not always apply in negligence claims. Contractual exclusions may not overcome Duty. Be Advised.

201-11

**BIKE PATHS 2025**

How can it be that South Davis has nice, paved bike paths with tunnels and good flow, away from cars on streets, yet North Davis doesn't have the same? How can it be that the City of Davis can build nice bike roads that cross I-80 and ramp up to Pole line – yet not provide any leadership to the current developer to collaborate to have decent bike routes – away from the vehicle roads? How can it be that people from Holland came to show us what good bike paths look like and not **make it a requirement for developers to help the city achieve these goals?** BY LEADERSHIP – VISION – SUSTAINABLE ENVIRONMENTAL PLANNING BY THE MAYOR AND THE COMMITTEES. (Which does not seem to be present at this time. I pray that this is not the case.)

Finally, I have been to big built-environment conferences and seen presentations by Developers who presented a beautiful, sustainable project in the Bay Area that the city loves! They were inspired to do this, to give something beautiful, sustainable, safe and resilient. That is the true challenge of the Living Community Challenge – Beauty is a principle. There is another way.

To fit the most excellent action to the demand of the moment as one's highest obligation to one's Self.

Susan Rainier, AIA, LEED AP BD+C, Living Community Accredited,  
Living Future Institute, Architect Activist, Protector of Nature



**LETTER 201: SUSAN RAINIER**

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**Response to Comment 201-1**

Please see Master Responses 1 and 4.

**Response to Comment 201-2**

Please see Master Response 1.

**Response to Comment 201-3**

Please see Master Responses 1 and 4.

**Response to Comment 201-4**

Please see Master Responses 1 and 5.

Impacts related to transportation are discussed in Chapter 4.13, Transportation, of the Draft EIR. Emergency vehicle access is evaluated under Impact 4.13-5. As discussed therein, the impact regarding the Proposed Project and the BRPA providing adequate emergency access is found to be less-than-significant.

**Response to Comment 201-5**

Please see Master Responses 1 and 3.

**Response to Comment 201-6**

Please see Master Response 1.

**Response to Comment 201-7**

Please see Master Responses 4 and 7.

**Response to Comment 201-8**

Please see Master Responses 1 and 5.

**Response to Comment 201-9**

Please see Response to Comment 47-1 and 75-9.

**Response to Comment 201-10**

Please see Master Response 1.

**Response to Comment 201-11**

Please see Master Response 1.



Letter 202

TAYLOR, WILEY & KEASLING  
A PROFESSIONAL CORPORATION

JOHN M. TAYLOR  
JAMES B. WILEY  
MATTHEW S. KEASLING  
JESSE J. YANG  
MARISSA C. FUENTES

ATTORNEYS  
500 CAPITOL MALL, SUITE 1150  
SACRAMENTO, CALIFORNIA 95814

TELEPHONE: (916) 929-5545

February 25, 2025

Dara Dungworth, Principal Planner  
City of Davis Department of Community Development  
23 Russell Boulevard, Suite 2  
Davis, California 95616  
[ddungworth@cityofdavis.org](mailto:ddungworth@cityofdavis.org)

Re: Village Farms Davis Project Draft Environmental Impact Report (SCH # 2023110006)

Dear Ms. Dungworth:

Taylor, Wiley & Keasling represents Ramco Enterprises and the Buzz Oates Group of Companies, who were the applicants and owners for the Aggie Research Center/Davis Innovation Sustainability Campus (DISC) and DISC 2022 projects in the City of Davis. (As noted on page 7-33 of the DEIR, both of these projects were approved by the City of Davis but subsequent ballot measures failed to receive the requisite votes for Measure J approval.) Notably, the Draft Environmental Impact Report (DEIR) for the proposed Village Farms Davis Project (Project) selected approximately 194 acres of the DISC project site as the location for its Off-Site Project Alternative. Due to the DISC site having been included in the environmental analysis, we have reviewed the DEIR for the Project and offer the following comments.

First, let us be clear that we are supportive of the Village Farms Davis Project and have no substantive comments related to that project as proposed. Rather, our comments relate only to the DEIR's analysis of the Off-Site Project Alternative on pages 7-33 to 7-40 of the DEIR.

The DEIR concluded that, because the Off-Site Project Alternative site is not located as close to the center of the City of Davis as the Village Farms project site, this alternative would not be as good at meeting the project objective of reducing vehicle miles traveled (VMT) and minimizing sprawl as would the proposed project. The DEIR noted that, because the DISC site is in an area where residential VMT per capita ranges from 33 to 36 as compared to the project site being located in an area that generates approximately 31 VMT per capita, the development of the Village Farms project on the DISC site as the Off-Site Project Alternative would result in greater transportation impacts. We do not dispute that DISC is further from the center of town. However, we believe that the increased distance could be offset by the availability of more robust transit, proximity to jobs on 2<sup>nd</sup> Street, and direct routes of travel to retail, schools and parks. Additionally, we believe that the DEIR downplays the environmental advantages of development on the DISC site, as discussed below.

202-1



**Letter 202 Cont.**

Village Farms DEIR Comments  
February 25, 2025  
Page 2

202-2

To elaborate, with the exception of VMT, the DEIR concluded that Off-Site Project Alternative would result in similar or lesser impacts than the Proposed Project relative to every other environmental issue analyzed in the DEIR. Specifically, the DEIR concluded that the Off-Site Project Alternative, i.e. the DISC site, would result in fewer impacts to:

1. agricultural resources,
2. air quality/GHG emissions/energy,
3. biological resources,
4. cultural and tribal resources,
5. geology and soils,
6. hazards and hazardous materials,
7. hydrology and water quality, and
8. noise.

Surprisingly, despite these considerable environmental benefits of development on the DISC site, the DEIR does not select the Off-Site Project Alternative as the “environmentally superior alternative.” Rather, the DEIR concluded that the Higher Number of Units – Same Footprint Alternative is considered the “environmental superior alternative.” However, according to Table 7-1 on pages 7-42 through 7-49 of the DEIR, the Off-Site Project Alternative would result in similar or lesser environmental impacts than the Higher Number of Units – Same Footprint Alternative with respect to all environmental impacts except for VMT. Thus, we believe that the Off-Site Project Alternative is environmentally superior. For this reason, the final EIR should be modified to identify the Off-Site Project Alternative as the environmentally superior alternative or explain why the Off-Site Project Alternative was not selected.

Thank you for the opportunity to provide our comments on the DEIR. Please let us know if you have any questions regarding our comments.

Very truly yours,



Matthew S. Keasling

cc: Mayor and City Council  
Mike Webb, City Manager  
Dan Ramos, Ramco Enterprises



**LETTER 202: TAYLOR, WILEY, AND KEASLING**

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**Response to Comment 202-1**

Please see Master Responses 1.

**Response to Comment 202-2**

A detailed discussion of alternatives can be found in Chapter 7, Alternatives Analysis, of the Draft EIR. As stated on page 7-2 of the Alternatives Analysis, the Proposed Project is being pursued with the objectives of guiding 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, and planning development to reduce greenhouse gas (GHG) emissions by aligning with the City's 2040 Climate Action and Adaptation Plan. As discussed on page 7-40, the lead agency may consider certain issue areas as a higher priority than others. For the purposes of this EIR, reduction of impacts related to VMT are considered a high priority due to the potential consequences of climate change for the City of Davis. The Higher Number of Units – Same Footprint Alternative is the only alternative that eliminates the Proposed Project's significant and unavoidable VMT impacts. Therefore, the Higher Number of Units – Same Footprint Alternative is considered the environmentally superior alternative.



**Dara Dungworth**

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**From:** Timothy Hoban <newhoban@gmail.com>  
**Sent:** Tuesday, February 25, 2025 9:51 AM  
**To:** Dara Dungworth  
**Subject:** Village Farms  
  
**Categories:** VFD Comment

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

Dear Mayor, Council Members, and Planning Commission Members:

I wish to begin by thanking you for your service to the City of Davis, which I much appreciate. I doubt if I have to remind you that it is very difficult work.

My name is Timothy Hoban and my wife, daughter and I have been citizens in this town for over 55 years. We have seen a lot and care deeply.

You have been presented with a truly monstrous proposal in the form of the Village Farms project. Our city leaders and planners MUST reject the project in its current design and ALL other proposals, such as downsizing, or adding token "affordable" units the developer will attempt. Close the ENTIRE Village Farm development for good. The amount of damage that approval of this plan will have is difficult for me to even imagine. We have a relatively tiny town footprint and border with ever growing high density. Citizens WILL be paying for it and suffering if the city allows it. There are compelling reasons past projects including Mike Corbet's attempt have failed on this site before, because citizens have had enough of these enormous projects which benefit only wealthy speculators and developers at our whole town's expense. We have met our forced growth for this year. We have done enough.

As our leaders, you have a deep responsibility to protect the safety, quality of life, and environment of our city. I am beseeching you to do the right thing. Don't RUIN our town. Permanently reject this proposal and all future modified projects on this site by this developer.

I am including this long, detailed, and especially insightful summary that I came across by Eileen Sam. Every ISSUE that she brings up from her research requires very careful reading and action on your part, in my view.

Sincerely, Timothy Hoban  
633 K Street, Davis



203-1

Letter 203 Cont.

203-2

**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.

203-3

**- 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?

203-4

**-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.

203-5

**-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, 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.

203-6

**- Massive infrastructure costs including an un-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?

203-7

**-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,



Letter 203 Cont.

203-7 Cont.	even <i>if</i> it is feasible, the developer is <u>not</u> 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?
203-8	<b>-Unaffordable housing where the vast majority of the homes will be McMansion's</b> , Market homes will not be cheaper than \$700,000 - \$800,00 but the majority of them will be well over \$1 million. This does not help our average workers or particularly families with young kids, so this project will <i>not</i> help bring a lot of kids to the schools contrary to the developer's claims. This housing would <i>not</i> help workers and young families with average incomes since they will not be able to afford these homes.
203-9	<b>- Habitat impacts including tearing out 952 trees to dig up to expand and re-route Channel A</b> which will have significant impacts on the habitat and raises major concerns about potential flooding issues.
203-10	<b>In summary, Village Farms is proposing 1,800 units on roughly 400-acres is the largest residential project ever proposed in the City of Davis, on a site with a plethora of problems, impacts and costs.</b> 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 massively 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.



**LETTER 203: TIMOTHY HOBAN**

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**Response to Comment 203-1**

Please see Master Response 1.

**Response to Comment 203-2**

Please see Response to Comment 75-1.

**Response to Comment 203-3**

Please see Master Response 4.

**Response to Comment 203-4**

Please see Master Response 3.

**Response to Comment 203-5**

Please see Master Response 5.

**Response to Comment 203-6**

Please see Response to Comment 75-51.

**Response to Comment 203-7**

Please see Master Response 6.

**Response to Comment 203-8**

Please see Master Response 1.

**Response to Comment 203-9**

Please see Master Response 7.

**Response to Comment 203-10**

Please see Master Response 1.



**Dara Dungworth**

**From:** Thomas McCubbins <tfmccubbins@hotmail.com>  
**Sent:** Thursday, February 13, 2025 12:55 PM  
**To:** Dara Dungworth; Planning Commission  
**Subject:** CEQA Comments Related to Village Farms Davis Project

**Categories:** VFD Comment

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204-1

The following are thoughts related to the Transportation chapter prepared for the Village Farms Davis Project. In developing these comments, an assumption was made that all 1,800 units of housing will be constructed and that an increase in population of 4,626 persons will result.

204-2

Related to comments made by the developer that this project would provide needed housing for local workers, employment data developed by Deloitte Services indicates a job growth of 1.16 (from 31,900 to 32,200 between 2021 and 2022 for an increase of 300 jobs within the Davis census area. Consequently, it appears that many of the homes to be developed in an and adjacent to Davis City limits would be occupied by those who work outside the City's limits and thus commute. If this is the case, it seems likely that considerable commuter traffic would be developed by those new residents who work in Sacramento or other nearby communities. This would be in addition to the current volume of cross town and I-80 interchange traffic volumes. More specifically, City of Davis Daily Traffic Count Data reported 13,800 trips along Pole Line Road adjacent to the project area, near its intersection with East Covell Road. Other significant amounts of traffic were recorded along this cross-town route from East Covell Boulevard to the Interstate 80 overcrossing. At the same time, 19,704 trips were recorded along Richards Blvd at I-80 and 29,354 along Mace Blvd at I-80 Although it is assumed that not all this cross-town traffic funnels onto Interstate 80 East and West, Cal Trans Traffic data from 2017 reports Annual Average Daily Traffic Rates as follows:

204-3

Back AADT (representing traffic South or West of count locations)  
Richards Blvd at I-80. 136,700  
Mace Blvd. /County Road 104 at I-80 133,600

204-4

Ahead AADT, (representing traffic North or East of the count location).  
Richards Blvd. at I-80 131,300  
Davis, Mace Blvd. /County Road 104 at I-80 141,500

204-5

While not all this traffic originates within the Davis community, City traffic counts in addition to those made along portions of Richards Boulevard and Mace Boulevard at Interstate 80 indicate relatively heavy commute traffic onto I-80 and out of the area.

