

Appendix A

NOP & Comments



Notice of Preparation of a Draft Environmental Impact Report and Scoping Meeting

Date: January 28, 2015

Subject: Notice of Preparation of a Draft Environmental Impact Report and Scoping Meeting for the Nishi Gateway Project

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Organizations and Interested Persons

Lead Agency: City of Davis
Community Development and Sustainability Department
23 Russell Boulevard, Suite 2
Davis, CA 95616
Phone: (530) 757-5610
Contact: Katherine Hess, Community Development Administrator
Email: NishiGateway@cityofdavis.org

NOTICE OF PREPARATION: This is to notify public agencies and the general public that the City of Davis, as the Lead Agency, will prepare an EIR for the Nishi Gateway Project (proposed project). The City is interested in the input and/or comments of public agencies and the general public as to the scope and content of the environmental information that is germane to the agencies' statutory responsibilities in connection with the proposed project, and public input. If the project is approved, public agencies will need to use the EIR prepared by the City when considering applicable permits, or other approvals for the proposed project.

Project Title: Nishi Gateway Project

Project Location: 1501 Arboretum Terrace, Davis, CA 95616

SCOPING MEETING: On Monday, February 23, 2015 starting at 6:00 PM, the City of Davis Community Development and Sustainability Department will conduct a public scoping meeting to solicit input and comments from public agencies and the general public on the scope of the Draft Environmental Impact Report (EIR) being prepared for the Nishi Gateway Project. This meeting will be held in the Multi-Purpose Room of the Veterans Memorial Center, 203 East Fourteenth Street Davis, CA 95616. The meeting will run from 6:00 PM to 8:00 PM.

This meeting will be an open house format and interested parties may drop in to review the proposed project exhibits and submit written comments at any time between 6:00 PM and 8:00 PM. Representatives from the City of Davis, the EIR consultant, and the Applicant will be available to address questions regarding the EIR process. Members of the public may provide written comments throughout the meeting.

If you have any questions regarding this scoping meeting, please contact Katherine Hess at NishiGateway@cityofdavis.org, or (530) 757-5652. Additional information about the project is available at the following City webpage:

<http://nishigateway.org>

COMMENT PERIOD: Consistent with the time limits mandated by State law, your input, comments or responses must be received in writing and sent at the earliest possible date, but not later than 5:00 PM, Friday, February 27, 2015.

COMMENTS/INPUT: Please send your input, comments or responses (including the name for a contact person in your agency) to:

Katherine Hess, Community Development Administrator
 City of Davis Community Development and Sustainability Department
 23 Russell Boulevard, Suite 2
 Davis, CA 95616
 -or-

NishiGateway@cityofdavis.org

PROJECT LOCATION AND EXISTING USES

The proposed project site is comprised of two distinctly separate areas; one within the City of Davis and the other immediately west of the City of Davis city limits. The project site totals 57.7 acres and is separated from downtown Davis and the UC Davis university campus by the existing Union Pacific Railroad (UPRR) track (see Figure 1). The first area (hereafter referred to as the Nishi site), adjacent and west of the city limits, will be evaluated at a project-level within the EIR and is approximately 46.9 acres in size. The Nishi site is bounded by the UPRR track and UC Davis Campus to the northwest, Putah Creek to the northeast, and Interstate 80 (I-80) to the south. The second area (hereafter referred to as West Olive Drive) will be evaluated at a program-level and is approximately 10.8 acres in size and within the city limits. West Olive Drive is bounded by Richards Boulevard to the northeast, the I-80/Richards Boulevard interchange to the southeast, Putah Creek to the southwest, and the existing railroad to the northwest.

Vehicular access to the project site is currently provided via two points: Olive Drive, which provides access to the West Olive Drive portion of the site up to Putah Creek, and Arboretum Drive, which provides access to the proposed Nishi Development portion of the project site. Bike and pedestrian access to the project site is currently provided via an existing multi-purpose bike route on the Nishi property with grade separated crossings at UPRR to downtown and at I-80 to South Davis. In general, the project site is characterized by relatively flat land. Elevations on the site range from 38 to 60 feet. The general drainage pattern for the Nishi site gently slopes southwest towards the intersection of the existing railroad and I-80. Drainage within West Olive Drive flows into the City's existing storm drain system before releasing flows into one of two existing catch basins before ultimately releasing storm water flows to the Putah

Creek basin. Numerous trees, predominantly oak trees, line the project site, and several additional trees are located in the central portion of the Nishi Development site and adjacent to existing structures and Olive Drive within West Olive Drive.

As shown in Figure 2, the Nishi site is comprised of a five parcels under the same Assessor's Parcel Number (APN) 036-170-018 and is currently under dry agricultural production. The Nishi site is zoned A-N (Agricultural Intensive) and is designated as Agriculture by the Yolo County General Plan. West Olive Drive is comprised of numerous parcels (APNs 070-270-002 through 070-270-013). Uses within West Olive Drive include a hotel, restaurants, mini-storage, and service commercial (auto-related). Parcels within the West Olive Drive portion of the project site are zoned for commercial services uses through the Gateway / Olive Drive Specific Plan. The land use designation for the entire West Olive Drive is Commercial Service with the exception of Putah Creek, which is designated as Parks/Recreation.

SURROUNDING LAND USES

The project site is bounded to the northeast by Richards Boulevard and the Richards Boulevard/I-80 Interchange; I-80 to the southeast; and the existing railroad to the west and northwest. Agricultural land is located south of the project site on the other side of I-80 with the UC Davis School of Neurosciences located to the east. Commercial and multi-family and mobile home residential uses are located to the northeast across Richards Boulevard, while retail commercial and student housing uses are located to the north/northwest.

PROJECT DESCRIPTION

The Nishi Gateway Project is comprised of two primary components: first, the development of the Nishi site with a mixed-use community that will provide roadway connections to the City of Davis and UC Davis; second, the rezoning of West Olive Drive to allow for redevelopment of parcels within West Olive Drive. No new development is currently proposed as part of this project within West Olive Drive. The project applicant is requesting the following entitlements for the Nishi site:

Yolo County Local Agency Formation Commission (LAFCo) Approval:

1. Annexation of the approximately 49.6-acre Nishi Gateway site (APN 036-170-018) into the City of Davis (Government Code, §56737);

City of Davis Approvals:

1. General Plan Amendment to redesignate the Nishi site from Agriculture to a Mixed Use Innovation District land use designation;
2. Rezoning from County Agriculture-Intensive (A-N) to City Planned Development (P-D);
3. Preliminary Planned Development (PPD) approval (Zoning Code, §40.22.010);
4. Site Plan and Architectural Review to approve project Design Guidelines and Performance Standards;
5. Development Agreement for the Nishi site in order to provide certainty and mutual assurances to the City and the project applicant (Government Code, §65864 et seq.); and
6. Action by the City Council to call for an election and set the baseline features of the project.

The City of Davis Community Development and Sustainability Department is pursuing the following entitlements for West Olive Drive:

City of Davis Approvals:

1. General Plan Amendment to redesignate West Olive Drive from Commercial Service to the City of Davis' existing Neighborhood Mixed Use land use designation, and
2. Rezoning and PPD from Gateway / Olive Drive Commercial Service to City Planned Development (P-D) for a mix of uses.

The following section describes the components of, and entitlements needed for, the Nishi Gateway Project.

Annexation (Nishi Site only)

The Nishi site is under the jurisdiction of Yolo County. In order for the Nishi site to be developed within the City of Davis, Yolo County LAFCo must approve the annexation of the Nishi site into the City. The Nishi site is located within the City of Davis' existing ten-year Sphere of Influence (SOI). Because the 46.9-acre Nishi site is contiguous to the City of Davis' existing city limits, annexation of the project site would not result in the creation of any "island" properties. Rather because the Nishi site is located adjacent to City of Davis, it would represent development within a contiguous property.

General Plan Amendment

The designation for the Nishi site is Agriculture under both the City of Davis and the Yolo County General Plans. As part of annexation into the City, the project includes a request to amend the site's General Plan land use designation from Agriculture to a new Mixed Use Innovation District land use designation, which will be developed as part of the continued planning of the proposed project

The designation for West Olive Drive is Commercial Service under the City of Davis General Plan. As part of the project, the project includes a request to amend the site's General Plan land use designation from Commercial Service to Neighborhood Mixed Use.

Prezoning (Nishi Site only)

The 46.9-acre project site is currently zoned Agricultural-Extensive (A-N) by Yolo County. According to California Government Code 56375, a LAFCo shall require, as a condition of annexation, that a city prezone the territory to be annexed. The project includes a request for City of Davis approval of a prezone to the City zoning designation of Planned Development (P-D). This zoning designation allows for project-specific regulations to enable a diverse mix of uses that promote the project vision, goals, and policies.

Preliminary Planned Development (Nishi Site only)

Pursuant to Davis Municipal Code, Article 40.22, Planned Development District, the preliminary application for a P-D District must include a preliminary development plan, containing basic information regarding proposed land uses, parks, street layout, required facilities (water, sewer, drainage), etc. The following section describes the preliminary planned development proposed for the Nishi site.

Proposed Land Uses

The Nishi property would include up to 650 residential units, 325,000 square feet (sf) of office / research and development (R&D) space, and 20,000 sf of accessory retail and related commercial uses, with a variety of lot sizes and building floor plates (see Table 1 and Figure 3).

Land Use Type	Acreage	Total Units	Density	Bicycle Parking Spaces	Vehicle Parking Spaces
Residential: Multi-family Rental	6.9	440 units	60-66 du/acre	840	795
Residential: Multi-family For Sale	4.1	210 units	60 du/acre	420	315
Research and Development (R&D)	6.0	325,000 sq. ft.	.45-1.1 FAR	650	820
Surface Parking ¹	13.1	-		-	-
Retail ²	-	20,000 sq. ft.		-	-
Roads	3.0	-		-	-
Creek	3.3	-		-	-
Parks and Greenway	6.5	-		-	-
Stormwater Detention	4.0				
Total ³	46.9	650 residential units 325,000 sq. ft. R&D 20,000 sq. ft. retail		1,910	1,930

Source: MIG 2014, prepared by Ascent Environmental 2014.

