

6 OTHER CEQA SECTIONS

6.1 INTRODUCTION

Section 15126 of the California Environmental Quality Act (CEQA) Guidelines requires that all aspects of a project be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify the following: (1) significant environmental impacts of the project, (2) significant environmental effects that cannot be avoided if the project is implemented, (3) significant irreversible environmental changes that would result from implementation of the project, and (4) growth-inducing impacts of the project. Although growth inducement itself is not considered an environmental effect, it could potentially lead to foreseeable physical environmental effects, which are discussed under Growth Inducing Impacts below.

6.2 GROWTH-INDUCING IMPACTS

CEQA specifies that growth-inducing impacts of a project must be addressed in an EIR (PRC Section 21100[b][5]). Specifically, the State CEQA Guidelines (CCR Section 15126.2[d]) states that the EIR shall discuss the ways in which the project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this analysis are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also, the EIR should discuss the characteristics of the project which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Direct growth inducement would result if a project involved construction of new housing. Indirect growth inducement would result, for instance, if implementing a project resulted in any of the following:

- ▲ substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises);
- ▲ substantial short-term employment opportunities (e.g., construction employment) that indirectly stimulates the need for additional housing and services to support the new temporary employment demand; and/or
- ▲ removal of an obstacle to additional growth and development, such as removing a constraint on a required public utility or service (e.g., construction of a major sewer line with excess capacity through an undeveloped area).

The State CEQA Guidelines do not distinguish between planned and unplanned growth for purposes of considering whether a project would foster additional growth. Therefore, for purposes of this EIR, to reach the conclusion that a project is growth-inducing as defined by CEQA, the EIR must find that the project would foster (i.e., promote or encourage) additional growth in economic activity, population, or housing, regardless of whether the growth is already approved by and consistent with local plans. The conclusion does not determine that induced growth is beneficial or detrimental, consistent with the State CEQA Guidelines (CCR Section 15126.2[d]).

If the analysis conducted for the EIR results in a determination that a project is growth-inducing, the next question is whether that growth may cause adverse effects on the environment. Environmental effects resulting from induced growth fit the CEQA definition of “indirect” effects in the State CEQA Guidelines (CCR Section 15358[a][2]). These indirect or secondary effects of growth may result in significant environmental impacts. CEQA does not require that the EIR speculate unduly about the precise location and site-specific characteristics of significant, indirect effects caused by induced growth, but a good-faith effort is required to disclose what is feasible to assess. Potential secondary effects of growth could include consequences – such as conversion of open space to developed uses, increased demand on community and public services and infrastructure, increased traffic and noise, degradation of air and water quality, or degradation or loss of plant and wildlife habitat – that are the result of growth fostered by the project.

6.2.1 Growth-Inducing Impacts of the Project

This analysis examines the following potential growth-inducing impacts related to implementation of the project and assesses whether these effects are significant and adverse:

- 1) foster population growth and construction of housing;
- 2) eliminate obstacles to population growth;
- 3) foster economic growth;
- 4) affect service levels, facility capacity, or infrastructure demand; and
- 5) encourage or facilitate other activities that could significantly affect the environment.

Implementation of the project would foster short-term and long-term economic growth within the City of Davis as a result of new construction and operational employment opportunities and residences. Construction would likely begin in 2016-2017 and extend for approximately 5-7 years. During construction, the estimated peak level of construction workers at any given time is estimated to be approximately 60 workers. As described in Section 4.12, “Population and Housing,” a large number of people are employed in the construction industry in the region, and it would not be reasonable to expect that any construction workers would relocate to the City for a temporary job. During operation, up to 1,920 new residents would occupy the on-site residences with an additional 1,508 anticipated employees associated with the retail and R&D uses on-site. Some of these employees could relocate to the City from outside the region, however, that an intent of the project is to provide employment opportunities in Davis and reduce out-commuting, it is likely that a majority of new on-site employees would be residents of Davis.

The project would remove barriers to population growth insofar as the project would involve the extension of the City boundary to include the Nishi site. However, physical constraints imposed by I-80, Union Pacific Railroad (UPRR) right-of-way, University of California at Davis, and existing development around Richards Boulevard, the project would not remove additional barriers to population growth because no new or expanded (beyond what is currently planned by local jurisdictions) public infrastructure facilities would be installed. The project would directly connect to existing utility infrastructure (water, wastewater, natural gas, and electricity) and would not facilitate additional development. The proposed recreational improvements would be an important long-term infrastructure component that is considered necessary for the continued open space and recreational goals and policies of the City’s General Plan and Parks and Recreation Facilities Master Plan, refer to Section 4.13, “Public Services,” for further clarification. Further, the project site is enclosed on three sides by existing transportation facilities that present barriers to further growth and the areas surrounding Richards Boulevard are already developed. As a result, the project would not be considered to remove a barrier to future growth within the City or region.