The Transportation Chapter also describes a few alternate transportation modes  
UniTrans

Unitrans ridership statistics show that:

- In 2024, Unitrans carried a total of 3,479,000
- Roughly 90% of Unitrans riders are UC Davis undergraduates.
- The primary hubs for Unitrans are the two campus terminals at the MU and Silo.
- Unitrans carries an average of 30 passengers per trip



**Letter 204 Cont.**

**204-5  
Cont.**

- The V (West Village) Line carries more than 20% of all Unitrans riders with the system's highest ridership being the Anderson-North Sycamore corridor (G/J), Cowell corridor (M/W), and the V Line. Each of these routes have many student-oriented housing units.
  - At the present time approximately 5% of Unitrans riders are non-Davis students, faculty, staff, and the general public.
- These statistics indicate that most Unitrans riders are students commuting from nearby neighborhoods to the UCD campus rather than workers commuting to jobs in the downtown and surrounding area or to access other modes of transportation into Sacramento, Woodland, Vacaville, or Fairfield
- Yolo Bus

**204-6**

According to available information generated in 2023, the Yolo Bus system recorded a ridership of approximately 532,400, with an average of around 3,200 riders per weekday. Given the large area covered by this transit system between Davis, Sacramento, Woodland and Brooks, and the large numbers of those commuting out of Davis, it appears that this is not a wildly popular mode of transportation and thus would not significantly mitigate traffic impacts related to this project.

**204-7**

Amtrack

Recent Amtrack statistics report that the Davis station generated 171,390 trips in 2022 with an average trip covering 79 miles. Stations to the east and west of Davis where daily commuting is feasible could include Rocklin, Roseville, Sacramento, Fairfield-Vacaville, Suisun-Fairfield, Martinez, Richmond, Berkeley, Emeryville, and Oakland Jack London Square. Although stations serve these cities, daily commuters would, in many instances, find it necessary to transfer onto other transportation lines or modes of travel to complete their commute thus increasing commute times and decreasing commute efficiency.

**204-8**

In summary the small number of jobs created in the Davis community that could support the mortgage payments required for the homes to be constructed within the Village Farms Davis Project could result in Davis becoming another sprawling bedroom community for Sacramento like Elk Grove and Woodland. It is recognized that the State has mandated that all California communities contribute a fair share of housing units to fulfill current and future housing needs. The continued use of community development that results in urban sprawl supported by the use of automobiles shows a lack of creative thinking about how the State's housing needs can be filled in the Davis community while at the same time maintaining the quality of life for current residents and reducing the need for continued expansion (and expense) municipal and State automobile infrastructure.

Thanks in advance for your consideration of these comments.  
Tom McCubbins  
North Davis



**LETTER 204: TOM MCCUBBINS**

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**Response to Comment 204-1**

Please see Master Response 1.

**Response to Comment 204-2**

Please see Master Response 1.

**Response to Comment 204-3**

Please see Master Response 1.

**Response to Comment 204-4**

Please see Master Response 1.

**Response to Comment 204-5**

Please see Master Response 1.

**Response to Comment 204-6**

Please see Master Response 1.

**Response to Comment 204-7**

Please see Master Response 1.

**Response to Comment 204-8**

Please see Master Response 1.



Letter 205

**Dara Dungworth**

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**From:** Toni Smith <tonismith2312@gmail.com>  
**Sent:** Sunday, February 16, 2025 12:32 PM  
**To:** Dara Dungworth  
**Subject:** Village Farms  
  
**Categories:** VFD Comment

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

Dara

I just read an article in Davis paper  
I have lived in Davis since 1975  
I strongly feel there is a "not in my backyard"  
mentality by many people who show up with passion at your meetings about any growth in housing I question  
that a consultant that prepares the DEIR would miss a big issue with flood plane area ( just needs to be  
increase dirt to decrease the risk) and soil contamination that will hurt residents Just so much drama about  
building off Covell It's too bad that people who would like housing for young families do not show up to give  
their needs known The cannery has many residents I drive on Covell near the cannery nearly everyday. I have  
never noticed a lot of traffic coming or going from the cannery The people who want to build at village farms  
are responsible builders that care about Davis Please keep in mind that Davis schools need students It's very  
important that Davis begins to allow a variety of building I also disagreed with not allowing a vote last Nov  
Davis is very slow in allowing building of housing not apartments and very very slow allowing new businesses  
into Davis like Estelle's I think Estelle's is a great business which has taken the city of Davis too long to  
approve I feel there is a lack of efficiency in the city inspection department And don't get me started on the tree  
trimming huge issue which was a preventable tragedy Best Toni

Of upmost  
Sent from my iPhone

205-1



**LETTER 205: TONI SMITH**

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**Response to Comment 205-1**

Please see Master Response 1.



Letter 206

**Dara Dungworth**

---

**From:** Toshio Leeper <toshioleeperpt@gmail.com>  
**Sent:** Sunday, February 2, 2025 11:33 AM  
**To:** Dara Dungworth  
**Subject:** Village Farms Davis Project  
  
**Categories:** VFD Comment

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

206-1

Good morning,

Thank you for the notice regarding Village Farms. My name is Toshio Leeper, I live in the Cannery. I'm in favor of the BRPA because I like the idea of preserving a Natural Habitat Area. I assume that means smaller plots and/or narrower streets in the new neighborhood? Any other consequences?

Does this count as providing feedback or do I need to submit something more official? Thank you!

Cheers,  
Toshio Leeper  
1943 Cannery Loop



**LETTER 206: TOSHIO LEEPER**

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**Response to Comment 206-1**

Please see Master Response 1.

A detailed description of the Biological Resources Preservation Alternative can be found in Chapter 3, Project Description, of the Draft EIR from pages 3-27 through 3-46. Potential environmental impacts of the Biological Resources Preservation Alternative are addressed throughout the technical chapters of the Draft EIR.



Letter 207

**Dara Dungworth**

**From:** T L <cactustrud@hotmail.com>  
**Sent:** Monday, February 24, 2025 10:37 AM  
**To:** Dara Dungworth  
**Subject:** Village Farms issues

**Categories:** VFD Comment

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

To Davis Planning Commission,

I am an original resident of The Cannery, have lived here 7+ years.

I reviewed the entire EIR for Village Farms and found these prominent issues:

207-1

1) The traffic impact, without further widening of Pole Line and Covell, is severe. Most critical is that there must NOT be a road from Village Farms connecting to The Cannery. To do so would place Cannery residents in danger. Cannery has only two ingress/egress points. Only one point, at J street, has Eastbound access. The other point has only Westbound access. Since the addition of more apartments and a preschool (not accounted for by EIR), there is more traffic at the rotary pinchpoint. Indeed, the entire Cannery suffers from streets that are already extremely narrow—compounded by too many cars parked on-street rather than in garages, plus numerous delivery & service trucks, pedestrians, bicyclists, lots of kids riding scooters and other modes of transport. Within much of the Cannery, drivers must stop and wait on thru-streets for one vehicle to go down street in opposite direction, just to squeeze by, ie; a street that is supposed to carry 2 way traffic only carries one lane of one-way traffic at any given time. City Fire trucks and Garbage trucks are well-aware of the congestion & narrowness in Cannery. If Cannery residents had to evacuate in an emergency, they would not be able to safely do so via cars, as the streets are too narrow and the exits too few. All this is to say that the Cannery cannot tolerate any additional traffic, cannot tolerate any additional overflow seeking ingress/egress from a large development such as Village Farms. Cannery, which still has undeveloped frontage near the rotary, cannot accommodate any additional vehicle traffic at all. For the safety of our residents, there cannot be any additional traffic from outside the Cannery development—there is an arrow to the rotary, indicating that this is part of the plan for Village Farms. This road incursion into Cannery should never be part of any future plan.

207-2

2) Drainage/flood potential: The EIR outlines Cannery current drainage, and the proposed Village Farms drainage. Nowhere does the EIR address how, in extreme rain events (which we experienced recently and expect to see more often) the addition of the Village impact Cannery drainage. If there were a drainage or flooding of the Village, does that impact the Cannery's drainage or flood-prone areas. Some residents of Cannery do experience flooding of their yards. Some homes in the Cannery have a higher flood potential than the rest of the development. How does a huge development next door impact Cannery in cases of large weather events?

207-3

3) Partial loss of Cannery Farm land/buffer. The EIR shows that part of the Cannery Farm (which the City has yet to fully maximize), will be removed to make room for Village. Cannery residents have been poorly served by the City as it is: Farm not being fully utilized for stated purpose, front area of Cannery sold off for apartments when it was supposed to be mixed use of owned residences and small offices/small biz retail to serve our residents, City forcing Cannery to accept homes being rented by 8+ non-related renters and their friends, thus families needing housing have lost opportunities to buy or rent (and send kids to fill Davis schools) due to non-resident outside investors. Cannery residents have endured many plans and promises broken by both developer and the City. We do not trust that a huge development being built next door will be any better at fulfilling its plans.

207-4

3) Noise & lighting issues: with expansion of much more traffic on Covell, Pole Line, F street, J street, L street, and other spillover, car and street noise expands exponentially. At Cannery we already experience a lot of street noise from F street, Covell, Pole Line—especially during high traffic times—and of course from the trains. Our development is less than one quarter the size of Village. The added noise, plus more lighting, significantly decreases quality of life for all surrounding neighborhoods, where we already get a lot of noise.



Letter 207 Cont.

207-4  
Cont.

The addition of firestation is also a concern, as we already get lots of sirens from F st, Covell, and Pole Line. Further noise from Village will also come from service trucks, garbage trucks, delivery trucks, and years of construction noise & vehicles. The Cannery — a much smaller development— took years to complete. Cannery residents would endure almost a decade of constant noise and traffic disruption.

207-5

4) EIR does not address phases of construction nor timelines. Does not address who is paying for the huge amount of infrastructure improvements. The bike path connecting to Cannery assumes bikes will travel along the northern path near drainage ditch. This is actually not the case. Cannery residents observe that many cyclists ;primarily school students) travel the Cannery streets to access the Covell underpass—so once again, we would increase street traffic, increase safety risks with more school cyclists already at risk due to busy narrow Cannery streets (another reason to not allow spillover access to Cannery via connecting road at rotary).

207-6

5) EIR shows large park at intersection of Covell and PoleLine southeast corner. Why put a park on such a busy loud corner? Better to put park at Southwest corner. This way it allows more noise buffer between Cannery and Village, allows Cannery to keep its entire Farm area, blocks any road from connecting to Cannery rotary, allows for possible bike path access near Park that leads to Covell underpass.

207-7

6) EIR shows incorrect bus access at J street and Covell. Map shows 5 bus routes at that intersection. The P/ Q City bus (goes downtown Davis and UCD—one goes clockwise, one goes counterclockwise=essentially same route)makes a stop there. The L line stops further down J, not Covell. The Yolo bus to Sac and Airport used to stop there but no longer does—have to pick it up at Safeway shopping center on Covell & Anderson. So there is not a lot of bus service that stops at J & Covell.

207-8

As EIR stands now, the impact on Cannery is profound. Voters here are very active and will no doubt overwhelmingly reject it at the polls, primarily due to enormity of size, safety/environmental/traffic/noise and disregard for Cannery residents quality of life and devaluation of property value \$ enjoyment

Thank you for considering my input.  
Trudie Lerner  
2045 Cannery Loop  
Davis, CA

Sent from my iPhone



## **LETTER 207: TRUDIE LERNER**

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### **Response to Comment 207-1**

Please see Master Responses 1 and 5.

### **Response to Comment 207-2**

The development of Village Farms Davis will not have an impact on the existing drainage conditions at the Cannery. As shown in Appendix N – Table 4, the peak stage water surface elevation at all upstream boundary conditions is equal to or less than the existing condition. Based on the results, the Proposed Project/BRPA would result in a net benefit to the surrounding areas in Davis upstream of the project area. Please see Master Response 4.

### **Response to Comment 207-3**

Please see Master Response 1.

### **Response to Comment 207-4**

Please see Response to Comment 17-8.

### **Response to Comment 207-5**

Please see Master Responses 1 and 5.

### **Response to Comment 207-6**

Please see Master Response 5. In addition, the effect of traffic noise on the future park is not relevant to CEQA, which is focused on the environmental effects of the project on the surrounding environment.