Notes: FAR = floor area ratio; du = dwelling units; du/acre = dwelling units per acre; sq. ft. = square feet.

¹ Surface Parking includes a large parking lot at the southern end of the site, small lots northwest of housing within an existing utility easement bordering the Amtrak line, and smaller lots east of R&D uses along I-80, partially within an existing utility easement.

² Retail uses to be located within proposed Residential or R&D buildings, and thus separate parking is not assumed to be required.

³ While not proposed at this time, the site could potentially accommodate an extended-stay hotel, which would be subject to subsequent market assessment and discretionary City review and approval with performance standards.

As shown in Table 1, approximately 650 multifamily residential units would be constructed on 11.0 acres, including approximately 210 for-sale multi-family building units on 4.1 acres, and 440 rental units with approximately 990 beds on 6.9 acres. The for-sale units would conceptually be located within two structures (a five to six -story U-shaped building and a five to six-story L-shaped structure) located in the northern portion of the site. The two for-sale unit buildings would be separated by a park and multi-use trail. The proposed rental units would be located immediately to the southwest of the for-sale units, in one of two four-to-six-story structures located across from the existing Solano Park (UC Davis) housing development. In addition to the public recreational space to be provided on-site, some rooftop patios or greenspace is being considered.

Proposed housing products (rental and for-sale) could serve as workforce housing in support of on-site or campus-related employment opportunities, with a corresponding range of unit sizes for varying household sizes, incomes, and lifestyles. The rental units could potentially serve as student housing. While not proposed at this time, the project site could potentially accommodate an extended-stay hotel, which would be subject to subsequent market assessment and discretionary review with performance standards. Because this component is not part of the current proposal, subsequent or supplemental environmental analysis would be required prior to approval of development of this use type within the project site.

As noted above, employment-generating R&D uses would include approximately 325,000 square feet in a series of commercial buildings on approximately 11.1 total acres, including 5.1 acres of adjacent surface parking lots, or 6.0 net acres, not including the adjacent surface parking lots. The conceptual site plan shows these uses located in four linear structures within the eastern and southern portions of the Nishi site, closer to I-80. Building heights would likely be a combination of two and three stories.

Proposed office / research and development buildings would be complementary to UC Davis research facilities, and could serve as incubator space for local start-ups, technology-related, or other research and development (R&D)-related businesses. Within the planned 325,000 sf of office/R&D uses, the following use types would be allowed:

- High-technology offices (e.g. small incubation spaces, mid-size offices, corporate headquarters);
- Flexible spaces (large floor plate buildings to house large research equipment);
- Research laboratories;
- Support service offices (e.g. paralegal services, financial investor offices); and
- Professional and administrative offices.

With respect to the accessory retail and related commercial uses (up to 20,000 sf) proposed within the Nishi site, these proposed uses would be intended to provide supporting retail/restaurant opportunities for the proposed residential and R&D space, rather than compete with downtown Davis businesses. These uses may include, but are not limited to:

- Restaurants, cafes, bakeries (including indoor and outdoor seating areas);
- Employee service establishments (i.e. printing and copying shops, drycleaners, photographic services, beauty salons);
- Daycare, nursery school, commercial recreation; and,
- Bike rentals and repairs.

As described in further detail below, the Nishi site would also include various recreational and other landscape areas designed for public use, including 13.8 acres of parks and greenways, low-impact stormwater management areas, and Putah Creek. Development of the Nishi site would provide additional landscaping and public amenities adjacent to the recreational and open space amenities of the Putah Creek Parkway.

Parks and Green Space

Proposed green space within the Nishi site would include 6.5 acres of parks and greenways, natural open space and drainage areas along Putah Creek, between the Nishi site and West Olive Drive, community pedestrian and bicycle trails and facilities, landscaped gathering spaces, and a stormwater detention area that could serve a dual purpose of reducing off-site stormwater flows and some recreational/open space benefit (see Figure 3). Additionally, some additional private open space may be provided along the rooftops of the proposed structures for on-site residents/employees. Private open space would be incorporated into the building developments themselves, and could include large green courtyards, rooftop vertical aeroponic farming, and community gardens, as well as open plazas for workers in the R&D buildings. The overall green space within the Nishi site, excluding the potential rooftop open space, would be approximately 13.8 acres, or approximately 29 percent of the Nishi site.

No structures would be located in proximity to Putah Creek. Within this area, native landscaping, trails, and vehicular access via the extension of West Olive Drive would be provided. Onsite vegetation would be preserved to the extent feasible, including a large oak tree that is approximately 89 feet in height and has a 60-inch trunk. This tree would be located within the proposed park area.

Circulation Network

The proposed circulation framework for the project is based on a grid street system, with a primary central roadway down the center and interconnected pedestrian and bicycle paths throughout the development to promote multimodal transportation choices. Proposed access points include a northeasterly access at Richards Boulevard via Olive Drive and westerly access point that would connect with Old Davis Road. This westerly access point may involve a grade-separated crossing (most likely an underpass) at the UPRR line. The northeasterly access point would also involve the improvement of an existing crossing of Putah Creek to allow for vehicular traffic from West Olive Drive to the Nishi site. The existing at-grade crossing of the UPRR line at Arboretum Drive would be closed as part of the proposed project.

The proposed project would provide a new connection between a new east-west street on the Nishi Property and Old Davis Road on the UC Davis campus. This new connection would involve crossing the existing UPRR line. As currently proposed, the applicant would construct a subterranean undercrossing to prevent potential at-grade crossing conflicts between existing rail operations and vehicles, bicycles, and pedestrians that may use the proposed connection. The approach for the undercrossing descent would begin approximately 250 feet in either direction from the existing UPRR line; this will be confirmed pending outcomes of a separate study. UPRR approval would also be required prior to implementing such an undercrossing. High-quality pedestrian and bicycle access would be provided in both directions along this connection, as noted above. Because the proposed connection to Old Davis Road would require approval by the UC Regents prior to implementation and that approval cannot be guaranteed by the City at this time, the City is also considering an equal-weight network alternative that would involve all project access via Richards Boulevard.

Depending on phasing and emergency access requirement during initial phases of the project, implementation of the contemplated UPRR crossing could result in a longer-term opportunity to eliminate the existing at-grade crossing at Arboretum Drive, thereby reducing train horn noise and improving safety. Before the undercrossing is completed, the existing at-grade crossing and access via Olive Drive could be used to facilitate emergency access on an interim basis.

The circulation framework would integrate various transportation demand management (TDM) strategies that reduce vehicle miles traveled (VMT) from single-occupant automobile trips. The plan may include components such as:

- Provide safe, covered bicycle parking areas near building entrances for visitors and inside buildings for residents and employees;
- Provide pedestrian and bicycle amenities;
- Provide transit passes and rideshare programs for employees and on-site residences;
- Integrate shared parking management techniques to reduce the number of car spaces required per building;
- Design and incorporate traffic-calming features within the development;
- Encourage flexible work scheduling to minimize peak-hour traffic;
- Charge for parking in selected areas or for having more than one car; and,
- Meter or use other techniques to limit peak hour trips or to direct cars to areas with less congestion.

A network of bike/pedestrian trails that would connect to the existing Putah Creek Trail, Richards Boulevard, and Old Davis Road is proposed throughout the site. These trails would allow employees, patrons, and residents to arrive and depart by bike, foot, or transit. Employees could also choose to park in

an on-site location, and subsequently use on-site pedestrian and bicycle paths throughout the work day for transportation purposes.

Parking areas and primary vehicular/loading circulation would be located along the perimeter of the Nishi site, adjacent to I-80 and along the site's periphery. This allows for a natural extension of the LID strategies, implemented in open space areas, to the parking lots. Parking areas would be designed and located in a manner to discourage automobile use throughout the workday and encourage biking, walking, and transit use on the site and to the downtown area of the City of Davis. R&D parking areas would integrate best management practices that reduce the use of single-occupant automobiles and benefit carpoolers, vanpoolers, and users of low-fuel using vehicles.

Parking areas within the Nishi site would also be designed in a manner to reduce urban heat island effects in comparison to barren surface parking lots. Parking areas may include a combination of one or more of the following features: integrated energy generation systems (such as photovoltaic carports), large canopy shaded trees, and permeable and high-albedo (i.e., reflectivity) paving materials. Parking design concepts would be integrated to encourage use of rideshare modes (carpool, vanpool), compact and low-fuel using vehicles, and alternative-fuel vehicles. Parking areas would be located throughout the site to allow for shared facilities among various tenants. The southernmost parking area could potentially be decked or shaded with photovoltaic panels.

The project site is located in close proximity to public transit stops for the Yolo Bus and Unitrans system, serving Davis and the surrounding area. Adjacent bus stops are located north of the project site at the intersection of 1st and D Streets. Unitrans would have the option of serving the Nishi property from Richards Boulevard or penetrating the site to access Old Davis Road. The project site is also located in close proximity to the Davis Amtrak station.

Infrastructure

Infrastructure would be extended from nearby utilities to serve the site with public water, wastewater collection, and storm water detention. The following discussion pertains to the proposed water, wastewater, drainage, and other infrastructure-related improvements.

Water

The proposed project would receive potable water supplies via one of two options that are currently under consideration. The first option, which requires UC approval, involves connection to the existing UC Davis water lines located northwest of the project site. A six-inch water line is located along the south side of the Solano Park student housing development and a ten-inch water line is within Old Davis Road. The proposed project may alternatively connect with the existing City of Davis water infrastructure system located within Richards Boulevard and that currently serves the West Olive Drive portion of the project site. Should the second option be pursued, it is assumed that the connection from the Nishi site to City infrastructure would be located at the same location as the proposed extension of West Olive Drive to the Nishi site.

