# Village Farms Davis Project

SCH# 2023110006

## Partial Draft Responses to Comments on the Previously Circulated Draft Environmental Impact Report

Prepared for
City of Davis

**November 2025**

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This document is a draft to provide the public and decision makers with an early preview of the partial responses to comments on the previously circulated Draft Environmental Impact Report (DEIR) for the project. This document is being released to the public prior to the Final Environmental Impact Report (FEIR) for the project and is not required by CEQA regulations but is being provided for maximum public transparency. Minor revisions to this draft document may be required to fully respond to public comment received on the partially recirculated DEIR during its 45-day comment period (November 17, 2025 through January 2, 2026).

# Village Farms Davis Project
# Final Environmental Impact Report

SCH# 2023110006

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# 1. Introduction and List of Commenters

# 1. INTRODUCTION AND LIST OF COMMENTERS

## 1.1 INTRODUCTION

This Final Environmental Impact Report (EIR) contains agency and public comments received during the public review period of the Village Farms Davis Project (proposed project) Draft EIR. This document has been prepared by the City of Davis, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Final EIR discusses the background of the Draft EIR and purpose of the Final EIR, identifies the comment letters received on the Draft EIR, and provides an overview of the Final EIR's organization.

## 1.2 BACKGROUND

The Draft EIR identifies the proposed project's potential environmental impacts and the mitigation measures that would be required to be implemented. The following environmental analysis chapters are contained in the Draft EIR:

- Aesthetics;
- Agricultural Resources;
- Air Quality, Greenhouse Gas Emissions, and Energy;
- Biological Resources;
- Cultural and Tribal Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Population and Housing;
- Public Services and Recreation;
- Transportation;
- Utilities and Service Systems;
- Wildfire;
- Effects Not Found to be Significant;
- Statutorily Required Sections; and
- Alternatives Analysis.

In accordance with CEQA, the Draft EIR was sent to the State Clearinghouse (SCH#: 2023110006) for distribution to State agencies on January 7, 2025 for a 45-day public review period, ending on February 21, 2025. In addition, the Draft EIR and a Notice of Availability (NOA) for the Draft EIR were published on the City of Davis website. The Draft EIR was made available for review online at https://www.cityofdavis.org/city-hall/community-development/development-projects/village-farms-davis and printed copies were made available for public review at the City of Davis Department of

Community Development (23 Russell Boulevard, Suite 2, Davis). A public meeting was held before the Planning Commission on February 12, 2025 to solicit public comments regarding the Draft EIR.

## 1.3 PURPOSE OF THE FINAL EIR

Under CEQA Guidelines Section 15132, the Final EIR shall consist of:

1. The Draft EIR or a revision of the Draft.
2. Comments and recommendations received on the Draft EIR.
3. A list of persons, organizations, and public agencies commenting on the Draft EIR.
4. The responses to significant environmental points raised in the review process.
5. Any other information added by the Lead Agency.

Although CEQA requires responses for "significant environmental issues" only, the City has provided responses to all comments. This is not intended to expand the City's legal obligations under CEQA, but rather to maximize opportunities for sharing information and increasing public understanding regarding the project and related review process.

## 1.4 LIST OF COMMENTERS

The City of Davis received 216 comment letters during the public comment period on the Draft EIR for the proposed project. The comment letters were authored by the following agencies, groups, and individuals:

### Agencies

Letter 1 ..... California Department of Transportation
Letter 2 ..... California Department of Conservation
Letter 3..... Davis Joint Unified School District
Letter 4..... Department of Toxic Substances Control
Letter 5..... Yolo County Department of Community Services
Letter 6..... Yolo Habitat Conservancy
Letter 7..... Yolo Local Agency Formation Commission
Letter 8..... Yolo Transportation District

### Groups

Letter 9..... Armanino Advisory LLC
Letter 10 ..... California Center for Cooperative Development
Letter 11 ..... Davis Citizens Planning Group
Letter 12 ..... First Elite Security
Letter 13 ..... Friends of Davis Vernal Pools
Letter 14 ..... Limbic Media
Letter 15 ..... Nuveen Green Capital
Letter 16 ..... Sierra Club Yolano Group
Letter 17 ..... The Cannery Homeowner's Association
Letter 18 ..... Yocha Dehe Wintun Nation

### Individuals

Letter 19..... Adriana Martin Khan
Letter 20..... Aimee Shrek
Letter 21..... Alexa Bach-McElrone
Letter 22..... Alison Pease

Letter 23……Allen Bohnert
Letter 24……Allison Rubin-Buss
Letter 25……Anastasia Karp
Letter 26……Ann Privateer (Letter 1 of 2, 1/15/2025)
Letter 27……Ann Privateer (Letter 2 of 2, 2/24/2025)
Letter 28……Anna Carr
Letter 29……Ari Halberstadt
Letter 30……Ashley Oney
Letter 31……Ashley Weinshilboum
Letter 32……Austin Kerr
Letter 33……Aveen Alkhatib
Letter 34……Barbara Clutter
Letter 35……Barbara Molloy
Letter 36……Barbara Zeller
Letter 37……Barry Katzman
Letter 38……Becky Zeigler
Letter 39……Beverly Wooster
Letter 40……BJ Klosterman
Letter 41……Blake McDonald
Letter 42……Brenda Padilla
Letter 43……Burch Bryant
Letter 44……C.H. Pickett
Letter 45……Callie Garritson
Letter 46……Caren Murray
Letter 47……Carole Markese
Letter 48……Carolina Roberts
Letter 49……Carolyn Poutasse
Letter 50……Carrie Weinrich
Letter 51……Catherine Brinkley
Letter 52……Catherine Keller
Letter 53……Catherine Portman
Letter 54……Charles Auchtelonie and Sara Yost
Letter 55……Chen Zhao and Marcus Lowenhaupt
Letter 56……Christopher Martinez
Letter 57……Coleen Borrego
Letter 58……Colin Milburn and Peter Holman
Letter 59……Colin Murphy
Letter 60……Corrie Acuna
Letter 61……Curtis and Caroline Robertson
Letter 62……Cynthia Ching
Letter 63……Darlene Boyce (Letter 1 of 2, 2/21/2025)
Letter 64……Darlene Boyce (Letter 2 of 2, 3/1/2025)
Letter 65……Dave Kreske
Letter 66……David Bakay
Letter 67……David McGlocklin
Letter 68……Deborah Hunter
Letter 69……Diana Miglioretti
Letter 70……Diane Simon
Letter 71……Donna Lemongello
Letter 72……Dylan Sommer

Letter 73……. .....Ed Lee
Letter 74…… Edward Taillon
Letter 75…….....Eileen Samitz (Letter 1 of 6)
Letter 76…….....Eileen Samitz (Letter 2 of 6, 1/14/2025)
Letter 77…….....Eileen Samitz (Letter 3 of 6, 2/10/2025)
Letter 78…….....Eileen Samitz (Letter 4 of 6, 2/12/2025)
Letter 79…….....Eileen Samitz (Letter 5 of 6, 2/18/2025)
Letter 80…….....Eileen Samitz (Letter 6 of 6, 2/19/2025)
Letter 81…….....Elizabeth and Robert Coolbrith
Letter 82…….....Ellen Kolarik (Letter 1 of 2, 2/12/2025)
Letter 83…….....Ellen Kolarik (Letter 2 of 2, 2/20/2025)
Letter 84…….....Erica Sarouhan
Letter 85…….....Eva Speigel
Letter 86…….....Evan Jacobs
Letter 87…….....Fei Li
Letter 88…….....Fong He
Letter 89…….....Gayna Lamb-Bang
Letter 90…….....George Galamba
Letter 91…….....Gerald McClain
Letter 92…….....Gi Nam
Letter 93…….....Ginga Strozyk (Letter 1 of 2, 2/11/25)
Letter 94…….....Ginga Strozyk (Letter 2 of 2, 2/23/25)
Letter 95…….....Glen Holstein
Letter 96…….....Greg Rowe (Letter 1 of 7, 2/8/25)
Letter 97…….....Greg Rowe (Letter 2 of 7, 2/8/25)
Letter 98…….....Greg Rowe (Letter 3 of 7, 2/12/25)
Letter 99…….....Greg Rowe (Letter 4 of 7, 2/20/25)
Letter 100…….....Greg Rowe (Letter 5 of 7, 2/20/25)
Letter 101…….....Greg Rowe (Letter 6 of 7, 2/21/25)
Letter 102…….....Greg Rowe (Letter 7 of 7, 2/23/25)
Letter 103…….. Heather Schrader (Letter 1 of 2, 2/10/25)
Letter 104……. Heather Schrader (Letter 2 of 2, 2/24/25)
Letter 105…….....James Flanigan
Letter 106…….....Jamie Martin
Letter 107…….....Janet Zwahlen
Letter 108…….....Jay Feldman
Letter 109…….....Jaysun Pine
Letter 110…….....Jean Jackman (Letter 1 of 2, 2/12/25)
Letter 111…….....Jean Jackman (Letter 2 of 2, 2/25/25)
Letter 112…….....Jeffrey Meith and Yvonne Garrett
Letter 113…….....Jennifer Culp
Letter 114…….....Jim Flanigan (Letter 1 of 2, 2/11/25)
Letter 115…….....Jim Flanigan (Letter 2 of 2, 2/11/25)
Letter 116…….....Joan Martinez
Letter 117…….....John Hingtgen
Letter 118…….....John Hurst
Letter 119…….....John Johnston
Letter 120…….....John Keller (Letter 1 of 2, 2/12/25)
Letter 121…….....John Keller (Letter 2 of 2, 2/24/25)
Letter 122…….....John Zeller