Although the project would foster some economic and population growth associated with new employment and housing opportunities within the Nishi site, this growth would not substantially affect the ability of public service providers to serve their existing customers, as shown in Section 4.13, “Public Services and Recreation.” The project would increase access to the project site for local service providers and provide greater capacity on local roadway infrastructure, which may free up additional capacity within downtown

Davis. The population and employment growth expected with project implementation would be minor, and would not exceed the projections of local general plans in the communities surrounding the project site. Additionally, the project would not extend infrastructure and public services to serve areas outside of the project site. In conclusion, the project has the potential to stimulate the economy both directly (by providing jobs and housing) and indirectly (by creating a demand for local goods and services) in the region. However, the project would address anticipated housing needs, reduce out-commuting, and improve the jobs housing balance within the City (refer to Section 4.12, "Population and Housing.") Therefore, the project would not contribute to substantial population growth beyond that anticipated as a direct result of the project, and there is no need to analyze impacts of growth beyond those included and evaluated in Chapter 5, "Cumulative Impacts."

6.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by the project. Section 15126.2(c) states:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, because a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project would result in significant irreversible environmental changes if:

- ▲ the primary and secondary impacts would generally commit future generations to similar uses;
- ▲ the project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project;
- ▲ the project would involve a large commitment of nonrenewable resources; or
- ▲ the proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Development of the project would result in the commitment of the City of Davis to urban development of the site, irreversibly removing the site's use for agriculture. As discussed previously, the City of Davis General Plan currently identifies the Nishi site as agricultural land, although a prior General Plan identified the Nishi site as an area for future development and annexation by the City. The project would commit future generations to the proposed uses at the site as well as commit nonrenewable sources to the construction and operation of the site. The West Olive Drive properties may change in the nature of a specific use or development intensity, but are currently developed with urban uses.

Resources that would be permanently and continually consumed by project implementation include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would not result in significant environmental impacts related to the unnecessary, inefficient, or wasteful use of resources as stated in Impact 4.7-4 of Section 4.7, "Greenhouse Gas Emissions and Energy."

Notwithstanding the project benefits identified in Section 4.7, construction and operational activities related to the project would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobiles and construction equipment.

With respect to operational activities, compliance with all applicable building codes, as well as project mitigation measures or project requirements, would ensure that all natural resources are conserved or recycled to the maximum extent feasible. It is also possible that new technologies or systems would emerge, or would become more cost-effective or user-friendly, that would further reduce the site's reliance upon nonrenewable natural resources. Nonetheless, even with implementation of conservation measures, consumption of natural resources would generally increase with implementation of the project, as the site is currently a dry-farming operation with little to no demand for utilities.

6.4 SIGNIFICANT UNAVOIDABLE IMPACTS

Section 21100(b)(2)(A) of the State CEQA Guidelines provides that an EIR shall include a detailed statement setting forth "in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented." Accordingly, this section provides a summary of significant environmental impacts of the project that cannot be mitigated to a less-than-significant level.

Chapter 4, "Environmental Setting, Environmental Impacts, and Mitigation Measures," provides a description of the potential environmental impacts of the project and recommends various mitigation measures to reduce impacts, to the extent feasible. Chapter 5, "Cumulative Impacts," determines whether the incremental effects of this project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. After implementation of the recommended mitigation measures, most of the impacts associated with development of the project would be reduced to a less-than-significant level. The following impacts are considered significant and unavoidable; that is, no feasible mitigation is available or the mitigation measures available were not enough to reduce the project's impacts to a less-than-significant level. Note, this is only a summary of those impacts; it is important to review the discussions in Chapters 4 and 5 of this EIR to understand the full context of the impact determinations.

Implementation of the proposed development of the Nishi site would result in the following significant unavoidable environmental impacts, following implementation of feasible mitigation measures:

- ▲ Impact 4.2-1: Convert Important Farmlands to non-agricultural use, or involve changes in the existing environment that could result in conversion of Important Farmland to non-agricultural use.
- ▲ Impact 4.2-2: Conflict with existing zoning for agricultural use or result in the loss or conversion of agricultural land to non-agricultural use.
- ▲ Impact 4.3-5: Land use compatibility with off-site sources of TACs and UFPs.
- ▲ Impact 4.7-2: Considerably contribute to climate change through project-generated greenhouse gas emissions during operation.
- ▲ Impact 4.8-5: Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- ▲ Impact 4.11-1: Generate short-term, construction-related noise on nearby sensitive land uses.
- ▲ Impact 4.11-5: Exposure of proposed and existing sensitive receptors to transportation noise sources.
- ▲ Impact 4.14-1: Impacts to local intersections outside freeway interchange areas.
- ▲ Impact 4.14-2: Impacts to intersections within the Richards Boulevard interchange area.
- ▲ Impact 4.14-6: Impacts to emergency vehicle access.

Potential redevelopment of uses within West Olive Drive as a result of the redesignation and rezoning of parcels within West Olive Drive would result in the following significant unavoidable environmental impacts, following implementation of feasible mitigation measures:

- ▲ Impact 4.7-2: Considerably contribute to climate change through project-generated greenhouse gas emissions during operation.
- ▲ Impact 4.7-3: Conflict with or impede attainment of goals established in applicable climate action plans or greenhouse gas reduction plans.
- ▲ Impact 4.14-1: Impacts to local intersections outside freeway interchange areas.
- ▲ Impact 4.14-2: Impacts to intersections within the Richards Boulevard interchange area.

Cumulative impacts to Agriculture (conversion of farmland in the region), Greenhouse Gas Emissions (achieving the City of Davis 2050 goal of net zero), and Transportation (intersection and roadway segment operations) would also be significant and unavoidable as a result of implementation of the Nishi Gateway Project.

This page intentionally left blank.