Wastewater

Wastewater would be collected and transported off-site, also via one of two options. The first option involves a direct connection to the existing UC Davis wastewater treatment plant located southwest of the project site. This option, which requires UC approval, may involve installation of a wastewater line parallel to the existing UPRR line in a southwesterly direction. The second option would involve connection to the existing City of Davis water infrastructure system located within Richards Boulevard

and that currently serves the West Olive Drive portion of the project site. Should the second option be pursued, it is assumed that the connection from the Nishi site to City infrastructure would be located at the same location as the proposed extension of West Olive Drive to the Nishi site.

Drainage and Flooding

The majority of the project site is located within Flood Emergency Management Act (FEMA) Zone X, meaning it is not considered to be located within the 100-year floodplain. However, a portion of the project site associated with Putah Creek is currently located within FEMA Zone A, the designation for areas determined to be flooded during the 1 percent annual (i.e., 100-year) flood event. Zone A does not have a determined Base Flood Elevation thus, the depth of water during this event is not known.

Flows within the Nishi site generally flow in a southwesterly direction and may accumulate on-site near the intersection of I-80 and the UPRR line during periods of heavy precipitation.

The proposed project would provide storm water storage and conveyance facilities that would likely consist of the following components:

Water Quality

The applicant proposes to integrate Low Impact Development (LID) measures throughout the project to provide storm water quality treatment. These LID measures would include both volume-based best management practices (bioretention, infiltration features, pervious pavement, etc.) and flow-based best management practices (vegetated swales, storm water planter, etc.). The use of these features would be dependent upon the location and setting within the project. These treatment measures would be designed in accordance with the City of Davis Storm Water Quality Control Standards.

Detention Volume

The applicant proposes to limit the on-site post-project storm water peak discharge to pre-project conditions. As a result of project development, the effective impervious area for the site would increase, leading to an increase in the peak runoff from the site. It is anticipated that the increased peak flows would be addressed through detention of the peak flows on-site. The proposed land use plan allocates 4.0 acres of land within the project boundary for the on-site detention. A more detailed design proposal for handling stormwater flows at the project site, including depth of the proposed detention basin, will be provided as part of the EIR and based on further analysis.

Other

The proposed project would include the provision of state-of-the-art technology infrastructure. The availability and proximity of existing fiber optics infrastructure will be evaluated in the EIR.

Phasing

Construction of the project is anticipated to be completed in three different phases. Connection to Old Davis Road would also be subject to approval by the UC Regents and timeframes established by UC Davis. Phase 1, approximately 15 acres, is anticipated to include development of the residential and R&D structures nearest to Putah Creek, along with a portion of the open space and drainage system connection to the detention pond to be located in the southern portion of the project site (see Figure 3). Phases 2 and 3, approximately 15 acres each, would include portions of development on both sides of the primary roadway through the Nishi site. The exact timing of these phases would be dependent upon market constraints, UC Davis, and conditions of approval imposed by the City at the time of project approval.

Rezoning (West Olive Drive only)

The 10.8-acre West Olive Drive is currently zoned for Commercial Service and Parks/Recreation uses under the Gateway/Olive Drive Specific Plan, which was adopted by the City of Davis in 1996 and amended in 2002. The proposed project includes a rezoning to Planned Development (P-D). As noted above, this zoning designation allows for project-specific regulations to enable a diverse mix of uses that promote the project vision, goals, and policies. Combined with the proposed new land use designation for West Olive Drive, the City anticipates that approximately 55,000 net new sf of commercial uses may occur within West Olive Drive through redevelopment interest. However, as noted above, no development is currently proposed within West Olive Drive as part of the project, and, as a result, the potential increase in square footage will be assessed at a programmatic level within the EIR. The proposed Embassy Suites development project that is currently under consideration by the City is a separately planned project and will not be included as part of the proposed project. It will, however, be included as part of the assessment of cumulative impacts.

Proposed land uses are likely to include office, commercial service, and small-scale neighborhood-serving uses. This EIR will assume approximately 55,000 square feet of net new development, likely in two- or three-story buildings, based on allowable floor-area ratios.

Parks and Green space would be provided through the existing Putah Creek Parkway. Private landscape areas would be required per city standards as properties are redeveloped. This EIR will analyze potential impacts on trees within the Olive Drive right-of-way.

The main circulation route will continue to be West Olive Drive, including any improvements proposed to provide access to the Nishi property. Some of the parcels in the area do not have sidewalk improvements. Streetscape improvements will be required as a condition of future redevelopment, as it occurs over time. Redeveloped properties will be expected to provide on-site parking in accordance with City standards.

Municipal utilities, including water and wastewater, are present on-site. The City of Davis maintains a storm drain pipe network in the project vicinity, which discharges to the Putah Creek Basin. Two existing catchment basins detain flows within West Olive Drive prior to discharge into the Putah Creek Basin.

Measure R

Approval of development on the Nishi property also requires an action by the City Council to call for an election and set the baseline features of the proposed project. This is required as part of the Measure R citizen vote process. Measure R is a renewal of Measure J, enacted to require voter approval for any newly proposed urban or residential development on agricultural land at the time of proposal.

PROJECT OBJECTIVES

The City/applicant proposes to achieve the following objectives:

1. Optimize an underutilized infill location within and adjacent to the City of Davis.
2. Contribute to the overall character and livability of the surrounding neighborhood and UC Davis by facilitating the reuse of property in a manner that enhances the visibility and aesthetic appeal of the City from Richards Boulevard, UPRR, and I-80 and circulation within the City and to UC Davis.
3. Develop a mixed-use project with an array of dense, efficient, urban housing types and land for business opportunities.

4. Provide additional housing near existing mobility infrastructure to reduce vehicle trips, vehicle miles travelled, and parking demand;
5. Provide housing density adjacent to the downtown area of the City of Davis to reduce vehicle trips, vehicle miles travelled, and parking demand within the downtown area;
6. Provide customers to support the downtown area of the City of Davis and increased sales tax revenue;
7. Provide alternative access to UC Davis to minimize congestion along Richards Boulevard at the UPRR undercrossing and at the intersection of Richards Boulevard and 1st Street.
8. Minimize impacts to on-site environmental resources, including onsite vegetation, potentially historic structures along West Olive Drive, and Putah Creek;
9. Accommodate high-skilled technology-related jobs that allow a greater number of Davis residents to live and work in the community;
10. Provide energy-efficient building design, low-water use indoor and outdoor design, and high-quality construction by incorporating national and/or local sustainable design practices;
11. Promote flexibility in project design and implementation to respond to market demand, through phasing of construction, and offering a variety of building types; and
12. Collaborate with UC Davis and others to capture startup businesses and growing mid-to-large size companies, reducing the loss of intellectual capital and revenue through out-migration.

INITIAL STUDY: An Initial Study has not been prepared for this project. The EIR will address all CEQA-required environmental topics identified in Appendix G of the State CEQA Guidelines, at a level appropriate to the project.

AREAS OF POTENTIAL IMPACTS

The EIR will analyze the project-specific and cumulative impacts. The CEQA topics of Forestry Resources, Mineral Resources, and Recreation will not be adversely affected and will be briefly discussed and dismissed from further analysis in the existing setting sections of the Agricultural Resources, Geology and Soils, and Public Services chapters, respectively. The following paragraphs provide a general discussion of the anticipated topics that will be included in each chapter of the EIR. Each chapter will include an analysis of the existing setting, identification of the thresholds of significance, identification of project and cumulative impacts, and the development of mitigation measures, if necessary, to reduce impacts

Aesthetics

The Aesthetics chapter of the EIR will summarize the existing regional and project area visual setting. The chapter will describe potential aesthetics issues associated with buildout of the proposed project such as scenic vistas, trees, existing visual character or quality of the study area, and light and glare. .

Agricultural Resources

The Agricultural Resources chapter of the EIR will evaluate existing agricultural resources within the project boundaries and within any off-site infrastructure alignments, consistent with Yolo County LAFCo, Yolo County, and City of Davis methodologies. The LAFCo methodology utilizes the Land Evaluation and Site Assessment (LESA) model to characterize the quality of agricultural lands. The

LESA model uses land evaluation factors such as Storie Index Ratings and Land Capability Classifications for soils mapped within soil surveys prepared by the Natural Resource Conservation Service (NRCS), as well as Important Farmland Maps prepared by the State Department of Conservation. Proposed agricultural land mitigation will be evaluated for consistency with both Yolo County LAFCO's Agricultural Conservation Policy, Yolo County's Agricultural Conservation and Mitigation Program Ordinance, and the City of Davis' Farmland Preservation Ordinance (Municipal Code Chapter 40A). For the City of Davis, the project's consistency with the City's agricultural buffer requirements will also be evaluated, per Code Section 40A.01.050. Any conflicts with adjacent land uses, existing zoning for agricultural use, or Right-to-Farm ordinances will also be identified. As noted above, forestry resources will also be briefly discussed as an issue in this chapter.

Air Quality

The Air Quality chapter of the EIR will include an evaluation of the potential criteria pollutants that would be generated by the proposed project. The air quality analysis will be performed utilizing the CalEEMod software package and following the Yolo-Solano Air Quality Management District's (YSAQMD) guidelines. The air quality impact analysis will include a quantitative assessment of short-term (i.e., construction) and long-term (i.e., operational) increases of criteria air pollutant emissions of primary concern (i.e., ROG, NO_x, and PM₁₀). Project-specific vehicle trip generation data will be utilized for the purposes of estimating carbon monoxide concentrations from vehicular travel and health risks from toxic air contaminants (TACs) emissions. A health risk assessment (HRA) will be performed in accordance with YSAQMD guidance and will assess the potential for health risks resulting from the location of residential uses at the Nishi site. Per YSAQMD guidelines, any project that would individually have a significant air quality impact would also be considered to have a significant cumulative impact. The significance of air quality impacts will be determined in comparison to City of Davis and YSAQMD-recommended significance thresholds. YSAQMD-recommended mitigation measures will be incorporated, if necessary, to reduce any significant air quality impacts; and anticipated reductions in emissions associated with proposed mitigation measures will be quantified.