Letter 123.....John Zhang
Letter 124.....Jonathan Martin
Letter 125.....Judith Feldman and Doug Hitchcock (Letter 1 of 2, 2/23/25)
Letter 126.....Judith Feldman and Doug Hitchcock (Letter 2 of 2, 2/25/25)
Letter 127.....Judy Ennis
Letter 128.....Julia Sherman
Letter 129.....Julie Schmidt
Letter 130.....Julie Stone
Letter 131.....Juliette Beck (Letter 1 of 2, 1/14/25)
Letter 132.....Juliette Beck (Letter 2 of 2, 2/22/25)
Letter 133.....Karen Larssen
Letter 134.....Kathleen Curry
Letter 135.....Kayla Timmons Chao
Letter 136.....Kees Hood
Letter 137.....Keirsten Taillon
Letter 138.....Ken Holt
Letter 139.....Kirstin Adams-Bimson
Letter 140.....Kyle Elshoff
Letter 141.....Larry Dicke
Letter 142.....Larry Strozyk
Letter 143.....Laura Eisen
Letter 144.....Lawrence Shweky
Letter 145.....Leng Caine
Letter 146.....Les Portello
Letter 147.....Leslyn Skog
Letter 148.....Liqin Liu
Letter 149.....Liz Reay (Letter 1 of 2, 2/10/25)
Letter 150.....Liz Reay (Letter 2 of 2, 2/22/25)
Letter 151.....Lorena Akerman
Letter 152.....Lorna Enero Berman and Daniel Berman
Letter 153.....Luke Reynolds
Letter 154.....Michael Maddox
Letter 155.....Maggie Che
Letter 156.....Margo Surovik
Letter 157.....Marianne Hernandez
Letter 158.....Marjorie Longo (Letter 1 of 2)
Letter 159.....Marjorie Longo (Letter 2 of 2)
Letter 160.....Mark Huising
Letter 161.....Mark Spiller
Letter 162.....Mary Philip
Letter 163.....Michael Reynolds
Letter 164.....Michelle Yeh
Letter 165.....Misbah Husain
Letter 166.....Nancy Price (Letter 1 of 2, 2/12/25)
Letter 167.....Nancy Price (Letter 2 of 2, 2/25/25)
Letter 168.....Neelima Sinha
Letter 169.....Nicholas Pinter
Letter 170.....Nicole Yang and Vivian Yang
Letter 171.....Nikki Baumrind
Letter 172.....Norb Kumagai

Letter 173.....Pamela Heffley
Letter 174..... Pat King
Letter 175..... Patrick McGuire
Letter 176..... Paul Glenn
Letter 177..... Priscilla Kung
Letter 178..... Rena Nayyar
Letter 179.....Reza Soltani
Letter 180..... Ricardo Maselli
Letter 181..... Richard Halen
Letter 182..... Richard McCann
Letter 183.....Rita Pollnow
Letter 184..... Robert Chisholm
Letter 185.....Robert Coolbrith (Letter 1 of 2, 2/25/25)
Letter 186.....Robert Coolbrith (Letter 2 of 2, 2/25/25)
Letter 187.....Robert Okamoto
Letter 188..... Robert Ono
Letter 189.....Ron Oertel
Letter 190..... Ruben Arevalo
Letter 191..... Russ Townsley and Dr. Rakhshi Khan
Letter 192..... Sally Wittlinger
Letter 193..... Samatha Sime
Letter 194..... Sandy Karinen
Letter 195..... Sara Hosseinipour
Letter 196..... Shawn Smallwood
Letter 197.....Sherrill Futrell
Letter 198..... Steve Deverel (Hydrofocus, Inc.)
Letter 199..... Steve Geller
Letter 200..... Susan Padgett
Letter 201..... Susan Rainier
Letter 202.....Taylor, Wiley, and Keasling
Letter 203.....Timothy Hoban
Letter 204.....Tom McCubbins
Letter 205.....Toni Smith
Letter 206.....Toshio Leeper
Letter 207..... Trudie Lerner
Letter 208..... Victor Justo
Letter 209.....Victoria Link
Letter 210.....Vijay Kumar
Letter 211.....Virginia Stewart-Carton
Letter 212..... Vong Toan
Letter 213.....Yannis Defalias
Letter 214..... Yuming Xu and Yujia Cai
Letter 215.....Zenna Mohr
Letter 216..... Ziv Lang

In addition, verbal comments were received during the public meeting held before the Planning Commission on February 12, 2025 to solicit public comments regarding the Draft EIR. A summary of the comments from the Draft EIR comment hearing are included as Letter 217.

Letter 217.....Summary of Verbal Comments: Draft EIR Public Meeting (February 12, 2025)

## 1.5 CERTIFICATION OF THE FINAL EIR

State law requires that the City make several types of CEQA "findings" at the time of final action on the project. Findings describe the conclusions reached regarding particular issues, including specific evidence in support of those conclusions. The Final EIR typically provides much of the substantial evidence to support these findings. The required findings for the project are as follows:

- Certification of the Final EIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the Final EIR for decision-making purposes. The Lead Agency must make the following three determinations in certifying a Final EIR:
    1. The Final EIR has been completed in compliance with CEQA.
    2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
    3. The Final EIR reflects the Lead Agency's independent judgment and analysis.
- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the City chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also CEQA Guidelines Section 15126.6f).
- Project Approval (CEQA Guidelines Section 15092) – These findings will be prepared to support approval of the project if that is the City Council's action.

Pursuant to CEQA Guidelines, Section 15093(b), when a Lead Agency approves a project that would result in significant unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. The Village Farms Davis Project would result in significant and unavoidable impacts related to aesthetics, agricultural resources, air quality, Greenhouse Gas (GHG) emissions, and energy, biological resources, noise, population and housing, and transportation; thus, a Statement of Overriding Considerations must be adopted if the project is approved. The required Findings of Fact and Statement of Overriding Considerations will be included as part of the resolution considered by the City of Davis.

## 1.6 ORGANIZATION OF THE FINAL EIR

The Final EIR is organized into the following chapters:

### 1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describing the background and organization of the Final EIR. Chapter 1 also provides a list of commenters who submitted letters in response to the Draft EIR.

### 2. Responses to Comments

Chapter 2 presents the comment letters received and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. The response to each comment will reference the comment number.

## 3. Revisions to the Draft EIR Text

Chapter 3 summarizes changes made to the Draft EIR text including clarifications, modifications, and amplifications of the analysis. Section 15088.5 of the State CEQA Guidelines states that a lead agency is required to recirculate a Draft EIR when "significant new information" is added to the document after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Pursuant to this section, the term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not considered "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the City has declined to implement. "Significant new information" requiring recirculation includes any of the following:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The modifications to the Draft EIR identified in Chapter 3 have been examined with these requirements and obligations in mind. The City has determined that the provisions of Section 15088.5 of the CEQA Guidelines are not triggered and recirculation of this EIR is not required. A more detailed description of this determination will be included in the CEQA Findings of Fact described above.

## 4. Mitigation Monitoring and Reporting Program

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for Village Farms Davis Project. The MMRP for the Proposed Project is included as Chapter 4 of this Final EIR.

# 2. Responses to Comments

# 2. RESPONSES TO COMMENTS

## 2.1 INTRODUCTION

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

## 2.2 MASTER RESPONSES

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

### Summary of Master Responses

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

- Master Response 1: Non-CEQA Comments
- Master Response 2: Alternatives
- Master Response 3: Hazards
- Master Response 4: Drainage and Flooding
- Master Response 5: Transportation
- Master Response 6: Grade-Separated Crossings
- Master Response 7: Biological Resources

### Master Response 1 - Non-CEQA Comments

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

> **CEQA Guidelines Section 15204. FOCUS OF REVIEW**
>
> (a) In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all

> research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.
>
> (c) Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

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

## Comments on Merits of Project

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

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

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

## Social or Economic Concerns

The scope of an EIR is limited to a local agency's evaluation of potentially significant environmental impacts of a project, which by definition are limited to physical conditions, rather than social or economic conditions. (Public Resources Code [PRC] Section 21060.5; CEQA Guidelines Section 15360.) The analysis of social or economic impacts unrelated to a physical change is not included within an EIR because such potential impacts are not considered to be effects on the environment. (CEQA Guidelines Sections 15064(e), 15131(a), 15358(b), 15382.) Therefore, potential social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment, are not substantial evidence of a significant environmental effect. (PRC Section 21080(e)(2); CEQA Guidelines Section 15064(f)(6).)

## General Comments Pertaining to Environmental Concerns

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

## Master Response 2 – Alternatives

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

### Discussion

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

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

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

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

A set number of alternatives is not necessary to constitute a legally adequate range of alternatives. As has been stated, "The scope of alternatives comprising a reasonable range of alternatives will vary from case to case depending on the nature of the project under review. The

lead agency has the discretion to determine how many alternatives will constitute a reasonable range."[1] Here, for the Village Farms Davis EIR, the City evaluated six alternatives, including one (BRPA alternative) at an equal level to that of the Proposed Project.

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

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

## City Council Process

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

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

These alternative concepts were only generally defined in the December 12, 2023 City Council staff report. While the same alternatives concepts were retained in the Draft EIR, the alternatives were further refined based on the project-specific environmental impacts analysis contained in the Draft EIR. For example, the Agricultural Resource Preservation Alternative concept, as described in the December 12, 2023 City Council staff report, was identified for 1,800 units. Based on the refined conceptual site plan in the Draft EIR, and delineation of the on-site Prime Farmland area, the number of units for this Alternative was reduced to 1,330 units in the Draft EIR.