### **Response to Comment 207-7**

Figure 4.13-3 correctly shows bus stop locations and the segments of streets in the study area that are served by Unitrans and Yolobus bus routes in the study area. The comment is correct that not every bus route shown in the subsequent Table 4.13-1 operates on every street and serves every bus stop shown on Figure 4.13-3. The Proposed Project/BRPA would be accessible to bus stops near the Cannery on East Covell Boulevard immediately east and west of J Street-Cannery Avenue that are served by the Unitrans P and Q Lines, and Yolobus Route 43.

The figure also shows other lines that serve streets adjacent to the area. The Unitrans L Line and T Line have two stops on Pole Line Road north of E. Covell Boulevard along the project frontage. The Unitrans E Line has a stop on J Street south of the E. Covell Boulevard/Cannery Avenue-J Street intersection. The Unitrans F Line runs along F Street north of W. 14th Street with the nearest stop at W. Covell Boulevard.

### **Response to Comment 207-8**

Please see Master Response 1.



Letter 208

**Dara Dungworth**

**From:** Victor Justo <victorjusto@gmail.com>  
**Sent:** Wednesday, February 12, 2025 11:43 AM  
**To:** Planning Commission  
**Subject:** Comments to the Village Farms Project  
**Categories:** VFD Comment

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

Dear Planning Commission,

208-1

My name is Victor Justo, father of two school-aged kids, who decided to make Davis our home in 2023 by purchasing a house in The Cannery neighborhood. Amongst the key reasons we chose Davis to raise our family were the City's commitment to create a livable and environmentally sustainable community with a high-quality of life through land-use policies that balance the need for housing, jobs, open space and essential services.

As a homeowner and taxpayer, I place special value in ensuring the City meets its commitments and stays true to its guiding principles. After reviewing publicly available information on the Village Farms project, I'm appalled to find that the Draft Environmental Impact Report fails to adequately highlight the massive impacts and costs this project would inflict to our community.

208-2

The Village Farms Project in its current form essentially goes against the principles of environmental sustainability, high quality of life and fair balance of needs that the City claims to follow. My main concerns are summarized below:

208-3

**Environmental and Habitat Impacts**

1. Disruption to The Cannery Urban Farm: The EIR proposes paving a road through our urban farm, a core part of The Cannery community. This would undermine the essence of the homes we bought into.

208-4

2. Flood Plain: The project lies within a FEMA-designated flood zone. Building on this land violates key planning principles and increases risks, especially given climate change.

208-5

3. Landfill Toxics: The nearby unlined Old City Landfill has a history of toxic leaks, including PFAS chemicals and manganese, which contaminate groundwater. This poses health risks to future residents.

208-6

4. Soil Toxics: The soil around the site, including the Urban Ag Transition Area, contains arsenic levels up to 70 times the safe threshold for residential areas.

208-7

5. 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.

208-8

**Traffic and Safety Concerns**

1. Traffic Overload: The Village Farms project would more than double daily traffic on Cannery Loop, leading to gridlock and safety issues, especially for vulnerable residents. The DEIR's assumption that high-density housing will reduce traffic is unrealistic, given Davis' inadequate public transit system.



**Letter 208 Cont.**

- |               |   |
|---------------|---|
| <b>208-9</b>  | 2.<br>Access Issues: There are major access problems, including the lack of bicycle/pedestrian access from F and L Streets and questionable feasibility of an undercrossing at Pole Line Road. These infrastructure needs would strain city resources.  |
| <b>208-10</b> | <b>Housing and Infrastructure</b><br>1.<br>Unaffordable Housing: The project's homes will most likely be priced from \$700,000 to over \$1 million, making them unaffordable for many residents.  |
| <b>208-11</b> | 2.<br>Infrastructure Strain: The development would require extensive water and wastewater resources, imposing additional costs on Davis residents.<br><br>The DEIR is rushed and lacks crucial details, such as the feasibility of the undercrossing and the real environmental impacts. It <b>fails to present alternatives that would reduce harm</b> , and it dismisses significant consequences of the project. |
| <b>208-12</b> | <b>The 1,800 unit Village Farms project is too large and poses unacceptable risks to the environment, traffic safety, and infrastructure. I urge City leaders to rethink this proposal, considering the well-being and safety of The Cannery community in any analysis.</b>   |

Sincerely,

**Victor Justo**  
1669 Harvest St.  
Davis, CA

**P.S Kindly acknowledge receipt of this message.**



## **LETTER 208: VICTOR JUSTO**

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### **Response to Comment 208-1**

Please see Master Response 1.

### **Response to Comment 208-2**

Please see Master Response 1.

### **Response to Comment 208-3**

Please see Master Response 5.

### **Response to Comment 208-4**

Please see Master Responses 1 and 4.

### **Response to Comment 208-5**

Please see Master Response 3.

### **Response to Comment 208-6**

Please see Master Response 3.

### **Response to Comment 208-7**

Please see Response to Comment 17-8.

### **Response to Comment 208-8**

Please see Master Response 5.

### **Response to Comment 208-9**

Please see Master Response 6.

### **Response to Comment 208-10**

Please see Master Response 1.

### **Response to Comment 208-11**

The commenter expresses concerns about potential costs to Davis residents as a result of the project requiring extensive water and wastewater resources. Costs are not relevant to CEQA review, which is focused on a project's impacts to the physical environment.

Please see Master Response 2.

### **Response to Comment 208-12**

Please see Master Response 1.



Letter 209

**Dara Dungworth**

**From:** VICKI LINK <narvlink@comcast.net>  
**Sent:** Saturday, February 22, 2025 1:49 PM  
**To:** Dara Dungworth  
**Subject:** Village Homes proposal concerns

**Categories:** VFD Comment

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

- 209-1 Hello - I would like to give input about the proposed Village Homes development. I have a wide range of grave concerns and will address only the most pressing.
- 209-1 1) Size: why are we looking at such a HUGE development, shoe-horning it into an area that is not zoned for it and which is already impacted by traffic, noise and air quality concerns - not what was intended for this area. The amount of noise, visual disturbance, traffic, dust etc are shocking, and for what length of time?
- 209-2 2) Flooding: my understanding is that the proposed building is on a flood plane. Why choose this area, except that the developed got the land cheap? Is there not a real and significant risk of flooding?
- 209-3 3) TRAFFIC: It would be impossible to consider going forward with this without some VERY significant changes in traffic flow. To suggest putting another 1,800 homes onto an already-impacted single-lane road (Poleline/102) seems ludicrous. There is a multi-light wait at times, just to get across Covell - especially when I-80 has a problem and every uses WAZE to come through Davis (along Covell, Road 29, and down Poleline/102). And where will they shop? The already-crowded Nugget, presumably.
- 209-4 4) "Affordability": I am not sure how to verify this, but there was a loud rumor that the "affordable" houses in Covell village were sold at a lower-than-market cost, then flipped for a windfall profit a couple of years later. The "affordable" housing elements need to be affordable ongoing; we need to build in some kind of "in perpetuity" clause such that those home cannot be sold for profit - just for original price plus standard COLA (or something like that!).
- 209-5 5) Long-term cost to the city: Is it true that such development is like a short-term loan for the city. In other words it helps in the short run, but then all those 1800 new families need infrastructure and support, so it costs more in the long run.
- 209-6 6) Habitat distruction: this is probably my deepest concern. We already lost most of our burrowing owls (where did they go? Not to sound paranoid, but how convenient for any developers!). We still have a wealth of birds, rabbits, coyote, and a small but significant smattering of native plants and natural seasonal water, to support native species. The EIR is too long and complex for any layperson to get through, but this is a significant concern in this area.

Thank you!  
Victoria Link  
2945 Rockwell Court  
Davis



**LETTER 209: VICTORIA LINK**

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**Response to Comment 209-1**

Please see Master Response 1.

**Response to Comment 209-2**

Please see Master Responses 1 and 4.

**Response to Comment 209-3**

Please see Master Response 1.

**Response to Comment 209-4**

Please see Master Response 1.

**Response to Comment 209-5**

Please see Master Response 1.

**Response to Comment 209-6**

Please see Master Response 1.

A detailed discussion regarding biological resources can be found in Chapter 4.4, Biological Resources, of the Draft EIR.



Letter 210

Vijay Kumar, P.E., BCEE, PgMP®  
Davis, CA 95618  
Email: vijaykumardavis@gmail.com

February 24, 2025

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

Subject: Covell Farms Draft EIR (State Clearinghouse No. 2023110006)

Please address the following issues in the Final EIR.

210-1

1. Figure 3-3 on Page 3-6. As happened in Mace Ranch and Wildhorse Developments, the Developer is trying to circumvent the Measure J/R/D by including the 118.4 acres of Agricultural Transition area into the current project so that additional houses can be built on that area at a future date. It is the same tactic used by the Wildhorse developer to show there is a lot of open space to obtain Measure J/R/D approval and then came back and say that Palomino Place Development it is within the City limits and no additional Citizen approval is needed to build more homes.

Since the above 118.4 acres of area is outside the SOI, there is no need to annex this area to the project or the City.

Therefore, City must ask the developer to remove it from the Annexation request. If the developer wants fill material, it can be done without annexing into the City and creating a big hole that will be hard to maintain.

210-2

2. Appendix T --The Wastewater analysis is totally wrong. Due to water conservation over the past 20 years, the Solids loadings have increased to the Wastewater Treatment Plant where as the hydraulic loadings (or flows) have remained constant. Therefore, the wastewater treatment plant capacity MUST be done using Solids loadings. Using just the Average Dry Weather Flow is completely wrong and the City must provide detailed information on the following BOD Loading, Suspended Solids Loading, Ammonia and Nitrogen Loadings. Finally, City must analyze whether sufficient Digestion Capacity exists at the WWTP and ultimate Solids Disposal Capacity. There is insufficient capacity for Solids, Ammonia and Nitrogen treatment at the existing WWTP.

210-3

3. The Traffic Impact Study clearly states (see Page 53 of TIS) the mitigation measures proposed is not going to work. Then, why the City is creating significant traffic impacts to the current residents. Therefore, the TIS shall be revised to identify actual and realistic impact at the intersection of East Covell and Pole Line Road.

1 | Page



Letter 210 Cont.

210-3 Cont.	<p>Previously, the actual vehicle volumes were used to analyze the traffic impact on local streets. VMT can be used for assessing the Regional impacts whereas the Level of Service should be used to assess the impact on East Covell and Pole Line Roads. It appears that the EIR team used whatever is convenient instead of performing the traditional analysis.</p>
210-4	<p>4. The Traffic Impact Study didn't analyze the impact at the following intersections:</p> <ul style="list-style-type: none"><li>a. Pole Line and Covell Blvd</li><li>b. Pole Line and Moore Blvd</li></ul> <p>And suggesting that Traffic Impact will be minimized by installing Pavement Markers is not realistic and the City should request Underground passage for major crossings along the Poleline and Covell Blvd.</p>
210-5	<p>5. Mitigation measures proposed in the Traffic Impact Study (Page 53) is completely inadequate. Also, the Traffic Impact Study incorrectly concludes the impact is less than significant without providing any backup data. There is no documentation or data in the Traffic impact study that the mitigation measure would reduce the VMT to match the Local and Regional Standards.</p>
210-6	<p>6. Since the City of Davis is deviating from the SACOG Traffic Standards in terms of VMT, there will be a major impact on the City's ability to obtain any funding for Traffic Calming Measures from SACOG. Why are you allowing one project to impact the entire City?</p>
210-7	<p>7. Page 4.3-49. The Draft EIR states that 1,000,000 cubic yards of dirt must be moved. Did the City realize the enormous impact on moving 1,000,000 cubic yards? That is 100,000 dirt truck loads. Therefore, the EIR should analyze the impact of 100,000 truck loads in terms of dust and diesel emissions.</p>
210-8	<p>8. Although the EIR states that the above 100,000 trips won't travel on the City roads, it is impossible to move the dirt without using the City streets. There is a large drainage channel with sensitive biological resources. Therefore, contractor is just going to drive on the Pole Line Road. It happened when the City build the Covell Blvd undercrossing just north of the Mace Ranch and East of Wildhorse development. I have seen construction equipment including dozers and backhoes use the City streets and damaged the City streets. Also, see Comment 15.</p>
210-9	<p>9. This is NOT a mixed use project. It is a 100% housing project although the Developer showed some small area for nonresidential. Similar to the Mace Ranch project, the developer would build homes and eventually convert the non-residential to residential. Therefore, the City should require the developer to build the non-residential when the project is about 25% developed. In other words, City should not allow non-residential beyond 25% completion unless the non-residential is complete. That is how to deal with the Traffic Impacts.</p>
210-10	<p>10. Page 2-105. Mitigation Measure 4.13-2(c). This mitigation measure Must be implemented prior to occupancy of the first residential unit since the Pole Line and Moore Blvd intersection has significant traffic. Also, a roundabout is not sufficient without two lanes since there is a substantial amount of traffic. Specify two lane turn around or a</p>



**Letter 210 Cont.**

**210-10  
Cont.**

Traffic Signal. There is an existing Traffic signal with red lights flashing and if you review the original Wildhorse development plans, there was supposed to be a traffic signal at this intersection.