Biological Resources

The Biological Resources chapter of the EIR will include a description of the special-status plant and wildlife species known to occur within the project area, and a determination whether suitable habitat exists on-site to support any special-status species. The chapter will be based a survey of the project site and any off-site infrastructure alignments. Impacts to sensitive resources and associated mitigation measures will be developed as necessary. This chapter will also discuss on-site vegetation (including trees).

Cultural Resources

The Cultural Resources chapter of the EIR will describe the potential effects to historical and archaeological resources from implementation of the proposed project. The chapter will be based on a site-specific technical report. A records search will be conducted to identify any documented historic or archaeological resources on or immediately adjacent to the project site. Native American tribes, who have traditional lands or cultural places located within area, will be consulted. The archaeological investigation will include a survey of the site. In addition, the chapter will include an assessment of potential impacts to paleontologic resources as a result of project implementation.

Geology and Soils

The Geology and Soils chapter of the EIR will summarize the setting and describe the potential effects from soil erosion, earthquakes, liquefaction, and expansive soils, as well as identify any unique geological features within the project area. Mineral resources will also be discussed in this chapter.

Greenhouse Gas Emissions / Energy

The greenhouse gas (GHG) emissions analysis for the proposed project will be performed using CalEEMod to produce an estimate of carbon dioxide emissions for the project, including indirect emissions of greenhouse gases (e.g., electricity, natural gas). Emissions will be calculated as carbon dioxide equivalents. The vehicle miles traveled (VMT) data provided by the traffic consultant will be utilized in CalEEMod to estimate the project's annual metric tons of carbon dioxide equivalent (CO₂e). The indirect and direct GHG emissions, attributable to the project, will be compared with GHG thresholds. In addition, the GHG Emissions / Energy chapter will include a discussion of potential energy impacts due to the project, as well as any proposed energy efficiency and/or conservation measures.

Hazards and Hazardous Materials

The Hazards and Hazardous Materials chapter of the EIR will describe any potential for existing or possible hazardous materials within the project area, including pesticide residues associated with agricultural use of the Nishi site. The chapter will also evaluate the potential for on-site hazardous materials usage, to the extent that future prospective businesses are known at this time, and the proximity of the project site to existing schools.

Hydrology and Water Quality

The Hydrology and Water Quality chapter of the EIR will summarize setting information and identify potential impacts on storm water drainage, flooding, groundwater, and water quality. With the exception of the portion of the project site associated with Putah Creek, the project site is not located within the Federal Emergency Management Agency (FEMA) 100-year flood zone. The EIR will evaluate potential flooding, the engineering solutions, and any effects of on-site improvements to off-site properties.

Land Use and Planning

The Land Use and Planning chapter of the EIR will evaluate the consistency of the proposed project with the City of Davis's adopted land use plans and policies adopted for the purposes of reducing environmental impacts.

Noise

The Noise chapter of the EIR will include an evaluation of the existing noise environment, prediction of project-generated noise levels, and development of noise control mitigation measures. A noise survey will be conducted within and adjacent to the project site to quantify existing background noise levels. The analysis will include short-term and continuous noise-level measurements for a minimum of 24-hours. Existing traffic noise levels due to major roadways, including I-80, will be evaluated using the Federal Highway Administration traffic noise prediction model. The significance of transportation noise impacts due to and upon the proposed project will be determined in relation to the Noise Element of the Davis General Plan. Stationary noise sources for the project area will also be assessed and quantified at a level of detail commensurate with the project's preliminary planned development. In addition, analysis of

construction noise and vibration due to development of the proposed project and any associated off-site infrastructure will be conducted.

Population and Housing

The Population and Housing chapter of the EIR will identify potential impacts associated with population growth, either directly or indirectly, resulting from development of the proposed project. In addition, the chapter will evaluate the job-creating potential of the project and resultant implications for the City of Davis' and the region's overall jobs-to-housing balance

Public Services

The Public Services chapter of the EIR will summarize setting information and identify potential new demand for services, including fire protection, police, schools, parks, recreation, and other public facilities. Information from the City of Davis General Plan, as appropriate, and up-to-date information received from appropriate City and other agencies will be utilized to address the project's potential to create impacts to public services.

Transportation and Circulation

The Transportation and Circulation chapter of the EIR will be based on a project-specific Traffic Study. The exact location and number of analysis locations will be determined in consultation with the City and other agencies. The impact analysis will be based on AM and PM peak hour levels of service for study locations using the 2010 Highway Capacity Manual (HCM) methods. Traffic volume forecasts will reflect growth between existing and 2035 conditions. Project impacts will also be assessed for transit, bicycle, and pedestrian facilities against the applicable significance criteria. In addition, the site plan will be evaluated for adequacy of site access and on-site vehicular circulation based on the City's design standards.

Utilities and Service Systems

The Utilities and Service Systems chapter of the EIR will address potential new demand for water supply, wastewater treatment, and solid waste disposal. A water supply assessment will be prepared by a technical consultant to evaluate near- and long-term water supplies, and whether these supplies are sufficient to meet near- and long-term water demands within the City of Davis, including the proposed project's demand. This chapter will also evaluate water infrastructure, including any needed on-site water lines and related system components to serve the project. The wastewater analysis portion of the chapter will be based upon a technical sewer study that will evaluate the wastewater infrastructure that would be utilized by the proposed project, including existing committed capacity, available capacity, and long-term demand projections, to determine if the wastewater infrastructure can accommodate the project in the near- and long-term, or if improvements to the wastewater infrastructure will be needed. Any off-site infrastructure improvements needed for the project will be identified and evaluated in this chapter. For solid waste, Davis Waste Removal will be contacted to obtain local waste generation data relevant to project construction and operational waste streams.

Alternatives Analysis

In accordance with Section 15126.6(a) of the CEQA Guidelines, a reasonable range of project alternatives will be analyzed. With respect to the evaluation of development of the 46.9-acre Nishi site, the EIR will evaluate the following two access alternatives at an equal-level of detail:

- Access to the Nishi site via Olive Drive and a roadway extension from the Nishi site to Old Davis Road, and
- Access to the Nishi site via Olive Drive only.

Since the proposed development, as currently envisioned, involves a roadway improvement (connection to Old Davis Road) that requires approval of a public agency (the University of California Regents) prior to implementation, the City of Davis cannot guarantee its implementation. Therefore, as a result, the City has elected to evaluate both access alternatives as part of the EIR.

In addition, the EIR will include a separate Alternatives chapter that will evaluate the following four additional alternatives:

- No Project
- Office/R&D Only
- Reduced Intensity
- Off-site

These four alternatives will be analyzed at a level of detail less than that of the proposed project; however, the analyses will include sufficient quantitative detail to allow a meaningful comparison of the impacts. The Alternatives chapter will describe the alternatives and identify the environmentally superior alternative. Any alternatives considered but dismissed from further analysis will also be presented, including the reasons for dismissing the alternatives from consideration.