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

## Request for Reduced Acreage Alternative

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

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

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

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

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

### High Density Alternative

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

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

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

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

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

### Conclusion

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

## Master Response 3 – Hazards

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

### Effects of Environment on the Project

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

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

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

## Old Davis Landfill

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

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

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

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

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

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

## Arsenic

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

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

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

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

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

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

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

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

## Toxaphene

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

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

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

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

### Groundwater Interaction

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

## Master Response 4 – Drainage and Flooding

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

### Development within the Floodplain

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

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

### Northern Agricultural Area

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

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

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

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

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

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

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

## Climate Change

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

## Wildhorse Channel Impacts

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

## Master Response 5 – Transportation

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

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

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

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

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

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

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

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

## Cannery Connection

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

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

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

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

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

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

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

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

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

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

## Increased Density Effect on VMT

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

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

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

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

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

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

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

## Higher Number of Units – Same Footprint Alternative

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

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

Where:

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

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

## GHG Reduction Formula

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

## GHG Calculation Variables

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

Further explanation of key variables:

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

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

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

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

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

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

***Source: Fehr & Peers, 2024.***

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

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

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

***Source: Fehr & Peers, 2024.***

## Project Effect on Region-Wide VMT

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

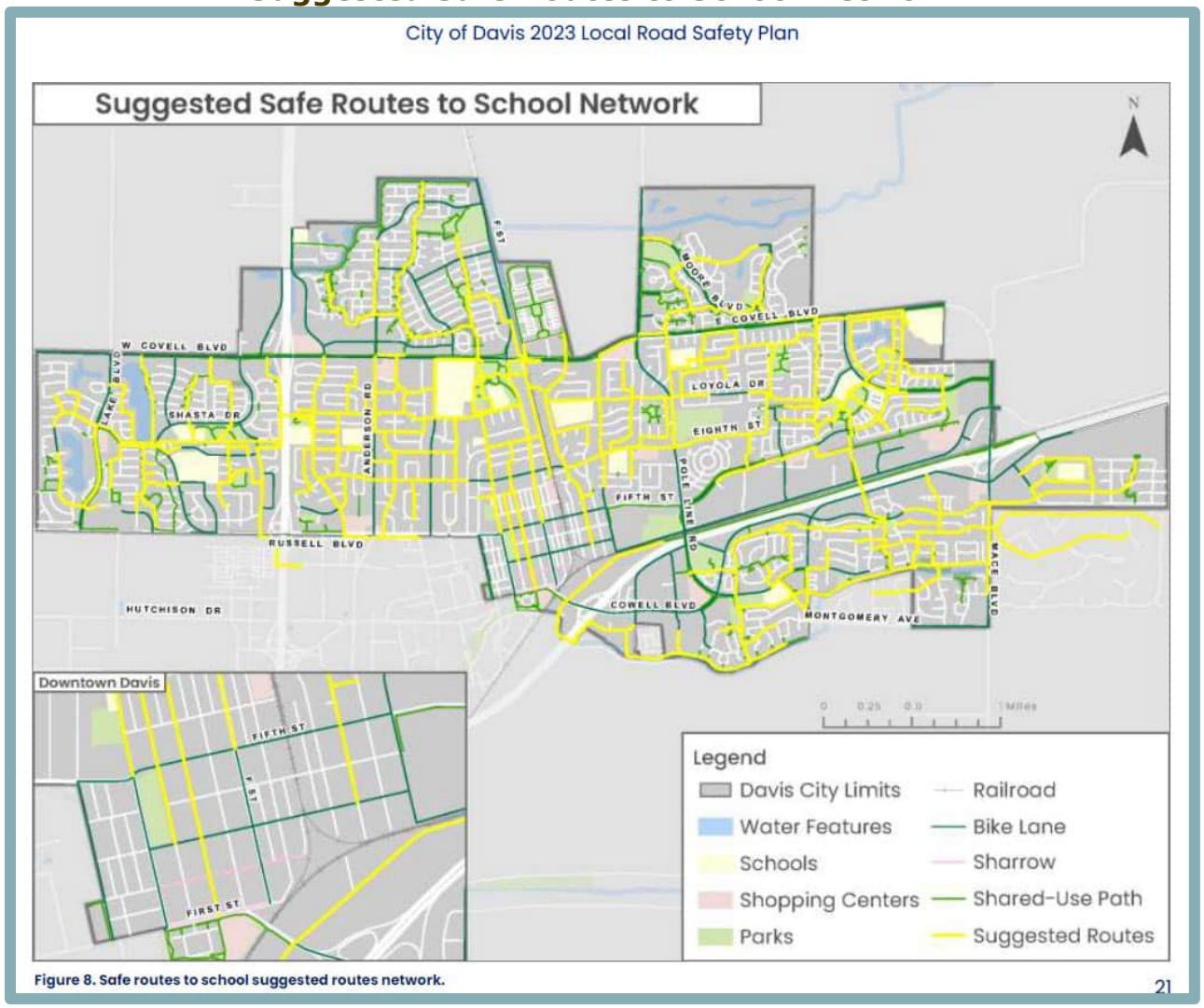
## Pedestrian and Bicycle Travel Routes to Schools and Other Destinations

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

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

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

**Figure 2-2**
**Suggested Safe Routes to School Network**



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

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

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

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

## Master Response 6 – Grade-Separated Crossings

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

### F Street

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

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

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

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

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

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

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

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

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

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

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

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

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

## Pole Line Road

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

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

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

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

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

## Master Response 7 – Biological Resources

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

### Vernal Pools

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

In accordance with Mitigation Measure 4.4-1(a) the reduced "Avoidance Zone" of 50 feet referred to in some comments is in reference to special-status plants that have been documented within

the alkali wetlands surrounding the alkali playas/vernal pools. This smaller buffer is based on two factors: (1) The two plants identified for this reduced setback (Alkali Milk Vetch and San Joaquin Spearscale) are known to occur in "mesic" areas, and are not entirely tied to wetland habitats, and (2) based on prior data compared to the 2024 survey data, the agricultural disturbances, including annual planting, harvesting, tilling, irrigation, etc., immediately adjacent to the wetland areas do not appear to have negatively impacted the populations of either species, but on the contrary, appear to resulted in quite robust populations of these plant species. Furthermore, the U.S. Army Corps of Engineers (USACE) and the Central Valley RWQCB typically consider an aquatic resource to be avoided if no impacts occur within 50 feet of a feature; though determinations are also made on a case-by-case basis depending on site conditions and hydrologic breaks or connections.

## Natural Habitat Area

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

## Channel A Riparian Corridor

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

## Channel A Trees

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

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

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

~~Similar to the Proposed Project, the~~ The large trees throughout the BRPA site provide suitable nesting habitat to accommodate Swainson's hawk and white-tailed kite, both of which are Yolo HCP/NCCP Covered Species. In addition, Swainson's hawk and white-tailed kite have been observed foraging in suitable habitats throughout the BRPA site and off-site Western Program Study Area, including the Alkali Prairie, California Annual Grassland Alliance, Semiagricultural, and Grain and Hay Crops land covers. As discussed above, one active Swainson's hawk nest was documented within a tree in the riparian corridor surrounding Channel A within the BRPA site, and a second active nest was documented just north of the site (see Figure 4.4-6).

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

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

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

~~Proposed Project, Biological Resources Preservation Alternative~~

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

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

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

Proposed Project

Under the Proposed Project, approximately 952 trees would be permanently impacted and approximately 343 trees would be avoided along the northern portion of Covell Drain, in the Heritage Oak Park, and along the western edge of the project site. Table 4.4-10 summarizes the potential impacts to trees within the Proposed Project. In addition, approximately 36 trees that are proposed for avoidance may be removed due to poor health or structure if the trees are identified as hazardous. The condition of the

avoided trees would be reviewed closer to project implementation, and formal recommendations regarding retention or removal would be developed at that time. Additionally, indirect effects from construction could occur to any avoided trees, including, but not limited to, compaction from adjacent construction, altered hydrology, and exposure to fungi or other pathogens.

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

## Biological Resource Preservation Alternative

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

## Conclusion

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

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

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

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

| Tree Species | Number of Trees | | |
|---|---|---|---|
| | Permanently Impacted | Avoided | Total |
| Chinese hackberry (*Celtis sinensis*) | 8 | ~~0~~ 2 | ~~8~~ 10 |
| Chinese pistache (*Pistacia chinensis*) | 2 | ~~5~~ 6 | ~~7~~ 8 |
| Chinese tallowtree (*Triadica sebifera*) | 41 | ~~6~~ 8 | ~~47~~ 49 |
| Chinese wingnut (*Pterocarya stenoptera*) | ~~317~~ 316 | ~~35~~ 45 | ~~352~~ 361 |
| Cigar tree (*Catalpa bignonioides*) | ~~21~~ 22 | 6 | ~~27~~ 28 |
| Coast live oak (*Quercus agrifolia*)[1] | 2 | ~~3~~ 4 | ~~5~~ 6 |
| Cork oak (*Quercus suber*) | 18 | 2 | 20 |
| English walnut (*Juglans regia*) | 1 | 0 | 1 |
| Japanese privet (*Ligusticum japonicum*) | 7 | 1 | 8 |
| Kentucky coffeetree (*Gymnocladus dioicus*) | 1 | 0 | 1 |
| London planetree (*Platanus x acerifolia*) | 6 | ~~9~~ 10 | ~~15~~ 16 |
| Mexican fan palm (*Washingtonia robusta*) | ~~0~~ 1 | ~~2~~ 1 | 2 |
| Narrow-leaved ash (*Fraxinus angustifolia*) | 1 | 0 | 1 |
| Northern California black walnut (*Juglans hindsii*)[1] | 14 | ~~1~~ 2 | ~~15~~ 16 |
| Olive (*Olea europaea*) | 0 | 1 | 1 |
| Pecan (*Carya illinoinensis*) | 1 | 0 | 1 |
| Persian silk tree (*Albizia julibrissin*) | 1 | 0 | 1 |
| Queen's crepe-myrtle (*Lagerstroemia speciosa*) | 4 | 0 | 4 |
| Red willow (*Salix laevigata*)[1] | ~~3~~ 2 | ~~1~~ 2 | 4 |
| Redwood (*Sequoia sempervirens*) | 2 | 0 | 2 |
| Siberian elm (*Ulmus pumila*) | 40 | ~~8~~ 9 | ~~48~~ 49 |
| Silver maple (*Acer saccharum*) | 2 | 0 | 2 |
| Sour cherry (*Prunus cerasus*) | 1 | 0 | 1 |
| Valley oak (*Quercus lobata)*[1] | 8 | ~~55~~ 62 | 70 |
| **Total** | **952** | **~~285~~ 343** | **1,~~237~~ 295** |

[1] Native species.