**210-11**

11. Page 2-114. Revise to state that the Applicant Must Contribute to the mitigation measures. This mitigation measure is useless unless the applicant contributes. Just signing an agreement does not mitigate the impact that is being caused on day 1. So, please change it to Prior to first residential occupancy, the Applicant MUST contribute to the mitigation measures.

**210-12**

12. Page 2-114. These mitigation measures appears to address the Citywide issue instead of the local impacts caused at the Pole Line and East Covell Blvd intersection. Please provide a detailed Description and require that the Pole Line and East Covell Intersection shall be modified prior to the first residential occupancy.

**210-13**

13. There should be an underground bike path between the Wildhorse development and Covell Farms if the project is approved. This will eliminate crossing the Pole Line Road which is extremely busy.

**210-14**

14. The proposed project is removing almost 1,000 trees located in the Riparian habitat. This is totally unacceptable. If you refer to the City of Davis' Climate Action Plan, you will realize that it is contrary to the Sustainability goals established by the City of Davis.

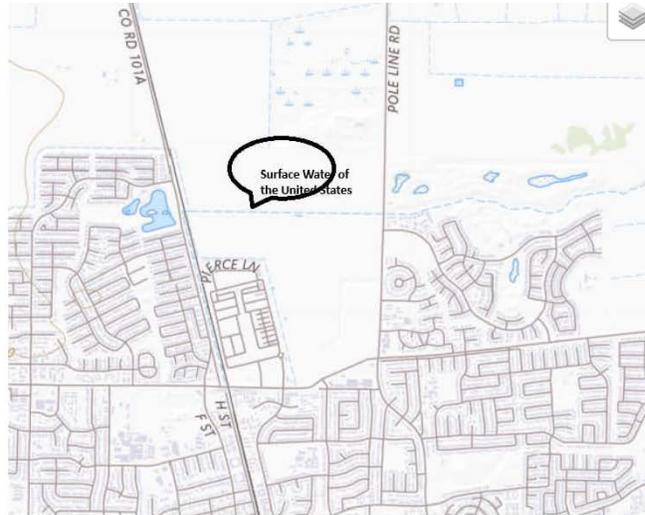
**210-15**

15. Refer to the USGS Map. The Covell Drain is clearly shown as the Surface Waters of the United States. Therefore, any work or any attempt to fill this portion of the Drain requires US Army Corps of Engineers 404 Permit. The EIR should discuss this issue and document how the applicant is going to cross the Covell Drain when 1,000,000 Cubic Yards of fill material needs to be transported. Also, note that US Army Corps of Engineers 404 Permit requires a Biological Study specially addressing the Federal Requirements. EIR failed to document the above requirement and it must be recirculated since this is a significant issue.



**Letter 210 Cont.**

**210-15**



**210-16**

16. Page 4.4-56. It is ridiculous that the City is allowing limited survey of trees on the important and environmental sensitive area such as Covell Drain. You cannot document the impact without a complete and detailed survey of the Biological Resources. Without a detailed survey, the EIR is incomplete and should not be processed.

**210-17**

17. Page 3-23 states that "If Feasible, one pedestrian/bicycle crossing would be provided....."  
 This is totally unacceptable. The City needs to determine the Feasibility before approving anything. Approving a large development without analyzing the feasibility of infrastructure is totally wrong and it should not take that long to determine the feasibility. I can tell you right now, it is NOT feasible since there is insufficient space on the Eastside of the proposed crossing since that property is owned by the School. So, please stop showing items that is NOT going to happen.

**210-18**

18. Page 3-24—City should ask the Developer to list Each Phase separately. Again, this is extremely poor planning on the City's side. Once the EIR is approved, the Developer is going to postpone all infrastructure projects into Phase 4 while the residents are suffering because of the significant impacts created by the proposed project. Why is City afraid of asking a detailed list from the Developer?

**210-19**

19. Since there is no feasible way to move 1,000,000 CUBIC YARDS of dirt from the UATA to the project site without going through the Pole Line, the Traffic Impact must be revised to account for 100,000 Truck Trips that is needed to move 1,000,000 Cubic Yards of dirt.

**210-20**

20. The structural pavement of Poleline is insufficient to handle 100,000 Truck Trips and there will be massive traffic jam on Poleline for years.

**210-21**

21. Page 1-3 Incorrectly states that "a new traffic signal at the intersection of East Covell Blvd and L Street. There is already an EXISTING traffic signal. Therefore, the proposed



Letter 210 Cont.

210-21  
Cont.

project is using existing City infrastructure and wrongly taking credit for traffic signal costs paid by current residents.

210-22

22. Page 2-2 States that the "Proposed project also provides an opportunity to explore a grade-separated crossing at F Street". This means that the City recognizes the impact and there is a NEED for a grade separated crossing. So, why is the City not exploring it now instead of saying it will be done in the future. This is bad Planning.

210-23

23. California CEQA Regulations clearly require the EIR to develop feasible actions but the EIR currently fails in many aspects since most impacts are either ignored or mitigation measures are not identifies such as  
a. How the applicant plans to transport 1,000,000 cubic yards of dirt and its associated impacts.

210-24

b. Traffic impacts are not quantified at the Pole Line and Moore Blvd. But proposing a round about at a heavily travelled Regional Connector Road is not the solution.  
c. Several significant impacts are either dismissed or postponed such as Pedestrian crossing, Improvements to East Covell and Poleline Intersection, Widening of Pole Line etc.

210-25

24. The City is rushing the project through the approval process without considering the significant impacts that is being created by the above project. Several mitigation measures are deferred or assumed to be implemented by the East Covell Corridor project but there is no definite timing or funding for the East Covell Corridor project. Therefore, City must insist that the Covell Farms project implement the mitigation measure before the project is about 25% complete.

Thank you  
Sincerely,

*Vijay Kumar*

Vijay Kumar, P.E., BCEE, PgMP®



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**LETTER 210: VIJAY KUMAR**

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**Response to Comment 210-1**

Please see Master Response 1.

**Response to Comment 210-2**

The comment refers to Appendix T, which is an April 2024 Technical Memorandum (TM) prepared by West Yost. The TM summarizes the findings and conclusions of an evaluation of impacts of the Proposed Project on the City of Davis WWTP, and relies on a previous, more comprehensive Capacity Analysis Report for the WWTP completed by West Yost in 2022.

Wastewater treatment plant capacity is further evaluated in the Partially Recirculated Draft EIR for the Village Farms Davis Project, which was released to the public for review and comment on November 17, 2025.

**Response to Comment 210-3**

Please see Master Responses 1 and 5.

**Response to Comment 210-4**

Please see Master Responses 1, 5, and 6.

**Response to Comment 210-5**

Contrary to the claim of the commenter, as stated on page 53 of the Transportation Impact Study found in Appendix R of the Draft EIR, even with mitigation, VMT impacts associated with the Proposed Project and the BRPA are found to be significant and unavoidable.

**Response to Comment 210-6**

Please see Master Response 1.

**Response to Comment 210-7**

Please see Master Response 1 and 99-2.

**Response to Comment 210-8**

Please see Response to Comment 102-4.

**Response to Comment 210-9**

Please see Master Response 1.

**Response to Comment 210-10**

The Proposed Project/BRPA would be conditioned to provide a phasing plan prior to any work commencing on the site. This plan will include additional traffic analysis for each phase to identify when Mitigation Measure 4.13-2(c) would be needed based on how the Proposed Project/BRPA is phased.

**Response to Comment 210-11**

The mitigation measure in question on page 2-114 of the Draft EIR is a cumulative impact as evidenced by the bold title for Impact 4.13-11, "Substantially increase hazards due to a geometric design feature...associated with cumulative development of the Proposed Project or the BRPA in



combination with future buildout of the City of Davis. Therefore, the commenter is incorrect by stating that the impact "...is being caused on day 1."

The current language of Mitigation Measure 4.13-11 has been left as-is due to the fact that the improvements at W. Covell/ SR 113, and Mace Boulevard/ Chiles Road/ I-80 Interchanges are unknown at this point. Having the applicant provide funding would leave the City at risk of not obtaining adequate fair share until the final design, and construction costs have been determined, which would be in the future after the Proposed Project/BRPA has been further developed.

**Response to Comment 210-12**

Local effects at the Pole Line Road and East Covell Boulevard intersection would be addressed as part of the conditions of approval, and are beyond CEQA considerations, given their relation to congestion/LOS. The applicant proposes to construct additional improvements along Pole Line Road such as traffic signals and a roundabout.

**Response to Comment 210-13**

Please see Master Response 6.

**Response to Comment 210-14**

Please see Master Response 7.

**Response to Comment 210-15**

Please see Response to Comment 210-8.

In addition, a detailed description of impacts to State or federally protected wetlands can be found in Chapter 4.4, Biological Resources, of the Draft EIR. As discussed in Impact 4.4-15, Mitigation Measure 4.4-15(c) requires the project proponent apply for a Section 404 permit from the U.S. Army Corps of Engineers prior to the commencement of construction.

**Response to Comment 210-16**

Please see Master Response 7.

**Response to Comment 210-17**

Please see Master Response 6.

**Response to Comment 210-18**

Please see Response to Comment 96-1.

**Response to Comment 210-19**

As discussed on page 4.3-49 of the Draft EIR, transport of the 1,000,000 CY of soil from the UATA (now referred to as "Northern Agricultural Area") to the proposed development area would occur on-site. As such, traffic associated with the soil movement would not occur on local roadways. Rather, the Draft EIR assumes that off-road construction equipment would be used on-site to haul the soils from the Northern Agricultural Area to the proposed development area. For further detail regarding the assumptions associated with the on-site soil movement, please see Response to Comment 99-2.



### **Response to Comment 210-20**

Please see Response to Comment 210-19.

### **Response to Comment 210-21**

In response to the comment, page 1-3 of the Draft EIR is hereby revised as follows:

In addition, the applicant is proposing to construct new intersection improvements along Pole Line Road and a new ~~traffic signal~~ north leg at the intersection of East Covell Boulevard and L Street.

In response to the comment, page 2-2 of the Draft EIR is hereby revised as follows:

The Proposed Project would include various off-site improvements, including, but not necessarily limited to, new intersection improvements along Pole Line Road and a new ~~traffic signal~~ north leg at the intersection of East Covell Boulevard and L Street.

In response to the comment, page 3-24 of the Draft EIR is hereby revised as follows:

The ultimate design of the improvements, as well as the installation of the new ~~traffic signal~~ north leg at the East Covell Boulevard/L Street intersection, would be developed in cooperation with traffic engineers and the City of Davis Public Works Department.

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

### **Response to Comment 210-22**

Please see Master Response 6.

### **Response to Comment 210-23**

Please see Response to Comment 210-19.

### **Response to Comment 210-24**

Please see Master Response 5 and Response to Comment 97-72.

### **Response to Comment 210-25**

Please see Master Response 1.

Under CEQA, a lead agency may rely on future studies to devise the specific design of a mitigation measure when the results of later studies are used to tailor mitigation measures to fit on-the-ground environmental conditions.<sup>1</sup> 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).

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<sup>1</sup> See *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 524 (upholding mitigation measures, based on preconstruction surveys, requiring identified steps for avoiding impacts to biological resources to be implemented).



**Dara Dungworth**

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**From:** Virginia Carton <vcarton@sbcglobal.net>  
**Sent:** Monday, February 24, 2025 2:26 PM  
**To:** Dara Dungworth  
**Subject:** Village Homes Development project  
  
**Categories:** VFD Comment

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

Dear Dara Dungworth,

I would like to voice my consternation and absolute rejection of the Village Homes Development Project. I will try to keep my email short and to the point. After all the circumvoluted reading that has been required to understand the inadequacies of the Village Homes Development Project I feel ready now to state that I have rarely seen such an undeveloped, ill-judged "professional" proposition in a town such as Davis. The fact that the City Council of Davis is willing to engage so seriously with the plans at hand is suspicious. The City Council is meant to work, amongst it's many intended duties & obligations, as a visionary organization for it's community...for the constituents, present and future.

My objections below are not those of someone who refuses all change...they are thoughtful, informed and respectfully measured objections to a poorly conceived, problematic builder's greed. Certainly other/alternate development propositions should have been, and BE considered...plans that do not involve illegality, (building on a flood plain and dangerously close to federally protected vernal lakes) which will assuredly involve a court battle, monstrous new traffic burden on a road system that is already stretched and cannot EVER adequately cope with 1800 new dwellings and the great number of new inhabitants and their cars. The proposed building site is hamstrung from the get-go! The land site includes wildlife habitat, vernal lakes, toxic "forever runoff & seepage", (old sewage treatment and old Davis landfill site), which is ongoing! The Davis City Council cannot continue to operate with any semblance of integrity on platforms which are so blatantly ill-conceived and wrong...it does start to smell of something.