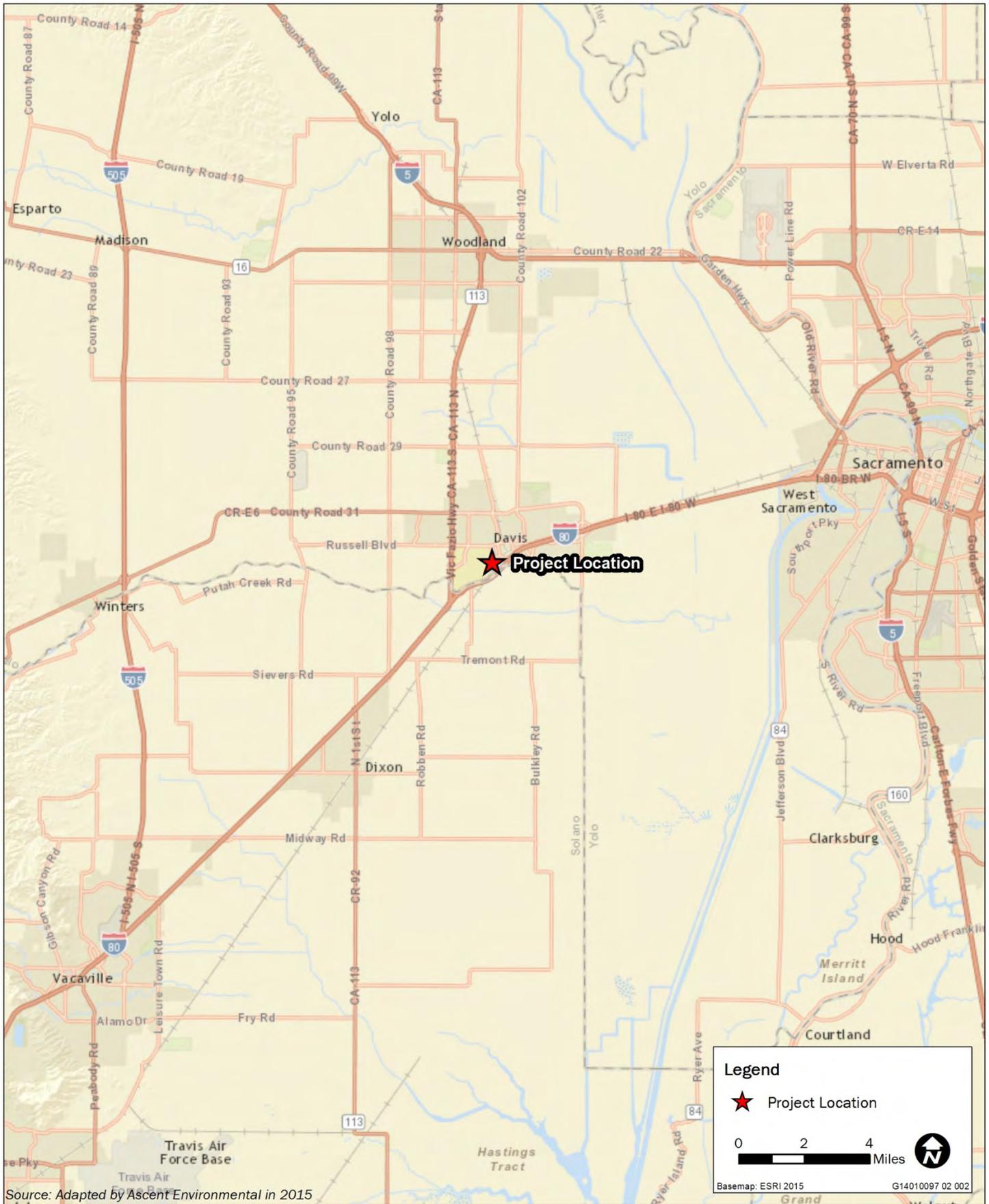


FIGURE 1
REGIONAL PROJECT LOCATION MAP



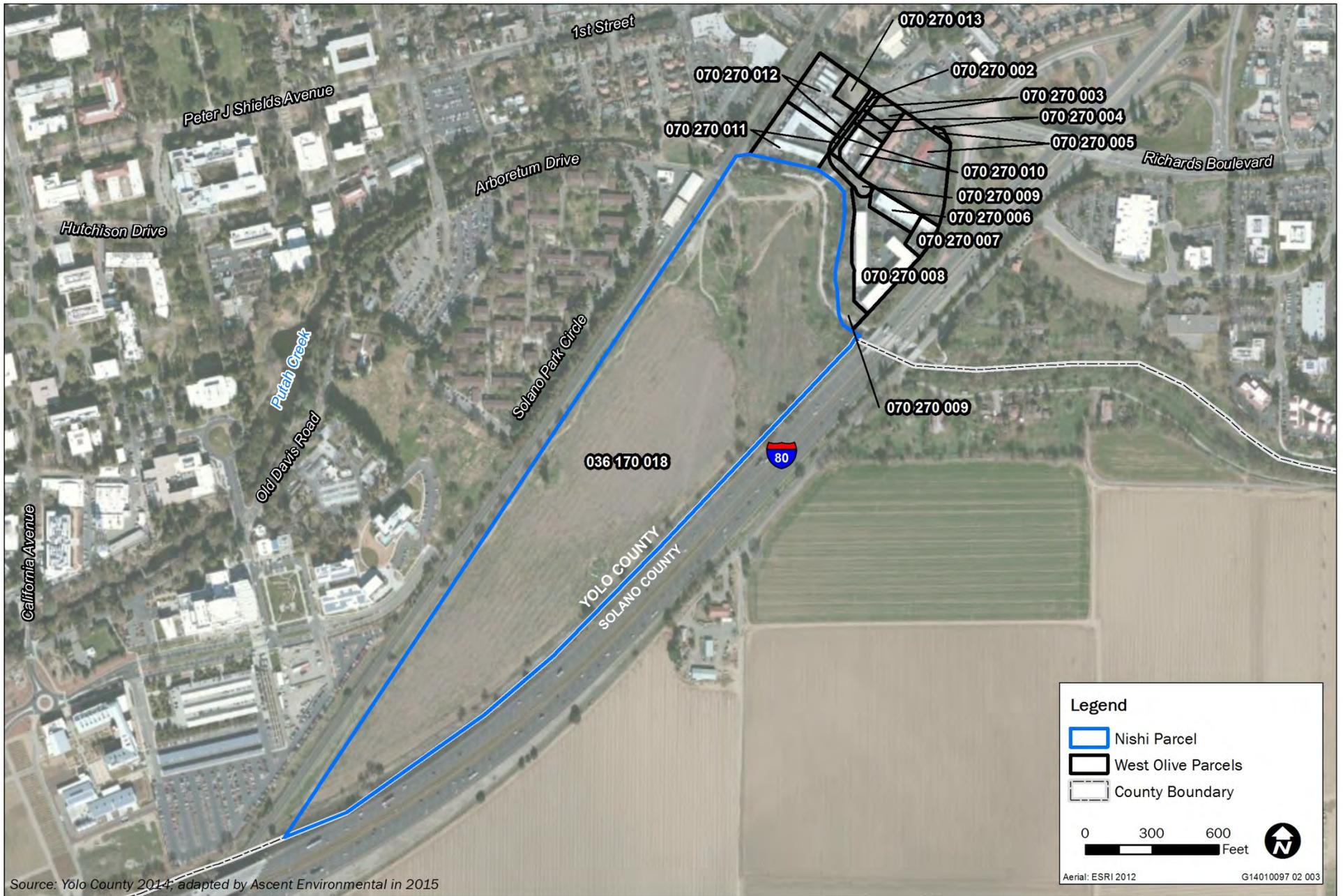
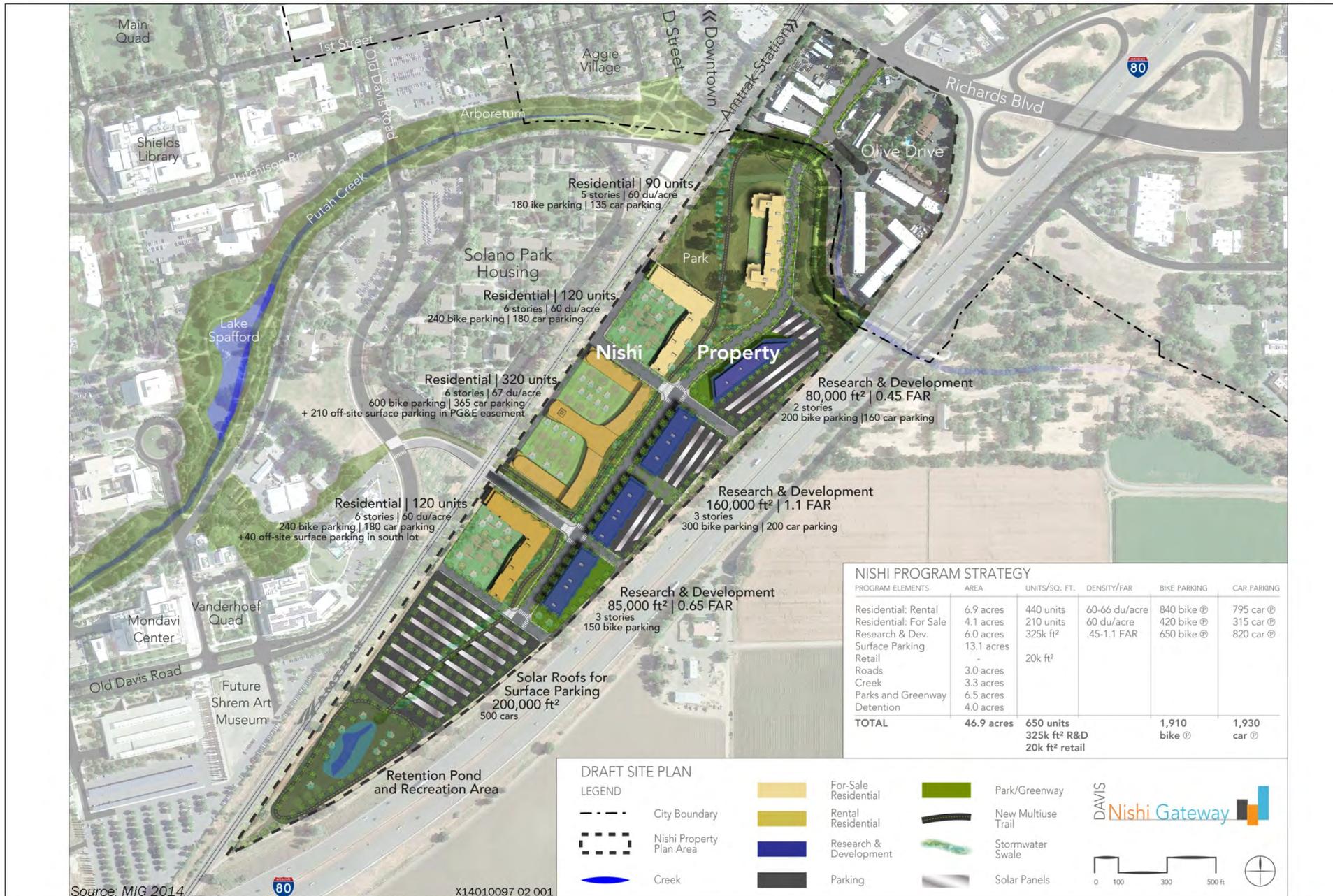


FIGURE 2
PROJECT PARCEL MAP



NISHI PROGRAM STRATEGY

PROGRAM ELEMENTS	AREA	UNITS/SQ. FT.	DENSITY/FAR	BIKE PARKING	CAR PARKING
Residential: Rental	6.9 acres	440 units	60-66 du/acre	840 bike ⊕	795 car ⊕
Residential: For Sale	4.1 acres	210 units	60 du/acre	420 bike ⊕	315 car ⊕
Research & Dev.	6.0 acres	325k ft ²	.45-1.1 FAR	650 bike ⊕	820 car ⊕
Surface Parking	13.1 acres				
Retail	-	20k ft ²			
Roads	3.0 acres				
Creek	3.3 acres				
Parks and Greenway	6.5 acres				
Detention	4.0 acres				
TOTAL	46.9 acres	650 units 325k ft² R&D 20k ft² retail		1,910 bike ⊕	1,930 car ⊕

DRAFT SITE PLAN

LEGEND

- City Boundary
- Nishi Property Plan Area
- Creek
- For-Sale Residential
- Rental Residential
- Research & Development
- Parking
- Park/Greenway
- New Multiuse Trail
- Stormwater Swale
- Solar Panels

DAVIS Nishi Gateway

0 100 300 500 ft

Source: MIG 2014

X14010097 02 001

FIGURE 3
CONCEPTUAL SITE PLAN



From: [Christine Alford](#)
To: [Nishi Gateway](#)
Cc: [Petrea Marchand](#); [Susan Garbini](#)
Subject: Nishi Gateway Project - Yolo JPA comments and habitat map
Date: Friday, February 20, 2015 2:40:08 PM
Attachments: [045_NishiGatewaySite.pdf](#)

Katherine Hess, NishiGateway@cityofdavis.org

City of Davis, Community Development and Sustainability Department

The Yolo County Habitat Conservation Plan/Natural Community Conservation Plan JPA appreciates the opportunity to provide comments on the proposed project to develop a mixed use community on 57.7 acres, located west of Richards Boulevard, north of Interstate 80, and south of the existing Union Pacific Railroad line (APNs 036-170-018 and 070-270-002 through 070-270-013). Please contact me if you need additional information or would like to meet with our GIS experts who prepared this data.