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

**Table 4.4-11**
**Biological Resource Preservation Alternative Tree Impacts**

| Tree Species | Number of Trees | | |
|---|---|---|---|
| | Permanently Impacted | Avoided | Total |
| Aleppo pine (*Pinus halepensis*) | 2 | 1 | 3 |
| Almond (*Prunus dulcis*) | 0 | 2 | 2 |
| American sycamore (*Platanus occidentalis*) | 0 | 13 | 13 |
| Arizona ash (*Fraxinus velutina*) | 161 | 342 | 503 |
| Australian blackwood (*Acacia melanoxylon*) | 0 | 12 | 12 |
| Bald cypress (*Taxodium distichum*) | 0 | 1 | 1 |
| Black willow (*Salix gooddingii*)[1] | 0 | 2 | 2 |
| Boxelder (*Acer negundo*)[1] | 23 | 20 | 43 |
| Bradford pear (*Pyrus calleryana*) | 2 | 2 | 4 |

**Table 4.4-11**
**Biological Resource Preservation Alternative Tree Impacts**

| Tree Species | Number of Trees | | |
|---|---|---|---|
| | Permanently Impacted | Avoided | Total |
| Cherry plum (*Prunus cerasifera*) | 1 | 0 | 1 |
| Chinese elm (*Ulmus parvifolia*) | 17 | 32 | 49 |
| Chinese hackberry (*Celtis sinensis*) | 8 | 2 | 10 |
| Chinese pistache (*Pistacia chinensis*) | 1 | 7 | 8 |
| Chinese tallowtree (*Triadica sebifera*) | 32 | 17 | 49 |
| Chinese wingnut (*Pterocarya stenoptera*) | 89 | 272 | 361 |
| Cigar tree (*Catalpa bignonioides*) | 9 | 19 | 28 |
| Coast live oak (*Quercus agrifolia*)[1] | 1 | 5 | 6 |
| Cork oak (*Quercus suber*) | 12 | 8 | 20 |
| English walnut (*Juglans regia*) | 1 | 0 | 1 |
| Japanese privet (*Ligusticum japonicum*) | 4 | 4 | 8 |
| Kentucky coffeetree (*Gymnocladus dioicus*) | 0 | 1 | 1 |
| London planetree (*Platanus x acerifolia*) | 1 | 15 | 16 |
| Mexican fan palm (*Washingtonia robusta*) | 0 | 2 | 2 |
| Narrow-leaved ash (*Fraxinus angustifolia*) | 1 | 0 | 1 |
| Northern California black walnut (*Juglans hindsii*)[1] | 9 | 7 | 16 |
| Olive (*Olea europaea*) | 0 | 1 | 1 |
| Pecan (*Carya illinoinensis*) | 0 | 1 | 1 |
| Persian silk tree (*Albizia julibrissin*) | 0 | 1 | 1 |
| Queen's crepe-myrtle (*Lagerstroemia speciosa*) | 1 | 3 | 4 |
| Red willow (*Salix laevigata*)[1] | 0 | 4 | 4 |
| Redwood (*Sequoia sempervirens*) | 2 | 0 | 2 |
| Siberian elm (*Ulmus pumila*) | 15 | 34 | 49 |
| Silver maple (*Acer saccharum*) | 1 | 1 | 2 |
| Sour cherry (*Prunus cerasus*) | 1 | 0 | 1 |
| Valley oak (*Quercus lobata*)[1] | 0 | 70 | 70 |
| **Total** | **394** | **901** | **1,295** |

[1] Native species.

***Source: Madrone Ecological Consulting, 2025.***

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

## 2.3 RESPONSES TO COMMENTS

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

**Letter 1**

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

**California Department of Transportation**

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

February 21, 2025

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

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

**Village Farms Davis Project**

Dear Ms. Dungworth,

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

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

1-2 **Freeway Operations**

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

**1-2 Cont.**

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

**1-3**

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

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

**1-4**

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

The comments on the DEIR are as follows:

**1-5**

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

**Letter 1 Cont.**



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

Sincerely,

Gary Arnold

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

"Provide a safe and reliable transportation network that serves all people and respects the environment"

**Letter 1 Cont.**



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

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

Rebecca Shafer, Freeway Operations
Rafiur Khan, Forecasting & Modeling

## LETTER 1: CALIFORNIA DEPARTMENT OF TRANSPORTATION

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

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

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

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

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

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

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

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

**Letter 2**

California
**Department of Conservation**
**Geologic Energy Management Division**

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

02/10/2025

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

Construction Site Well Review (CSWR) ID: 1013185

Assessor Parcel Number(s): 035970033, 042110029

Property Owner(s): City of Davis

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

Project Title: SCH 2023110006 Village Farms Davis Project

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

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

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

Any Field

SCH 2023110006

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

**Letter 2 Cont.**

in the application.

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

**2-2 Cont.**

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

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

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

**2-3**

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

**2-4**

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

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

**2-5**

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

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





**Letter 2 Cont.**

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

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

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

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

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

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

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

**Letter 2 Cont.**

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

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

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

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

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

Sincerely,

Erwin Sison
Senior Oil and Gas Supervisor

cc: Dara Dungworth - Plan Checker

**Letter 2 Cont.**

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

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

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

**Letter 2 Cont.**

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

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

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





## LETTER 2: CALIFORNIA DEPARTMENT OF CONSERVATION

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

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

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

### Response to Comment 2-4
Comment noted.

### Response to Comment 2-5
Comment noted.

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

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

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

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

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

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

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

## Response to Comment 2-12

Comment noted. Please see Master Response 1.

**Letter 3**

**Dara Dungworth**

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

**Categories:** VFD Comment

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Ms. Dungworth,

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

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

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

**Connection between Housing and School Enrollment**

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

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

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

**Traffic Mitigation on Pole Line-**

1

**Letter 3 Cont.**

**3-1 Cont.**

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

**Programmatic Support for DJUSD**

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

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

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

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

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

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

**3-1 Cont.**

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

Sincerely,

Matt Best
Superintendent
Davis Joint Unified School District




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## LETTER 3: DAVIS JOINT UNIFIED SCHOOL DISTRICT

### Response to Comment 3-1

Please see Master Response 1.

**Letter 4**

Department of Toxic Substances Control

***Yana Garcia***
Secretary for
Environmental Protection

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

***Gavin Newsom***
Governor

**SENT VIA ELECTRONIC MAIL**

January 10, 2025

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

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

Dear Dara Dungworth,

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

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

**Letter 4 Cont.**



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

**4-2 Cont.**

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

**4-3**

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

**4-4**

**Letter 4 Cont.**



Sincerely,

Dave Kereazis

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

cc: (via email)

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## LETTER 4: DEPARTMENT OF TOXIC SUBSTANCES CONTROL

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

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

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

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

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

**Letter 5**

COUNTY of YOLO
DEPARTMENT OF COMMUNITY SERVICES

Leslie Lindbo
Director

292 W Beamer St, Woodland, CA 95695
www.YoloCounty.gov • (530) 666-8775

February 21, 2025

**VIA E-MAIL**

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

Dear Ms. Dungworth:

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

**5-1**

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

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

**5-2**

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

**5-3**

**PROJECT DESCRIPTION**

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

**5-4**

**Letter 5 Cont.**

**AGRICULTURAL RESOURCES**

***Chapter 4.2***

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

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

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

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

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

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

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





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

**HAZARDS AND HAZARDOUS MATERIALS**

***Chapter 4.7***

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

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

The Final EIR should address these issues.

**HYDROLOGY AND WATER QUALITY**

***Chapter 4.8***

The Draft EIR identifies existing surrounding drainage in Section 4.8.2 and includes two sections entitled 'Flow Through Project Site' and 'Project Site Outflow' (page 4.8-5) wherein storm water flow through the project site is described as flowing within Channel A and eventually 'overtopping at Pole Line Road'. According to the
5-13 DEIR mapping exhibits, the actual location for storm water spilling over the roadway appears to be within the unincorporated area of the County, at County Road 102, just north of the city limit.

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

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

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

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

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

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

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

**5-18** *Section 4.8.2, beginning on page 4.8-10: The high concentrations of PFAS detected at the Old Davis Landfill are not seen in the wider regional setting, and, therefore, PFAS concentrations in groundwater likely originate from the Old Davis Landfill. Elevated concentrations of PFAS were not detected in the source water for the City's drinking water supply system, indicating that the apparent landfill contamination is not currently impacting the drinking water supply. Manganese was detected at concentrations ranging from 29 to 340 micrograms per liter (µg/l) in groundwater beneath the project site/BRPA site, and some of the detected concentrations exceed the Secondary (aesthetic) MCL for manganese in drinking water (50 µg/l). Manganese was detected in groundwater at relatively high concentrations beneath the Old Davis Landfill, and such concentrations could be attributable to former landfill operations.*

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

**Title 6 Sanitation and Health:**

**5-19** **Chapter 8 Water Quality**
Section 6-8.602. Wells.
(a) No person shall construct, reconstruct, repair, or abandon any well or test hole, except oil and gas wells, without a valid permit to do so.

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

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

**Letter 5 Cont.**

**5-19 Cont.**

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

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

**5-20**

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

**POPULATION AND HOUSING**

***Chapter 4.11***

**5-21**

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

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

**TRAFFIC**

***Chapter 4.13***

**5-22**

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

**5-23**

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

**5-24**

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





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

**UTILITIES AND SERVICE SYSTEMS**

***Chapter 4.14***

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

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

**FINANCIAL CONSIDERATIONS**

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

* * *

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

Sincerely,

Stephanie Cormier
Chief Assistant Director
Yolo County Department of Community Services

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

## LETTER 5: YOLO COUNTY DEPARTMENT OF COMMUNITY SERVICES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Response to Comment 5-22

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

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

## Response to Comment 5-23

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

## Response to Comment 5-24

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

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

## Response to Comment 5-25

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

## Response to Comment 5-26

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

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

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

## Response to Comment 5-27

Please see Master Response 1.

**Letter 6**

**Dara Dungworth**

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

**Categories:** VFD Comment

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

Hi Dara,

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

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

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

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

Thank you!