I have lived in and out of Davis sporadically, for family reasons, since 1959...and seen some very tumultuous times in local politics but this is shameful and I am floored. I expect more of my City Council...more devotion to and respect for the community that puts them in their positions. Where are the clear administrative policies to guide this City Council?

The type of housing being offered in this developers "plans & dreams" are NOT the type of housing projects we need more of in Davis! The 200 acres of FEMA floodplain? What about those? The list is long and agonizing...put this to the public vote and Village Homes will be sent packing!!

Sadly dismayed,

Virginia Stewart-Carton  
1019 Pierce Lane  
Davis, CA 95616

211-1



**LETTER 211: VIRGINIA STEWART-CARTON**

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**Response to Comment 211-1**

Please see Master Responses 1, 3, 4, 5, and 7.



**Dara Dungworth**

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**From:** Vong Toan <vtoan@sbcglobal.net>  
**Sent:** Tuesday, February 25, 2025 3:17 AM  
**To:** Dara Dungworth  
**Subject:** DEIR for Village Farms

**Categories:** VFD Comment

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

Hi Dara,

I strongly oppose to the development mentioned in the DEIR for Village Farms.

Building 1,800 housing units on a 500 acre land is a huge project. It is irresponsible to do so without adequately addressing the many impacts it causes and unknown costs it incurs. They are, for example, the toxic and chemical contaminants leak from the unlined Old City Landfill and Sewage Treatment Plant, the elimination of the vernal pool and wildlife habitat, the increased auto traffic, the need for pedestrian/bike overcrossing. A responsible development would not propose to build on the 200 acre flood plain. Building only below Channel A and having a much smaller housing units footprint may alleviate some of these issues but this alternative was not properly explored in the DEIR.

Overall, the DEIR seems to be hastily put together. I hope the FEIR, if pursued, would not be similarly incomplete.

Sincerely,

Vong

212-1



**LETTER 212: VONG TOAN**

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**Response to Comment 212-1**

Please see Master Responses 1 through 7.



Letter 213

**Dara Dungworth**

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**From:** Yannis F Dafalias <jfdafalias@ucdavis.edu>  
**Sent:** Tuesday, February 11, 2025 9:33 AM  
**To:** Dara Dungworth  
**Subject:** Village Farms Op-ed  
  
**Categories:** VFD Comment

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

213-1

Dear Ms Dungworth

213-2

I would like to express my concern about the planned Village Farms Op-ed development. As a Davis resident since 1975 and homeowner since 1981, but mainly as a Professor in the Civil and Environmental Engineering (CEE) Department of UC Davis for almost 50 years, I am seriously concerned about the environmental, traffic and infrastructure huge problems this project will create. It will be detrimental for the quality of life of both the current citizens of Davis as well as the newcomers who probably are unaware of the problems will be faced with. The city council should hear very carefully the opinion of citizens like me who for years supported the reasonable growth of our town and not succumb to the whims of large development companies that do not care about our well-being that they are eager to sacrifice in favor of their huge profits. This is the ethical obligation of every single member of the Davis city council.

Sincerely

Yannis F Dafalias  
Distinguished Professor Emeritus  
CEE Department  
UC Davis



**LETTER 213: YANNIS DAFALIAS**

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**Response to Comment 213-1**

Please see Master Response 1.

**Response to Comment 213-2**

Please see Master Response 1.



February 22, 2025

Dara Dungworth

[ddungworth@cityofdavis.org](mailto:ddungworth@cityofdavis.org)

## A Letter to City of Davis About Village Farms Development

Dear Ms. Dungworth,

214-1

We are UC Davis alumni and current residents of the Cannery neighborhood. We understand the importance of building more housing in Davis for city development and growth. However, the proposal of large projects like Village Farms requires extra careful assessment in terms of its impact on nearby neighborhoods and the city as a whole.

The proposed Village Farms development represents a significant expansion of the city, increasing both the population and the city's size by about 8%. The sheer scale of the Village Farms project would make it one of the most significant expansions in Davis' history. After reviewing the Environmental Impact Report (EIR), we found that it fails to address critical citywide concerns, such as traffic. As Cannery residents, we also found that the EIR downplayed the negative impacts of Village Farms on our neighborhood.

### Citywide Concerns

#### 1. Traffic

214-2

The Village Farms project is adjacent to Davis High School and Birch Lane Elementary School, meaning thousands of students, parents, and commuters already rely on E. Covell Blvd. during peak hours. The addition of 1,800 new housing units will overwhelm existing road capacity, leading to gridlock and safety hazards for students, bicyclists, and pedestrians. The Fehr & Peers traffic study, used in the EIR, fails to accurately assess the true burden, and GHD Group's traffic estimates have not been made public, making independent verification impossible.

214-3

The EIR assumes high public transit use to justify lower traffic impact projections, which is a flawed assumption, as most families and students use private vehicles as their primary mode of transportation.

#### 2. Flood Risks

214-4

Two hundred acres of Village Farms are within a FEMA Zone A Special Flood Hazard Area. With climate change, extreme weather events are becoming more frequent. The EIR lacks comprehensive modeling of how climate change could exacerbate flood risks, an oversight that could have serious implications for future residents and the broader community.



**Letter 214 Cont.**

**3. Lack of affordable Housing Initiatives**

214-5

The EIR states that approximately 1,000 medium-density homes will be "affordable-by-design" starter homes, with many units sized only at 800–1,200 sq. ft. However, public discussions and market trends indicate that these homes are expected to cost between \$700,000 and \$800,000, making them inaccessible to most first-time buyers. This high cost contradicts the project's "affordable" concept.

Given the high cost and small size, these homes may be unattractive to families looking for long-term residences and instead appeal to investors and rental property buyers, undermining the city's goal of increasing homeownership opportunities for Davis residents.

**Neighborhood-specific concerns**

**1. Traffic Safety**

214-6

The Village Farms project proposes a direct road connection into Cannery Loop, significantly increasing cut-through traffic and safety risks for Cannery residents. The Cannery community has many seniors who take walks and children who ride bicycles. Given the narrow residential streets, the expected high volume of cut-through traffic from Village Farms would undoubtedly pose safety concerns for seniors and children living in Cannery.

**2. Noise Impact**

214-7

The noise study from GHD Group's traffic estimates predicts that Cannery Loop traffic will quadruple. The EIR acknowledges potential increases in noise but minimizes their significance by averaging data, which can obscure peak-hour disturbances that may significantly impact nearby residents.

**3. Disruption of Urban Farm and Open Space**

214-8

The DEIR falsely claims that the Village Farms project will not impact the Cannery Urban Agriculture Transition Area (UATA). However, plans clearly show a road cutting through the farm area, permanently altering it.



**Letter 214 Cont.**

**Conclusion**

In summary, the EIR is inadequate in addressing critical concerns. This project represents a major shift in Davis' urban landscape and should not move forward without addressing the following:

1. Traffic congestion and school safety concerns on E. Covell Blvd.
2. Potential flood hazards under climate change
3. Lack of true affordable housing and risk of investor-driven sales
4. Unjustified disproportionate impacts, including traffic safety risks due to the direct road connection into Cannery Loop, underestimation of noise levels, and disruption of open space and urban farms

**214-9**

**Sincerely,**

Yuming Xu and Yujia Cai

UC Davis Alumni, Cannery Residents, and Davis Community Members



**LETTER 214: YUMING XU AND YUJIA CAI**

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**Response to Comment 214-1**

Please see Master Response 1.

**Response to Comment 214-2**

Please see Master Responses 1 and 5, as well as Response to Comment 17-5.

**Response to Comment 214-3**

The Draft EIR trip generation estimates shown in Tables 4.13-4 and 4.13-5 conservatively assume that 1.8 percent of daily project trips for the Proposed Project and 1.5 percent of daily project trips for the BRPA would walk, bike, or take transit for trips external to the project.

**Response to Comment 214-4**

Please see Master Response 4.

**Response to Comment 214-5**

Please see Master Response 1.

**Response to Comment 214-6**

Please see Master Response 5.

**Response to Comment 214-7**

Please see Response to Comment 17-5.

**Response to Comment 214-8**

Please see Master Response 5.

**Response to Comment 214-9**

Please see Master Response 1.



**Letter 215**

**Dara Dungworth**

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**From:** Zenna Mohr <2zenna@gmail.com>  
**Sent:** Wednesday, February 19, 2025 11:33 AM  
**To:** Dara Dungworth  
**Subject:** Voting on Village Farms Development Project  
  
**Categories:** VFD Comment

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

**215-1**

I am firmly voting NO to the Village Farms Development Project.

Zenna Mohr  
1928 Cannery Loop  
Davis, CA 95616



**LETTER 215: ZENNA MOHR**

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**Response to Comment 215-1**

Please see Master Response 1.



Letter 216

**Dara Dungworth**

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**From:** Ziv Lang <ziv.lang@gmail.com>  
**Sent:** Monday, February 24, 2025 11:26 AM  
**To:** Dara Dungworth  
**Subject:** Proposed Village Farms Project Comment

**Categories:** VFD Comment

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

Good Morning Dara,

216-1

My name is Ziv Lang, and I am a homeowner of a condominium situated across the street on Poleline Road from the proposed Village Homes project (2818 Bidwell Street).

I am writing to voice my opposition to the project for several reasons. The first is that given the recent measures passed on the new public library, sales tax has already increased the cost of living on top of inflationary pressures. Recent fires and floods in California have also driven up insurance premiums and HOA dues (dues have jumped from \$315 to \$370 in the past year), and to build the Village Homes in an area designated as a floodplain will pass on the costs on residents that will make living in Davis much more difficult. Already some schools (specifically kindergartens) had to close down in Davis due to the high cost of living and property values making it difficult for new families to locate themselves in this town. This also has a knock on effect on reducing the tax base for the City of Davis.

216-2

Second, the roads along Poleline and Covell are already congested as they are, and are not designed to handle the influx of additional traffic (especially during rush hours). This also presents a safety risk to cyclists given the narrow road width, and will not be solved by simply widening the roads (which has its own negative environmental impacts) or increasing stop signs and lighting. Relating to the earlier point of high cost of living, residents would not want to be saddled with an additional expense for infrastructure which would be seldomly utilized and maintained. This includes the proposed fire station which would not have the space to maneuver their fire trucks around the narrow and congested Poleline Road and Covell Blvd. Paired with the lack of frequent bus services in this part of Davis, this project will transformation Davis from a bicycle friendly community into a archetypical car centric American suburb.

216-3

Thirdly, the new units proposed by the Village Homes project would not solve the affordable housing problem as demonstrated by the Cannery development. The new homes will still be financially out of reach for new graduates and hire, nor would these new units be multifamily home dwellings that would help house more households. Given the location will be exposed to contaminants from the Old City Landfill and Sewage Treatment Plant, the project is opening themselves up for future lawsuits from residents, and will be better off if the problem was avoided altogether by not building in this area.

Best Regards,  
Ziv Lang



**LETTER 216: ZIV LANG**

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**Response to Comment 216-1**

Please see Master Responses 1 and 4.

**Response to Comment 216-2**

Please see Master Responses 1 and 5.

**Response to Comment 216-3**

Please see Master Responses 1 and 3.



**VILLAGE FARMS DAVIS PROJECT  
DRAFT EIR (DEIR) COMMENT HEARING SUMMARY**

**Date:** February 12, 2025  
**Time:** 7:00 PM  
**Location:** City of Davis Planning Commission  
Community Chambers at City Hall  
23 Russel Boulevard  
Davis, CA 95616

**Verbal Comments (arranged in order of “appearance” of commenter):**

- 217-1 **Commenter 1 (Jim Flannigan)**
- Commenter stated that DEIR is deficient because it lacks a Reduced Footprint Alternative; the Reduced Footprint Alternative should restrict development south of Channel A, and should be in the range of 900 to 1,000 units.
- 217-2 **Commenter 2 (Alex Achimore)**
- Commenter stated concerns regarding alternatives considered in the EIR.
  - Commenter requested that alternatives offered by the Davis Citizens Planning Group at [plandavis.org](http://plandavis.org) be considered in the alternatives analysis.
  - Commenter expressed concerns about the proposed unit number and mix, heavy reliance on detached single-family housing, affordability, and impacts to traffic.
- 217-3 **Commenter 3 (Anthony Palmere)**
- Commenter expressed concerns about added traffic congestion and vehicle miles traveled (VMT).
  - Commenter expressed their view that Village Farms Davis Project is not designed to maximize utilization of bicycle and transit options, and expresses concerns about feasibility of transit use in the project site vicinity.
  - Commenter recommended that more of the proposed housing should be built near Covell Boulevard and Pole Line Road, where transit services are located.
- 217-4 **Commenter 4 (David Thompson)**
- Commenter expressed their view that regional housing needs are not addressed by the Village Farms Davis Project.
  - Commenter expressed concerns about exclusion of low-income families from the community.
- 217-5 **Commenter 5 (Richard McCann)**
- Commenter expressed concerns about environmental, housing, traffic, and traffic emissions impacts.
  - Commenter expressed concerns about VMT from commuting into and out of the community, and the feasibility of VMT reduction as a part of the proposed project.
  - Commenter expressed concerns about affordability of housing and middle market housing needs.