Our concerns in these matters are generally related to considerations of impacts on species that are covered in our habitat and natural community conservation plan, which is currently in development.

Attached is a map showing potential modeled habitat* impacts for the project area and actual Swainson's hawk and white-tailed kite nesting sites found within 1 mile of the proposed project, along with a table listing modeled acres of habitat at this location for species covered in our plan. You will note that 1 documented Swainson's hawk nest site is located within the 1- mile buffer of the proposed project. Also our data indicate potential habitat impacts within the site location for 2 species covered in our Plan: Swainson's hawk and northwestern pond turtle. We recommend that measures be developed to protect potential Swainson's hawk nest sites in the area and to ensure awareness and vigilance regarding the presence of any other of these important species during all phases of the excavation, transportation, and grading activities at the site.

This information is also being sent to staff of the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service, who monitor these projects. Please contact me if you have any questions.

Sincerely,

Chris Alford

Sent on behalf of the Yolo Habitat JPA

611 North St.

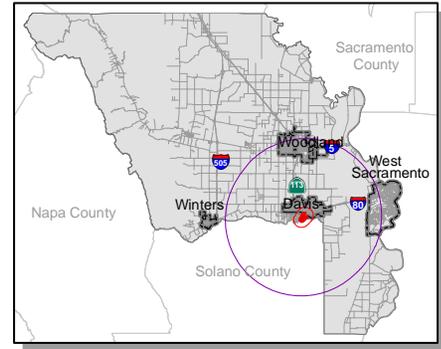
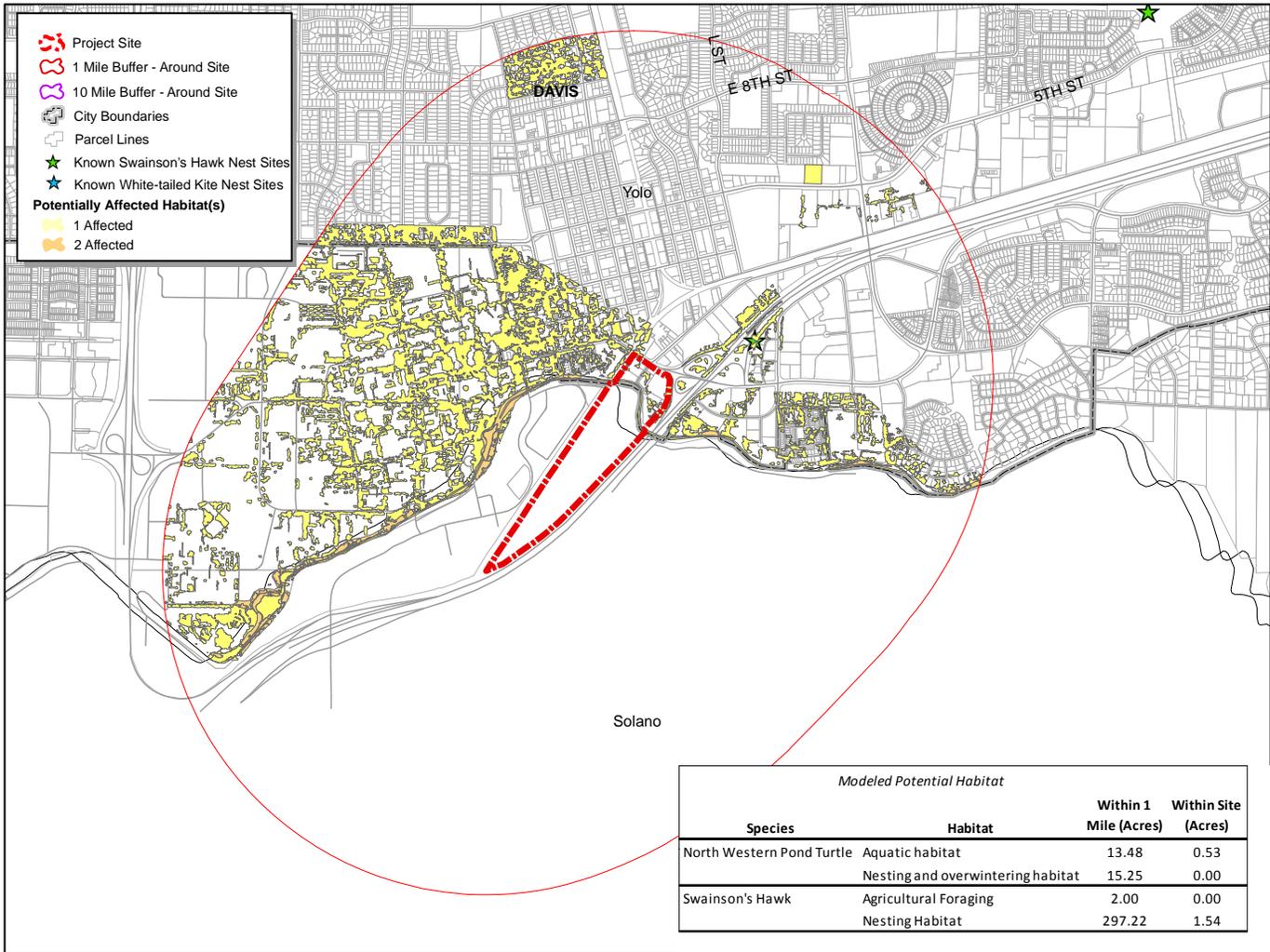
Woodland, CA 95695

[530-723-5990](tel:530-723-5990)

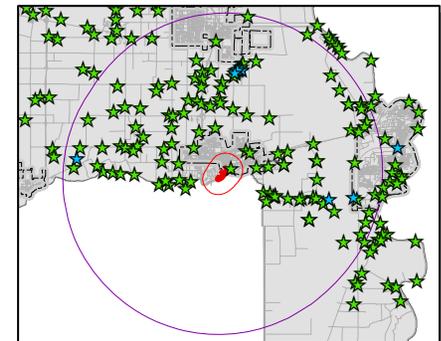
Yolonhp@yolocounty.org

* **Modeled habitat:** Models developed to spatially define the extent of potential covered species habitat in the Yolo Natural Community/Habitat Conservation Plan Area. Models are based on various parameters of vegetation, soils, water features, and geology that can be spatially modeled using available and specifically developed GIS databases.

Potential Modeled Habitat* Nishi Gateway Project (APNs: 036-170-018 and 070-270-002 through 070-270-013)



Area of Interest



Swainson's Hawk and White-tailed Kite Documented Nest Site Locations



Aerial of Site

*Modeled habitat: Models developed to spatially define the extent of potential covered species habitat in the Yolo Natural Heritage Program Area. The models are based on various parameters of vegetation, soils, water features, and geology that can be spatially modeled using available and specifically developed GIS databases.

From: philley.paul@gmail.com
To: [Nishi Gateway](#)
Subject: NOP comments
Date: Friday, February 20, 2015 4:16:18 PM

Dear Ms. Hess,

Thank you for the opportunity to comment on the Nishi Gateway project. Please include the following within the Environmental Document:

Toxic Air Contaminants

The project will be built next to a functioning rail line and a major roadway. There should be discussion and analysis of the impact of the emissions from these transportation corridors on future users of the project. Best practices to minimize exposure should be implemented, including vegetative plantings and HEPA filters.

Transportation Impacts

The project may increase bicycle and pedestrian traffic on the Richards Blvd/Cowell Blvd corridor. This area is already impacted with difficult cycling and walking conditions, and the project may exacerbate the situation. As mitigation, consider removing freeway ramps on the southwest side of Richards Blvd and installing a two-way cycletrack on the south side of Richards/Cowell from the Class I trail at Valdora Street to the Davis Subway on Richards Blvd.

Best wishes,
Paul Philley



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

CITY OF DAVIS

20 February 2015

FEB 23 2015

PUBLIC WORKS

Katherine Hess
City of Davis
23 Russell Boulevard, Suite 2
Davis, CA 95616

CERTIFIED MAIL
7014 2120 0001 3978 0094

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, NISHI GATEWAY PROJECT, SCH# 2015012066, YOLO COUNTY

Pursuant to the State Clearinghouse's 29 January 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report* for the Nishi Gateway Project, located in Yolo County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory

Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento



Yolo County Resource Conservation District

221 West Court Street, Suite 1
Woodland, CA 95695
yolorcd@yolorcd.org

phone (530) 662-2037
fax (530) 662-4876
www.yolorcd.org

February 26, 2015

Katherine Hess, Community Development Administrator
City of Davis Community Development and Sustainability Department
23 Russell Boulevard, Suite 2
Davis, CA 95616

Re: Notice of Scoping Meeting and Preparation of a Draft Environmental Impact Report for the Nishi Gateway Project

Dear Ms. Hess;

The Yolo County Resource Conservation District (RCD) has a mission to protect, improve and sustain the natural resources of Yolo County. We approach this from a watershed perspective, meaning that we consider the impacts of resource conditions or changes on entire systems rather than just in isolation. Typical areas of concern we have are for appropriate land use, maintaining and conserving natural resource integrity and function as much as possible, minimizing erosion, using native plant systems to solve resource problems whenever possible, and using native and drought tolerant plants preferentially over non-natives in landscaping and buffer areas.