Charlie Tschudin

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

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

1

## LETTER 6: YOLO HABITAT CONSERVANCY

### Response to Comment 6-1

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

**Letter 7**

YOLO
LOCAL
AGENCY
FORMATION
COMMISSION

COMMISSION
CHAIR
BILL BIASI
Mayor
City of Winters

GLORIA PARTIDA
VICE CHAIR
Councilmember
City of Davis

LUCAS FRERICHS
Supervisor – 2nd District

PAMELA MILLER
Public Member

OSCAR VILLEGAS
Supervisor – 1st District

ALTERNATES
RICHARD DELIBERTY
Public Member

TANIA GARCIA-CADENA
Mayor
City of Woodland

SHEILA ALLEN
Supervisor – 4th District

STAFF
CHRISTINE M. CRAWFORD, AICP
Executive Officer

JD TREBEC
Deputy Executive Officer

TERRI TUCK
Retired Annuitant
Administrative Specialist II/Clerk

COUNSEL
ERIC MAY

625 Court Street, Suite 107
Woodland CA 95695

(530) 666-8048
lafco@yolocounty.org

www.yololafco.org

February 20, 2025

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

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

Dear Ms. Dungworth:

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

7-1 Project Description
LAFCo staff does not support the northernmost 118-acre portion of the proposed Project (portion of APN 042-110-029 north of the drainage channel) being dedicated to the City of Davis for ongoing ownership and maintenance. We understand the area will be used as a borrow site to harvest fill soil for the urbanized portion of the Project and will also be inundated during larger storm events that will serve to reduce downstream flows (DEIR page 4.8-27). This area should be either privately or homeowner's association (HOA) owned and maintained. As designed, this area does not appear to promote enough "eyes on the street" to create a safe public space and may result in an ongoing public nuisance that would create an unreasonable cost burden for governmental services and controls in the area. LAFCo is concerned about any negative impacts on the City's public safety funding and ability to maintain its high level of services.

7-2 On page 3-27, we understand the confusion, but the DEIR inaccurately states that a municipal services review (MSR) would be required for a Yolo LAFCo sphere of influence (SOI) amendment. LAFCo, as necessary, reviews and *updates* each agency's SOI every five years (Government Code §56425) and conducts a municipal service review in order to prepare and to update SOIs (§56430(a)). However, §56428 indicates any person or local agency may request an *amendment* to an SOI and LAFCo can act on it accordingly. This means that an MSR is needed for a comprehensive SOI Update every five years, while project-specific SOI Amendments can occur on a case-by-case basis without a comprehensive MSR. Yolo LAFCo does not plan to conduct an MSR for the Village Farms Davis SOI Amendment.

7-3 Agricultural Resources
In several places, the DEIR incorrectly references that Yolo LAFCo requires a 2:1 mitigation ratio. Please note this is only for "stacked" conservation easements per LAFCo Policy 4.10(c).

**Letter 7 Cont.**

**7-3 Cont.**

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

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

Best regards,

Christine M. Crawford, AICP

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

## LETTER 7: YOLO LOCAL AGENCY FORMATION COMMISSION

### Response to Comment 7-1

Please see Master Response 1.

### Response to Comment 7-2

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

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

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

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

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

### Response to Comment 7-3

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

**Letter 8**

Yolo Transportation District

**To**
**Dara Dungworth**
*Principle Planner*

January 27, 2025

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

Yolo Transportation District Comments re: Village Farms Davis

Dear Ms. Dungworth,

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

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

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

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

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

**Letter 8 Cont.**

**8-3 Cont.**

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

**8-4**

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

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

**8-5**

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

Sincerely,



**Brian Abbanat**
*Planning Director*

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

## LETTER 8: YOLO TRANSPORTATION DISTRICT

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

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

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

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

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

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

**Letter 9**

**Dara Dungworth**

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

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

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9-1

- **Cost Savings**: Our thorough analysis identifies inefficiencies, non-compliant charges, and potential overpayments, leading to substantial savings. The earlier we're involved, the more we can save you.
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I would welcome the opportunity to discuss your project requirements in more detail and customize our services to meet your specific needs. Let's work together to ensure a smooth and cost-effective construction process.

Would you be open to a brief call to explore how we can support your project goals?

For more information, please visit our website at www.armanino.com.

Best regards,

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

1

## LETTER 9: ARMANINO ADVISORY LLC

### Response to Comment 9-1

Please see Master Response 1.

**Letter 10**

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

**Public Comment: Village Farms Project**

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

**10-1**

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

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

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

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

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

**Letter 10 Cont.**

**10-1 Cont.**

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

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

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

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

## LETTER 10: CALIFORNIA CENTER FOR COOPERATIVE DEVELOPMENT

### Response to Comment 10-1

Please see Master Response 1.

**Letter 11**

## Davis Citizens Planning Group

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

## Comments on Village Farms Draft EIR 2/25/25

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

**Summary of impacts & mitigation measures:**

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

11-1

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

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

11-2

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

11-3

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

**Letter 11 Cont.**

**11-3 Cont.**

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

**11-4**

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

**11-5**

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

**11-6**

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

**11-7**

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

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

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

**Letter 11 Cont.**

**11-7 Cont.**

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

**4.9 – Land Use and Planning Page 4.9-17:**

*Policy Discussion*

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

**11-8**

**4.9 – Land Use and Planning Page 4.9-23**

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

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

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

**Letter 11 Cont.**

**11-8 Cont.**

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

***Impact 4.11-1 Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)***

**11-9**

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

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

**11-10**

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

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

**11-11**

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

**11-12**

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

**Letter 11 Cont.**

**11-12 Cont.**

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

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

**11-13**

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

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

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

**11-14**

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

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

**11-15**

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

**11-16**

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

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

**Letter 11 Cont.**

**11-16 Cont.**

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

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

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

**Letter 11 Cont.**

**11-16 Cont.**

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

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

**Letter 11 Cont.**

**11-16 Cont.**

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

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

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

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

**Chapter 7–Alternatives**

**7.2 Purpose of Alternatives**

**P. 7-2 Project Objectives**

**11-17**

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

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

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

**11-18**

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

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

**11-19**

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

**Letter 11 Cont.**

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

**11-20** Comment: they have done the opposite of planning for non-vehicular travel. Placing a large park close to shopping instead of housing makes it unlikely anybody will walk to buy groceries.

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

**11-21** Comment: the project cannot claim to align with climate action plan if average per capita VMT is greater than the current Davis measure. It also is higher than the regional average listed by SACOG so by attracting residents from other communities, it will increase regional GHG emissions. This is obviously noncompliant with the CAAP.

**11-22** 6. Establish and preserve agricultural buffer areas where proposed development would border existing agricultural areas.

7. Increase City property tax revenue.

**11-23** Comment: This objective should be revised to "Increase City net fiscal revenue." Increasing total revenue for the City is useful only to the extent that it is not canceled out (or exceeded) by increased costs borne by the City. Additional comment about this issue is listed at the end of this document.

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

**11-24** Comment: If the City had done a General Plan update, as it is obligated to do, this area would not be "unplanned." It makes no sense to suggest any project at this site would conflict with growth projections assumed for the City when the City has simply neglected to make such plans for growth, especially now that the State has assigned Regional Housing Needs Assessment growth figures.

**Letter 11 Cont.**

**P. 7-6 Alternatives Considered in this EIR**

The following alternatives are considered and evaluated in this section:

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

***Comment on selection of Alternatives:***

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

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

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

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

**Letter 11 Cont.**

**11-27 Cont.**

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

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

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

**11-28**

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

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

**P. 7-31 Footnotes:**

**11-29**

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

**Letter 11 Cont.**

**11-29 Cont.**

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

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

**11-30**

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

**P. 7-28**

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

**11-31**

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

**Letter 11 Cont.**

**11-31 Cont.** Simply reducing Alternative 4 to 1800 units with the same density on a smaller acreage would reduce the ROG and GHG emissions below the YSAQMD significance thresholds of 10 tons/yr. The ROG would become 7.63 tons/year and GHG emissions would be 6,068.90 tons/year. The latter would create a 40.3% incremental gain towards the 2040 carbon neutrality goal.

**P. 7-41**:

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

**11-32** Comment: The DEIR only lists "objectives" (see above) that were determined by the applicant. Why aren't the goals and needs of the city also named and included? Does CEQA not permit the City to comment on whether the developer's list of objectives best meets the goals or needs of the City? Why would it be permissible for someone other than the City to select an alternative that does not meet its goals and needs better than other alternatives? This is critical because certain objectives named by the developer may actually be bad for the city. For example, increasing property tax revenue is meaningless if it comes with increasing city costs more than the increased revenue (see below for more on this issue).

**Additional site plan comments:**

**11-33**
1. Placing a major park on the corner of Pole Line and Covell simply pushes housing further away from transit access and makes it even less likely that people could walk to the shopping center that's across the street. This is purely an aesthetic decision made to attract votes. Placing dense housing in that area and moving the park north would reduce environmental impacts by encouraging walking to shopping and supporting higher transit use.

**11-34**
2. Rerouting the slough that crosses the middle of the site is an aesthetic decision that would disrupt a long-term drainage system. It raises flood risk to try to relocate major existing drainage paths such as this one, and the amount of digging and dirt relocation alone would create a major environmental impact that is totally unnecessary to realize any of the alternatives.

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

**11-35** In Davis and most development projects throughout California, typically the developer either builds the new transportation, water, and sewer infrastructure that the development requires or pays developer fees in lieu, but thereafter the city is

**Letter 11 Cont.**

**11-35 Cont.**

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

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

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

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

**Letter 11 Cont.**

**11-35 Cont.**

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

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

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

**Letter 11 Cont.**

**11-35 Cont.**

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

**Proposed additional GHG mitigation measure to reduce building emissions**

***Residential Retrofit Offset Reverse Auction Program***

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

**11-36**

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

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

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

**Letter 11 Cont.**

**11-36 Cont.**

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

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

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

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

## LETTER 11: DAVIS CITIZENS PLANNING GROUP

### Response to Comment 11-1

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

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

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

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

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

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

### Response to Comment 11-2

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

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

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

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

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

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

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

## Response to Comment 11-3

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

## Response to Comment 11-4

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

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

## Response to Comment 11-5

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

## Response to Comment 11-6

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

## Response to Comment 11-7

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

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

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

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

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

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

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

## Response to Comment 11-8

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

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

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

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

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

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

## Response to Comment 11-9

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

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

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

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

## Response to Comment 11-10

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

## Response to Comment 11-11

Please see Response to Comment 97-55.

## Response to Comment 11-12

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

## Response to Comment 11-13

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

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

## Response to Comment 11-14

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

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

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

## Response to Comment 11-15

Please see Master Response 5.