217-5  
Cont.

- Commenter expressed concerns about housing and job balance in the City of Davis.
- Commenter stated the opinion that the City Council needs to push for alternatives addressing low-income housing needs.

**Commenter 6 (Gabriel Ehrlich)**

217-6

- Commenter expressed concerns related to number and affordability of housing, and project's ability to contribute to the local housing need.
- Commenter expressed concerns related to changes in utility and roadway infrastructure in the City of Davis, as well as concerns about feasibility for the City to manage and pay for upkeep of utility improvements.
- Commenter stated a preference for an alternative prioritizing landscaping and park space under a multi-family unit model.
- Commenter stated a preference for a multi-family housing design that is placed where people can use transit, bikes, or walk to school, downtown, and UCD.
- Commenter expressed concern about energy and water impacts.

**Commenter 7 (Tim Keller)**

217-7

- Commenter expressed concern about economic impacts, VMT impacts, and low ratio of people housed per unit resulting from the proposed project.
- Commenter expressed opinion that the City of Davis does not provide enough housing dedicated to students and lower-income families and that the single-family homes proposed do not serve medium-income families.
- Commenter expressed opinion that a transit-oriented development concept has not been properly assessed as an alternative, and expressed concern about assessment of more feasible alternatives.

**Commenter 8 (Susan Rainier)**

217-8

- Commenter expressed concerns related to health, safety, and welfare of people living in the development due to the abandoned landfill in the project site vicinity, placement of the proposed project in Federal Emergency Management Agency (FEMA) Flood Zone A, and potential impacts of per- and polyfluoroalkyl substances (PFAS) in the project site area.
- Commenter expressed concerns related to impacts caused by removal of trees.
- Commenter proposed that alternative site size and placement be considered, including a smaller below channel site.
- Commenter expressed concerns related to potential traffic congestion.
- Commenter suggested that an attachment of living community guidelines be attached to the general plan as guide for developers.

**Commenter 9 (Ellen Kolarik)**

217-9

- Commenter generally stated support for the proposed project and cited that the Village Farms project will provide housing and a 20% low-income housing mix.
- Commenter expressed concerns related to the housing shortage causing housing prices to exceed what is affordable for a teacher or general worker in the Davis workforce.



217-9  
Cont.

- Commenter requests that the developer commit to providing a higher percentage of multi-family type units such as duplexes, condos, and townhomes, and similarly reduce the number of single-family detached homes.
- Commenter points out that higher density development would allow for development of more open space areas and transit routes through the development to reduce impacts related to VMT.
- Commenter requested that developer increase the number of market rate apartments that include 3- and 4-bedroom options suitable for young families by scaling back single-family units.
- Commenter proposed an alternative where high-density housing is developed north of Covell Boulevard and green space be placed to the north side of the high density apartments so residents could more easily walk/cycle or utilize transit to access shopping areas and further reduce VMT.
- Commenter requested that the main artery of the Village Farms Davis Project development be designed with a width able to accommodate a transit route, with the goal that this main artery would connect to all of the future developments north of Covell Boulevard which are currently anticipated to be developed.

217-10

**Commenter 10 (Unknown)**

- Commenter expressed concern about safety, vehicle speeds, travel times, and traffic congestion in Davis, West Sacramento, and I-80 areas.
- Commenter expressed their view that Davis has a roadway infrastructure deficit.
- Commenter expressed concern related to feasibility for Davis to maintain roadways and public utilities.

217-11

**Commenter 11 (David McGlocklin)**

- Commenter stated opinion that the proposed project is too large and has too many negative impacts.
- Commenter expressed concerns related to the number of proposed residential units, tree removal, drainage ditch in the project site vicinity, impacts to wildlife species, proximity to the old landfill and sewage treatment facility, leaching of PFAS, soil contaminated with arsenic, and development in the floodplain.
- Commenter expressed concerns related to soil contaminated with lead where the park is proposed.
- Commenter expressed concerns related to City liability for health issues caused to community members.
- Commenter stated their view that there is no safe access to the project by bikes and pedestrians by way of F street or Covell Boulevard.
- Commenter expressed concern that there would be no grade-separated crossing for kids to cross safely across Pole Line Road, Covell Boulevard, or F Street as part of the proposed project.
- Commenter expressed concerns related to the removal of 950 trees and habitat.
- Commenter stated opinion that the DEIR is inadequate and needs to offer a Reduced Acre Alternative that would build only below the channel, preserve the vernal pools, and downsize the housing units to a reasonable number.



**Commenter 12 (Marjorie Longo)**

217-12

- Commenter expressed concern related to downstream flooding issues, specifically concerns related to stormwater flows into the Wildhorse golf course from Covell drain, and the capacity to contain stormflows in the Wildhorse neighborhood and Covell drain areas.
- Commenter stated that Section 4.8 of the DEIR does not analyze or disclose in writing that stormwater flows will drain into an uninspected drain that flows into Wildhorse Golf Course, or the distance of existing homes in the Wildhorse neighborhood from all predicted increases in stormwater in the Wildhorse neighborhood.
- Commenter cited that page 4.8-38 of the DEIR states that the 100-year 24-hour storm event does show some isolated areas with larger increases (to storm flows) that would occur within drainage features along Covell Drain and the Wildhorse Golf Course area.
- Commenter stated that Section 4.8 does not analyze or disclose potential impacts related to erosion or other means on Wildhorse Golf Course in instances of the 100-year flood event.
- Commenter expressed their view that the Wildhorse Golf Course serves as a wildlife corridor in addition to being a source of recreation.
- Commenter expressed their view that mitigation measures starting on page 4.8-38 of the DEIR are vague, will be implemented too late in the review process, and do not specify that they will be aimed to eliminate flooding impacts to Wildhorse Golf Course and neighborhood.
- Commenter suggested a Build Below the Channel Alternative that includes avoidance of channel disruption or does not cause more water to flow into the Wildhorse community, requires that the City enter into an agreement with Wildhorse Golf Course for annual inspection of Covell Drain, and provides proof that all past and future hydrologic modeling takes into account poor maintenance of Covell Drain on Wildhorse Golf Course.

**Commenter 13 (Chris Carter)**

217-13

- Commenter expressed concerns related to impacts resulting from building on a flood plain, such as settling house foundations.
- Commenter expressed concerns related to increased traffic, and the safety of bikers along roadways in the project vicinity.

**Commenter 14 (Andrew MackElrone)**

217-14

- Commenter gave Cannery as an example of unfinished projects and expressed concerns about the City's lack of expertise and workforce necessary to finish the proposed project.
- Commenter expressed concerns related to overflow of traffic from Village Farms Davis Project into the Cannery neighborhood, as well as concerns relating to existing traffic problems on Covell Boulevard.
- Commenter noted that the local vernal alkaline pool area was recently plowed and worked over.



217-14  
Cont.

- Commenter expressed concerns related to endangered species habitat, loss of green space and dedicated park space, the existence of a flood plain of the project site, and potential impacts caused by conversion of residential units to rental properties.

**Commenter 15 (Elizabeth Reay)**

217-15

- Commenter expressed opposition to the proposed project, stating that the current DEIR is inadequate.
- Commenter expressed concerns related to potential impacts caused by the project being built on 200 acres of floodplain.
- Commenter stated that the proposed project does not contain a confirmed over or underpass at F Street, Covell Boulevard, or Pole Line Road for school children or bikes to safely pass.
- Commenter expressed concern related to lack of a school within the proposed development.
- Commenter stated the opinion that the DEIR does not address traffic issues on Pole Line Road.
- Commenter expressed concern related to the removal of 77% of mature trees on the project site, and potential resulting impacts to wildlife, especially nesting raptors.
- Commenter expressed concerns related to potential hazards including the potential arsenic in the fill dirt removed from the urban agricultural transition area, potential impacts resulting from proximity to the old landfill with a history of an open burn pit, leaking of toxics into groundwater, and properly informing future home buyers of potential hazards.
- Commenter requested that the developer and all future heirs be required to take liability for potential impacts created by the proposed project.

**Commenter 16 (Nancy Price)**

217-16

- Commenter expressed concern related to toxics, cost of housing, relation of jobs to housing, and impacts caused by people commuting in and out of the City, generally.
- Commenter expressed opinion that there needs to be a 1,000-foot zone around the old landfill to protect from leachate of PFAS related to potential health impacts.
- Commenter asked if the proposed site, as an agricultural site, had a history of using sludge from the former off-site WWTP as fertilizer.
- Commenter expressed concern related to impacts resulting from potential contamination from potential historical use of toxic fertilizers.

**Commenter 17 (Dr. Glen Holstein)**

217-17

- Commenter expressed their view that the project plans and mitigations do not properly protect sensitive or rare plant and wildlife species.
- Commenter expressed concern related to conflicting maps and consistency in presenting habitat types.
- Commenter expressed concerns related to the removal of soil and vegetation to build up houses.



217-17  
Cont.

- Commenter expressed concerns related to potential toxic waste existing below the project site.
- Commenter expressed preference for the No Project Alternative or an alternative that proposed housing at an alternative site that does not contain rare species.

**Commenter 18 (Davis Community Action Network Team)**

217-18

- Commenter requested that more transit planning be conducted.
- Commenter expressed concerns related to transit, VMT, high levels of GHG resulting from the proposed project, and accommodation of bike routes and busses on roadways in the project vicinity.
- Commenter expressed the view that an increase in proposed housing density along transit corridors would result in reduced pollution.
- Commenter expressed support for addition of a micro-grid, with full electrification using renewables.
- Commenter suggested a feasibility study be prepared for the proposed project demonstrating how a microgrid could reduce emissions of project overall and align with climate goals.
- Commenter stated a preference for alternatives including smaller units, increased attached units, and requested that the developer commit to the 20% affordable housing mix with down payment assistance even if the proposed project's residential density is altered in response to comments.
- Commenter requested that the wetlands be set aside in consideration of the alternatives.

217-19

**Commenter 19 (Sharon Montooth)**

- Commenter expressed concerns related to traffic resulting from the proposed project, as well as concern for the safety of bike riders and kids along Covell Boulevard and Pole Line Road.
- Commenter expressed concerns related to the old City landfill and toxics leaking in the project vicinity.
- Commenter expressed concerns related to removal of trees along the channel, as well as impacts to hawks, owls, coyotes, and apex predators.

217-20

**Commenter 20 (Vijay Kumar)**

- Commenter expressed concern related to annexation north of Covell drain, the long-term cumulative impacts related to annexation, the feasibility of dirt-moving activities related to the proposed project, and the potential for waters of the United States present in areas where dirt-moving activities are anticipated.
- Commenter states general concern that the mitigation measures proposed are not adequate.

217-21

**Commenter 21 (Norb Kumagai)**

- Commenter expressed concern related to proximity of proposed project to emergency medical services and maintaining an emergency response time radius of 5 minutes or under.



217-21  
Cont.

- Commenter stated support of the proposed project's inclusion of a dedicated public service area, police, and fire services.

**Commenter 22 (Mark Huising)**

217-22

- Commenter stated a general need to meet climate resilience and GHG reduction goals, as well as the need to reduce car dependency and increase bike or Ebike facilities.
- Commenter expressed concerns related to roadway, bicycle, and pedestrian access between the Village Farm neighborhood, the Cannery neighborhood, North Davis, Covell Park, the Wildhorse neighborhood, Davis high, and the university area.
- Commenter expressed concerns related to inclusion of solid designs for pedestrian access in the project vicinity including access to the Covell Boulevard overpass.

**Commenter 23 (Juliette Beck)**

217-23

- Commenter expressed concerns related to pedestrian, bicycle, and transit access, and incorporation of the 2030 climate goals and Yolo County approach to climate action and emergency as part of the proposed project.
- Commenter expressed concern related to VMT levels resulting from implementation of the proposed project.
- Commenter expressed the opinion that the VMT calculation is not present or transparent in the DEIR, as VMT is shown per capita but not for the project as a whole, and requested that the DEIR include VMT calculations for the project as a whole.
- Commenter expressed general concerns about housing models, and requested limited equity housing options alternatives, similar to the Dos Pinos development, which offers affordable housing opportunities for low- and moderate-income households that would reduce commuter impacts.