The Nishi Gateway Project is adjacent to a remnant of Putah Creek which is currently being restored with grasses, wildflowers, trees, shrubs, and vines native to the Putah Creek Watershed. We are concerned that the Nishi Gateway Project may affect this urban restoration project and ask that any negative impacts be mitigated for. The RCD has the technical resources to provide assistance with any plant design, selection and implementation related issues if needed.

Thank you for the opportunity to provide comments.

Sincerely,

Heather Nichols, Executive Director
Yolo County Resource Conservation District



RECEIVED

February 26th, 2015

MAR 11 2015

Katherine Hess
City of Davis
23 Russell Boulevard, Suite 2
Davis, CA 95616

City of Davis
Community Development

RE: Nishi Gateway Project

Dear Ms. Hess:

Thank you for your project notification letter dated January 28, 2015 regarding cultural information on or near the proposed Nishi Gateway Project, Davis, Yolo County, CA. We appreciate your effort to contact us and wish to respond.

The Cultural Resources Department has reviewed the project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we have a cultural interest and authority in the proposed project area. We wish to initiate consultation with the City of Davis.

We have previously sent a letter to Pacific Legacy on December 16th, 2013 addressing our concerns regarding this project.

Please provide our Cultural Resources Department with a project timeline, detailed project information and the latest cultural study for the proposed project.

Additionally, as the project progresses, if any new information or cultural items are found, we do have a process to protect such important and sacred artifacts. Upon such a finding, please contact the following individual:

Mr. James Sarmento
Cultural Resources Manager
Yocha Dehe Wintun Nation
Office: (530) 723-0452, Email: jsarmento@yochadehe-nsn.gov

Please refer to identification number YD – 12022013-02 in any correspondences concerning this project.

Thank you for providing us with project information and the opportunity to comment. Please contact Mr. Sarmento at your earliest convenience to coordinate a date and time for the consultation meeting.

Sincerely,

James Kinter
Tribal Secretary
Tribal Historic Preservation Officer

Yocha Dehe Wintun Nation

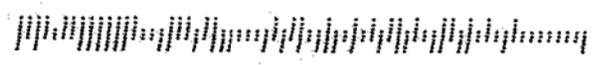
PO Box 18 Brooks, California 95606 p) 530.796.3400 f) 530.796.2143 www.yochadehe.org



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Katherine Hess
City of Davis
23 Russell Boulevard, Suite 2
Davis, CA 95616

956163852 0025





Pacific Gas and Electric Company
Land Services
343 Sacramento Street
Auburn, CA 95603

February 26th, 2015

City of Davis – Planning Department
Attn: Katherine Hess
23 Russell Blvd., Suite 2
Davis, CA 95616

Re: Nishi Gateway NoP and Scoping Meeting for DEIR

Dear Ms. Hess,

Thank you for the opportunity to provide comments for the upcoming Nishi Gateway project in Davis.

PG&E owns and operates overhead electric transmission and electric distribution facilities as well as gas transmission facilities within the proposed project boundary. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. For the overhead electric transmission and distribution facilities General Order (G.O.) 95 clearances must be maintained at all times.

Any proposed activities with the potential to change the grade PG&E's underground facilities, either temporary or permanent, must be reviewed and approved by PG&E. Other potential concerns include: 1) compaction over the facilities due to heavy equipment, 2) Underground Service Alert (USA) location of facilities before excavation near PG&E's underground pipelines, 3) changes in drainage patterns that could undermine the stability of soils around the facilities, and 4) future construction or landscaping (PG&E review is required when planting in easement areas) near PG&E's facilities.

For future reference ensure that contractors **call 811** to have PG&E's underground facilities located and marked **prior to any construction activities**.

It is important to note that the continued development consistent with the Nishi Gateway development may have a cumulative impact on PG&E's gas and electric systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of existing facilities does not necessarily mean that there will be enough capacity to meet an increased demand.

Expansion of distribution and transmission lines and related facilities are a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate build-out capacity, building new substations and interconnecting transmission lines. Comparable upgrades or additions that may be needed to accommodate additional capacity on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, as well as distribution and transmission lines.

If PG&E's facilities need to be relocated to accommodate the Nishi Gateway project, the resultant costs will be the responsibility of the requestor. Because relocation requires long lead times and is not always feasible, project proponents are encouraged to consult with PG&E early in their planning process.

We would like to recommend that environmental documents for the Nishi Gateway project include an adequate evaluation of the cumulative impacts to utility systems. Additionally the document should include an evaluation of the significance of the construction activities associated with installing new service facilities or the relocation of existing facilities (if required), as well as proposed mitigation for any impacts found to be significant. Any other potential environmental issues associated with the project

should also be included. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

PG&E is committed to providing safe and reliable gas and electric service to meet Davis' growing needs. Please contact me with any questions by calling (530) 889-5150 or by e-mail at S2P0@PGE.COM.

Sincerely,

A handwritten signature in blue ink, appearing to read "Seth Perez". The signature is fluid and cursive, with the first name "Seth" being more prominent than the last name "Perez".

Seth Perez
Land Agent



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

March 3, 2015

Regulatory Division SPK-2015-00180

City of Davis
Community Development & Sustainability Department
Attn: Ms. Katherine Hess
23 Russell Blvd., Ste. 2
Davis, California 95616

Dear Ms. Hess:

We are responding to your January 28, 2015 request for comments on the Nishi Gateway project. The project is located in Section 15, Township 8 N, Range 2 E, Mount Diablo Meridian, Latitude 38.536184°, Longitude -121.742691°, Davis, Yolo County, California.

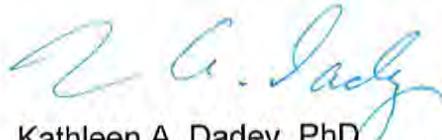
The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. The nearby Putah Creek is a jurisdictional water of the United States. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

Please refer to identification number SPK-2015-00180 in any correspondence concerning this project. If you have any questions, please contact Lee Ann Bowers by email at Lee.A.Bowers@usace.army.mil, or telephone at (916) 557-5254. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



Kathleen A. Dadey, PhD
Chief, California South Branch
Regulatory Division

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 - MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0635
FAX (916) 263-1796
TTY 711



*Flex your power!
Be energy efficient!*

March 3, 2015

032015-YOL-0008
03-YOL-80 / PM .003
SCH#201012066

Katherine Hess
Community Development and Sustainability Department
City of Davis
23 Russell Blvd.
Davis, CA 95616

Nishi Gateway Project – Notice of Preparation of a Draft Environmental Impact Report (NOP)

Dear Ms. Hess:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The project is comprised of two components. The first component will be evaluated at a project-level and includes development of the Nishi site mixed-uses. The Nishi site is comprised of five parcels totaling approximately 58-acres and is bordered by Putah Creek to the southeast. Development of the Nishi site will include approximately 345,000 total square-feet of research and development, and retail uses. The project also proposes approximately 650 residential units, and approximately 13.8-acres of various recreational areas. The Nishi site is currently under the jurisdiction of Yolo County. In order for the Nishi site to be developed within the City of Davis, Yolo County Local Agency Formation Commission (LAFCo) must approve the annexation of the Nishi site into the City. Approval of development on the Nishi site will also require an action by the City Council to call for a citizen vote as part of the City's Measure R process. The second component, which will be evaluated at a program-level, is the rezoning of West Olive Drive to allow for redevelopment, and at this time no new development is being proposed for West Olive Drive.

The project is bounded by Interstate 80 (I-80) to the south, the Union Pacific Railroad (UPRR) and University California Davis to the north and northwest, and Richards Blvd. to the northeast. Currently, the project site is accessible via Olive Drive and Arboretum Drive, and there is also an existing multi-purpose bike/pedestrian route on the project site with grade separated crossings at UPRR. The following comments are based on the NOP.

Encroachment Permit

Please be advised that any work or traffic control that would encroach onto the State Right of Way (ROW) requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to the address below. Caltrans, District 3, Sergio Aceves, Office of Permits, 703 B Street, Marysville, CA, 95901. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See the following website address for more information:

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

Traffic Impact Study (TIS)

Based on the project location, Caltrans anticipates potential significant impacts to I-80 if and when an intensification of traffic-generating development occurs.

Therefore, a TIS is required to assess the impact of this particular project on the State Highway System and adjacent road network, with specific attention to the Richards Blvd. / I-80 interchange (IC), I-80 mainline, Olive Drive, and Richards Blvd. We recommend using Caltrans' *Guide for the Preparation of Traffic Impact Studies (TIS Guide)* for determining which scenarios and methodologies to use in the analysis. The *TIS Guide* is a starting point for collaboration between the lead agency and Caltrans in determining when a TIS is needed. It is available at the following website address: http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf.

If the proposed project will not generate the amount of trips needed to meet Caltrans trip generation thresholds, an explanation of how this conclusion was reached must be provided. Please provide us the opportunity to review the scope of the study.

Project Initiation Document (PID) Development

The City has started work on a Project Study Report – Project Development Support for which Caltrans will perform oversight work for approval of the I-80 IC reconstruction alternative which is a tight diamond design. The designated Caltrans, District 3 Project Manager is Clark Peri, 2379 Gateway Oaks Drive, Suite #150, Sacramento, CA, 95833. Caltrans recommends, if the Nishi Gateway Project is approved, any mitigation fees collected should be applied toward the I-80 IC improvement project as well as improvements to Olive Drive.

Hydraulics

The NOP states that the Draft Environmental Impact Report (DEIR) will address the hydrology, drainage and flooding issues in the Hydrology and Water Quality section. The DEIR must also include drainage from the adjacent I-80 mainline.

Drainage from I-80 must not be impeded and all historical flow patterns must be identified and maintained.

Ms. Katherine Hess/ City of Davis

March 3, 2015

Page 3

Since the Putah Creek floodplain is in Zone A with “base flood elevations not determined”, a hydraulic model of the creek must be created and base flood elevations must be established. A copy of the model must be presented to Caltrans, District 3 Hydraulics Branch, 703 B Street, Marysville, CA, 95901.

Runoff from the project site must not be directed towards State ROW.