## Response to Comment 11-16

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

## Response to Comment 11-17

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

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



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

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

## Response to Comment 11-18

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

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

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

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

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

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

## Response to Comment 11-19

Please see Master Response 1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Letter 12**

**Dara Dungworth**

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

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12-1

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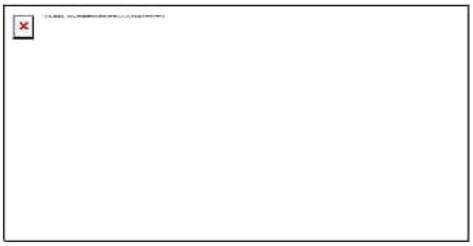
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**Letter 12 Cont.**

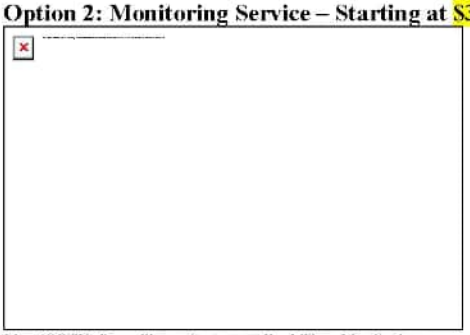
**12-1 Cont.**



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**Letter 12 Cont.**

**12-1 Cont.**

Best regards,

**Miranda Edwards**
Business Development Manager


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## LETTER 12: FIRST ELITE SECURITY

### Response to Comment 12-1

Please see Master Response 1.

**Letter 13**

**CEQA Comment on the Village Farms Davis DEIR**

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

**I. Overview**

13-1

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

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

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

13-2

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

**13-2 Cont.**

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

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

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

**13-3**

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

3. **Incomplete Jurisdictional Determinations**

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

**13-4**

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

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

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

**13-5**

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

**Letter 13 Cont.**

**13-5 Cont.**

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

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

**13-6**

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

6. **Premature Impact Assessment**

**13-7**

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

**III. Hydrologic Alterations and Impacts on the Vernal Pool**

1. **Reengineering of Channel A**

**13-8**

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

**Letter 13 Cont.**

13-8 Cont.

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

2. **Premature Conclusions on Impact Reduction**

13-9

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

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

13-10

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

**IV. Environmental Costs of Developing North of Channel A**

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

13-11

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

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

13-12

**Letter 13 Cont.**

**13-12 Cont.**

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

**3. Misrepresentation of Arsenic Contamination and Regulatory Avoidance**

**13-13**

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

**4. Public Health and Regulatory Risks from Soil Transfer**

**13-14**

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

**Letter 13 Cont.**

**13-14 Cont.**

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

**5. Pattern of Regulatory Avoidance**

**13-15**

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

**V. Deficiencies in the DEIR Alternatives Analysis**

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

**13-16**

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

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

**13-17**

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

**Letter 13 Cont.**

**13-17 Cont.**

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

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

**13-18**

- The BRPA is insufficient as a true reduced-impact alternative because, while it preserves the vernal pools, it fails to reduce other significant project-wide impacts (and in some cases increases them).
- CEQA mandates that EIRs include a genuine analysis of project alternatives, not just minor modifications to the proposed project.
- The failure to conduct a full alternatives analysis violates CEQA's core requirement to inform decision-makers and the public of environmentally superior options.
- If the City certifies this EIR without correcting the alternatives analysis, it risks significant legal challenges and potential regulatory intervention.

**VI. Recommendations**

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

**13-19**

- The DEIR must correct the misclassification of the vernal pools and fully acknowledge their scientific and regulatory status as jurisdictional wetlands subject to federal and state oversight.
- All vernal pools and associated wetland habitat must be placed under permanent, legally binding conservation protections to prevent future degradation or development.
- The conservation and management of the vernal pools must be overseen by the appropriate regulatory agencies, including the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the State Water Resources Control Board (SWRCB), to ensure compliance with applicable environmental laws.

**13-20**

2. **Hydrology Studies Must Be Expanded**

**Letter 13 Cont.**

**13-20 Cont.**

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

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

**13-21**

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

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

**13-22**

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

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

**13-23**

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

**VII. Conclusion**

**13-24**

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

**Letter 13 Cont.**

**13-24 Cont.**

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

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

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

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

Friends of the Davis Vernal Pools

## LETTER 13: FRIENDS OF DAVIS VERNAL POOLS

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

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

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

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

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

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

## Response to Comment 13-6

Please see Master Response 7.

## Response to Comment 13-7

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

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

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

## Response to Comment 13-8

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

## Response to Comment 13-9

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

## Response to Comment 13-10

Please see Master Response 1.

## Response to Comment 13-11

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Response to Comment 13-22

Please see Master Response 2.

## Response to Comment 13-23

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

## Response to Comment 13-24

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

**Letter 14**

**Dara Dungworth**

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

**Categories:** VFD Comment

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

Hi Dara,

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

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

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

https://limbicmedia.ca/projects/

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

14-1

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

Thank you for your consideration.

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

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## LETTER 14: LIMBIC MEDIA

### Response to Comment 14-1

Please see Master Response 1.

**Letter 15**

**Dara Dungworth**

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

**Categories:** Staff Follow Up, VFD Comment

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

Dara,

15-1

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

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

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

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

Thanks,
Alex

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

Nuveen, LLC
nuveen.com/greencapital

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## LETTER 15: NUVEEN GREEN CAPITAL

### Response to Comment 15-1

Please see Master Response 1.

**Letter 16**

SIERRA CLUB
FOUNDED 1892

Yolano Group
MOTHERLODE CHAPTER

Explore, enjoy and protect the planet

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

1. **Alternatives**

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

16-1

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

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

16-2

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

1

**Letter 16 Cont.**

2. **Biological Resources**

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

16-3

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

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

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

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

3. **Hazards and Hazardous Materials**

16-4

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

2

**Letter 16 Cont.**

**16-4 Cont.**

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

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

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

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





**Letter 16 Cont.**

**16-4 Cont.**

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

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

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

4. **Hydrology and Water Quality**

**16-5**

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

4

16-5 Cont.

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

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

16-6

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

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

16-7

5. **Transportation**

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

**Letter 16 Cont.**

**16-7 Cont.**

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

**16-8**

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

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

**16-9**

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

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





## LETTER 16: SIERRA CLUB YOLANO GROUP

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

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

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

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

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

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

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

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

Please also see Master Response 3.

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

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

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

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

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

**Letter 17**

THE cannery
DAVIS, CALIFORNIA

February 19, 2025

Dara Dungworth
ddungworth@cityofdavis.org

Re: Village Farms Draft Environmental Impact Report

Dear Ms. Dungworth,

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

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

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

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

**Letter 17 Cont.**

17-3 Cont.

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

**2. Unacceptable traffic safety impacts to The Cannery neighborhood.**

17-4

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

17-5

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

17-6

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

17-7

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

**Letter 17 Cont.**

17-7 Cont.

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

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

17-8

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

17-9

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

17-10

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

Sincerely,

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

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

## LETTER 17: THE CANNERY HOMEOWNER'S ASSOCIATION

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

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

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

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

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

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

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

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

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

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

## Response to Comment 17-10

Please see Master Response 1.

**Letter 18**

**Dara Dungworth**

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

**Categories:** VFD Comment

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

Good evening Dara,

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

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

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

**Eric Hernandez**
*Site Protection Manager*
**Yocha Dehe Wintun Nation**
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ehernandez@yochadehe.gov
yochadehe.gov |

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## LETTER 18: YOCHA DEHE WINTUN NATION

### Response to Comment 18-1

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

*Proposed Project, Biological Resources Preservation Alternative*

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

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

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

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

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

**Letter 19**

**Dara Dungworth**

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

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

**19-1**

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

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

**19-2**

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

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

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

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**Letter 19 Cont.**

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

**19-2 Cont.**

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

**19-3**

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

**19-4**

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

**19-5**

3. Disproportionate noise impacts to The Cannery neighborhood. From our review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road. While we defer to the expertise of Saxelby Acoustics, we note that their analysis relies heavily on estimates produced by the project's traffic engineer, GHD Group. In the interests of transparency, the City should seek to include any traffic plan, study or analysis created by GHD as part of the public EIR process.

**19-6**

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

Sincerely,
A Cannery Homeowner who vehemently rejects the Village Farm development.

2

**Letter 19 Cont.**

Adriana Martin Khan, MBA
Cell (310) 753-3405
adriana.martin415@gmail.com

## LETTER 19: ADRIANA MARTIN KHAN

### Response to Comment 19-1
The comment is introductory and provides an overview of concerns addressed in the following responses to comments.

### Response to Comment 19-2
Please see Responses to Comments 17-2 through 17-6.

### Response to Comment 19-3
Please see Response to Comment 17-6.

### Response to Comment 19-4
Please see Response to Comment 17-7.

### Response to Comment 19-5
Please see Response to Comment 17-8.

### Response to Comment 19-6
Please see Master Response 1.

**Letter 20**

**Dara Dungworth**

**From:** Aimee Shreck <ashreck@me.com>
**Sent:** Tuesday, February 25, 2025 11:23 AM
**To:** Dara Dungworth
**Subject:** Opposition to Village Farms proposal

**Categories:** VFD Comment

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

Dear Ms Dungworth and City of Davis council members,

**20-1** I am a homeowner in the Heirloom section of the Cannery neighborhood. I am writing to oppose the Village Farms project proposal and to support the positions expressed by the Cannery Board in their letter to you. I am copying that letter below.

Thank you.

Aimee Shreck
969 Jacobsen Lane
Original owner in the Cannery community

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Dear Ms. Dungworth,

**20-2** The Board of Directors of the Cannery Homeowners Association is writing to voice concerns which have been raised to us by a large number of our members and residents. After reviewing the documents provided regarding the Village Farms development proposal and the various alternatives evaluated during the Environmental Impact Review (EIR) process, the Board believes there are significant, specific, glaring shortcomings which will unreasonably burden the Cannery Homeowners Association and diminish the quality of life for our members. The Board is particularly concerned with: 1) material and adverse alteration to The Cannery Urban Farm; 2) unacceptable traffic safety impacts to the Cannery Neighborhood; and 3) disproportionate noise impacts to The Cannery neighborhood during and after project construction, as outlined in greater detail below.