**Commenter 24 (Eileen Samitz)**

217-24

- Commenter stated concerns related to high amount of environmental impacts compared to the previous Covell Village project, proximity to floodplain, proximity to the old landfill, potential for presence of PFAS and manganese, enforcement of the 1,000-foot buffer around the old landfill, potential presence of soil contamination such as high levels of arsenic, potential impacts caused by 1 million cubic yards of dirt moving, potential presence of toxaphene in 1.2 million Mg/KG and high levels of lead on the park site, safe access for bikes and pedestrians, a lack of infrastructure for pedestrian access under F street or Covell Boulevard, feasibility of the Pole Line Road undercrossing, increases in traffic and GHGs, and feasibility of public transit use in the project site vicinity.
- Commenter expressed the view that the DEIR lacks mitigation measures and resolutions for hazards.
- Commenter cited that CEQA requires a proposed project to offer alternatives with lesser impacts and states the opinion that this DEIR does not contain alternatives with lesser impacts.



217-24  
Cont.

- Commenter expressed a preference for addition of a Reduced Acreage or Reduced Footprint Environmentally Superior Alternative, similar to what was in the Covell Village EIR with a modification protecting the vernal pools and reducing number of units proportionally on the site.

**Commenter 25 (Dave Bakay)**

217-25

- Commenter stated the opinion that the project is not good for Davis and supports a smaller footprint alternative.
- Commenter noted that the proposed project does not have a northern or western exit and all traffic resulting from the proposed project would go to Pole Line Road and Covell Boulevard.
- Commenter noted that the proposed project does not contain an overcrossing to the soccer fields.
- Commenter expressed that he does not understand VMT and that he does not get how having 2,700 units is better for VMT than 1,800.
- Commenter expressed concern related to potential hazards resulting in placement of a park in the corner, related to potential pollution and the safety of children in that area.
- Commenter expressed concern about connectivity of transit routes to the library or Mondavi Center, and questioned if the future residents will use the bus.
- Commenter expressed that he hopes the board will reject the current proposed project in favor of a better alternative.

**Commenter 26 (Ryan Samimi)**

217-26

- Commenter expressed general support for the project in the sense that it bridges a gap in the growth boundary of Davis, between Pole Line Road, The Cannery neighborhood, and L Street development.
- Commenter expressed support for overcrossing to be built around the railroad lines to allow contiguity between neighborhoods.
- Commenter expressed opinion that the current proposed mix of units is good but thinks it would make more sense to have higher density areas closer to Covell Boulevard.

**Commenter 27 (John Keller)**

217-27

- Commenter cited that CEQA sets requirements when thresholds are exceeded in environmental areas and stated that they wanted to emphasize that those thresholds are minimums.
- Commenter stated that they urge the Commission to aim higher than the minimum thresholds.

**Commenter 28 (Eva Speigel)**

217-28

- Commenter stated generally that they support the proposed project, especially the development of 1,800 units in the City of Davis, and the proposed project design.



217-29	<p><b>Commenter 29 (Ginga Strozyk)</b></p> <ul style="list-style-type: none"><li>• Commenter expressed the opinion that the proposed project would have too much of an environmental impact, create too much traffic, cause dangerous flooding, be built on lands containing dangerous toxins, and cost too much in taxpayer dollars.</li><li>• Commenter asked who will take responsibility for flooding, or exposure to toxins, or gridlock of neighborhoods causing impacts on day-to-day life?</li></ul>
217-30	<p><b>Commenter 30 (Larry Strozyk)</b></p> <ul style="list-style-type: none"><li>• Commenter expressed concern related to mitigating sewage in a flood zone, excessive use of water, potential impacts of housing density on fire risk, and traffic impacts.</li></ul>
217-31	<p><b>Commenter 31 (Timothy Hoban)</b></p> <ul style="list-style-type: none"><li>• Commenter expressed concerns relating to growth-inducing impacts of the proposed project, traffic impacts, irreversible impacts resulting from the proposed project, potential for toxics in the project area including air particulate matter, the potential for global warming as a result of the proposed project, habitat destruction, removal of 1,000 trees, and risk of flooding.</li><li>• Commenter expressed opposition to the proposed project stating that the project merits rejection even with alternatives or mitigation measures provided.</li></ul>
217-32	<p><b>Commenter 32 (Mikey)</b></p> <ul style="list-style-type: none"><li>• Commenter stated support of the proposed project especially regarding an increase in housing availability in the City of Davis.</li></ul>
217-33	<p><b>Commenter 33 (Les Portello)</b></p> <ul style="list-style-type: none"><li>• Commenter expressed concern related to the proposed project's proximity to a flood plain, proximity to the old City landfill, traffic maneuverability on F Street and County Road 102, traffic congestion in general, and availability of feasible alternatives.</li><li>• Commenter requested a proposal for better transportation access including providing bicycle accessibility to F Street and downtown Davis.</li></ul>
217-34	<p><b>Commenter 34 (Unknown)</b></p> <ul style="list-style-type: none"><li>• Commenter expressed support for the proposed project, stating that the 1,800-unit Village Farms Davis Project will provide housing opportunities to Davis allowing first time home buyers and Davis locals to buy homes in Davis.</li></ul>
217-35	<p><b>Commenter 35 (Judy Feldman)</b></p> <ul style="list-style-type: none"><li>• Commenter expressed concerns related to traffic congestion at Covell Boulevard and Pole Line Road, increase in traffic resulting from an increase in residences, moving of the drainage ditch, proximity to the old landfill, potential impacts to wildlife and trees, potential for toxic waste to infiltrate groundwater, and encroachment upon the agricultural buffer.</li><li>• Commenter expressed the opinion that the DEIR does not adequately address impacts.</li></ul>



**Commenter 36 (Nicholas Pinter)**

217-36

- Commenter expressed concern related to potential hydrology impacts, stating that the hydrological modeling underestimates the potential downstream hydrological impacts and that there is a risk for significantly adding flow volumes and water levels in the Wildhorse neighborhood.
- Commenter recommended that independent water modeling be prepared for the proposed project and that the City of Davis request detailed engineering designs that prove mitigation of hydrological impacts provided to the standard of the Administration of State and Federal Floodplain Managers (ASFDM), which require zero adverse impacts.
- Commenter noted that the DEIR cites mitigation measures that will be designed and implemented in the future, but provides no details, timelines for the design or implementation of mitigation measures.

**Commenter 37 (Jackie)**

217-37

- Commenter expressed support for the proposed project stating that there is a need for homes for median income families in the City of Davis, and that the currently proposed project is the best match for density that would be desirable for families.

**Commenter 38 (Sarah)**

217-38

- Commenter expressed concern related to developing homes on a floodplain and disaster response if a flood were to happen where housing was developed.

**Commenter 39 (Callie Garritson)**

217-39

- Commenter expressed concern related to traffic impacts on Pole Line Road, Covell Boulevard, and connecting streets to Cannery loop, related to traffic congestion and potential hazards to pedestrians and bikers, especially kids walking and riding to school every day.
- Commenter expressed concern related to hydrology, including potential flooding at drainage basins north of the Cannery neighborhood, and impacts resulting from conversion of permeable surfaces to non-permeable surfaces, especially during 100-year flood event conditions.

217-39

Cont.

- Commenter expressed concern related to soil toxics, stating that there are known toxins such as PFAS and “forever chemicals” known to occur in soils not just near the landfill but throughout the proposed project site.
- Commenter asked how is it a good idea to dig up the (project site) soils and then have the wind blow contaminated soils on nearby uses such as neighborhoods, soccer fields, and preschools?
- Commenter noted that Montessori Country Day Preschool is steps away from the project site and that it is not considered in DEIR.
- Commenter expressed concern about the undercrossing and overcrossing projects not being fully scoped as part of the proposed project, the proposed square footage of the proposed residences, reliance of the school district on the success of the housing development, and location of the project on the opposite side of town from the University.



217-40 **Commenter 40 (Lynn)**

- Commenter expressed support for the proposed project, stating that they support development of more homes, and that they think this will support young families and “bring Davis back to life”.

217-41 **Commenter 41 (Lauren Gary)**

- Commenter expressed support for the proposed project, stating that the proposed project is an opportunity for young families and first-time home buyers to buy homes in the City of Davis.

217-42 **Commenter 42 (Luanna Villanueva)**

- Commenter expressed concern related to the project site’s proximity to a 200-acre floodplain, unlined old City dump, and sewage treatment plant.
- Commenter expressed concern related to potential toxic chemicals and PFAS leaks above maximum concentration allowed, contaminated groundwater, and a lack of safe access for bikes and pedestrians.
- Commenter expressed the opinion that the EIR is inadequate, and that there is a need to add a Water Channel Only Reduced Acreage Alternative.

217-43 **Commenter 43 (Jessica Chapman)**

- Commenter expressed support for the proposed project, stating that the proposed project would provide an opportunity for economic improvement for families, community connectedness, new schools, a new fire department, new police station, and an opportunity to provide a sense of community for individuals of different backgrounds professionals and families.

217-44 **Commenter 44 (Alan Pryor)**

- Commenter expressed their view that claims by other commenters that the old landfill is a substantial negative impact are unfounded.
- Commenter reiterates DEIR findings regarding groundwater wells, toxics, and PFAS, and generally agrees with the findings of the water board and the DEIR.

217-45 **Commenter 45 (Sherri)**

- Commenter expressed support for the proposed project, stating that the plan for 1,800 units is well planned, and that the analysis regarding noise, dust, and environmental studies was adequate.

217-46 **Commenter 46 (Laura McDonald)**

- Commenter expressed support for the proposed project, stating that the affordable housing program will make the proposed project affordable for median income families.
- Commenter stated that they support the proposed roadway improvements on Pole Line Road, south of Covell Boulevard, as well as the fair share (traffic) obligations outlined in the DEIR, and that they feel these improvements will support the safety of cyclists and drivers, pedestrians, and school age children that use the roads.



217-46  
Cont.

- Commenter expressed that while they do not support development of open spaces, they acknowledge that there is a need for residential development in Davis and support a well thought out development plan, such as the proposed project.

**Commenter 47 (Cynthia)**

217-47

- Commenter expressed concerns related to dwelling units per acre, housing density, parking, water, and traffic.
- Commenter expressed preference for an alternative including three-story apartments with more parking provided.

**Commenter 48 (Jim Watts)**

217-48

- Commenter expressed concerns related to traffic impacts, suitability of the proposed project for the City, necessity of the proposed project related to the City's growth requirements, and the overall design and planning related to the proposed project.

**Commenter 49 (Kara)**

217-49

- Commenter expressed support for the proposed project stating that the public will benefit from the 1,800-unit design as proposed, and that they feel the proposed project was carefully planned.
- Commenter expressed support for design elements such as the urban agricultural transition area, valuable open green spaces, community access points, recreational and environmental opportunities provided by proposed project, as well as potential for the proposed project to help the local public school systems gain stability.

**Commenter 50 (Elizabeth Coolbrith)**

217-50

- Commenter expressed concerns related to potential impacts to the Cannery neighborhood, including development of a high-traffic road over the existing farm and potential changes the character of the Cannery neighborhood, transportation hazards resulting from increased traffic flow from the proposed project to the narrow Cannery neighborhood streets, potential increase in GHG, and potential hazards for pedestrians on J and L streets caused by the blind turn at the southwest edge of the Cannery loop near the dog park.

**Commenter 51 (Unknown)**

217-51

- Commenter expressed concern related to traffic on Pole Line Road around 5:00 P.M. going east on County Road 102, and potential impacts to traffic in the Wildhorse neighborhood at the Pole Line Road intersection resulting from the proposed project.
- Commenter expressed opinion that the proposed project and Planning Commission need to provide mitigation measures for traffic impacts resulting from the proposed project.

**Commenter 52 (Roberta Stewart)**

217-52

- Commenter expressed concerns related to potential increases in vehicular traffic, especially commuter traffic from Woodland, increased traffic resulting from the



217-52  
Cont.

proposed project, potential impacts to the Pole Line Road cross streets, and the capacity of existing roadway infrastructure in the project site vicinity.

### **Planning Commission Final Comments**

#### **Commenter 53 (Vince McLaughlin)**

- Commenter expressed support for inclusion of a Reduced Footprint Alternative in the alternatives section, located south of the drainage channel with the elimination of the east village directly south of the dump and the closed sewage treatment plant.
- Commenter requested the inclusion of more explanation as to why it may or may not have been possible to create an ingress or egress on the F street side of the proposed project to alleviate traffic concerns with nearby examples of feasibility.
- Commenter expressed general concerns about groundwater migration and groundwater wells and states that more mitigation could be provided to address safety concerns regarding repositioning soil, the possibility of finding problems in the future, and the City possibly being held liable in some way after developer leaves.