Noise Analysis

The project site is adjacent I-80, and includes both residential and research facilities which may trigger the need for sound abatement. Project proponents should assume that no Caltrans transportation projects will construct sound-walls in the project vicinity before new structures open on the project site. Any analysis of noise emanating from surrounding transportation facilities should take this into consideration.

Glare

In the NOP’s Circulation Network section, page 8, photovoltaic panels are prescribed for the southernmost parking area, which is immediately adjacent I-80. Caltrans is concerned about potential glare from the photovoltaic panels. Please ensure the panels are placed where they do not cause glare to be directed at I-80, impair the vision of any driver, or interfere with any driver’s operation of a motor vehicle.

Monumentation

Monument perpetuation may be required in accordance with the California Land Surveyors Act.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Arthur Murray, Intergovernmental Review Coordinator at (916) 274-0616 or by email at: arthur.murray@dot.ca.gov.

Sincerely,



for
ERIC FREDERICKS, Chief
Office of Transportation Planning –South

c: Scott Morgan, State Clearinghouse

Subject: FW: Nishi Gateway project: comments on scoping of EIR
Date: Wednesday, March 04, 2015 8:03:53 AM

One more comment. I will assume we consider them unless someone tells me otherwise.
Still nothing from Caltrans.

Katherine Hess, AICP
Community Development Administrator
(530)757-5652

From: Tom Phillips [mailto:tjp835@sbcglobal.net]
Sent: Tuesday, March 03, 2015 6:50 PM
To: Katherine Hess
Cc: Mitch Sears; Alan Pryor; City Council Members; Mat Ehrhardt; Larry Greene; Betty Turner
Subject: Nishi Gateway project: comments on scoping of EIR

Katherine Hess
Community Development Dept.
City of Davis
Davis, CA

re: the Nishi Gateway project in Davis (<http://community-development.cityofdavis.org/projects/nishi-and-downtown-university-gateway-district>),

I was not able to make your public workshop on February 23, 2015. Thank you for the opportunity to provide some input.

I have worked on environmental health and healthy building research, legislation, guidelines, and education for over 30 years, and have focused on resilient building design for the last three years.

Please consider the following comments regarding the public health and energy impacts of the project.

The goals of affordable, medium density housing near downtown and the university are laudable.

However, from the air pollution and noise perspective, this project seems to be facing a double whammy from the nearby freeway and the railroad tracks, impacts that may be difficult to mitigate.

The project should also strive, in the Davis tradition of environmental stewardship, to be more energy efficient and resilient to climate change.

The health and environmental impacts of the project, whose buildings and infrastructure should exist for at least the next 50-100 years, should include a life cycle assessment to help optimize the environmental benefits of the project and avoid lost opportunities.

Listed below are specific comments on the project:

- 1) The homes would be very close to pollution emissions from heavily travelled I-80.

This freeway section also backs up often, has truck traffic 24-7, and is downwind from the freeway in the summer when people here usually open windows in the evening for ventilation cooling.

2) Nearly all the the homes are not outside the recommended setback of 500 ft. from a freeway when sensitive receptors such as children are present (CARB, 2005. Air Quality and Land Use Handbook: A Community Health Perspective, <http://www.arb.ca.gov/ch/handbook.pdf>). The recommendations are on p. 10. The health risks associated with proximity to roadways, as of about 2005, are summarized in Table 1-2. Additional studies since then have emphasized further the need to reduce near-road pollutant exposures.

3) Noise levels can also be significant near the freeway. Noise has been identified as not only a nuisance but also a cardiovascular health risk comparable to and separate from urban air pollution. Impacts from noise could be significant, especially when winds are blowing from the freeway toward the homes.

4) The homes are very close to busy railroad tracks, a source of both noise and air pollution. Noise is now recognized as a major environmental stressor; the risk of cardiovascular disease from urban noise exposure is comparable to that from outdoor air pollution. What are the projected peak and average noise levels from railroad traffic, now and over the normal life of the buildings?

5) Both the air quality and noise impacts above can be expected to increase over time. Motor vehicle traffic and congestion on I-80 will continue to increase as regional population grows. Train traffic may increase exponentially if Bakken crude oil is transported through Davis to the Bay Area and beyond. Trains may be running next to the homes 24/7. Similarly, the risks of hazardous spills and explosions from increased rail traffic would also increase over time.

6) Is the project designed to achieve net zero energy or low carbon emission performance? California already plans to require net zero energy for new homes by 2020, so the project homes should at least meet that goal, and preferably meet net positive energy goals instead.

7) Local and regional governments in California are now incorporating sustainability and climate change adaptation in all projects, with the support and coordination by the Strategic Growth Council. This project should include measures for adaptation to climate change, such as movable, external shading of buildings (such as awnings, engineered shade structures, and/or vines and trees), increased thermal mass in buildings (coupled with night ventilative cooling with filtered outdoor air), urban greening with vegetation, and cool pavement. Such adaptation is needed now because heat storms are expected to become permanently much worse in California by the 2030's and 2040's, i.e., they will be hotter, longer, and more frequent (Diffenbaugh and Ashfaq, 2010, <http://onlinelibrary.wiley.com/doi/10.1029/2010GL043888/abstract>; Diffenbaugh et al., 2011, <http://www.ncbi.nlm.nih.gov/pubmed/24307747>). In addition, power outages and the lack of air conditioning may also become more frequent due to increased wildfires and increased demand on the electricity grid.

8) What are the plans to provide a safe route for children to bike to school(s) and for

residents to bike to grocery stores and other destinations in town? Are mass transit or shuttle options being considered?

I hope these comments help provide for a healthful, sustainable, and resilient community. Please feel free to contact me if you need additional information.

Thomas J. Phillips
Healthy Building Research
835 A St., Davis, CA 95616
530.756.6605
tjp835@sbcglobal.net

Scoping Meeting Attendance

When the Draft EIR is released, a Notice of Availability will be sent to those who sign below. Please print legibly. The Draft EIR will be available for review at various libraries and at the Project's website at <http://NishiGateway.org>.

Veterans Memorial Center February 23, 2015 @ 6 p.m.

Name	Affiliation	Address	Email
Matt Jones	YSAQMD	1	mjones@ysaqmd.org
Emily Griswold	UCD Arboretum	1 Shields Ave, UC Davis DAVIS, CA 95616	ebgriswold@ucdavis.edu
CHRIS COIL	resident	2720 CADELL CT, DAVIS	-
JOHN COIL	resident	52618	-
Trish Price	Davis Bicycles!		trish@notsonobepath.com
Jeff Miller	F&B C	2338 LARSEN PL. DAVIS CA	jhml500@comcast.net
STEVE SCHWARTZ	ROCKNASIUM INC	720 OLIVE DR SUITE 5 DAVIS CA 95616	info@rocknasium.com
Alexander Rose			Arose@sunwest.net
Chad Langdon	Allied Langdon Engr	909 Alameda Ave #31, Davis CA	Chad@alliedlangdon.com

Scoping Meeting Attendance

When the Draft EIR is released, a Notice of Availability will be sent to those who sign below. Please print legibly. The Draft EIR will be available for review at various libraries and at the Project's website at <http://NishiGateway.org>.

Veterans Memorial Center February 23, 2015 @ 6 p.m.

Name	Affiliation	Address	Email
GARY SANTOLO	Resident	64 College Park	gsantolo@ch2m.com
Laurel Karren	Resident	64 College Park	laurelkarren@yahoo.com
JIM EDLUND	REDRUM Bldg	978 Olive Dr	JIM2SLUND@GMAIL.COM
Anthony Palmere	Unitrans	1 Shields Ave	ajpalmere@ucdavis.edu
Jimmy Chen	Royal Guest	1111 Richards Blvd	jchen@royalguesthotels.com
Cheryl Essex	resident	2120 Layola Dr.	cessex@ucdavis.edu



Public Scoping Meeting, Veterans Memorial Center
Comment Sheet

Comments may be submitted at the Public Scoping Meeting or sent to the following address no later than 5:00 p.m. on March 3, 2015:

City of Davis Community Development and Sustainability Department, Attn: Katherine Hess
23 Russell Boulevard, Suite 2, Davis, California, 95616
Email: NishiGateway@cityofdavis.org

Name: Emily Griswold

Organization: _____

Mailing Address: _____

Email: ebgriswold@ucdavis.edu

Comment:

The courtyards for the high density residential face North West and will likely be shaded in winter and uncomfortably hot on summer afternoons.

A Southeast orientation is ideal for a courtyard space. As key greenspace for residents, I recommend making it as livable as possible.

A 5 to 6 story building adjacent to the street may feel imposing for the pedestrian experience. Can the building orientation and massing be altered to lower the height near the street to 2-3 stories?

As oriented, the courtyards will feel more private and mainly for residents. It might be desirable to change the orientation and turn some of the courtyards toward the center of the site and turn them into a central neighborhood green space.

The retention pond and recreation area seems to be a bit orphaned in the corner of the site and may not get much use in it's "deadend" location.

The residential building at the northeast end of the site will create a large wall that will divide up the largest park space on the site. Could this building be repositioned to frame an edge of the green space instead?

The Olive Drive crossing over the Putah Creek Parkway will need to be treated very carefully to reduce negative impacts to the Parkway restoration efforts. The bike undercrossing will have a big impact on the continuity of experience. Ideally the undercrossing will be more generously scaled than the tight-feeling railroad undercrossing.



Public Scoping Meeting, Veterans Memorial Center
Comment Sheet

Comments may be submitted at the Public Scoping Meeting or sent to the following address no later than 5:00 p.m. on March 3, 2015:

City of Davis Community Development and Sustainability Department, Attn: Katherine Hess
23 Russell Boulevard, Suite 2, Davis, California, 95616
Email: NishiGateway@cityofdavis.org

Name: CHERYL ESSEX

Organization: _____

Mailing Address: _____

Email: _____

Comment: _____

Heavy metals in particulate matter from
freeway traffic deposited in parking lot &
concentrated in retention pond,