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

**20-3** We have previously noted a lack of candor from both the Village Farms developers and City staff with respect to the Village Farms plan, particularly as to whether the Village Farms developers plan to make material, adverse alterations to the existing Cannery Urban Agriculture Transition Area (UATA) and Cannery Urban Farm. The developers' intentions have now become clear via the Draft EIR—they do indeed plan to construct a road running right through the Cannery Urban Agriculture Transition Area and Cannery Farm, to connect the planned development to the Cannery Avenue / J Street corridor.

**20-4** Page 3-23 of the Raney Draft EIR erroneously states: "It should be noted that an existing UATA buffer is located adjacent to the Cannery Farm and Cannery subdivision and includes demonstration gardens, community space, and a drainage corridor along the Cannery frontage. The Proposed Project would not result in modifications to the existing UATA." Construction of a paved road through the UATA at the eastern edge of the Cannery neighborhood will clearly result in a material, adverse alteration of the UATA, thus resulting in significant, and likely ongoing disruption to the operation of the urban farm. As imagined, designed and built, The Cannery Urban Farm is an essential and integral feature of The Cannery. The Cannery Urban Farm was

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**Letter 20 Cont.**

**20-4 Cont.** advertised to the original Cannery homeowners by both the City of Davis and the developer as a farm-to-fork community, with the farm as a selling point. While the development of Village Farms could have presented a unique opportunity to expand The Cannery Farm and integrate it with Village Farms' own educational farm concept, the developers of Village Farms would apparently rather pave over The Cannery Farm.

**20-5** 2. Unacceptable traffic safety impacts to The Cannery neighborhood. The Cannery community will suffer disproportionate traffic safety impacts from the planned Village Farms development and the planned linkage of Village Farms with the Cannery via the unacceptable, material, and adverse alteration of the Cannery UATA and Cannery Urban Farm. While traffic congestion and level of service is outside the scope of the EIR process, it is nonetheless obvious to any astute local observer that the current and anticipated future design geometry of the intersection of East Covell Boulevard and L Street is, and would in all likelihood remain, inadequate to handle the volume of vehicle trips exiting Village Farms during peak morning hours and returning to Village Farms during peak afternoon and evening hours. If a road is built through The Cannery Urban Farm, we expect that a substantial majority of vehicle trips between Village Farms and destinations to the west (including U.C. Davis, and destinations accessible via Highway 113 and 1-80 West) will instead travel through Cannery neighborhood streets, creating significant and unacceptable traffic safety impacts for Cannery residents, notably for the many children and elderly residents of the neighborhood.

**20-6** Unfortunately, the traffic study conducted by Fehr & Peers for Raney does little to reflect the truly grossly disproportionate traffic safety impacts which would be suffered by The Cannerydue to a linkage to Village Farms. For insight here, we must instead turn to the noise study conducted by Saxelby Acoustics, which is in turn informed by a study made by the project traffic engineer, GHD Group. Unfortunately, GHD's detailed estimates of traffic volumes have not been made public as part of the EIR process. Per Saxelby, GHD estimates that the portion of Cannery Loop west of Cannery Avenue currently carries 970 average daily trips, and expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farms development plan and Fehr's estimates of total trip volumes from Village Farms, we believe that total trips exiting the Cannery during peak morning and afternoon/evening periods via Market Street and Cannery Avenue could increase by anywhere from 200% to 400% immediately following the development of Village Farms, without consideration of further cumulative development impacts over time. Additionally, we note that while Raney concluded that "Higher Number of Units - Same Footprint" (HNU) alternative would result in lower VMT per capita, Raney appears not to have subjected the HNU alternative to a rigorous analysis of total VMT or vehicle trips. While automobile modal share would likely decline under the HNU alternative, we believe that traffic safety impacts to the Cannery could be even greater under this alternative.

**20-7**

**20-8** We emphasize that our concern is not solely with potential increases in traffic congestion of potential changes in the level of service. Instead, our concern is that the introduction of a step change increase in commuter traffic volumes to neighborhood streets presents an unacceptable risk to resident safety. Our concerns are heightened by the already significant traffic safety issues presented by the design of the Cannery, including inadequate traffic calming infrastructure and the very serious risks presented by the southwest Cannery Loop elbow. While we applaud the proposed mitigation at the southwest Cannery Loop elbow, we believe this crossing will remain intrinsically dangerous for bicyclists and pedestrians, and that Village Farms bicyclists should be encouraged to utilize safer routes, including the path immediately north of East Covell Boulevard, and the proposed linkage to the Cannery bike path at the northeast corner of The Cannery.

**20-9** 3. Disproportionate noise impacts to The Cannery neighborhood.

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

**Letter 20 Cont.**

**20-10**

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

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

this topic. Please keep us apprised with any news on this proposal.

**20-11**

Sincerely,

The Cannery Homeowner's Association

Elizabeth Coolbrith, President

Nile Garritson, Treasurer

Jill Fitzgibbons, Secretary

The Cannery Board of Directors

Sent from my iPhone

## LETTER 20: AIMEE SHREK

**Response to Comment 20-1**
Please see Master Response 1.

**Response to Comment 20-2**
Please see Response to Comment 17-1.

**Response to Comment 20-3**
Please see Response to Comment 17-2.

**Response to Comment 20-4**
Please see Response to Comment 17-3.

**Response to Comment 20-5**
Please see Response to Comment 17-4.

**Response to Comment 20-6**
Please see Response to Comment 17-5.

**Response to Comment 20-7**
Please see Response to Comment 17-6.

**Response to Comment 20-8**
Please see Response to Comment 17-7.

**Response to Comment 20-9**
Please see Response to Comment 17-8.

**Response to Comment 20-10**
Please see Response to Comment 17-9.

**Response to Comment 20-11**
Please see Master Response 1.

**Letter 21**

**Dara Dungworth**

**From:** Alexa Bach McElrone <alexa@bach-mcelrone.com>
**Sent:** Wednesday, February 19, 2025 9:17 PM
**To:** Dara Dungworth
**Subject:** Village Farms feedback from Cannery owner

**Categories:** VFD Comment

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

Hello,

Please accept the following feedback regarding the proposed Village Farms development.

I offer this perspective informed by extensive experience: I have over 20 years in sustainable real estate development and investing experience globally, from small projects to redefining a city's 2030 vision. I served as a Scholar in Residence for Sustainable Development at the Urban Land Institute. My interdisciplinary background spans conservation, policy, law, and planning. Locally, I live at 1651 Cannery Loop—the residential home likely to be most impacted by increasing traffic entering from Village Farms through the farm circle (which we adamantly disagree with). I've served on steering committees with the New Home Company, Leeland, the Cannery, and the city of Davis, and was a point of contact for the city's former Cannery Liaison (hired due to city's lack of expertise and staffing for proper oversight). I've also held multiple Cannery board roles.

21-1

In 2018 and 2019, I personally reviewed the Cannery CFD expenditures while investigating how funds were allocated. We discovered that significant portions were spent on the L Street intersection in preparation for Village Farms—providing no benefit to the Cannery. Moreover, over $70,000 identified by the city and earmarked for traffic calming (with community input) never reached our community and was later "lost." I still have the email records. Notably, I have been informed in recent years that I am the only one with these records, and even with public data requests, the city couldn't produce such information nor answer how our millions in tax dollars had been spent. I was told those records could not be found any longer.

I fully support the comment sent from our Cannery HOA board. Additionally, the city's track record with the Cannery raises serious concerns about its readiness for Village Farms. When we moved to the Cannery in 2017, we learned the city planner supposedly in charge hadn't been on site in over a year—information received during a direct phone call. City council and staff demonstrated limited understanding of the project yet proceeded with approvals. Many of us repeatedly had to explain basic real estate concepts--e.g., just because something was verbally discussed at some point over years the developers and builders (and future subsection owners) had no binding legal requirements. The written language of the Cannery plan and addendums was confusing to city staff and council. Basic procedures weren't followed. Later, we often heard from city staff that there wasn't anything they could do and fingers were pointed at New Home. When language is not put in writing or an addendum is vaguely written to allow for any possible scenario, that is what you will get. No teeth and almost anything goes. Cannery owners daily monitored and reported site safety issues (construction vehicles driven through areas with school children on bikes and forklifts carrying unsecured loads over our cars), working daily with the Cannery liaison not out of want but because the city did not provide oversight. Cannery owners did the job of city employees for years. We are informed, knowledgeable, and have been burned by unmet promises. Should the city of Davis pursue Village Farms in the same vein as the Cannery, I can guarantee you will hear from us on Day 1 and every day after. Our patience died years ago. Given that the Cannery project remains incomplete and challenged, how can the city justify undertaking what would be the largest project in Davis's history?

The handling of the Cannery farm further illustrates these concerns. The city squandered hundreds of thousands of dollars gifted by New Home Company specifically for a farm--and a farm that was functioning when handed over to the

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**Letter 21 Cont.**

**21-1 Cont.**

city. Initially, the farm was fully operational, producing food for community events and extra for food banks. As advisors to the first tenants (CLBL), my husband (a senior research scientist at USDA and UC Davis professor) and I witnessed fundamental misunderstandings about the farm's purpose. CLBL's vision stemmed from a misinterpretation of ULI case studies (secured at a meeting with the Senior Resident Fellow who was my mentor and good friend years ago), and the city lacked the expertise to provide proper oversight (or to even know what they should question). The final $100,000 was used solely for CLBL staff salary for an employee who was working at another property for almost a year. When she (the CLBL employee) told us, we alerted the city and reviewed the financial documents. However, the city deemed it "too political" to pursue reimbursement or additional services. The farm sat abandoned. Then, after owners invited multiple excellent potential tenants, they were all (ironically) dissuaded from partnering with the city of Davis due to what appeared to be very stringent restrictions and oversight. The city rented the barn to an entity that only wanted to use it as a storage facility—and they have. They've driven away the bike barn and other activities. They only farm a small portion of the Cannery farm and only when Cannery owners become vocal and pushy. It's quite taxing and negative. They currently have storage on the outside porch of the barn—first impressions by the Cannery entrance and sign are turning into slapped-together storage!