217-53

#### **Commenter 54 (Georgina Valencia)**

- Commenter expressed concerns regarding the stormwater control plan, stating that because a stormwater control plan has not been prepared and proper source control measures cannot be ensured at this time, the stormwater control plan needs to be prepared and reanalyzed within the DEIR.
- Commenter expressed concerns related to transportation hazards, including further analysis of the feasibility of an undercrossing or overcrossing for bikes and pedestrians, especially with the increased traffic flow potentially created by the proposed project.
- Commenter expressed concern related to the feasibility of the educational farm and stated that it needs to be well planned.

217-54

#### **Commenter 55 (Alan Benett)**

- Commenter expressed agreement with other commenters that a Reduced Footprint Alternative would have been good to see.
- Commenter expressed the view that the description of proposed project and Biological Resources Preservation Alternative (BRPA) was confusing, and asked that if the BRPA is the preferred alternative for the proposed project, why is the BRPA not analyzed as the main proposed project to reduce confusion?

217-55

#### **Commenter 56 (Greg Rowe)**

- Commenter asked the environmental consultant a question regarding the accuracy of their own method for calculating K-12 students generated by the proposed project. (Mr. Pappani replied with the methods used to calculate K-12 students generated by the proposed project as utilized within the DEIR).

217-56



217-56  
Cont.

- Commenter asked if the Environmentally Superior Alternative would result in an increase in students created by the proposed project as a result of the proposed increased housing density.
- Commenter expressed concern related to provision of a clearer presentation of project phasing within the DEIR, VMT and the feasibility of the California Air Pollution Control Officers Association (CAPCOA) standards, bicycle and pedestrian safety at Covell Boulevard and Pole Line Road, pedestrian safety at the crossings to schools and Nugget Field, inclusion of a grade-separated crossing in the proposed project design, the adequacy of the proposed traffic mitigations, and potential increases to traffic and travel times during peak hours.
- The commenter expressed that they do not support the proposed project, stating they do not think the EIR addresses concerns correctly or contains correct alternatives, and if they were to vote on the project tonight, they would not vote to implement the proposed project.

**Commenter 57 (Catherine Brinkley)**

217-57

- Commenter noted that the Draft EIR is tricky because the general plan process has not been started to discuss annexation or future development, and as a result, many of the comments might not have been about the DEIR or project but reflected frustration with the City's process.
- Commenter expressed concern that a viable and desirable alternative was not presented by the DEIR, and expressed that an alternative including high-density, multi-family housing with a reduced footprint would be desirable.
- Commenter expressed support for VMT as a metric and the benefits of increased housing density.
- Commenter expressed concern related to potential impacts to critical habitat that would be lost as a result of the proposed project, and stated support about concerns related to fairy shrimp, vernal pools and nesting birds.
- Commenter expressed concern related to water quality, specifically that the DEIR finding regarding water quality impacts was not significant even though plans to mitigate water quality impacts were not fully developed.

**Commenter 58 (Johanes Troost)**

217-58

- Commenter expressed concerns related to potential transportation hazards and traffic congestion on Pole Line Road, Covell Boulevard, and the turn lane into Village Farms Davis Project.
- The commenter asked how many lanes on surrounding streets will be necessary for existing and project-related traffic.
- Intersection of F Street and Covell Boulevard is already problematic, particularly due to school-related traffic.
- Commenter expressed their view that the proposed project requires a traffic plan for the project and the City, including a way to cross to the north, including an over grade crossing, and a linkage between developments on north side.
- Commenter expressed support for developing more residences in the City of Davis.



217-59

**Commenter 59 (Michelle Weiss)**

- Commenter expressed concerns regarding the need for a grade-separated crossing as part of the proposed project, especially in the Pole Line Road and F Street areas.
- Commenter expressed support for increased housing in the City.
- Commenter expressed concerns related to analysis of transportation hazards, emergency service response times, specifically medical response services versus fire response services, drainage, number and location of tree removal, chemicals and hazards.

217-60

**Commenter 60 (Vince McLaughlin)**

- Commenter expressed concerns related to potential traffic impacts caused by existing narrow streets in the Cannery neighborhood and proposed project design on the Cannery neighborhood.
- Commenter requested that the proposed project include a thoughtful multipage or multi-paragraph analysis addressing construction of an ingress and egress encircling the Cannery neighborhood, stating how the concerns of the citizens of the Cannery neighborhood are going to be addressed, with mitigation measures.

217-61

**Commenter 61 (Greg Rowe)**

- Commenter expressed concern relating to leachates from the former landfill in the groundwater and the potential for increases in use of surface water to cause increases in the groundwater height, thus resulting in potential pollution of the new Channel A.
- Commenter expressed the opinion that the EIR is deficient if it does not look at potential habitat downstream.



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**LETTER 217: DRAFT EIR COMMENT HEARING SUMMARY**

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**Response to Comment 217-1**

Please see Master Response 2.

**Response to Comment 217-2**

Please see Master Responses 1 and 2.

**Response to Comment 217-3**

Please see Master Response 5 and Responses to Comments 52-6 and 100-7.

**Response to Comment 217-4**

Please see Master Response 1.

**Response to Comment 217-5**

Please see Master Responses 1 and 2.

**Response to Comment 217-6**

Please see Master Responses 1 and 2.

**Response to Comment 217-7**

Please see Master Response 1.

**Response to Comment 217-8**

Please see Master Responses 1 through 4 and 7.

**Response to Comment 217-9**

Please see Master Responses 1 and 2.

**Response to Comment 217-10**

Please see Master Responses 1 and 5.

**Response to Comment 217-11**

Please see Master Responses 1, 3, 4, 6, and 7.

**Response to Comment 217-12**

Please see Master Response 4 as well as responses to Letters 158 and 159, authored by the same commenter.

**Response to Comment 217-13**

Please see Master Responses 4 and 5.



**Response to Comment 217-14**

Please see Master Responses 1, 4 and 5.

**Response to Comment 217-15**

Please see Master Responses 3 through 7, and Response to Comment 16-3.

**Response to Comment 217-16**

Please see Master Response 3 and Response to Comment 166-9.

**Response to Comment 217-17**

Please see responses to Letter 95, authored by the same commenter.

**Response to Comment 217-18**

Please see Master Responses 2 and 5 and Response to Comment 29-17.

**Response to Comment 217-19**

Please see Master Responses 3, 5, and 7.

**Response to Comment 217-20**

Please see Master Response 4 as well as responses to Letter 210, authored by the same commenter.

**Response to Comment 217-21**

Please see Response to Comment 30-4.

**Response to Comment 217-22**

Please see Master Response 6 as well as responses to Letter 160, authored by the same commenter.

**Response to Comment 217-23**

Please see Master Response 5 as well as responses to Letters 131 and 132, authored by the same commenter.

**Response to Comment 217-24**

Please see Master Responses 2 and 3 as well as responses to Letters 75 through 80, authored by the same commenter.

**Response to Comment 217-25**

Please see Master Responses 2, 3, and 6, as well as responses to Letter 66, authored by the same commenter.

**Response to Comment 217-26**

Please see Master Response 1.



**Response to Comment 217-27**

Please see Master Response 1, as well as responses to Letters 120 and 121, authored by the same commenter.

**Response to Comment 217-28**

Please see Master Response 1.

**Response to Comment 217-29**

Please see Master Responses 3 and 4, as well as responses to Letters 93 and 94, authored by the same commenter.

**Response to Comment 217-30**

Please see responses to Letter 142, authored by the same commenter.

**Response to Comment 217-31**

Please see Master Response 3, 4, and 7, as well as responses to Letter 203, authored by the same commenter.

**Response to Comment 217-32**

Please see Master Response 1.

**Response to Comment 217-33**

Please see Master Responses 2 and 5, as well as responses to Letter 146, authored by the same commenter.

**Response to Comment 217-34**

Please see Master Response 1.

**Response to Comment 217-35**

Please see Master Responses 3, 5 and 7, as well as responses to Letters 125 and 126, authored by the same commenter.

**Response to Comment 217-36**

Please see Master Response 4, as well as responses to Letter 169, authored by the same commenter.

**Response to Comment 217-37**

Please see Master Response 1.

**Response to Comment 217-38**

Please see Master Response 4.

**Response to Comment 217-39**

Please see Master Responses 3 through 6, as well as responses to Letter 45, authored by the same commenter.



**Response to Comment 217-40**

Please see Master Response 1.

**Response to Comment 217-41**

Please see Master Response 1.

**Response to Comment 217-42**

Please see Master Responses 2, 3, and 4.

**Response to Comment 217-43**

Please see Master Response 1.

**Response to Comment 217-44**

Please see Master Response 1.

**Response to Comment 217-45**

Please see Master Response 1.

**Response to Comment 217-46**

Please see Master Response 1.

**Response to Comment 217-47**

Please see Master Responses 1 and 2.

**Response to Comment 217-48**

Please see Master Response 1.

**Response to Comment 217-49**

Please see Master Response 1.

**Response to Comment 217-50**

Please see Master Response 5, as well as responses to Letter 81, authored by the same commenter.

**Response to Comment 217-51**

Please see Master Response 5.

**Response to Comment 217-52**

Please see Master Response 5.

**Response to Comment 217-53**

Please see Master Responses 2, 3, 5, and 6.



### **Response to Comment 217-54**

Please see Master Responses 5 and 6. Regarding the portion of the comment about the stormwater control plan, it is important to emphasize that drainage reports have already been prepared for the Proposed Project and the BRPA.<sup>2</sup> Mitigation Measure 4.8-2 pertains to the preparation of a final Stormwater Control Plan, which cannot be prepared at this time given the fact that the applicant is only seeking program-level entitlements for the project (e.g., annexation, General Plan land use and zoning changes, etc.). As such, the appropriate time for a Stormwater Control Plan will be when a tentative subdivision map has been prepared. The tentative subdivision map will include street, lotting, and utilities layouts, finished grades, etc., all of which will be needed to refine the programmatic drainage analysis that has been prepared for the Draft EIR.

Under CEQA, a lead agency may rely on future studies to devise the specific design of a mitigation measure when the results of later studies are used to tailor mitigation measures to fit on-the-ground environmental conditions.<sup>3</sup>

Mitigation Measure 4.8-2 includes sufficient performance standards, as follows:

- 4.8-2                    *Prior to approval of final project improvement plans, a final Stormwater Control Plan shall be submitted to City of Davis Public Works – Utilities and Operations Department for review and approval. The final Stormwater Control Plan shall be in compliance with all applicable provisions of the National Pollutant Discharge Elimination System (NPDES) Phase II MS4 General Permit (NPDES General Permit No. CAS612008, Order No. R2-2022-0018) and shall meet the standards of the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment. Site design measures, source-control measures, hydromodification management, and Low Impact Development (LID) standards, as necessary, shall be incorporated into the design and shown on the improvement plans. The final plans shall include calculations demonstrating that the water quality BMPs are appropriately sized, using methodology in the CASQA Stormwater BMP Handbook for New Development and Redevelopment. The final plans shall also incorporate the proposed components for maintaining the stormwater-treatment facilities.*

In summary, Mitigation Measure 4.8-2 includes sufficient performance standards and is appropriately timed to when sufficient project-level design information is available to prepare a Stormwater Control Plan.

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<sup>2</sup> Cunningham Engineering. *Drainage System and Flood Control Analysis for Village Farms Davis*. August 8, 2024; Cunningham Engineering. *Drainage System and Flood Control Analysis for Village Farms Davis Biological Resources Preservation Alternative*. August 8, 2024; Rick Engineering Company. *Village Farms Project: 2-Dimensional Hydraulic Modeling*. July 8, 2024; Rick Engineering Company. *Village Farms Project: Biological Wetland Avoidance Alternative: 2-Dimensional Hydraulic Modeling*. July 8, 2024.

<sup>3</sup> See *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 524 (upholding mitigation measures, based on preconstruction surveys, requiring identified steps for avoiding impacts to biological resources to be implemented).



**Response to Comment 217-55**

Please see Master Response 2. Chapter 3, Project Description, of the Draft EIR includes a separate description of both the Proposed Project and the Biological Resources Preservation Alternative, the latter of which was evaluated at an equal level to that of the Proposed Project. Inclusion of both a proposed project and an equal-level alternative in an EIR is allowable pursuant to CEQA, and in fact, was done for the 2004 Covell Village EIR that was certified by Davis City Council.

**Response to Comment 217-56**

Please see responses to Letters 96 to 102, authored by the same commenter.

**Response to Comment 217-57**

Please see Master Responses 2 and 5, as well as responses to Letter 51, authored by the same commenter.

**Response to Comment 217-58**

Please see Master Responses 1 and 5.

**Response to Comment 217-59**

Please see Master Responses 1, 5, and 6, as well as Response to Comment 30-4.

**Response to Comment 217-60**

Please see Master Response 5.

**Response to Comment 217-61**

Please see Master Response 3.