**21-2**

The Village Farms proposal itself raises red flags. The renderings are misleading—the depicted spacious layouts with extensive greenery and public spaces cannot possibly fit the actual site plan. The northwest corner floods annually, creating a seasonal pond that attracts migrating birds. This reality cannot be dismissed through hasty plowing or wildlife deterrence measures. Where is the rest of the green space? If that pond is protected, it is unusable. So where is the open space?

**21-3**

Traffic and safety concerns are paramount. The Cannery Loop to Covell entrance (by the barn) serves as a major route for cyclists and pedestrians, particularly students. Despite city staff's claims otherwise, this is demonstrably a crucial school route from elementary through college age. We've documented dangerous interactions and accidents involving pedestrians and cyclists versus vehicles. Any consideration of additional traffic must address our long-standing safety measures promised since 2016. The community remains underparked and faces ongoing traffic management challenges.

**21-4**

Specific questions demand answers:
1. Why pursue a neighboring development when the Cannery remains unfinished and the city has shown no growth in development oversight?

**21-5**

2. How will Village Farms' EIR requirements be enforced across multiple builders and contractors? How do they protect the Cannery and build on the farm/character versus adding a parking lot for small homes that lack buyers? Where are the market data that show Davis has a population of young families wanting to live in sub-1000sf homes for $800,000+? I don't see those data anywhere. Tiny homes may attract Bay Area or Asian (often sight unseen) investors. Both investor groups have been very interested in the Cannery. Per the current plan, Village Farms appears to be a parking lot of expensive tiny homes too small for families, in a college town with a very high rental occupancy rate. So, will Village Farms become a compressed concrete space for college student renters? How will you manage thousands of college students in a high-density, low-rise college housing grouping with many roommates per home and (per Cannery pattern) one car per student on the streets? Neither the EIR nor the site plan consider market data based on reality and provide mitigation measures for such data. The same was true in the Cannery. Feel free to ask us about the homes of 7+ college students with that many cars, often very expensive cars they race through the neighborhood (some literally race at regional tracks). Feel free to also ask us about how underparked we are, how our garbage and waste cans don't fit on the road because the plan used incorrect numbers and how we had waste services threaten to stop servicing the Cannery several times in the initial years. For Heirloom (3-story row homes in the Cannery), our garages weren't built to plan spec and don't fit two cars plus bikes and all three trash/recycling/green waste cans as promised. The plans that show all of those items fit have inaccurate metrics. These are just a few examples of fun conversations owners had to have early on due to city of Davis' selfishness and shortsightedness driven by a shiny metric while ignoring all else including the fact that these are our homes. We, and our biking children, are left to attempt to pick up the city's mess.

**21-6**

3. Is the city placing excessive trust in familiar partners while ignoring real estate realities?

**21-7**

4. How will lower- to mid-income buyers navigate potential issues like those facing Cannery residents? The Cannery's ongoing challenges—including 7+-year unresolved HVAC issues, warranty disputes, and the need for legal action against developer/builders—demonstrate the consequences of inadequate oversight. These burdens have strained our





**Letter 21 Cont.**

**21-7 cont.**

community, despite our residents having the resources and expertise to advocate effectively. How will the target demographic for Village Farms navigate this or worse?

If the city genuinely aims to provide housing solutions for the intended Village Farms residents, significant changes are necessary. The proposal must align with site realities, current Davis real estate conditions, and staffing needs experience with complex projects of this size. Most importantly, the city must demonstrate its preparedness through proper staffing, oversight, legal frameworks, and planning mechanisms.

**21-8**

Sincerely,
Alexa Bach-McElrone and family (who would like to walk and ride safely in our community)

—
Alexa Bach-McElrone
707.246.4596

*driving leadership in the good economy*

## LETTER 21: ALEXA BACH-MCELRONE

### Response to Comment 21-1
Please see Master Response 1 and responses to Letter 17.

### Response to Comment 21-2
Please see Master Responses 1 and 7.

### Response to Comment 21-3
Please see Master Response 5.

### Response to Comment 21-4
Please see Master Response 1.

### Response to Comment 21-5
Please see Master Response 1.

### Response to Comment 21-6
Please see Master Response 1.

### Response to Comment 21-7
Please see Master Response 1.

### Response to Comment 21-8
Please see Master Response 1.

**Letter 22**

**Dara Dungworth**

**From:** Alison Pease <alisonmp@gmail.com>
**Sent:** Monday, February 24, 2025 9:40 PM
**To:** Dara Dungworth
**Subject:** Comment on Village Farms EIR

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

I would like to comment on the draft EIR for Village Farms. Although I generally support finding ways to build more housing in Davis, I am disappointed with several aspects of the proposed Village Farms project--particularly its failure to put more focus on finding housing solutions for low income and "missing middle" families and individuals.

22-1

As to the Village Homes EIR, I have 2 comments:
1. The plan to reroute the slough will disrupt a long-term drainage system, thus raising flood risks for no apparent reason other than aesthetics. Moreover, the amount of digging and dirt relocation will have a significant negative environmental impact; and
2. the plan to locate a major park on the corner of Pole Line and Covell rather than further north in the development once again seems based on aesthetics (with an eye to attracting more votes) rather than on environmental concerns. This placement will result in having residents further from transportation access and to the shopping across the street. If it were moved further north (with dense housing being placed in that spot instead), there would be positive environmental impacts by encouraging walking to shopping and higher transit use.

22-2

Sincerely yours,

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**Letter 22 Cont.**

Alison Pease
Davis resident

1. Rerouting the slough that crosses the middle of the site is an aesthetic decision that would disrupt a long-term drainage system. It raises flood risk to try to relocate major existing drainage paths such as this one, and the amount of digging and dirt relocation alone would create a major environmental impact that is totally unnecessary to realize any of the alternatives.
2. Placing a major park on the corner of Pole Line and Covell simply pushes housing further away from transit access and makes it even less likely that people could walk to the shopping center that's across the street. This is purely an aesthetic decision made to attract votes. Placing dense housing in that area and moving the park north would reduce environmental impacts by encouraging walking to shopping and supporting higher transit use.

## LETTER 22: ALISON PEASE

### Response to Comment 22-1
Please see Master Responses 1 and 4.

### Response to Comment 22-2
Please see Response to Comment 100-7.

**Letter 23**

**Dara Dungworth**

**From:** allen bohnert <allenbohnert@hotmail.com>
**Sent:** Sunday, February 23, 2025 2:55 PM
**To:** Dara Dungworth
**Subject:** Comments on Village Farms Draft Environmental Impact Report (DEIR) Development - Please see below

**Importance:** High

**Categories:** VFD Comment

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

Comments on The Village Farms Draft EIR

**23-1** Concern #1 -do not build huge housing complexes on a flood plane. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change.

**23-2** Concern #2 traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and pole Line Road which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City has no plan to significantly improve its currently minimal, inadequate and inconvenient public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

Other thoughts and concerns:

**23-3** A.-infrastructure costs including a hugely expensive Pole Line bike/ped overcrossing which the developer is not committing to cover all the costs for. How many Davis residents are willing to subsidize the millions for that project?

**23-4** B. -what about the additional fire station that is being proposed that is not needed because 90% of the fire department calls are medical, NOT fire related issues. What instead is needed has been advocate for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the S14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go East) when the traffic is backed up most of the time?

**23-5** C. -habitat impacts including the tearing out of a significant number of trees to dig up group to expand and reroute Channel A which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

**23-6** This is just a few of the many problems with the Village Farms project but fortunately Davis residents were not fooled last time and voted it down, so we will not be fooled this time since this project has the same problems and more.

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**Letter 23 Cont.**

**23-6 Cont.**

Village Farms is proposing 1,800 units on over 400-acres is the largest residential project ever proposed in the City if Davis on a site with a plethora of problems impacts. The Village Farms land site has many innate problems, plus it is located is at one of the most highly impacted areas of traffic in the City at Covell Blvd. this project is too big, has far too many impacts and costs, and is simply bad planning.

Most people will not be able to afford these houses anyway. We need affordable housing, not more overpriced houses.

thanks you

allen bohnert
1854 Renoir Ave.
Davis, CA 95618
530-564-4585 (home tele)

2

## LETTER 23: ALLEN BOHNERT

### Response to Comment 23-1
Please see Master Response 4.

### Response to Comment 23-2
Please see Master Response 5. In addition, Mitigation Measure 4.13-3(b) included in Chapter 4.13, Transportation, of the Draft EIR would require the project applicant to fund the implementation of transit service and facilities improvements to the extent that they are identified in a Transit Service and Facilities Plan led either by Unitrans and Yolobus, or by the City with Unitrans and Yolobus participating as active project partners.

### Response to Comment 23-3
Please see Master Responses 1 and 6.

### Response to Comment 23-4
Please see Response to Comment 75-51.

### Response to Comment 23-5
Please see Master Responses 4 and 7.

### Response to Comment 23-6
Please see Master Response 1.

**Letter 24**

**Dara Dungworth**

**From:** Allie Rubin <allie.rubin@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:36 PM
**To:** Dara Dungworth; City Council Members; Planning Commission
**Subject:** Village Farms Feedback

**Categories:** VFD Comment

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

Dear City of Davis representatives,

I am writing to voice my concerns regarding the plan for the Village Farms development.

I am a Cannery Resident, living on Cannery Loop just adjacent to the proposed development. I am also a mother of two little boys and am a pediatrician in Davis.

**24-1** I echo the concerns regarding environmental impact, traffic and noise pollution that were outlined in the letter sent on behalf of the Cannery HOA. I am also concerned about the environmental impact outlined in the recent Enterprise article.

I understand that there is a desire to add more housing to bring more families to Davis and keep our schools funded. I am not convinced that this is the answer.

Specifically:
- If we want more families in Davis, we need to have homes that are attractive to families. Families want single family homes with backyards that are currently in the 500K-800K range. They do not want to live in apartments and townhouses. The Village Farms plan seems to be labeling affordable family housing as the apartments and townhouses, and then the single family homes will likely be going for 900K plus. What we have seen in the Cannery is that these single family homes will likely be purchased in large numbers by foreign investors. The small apartments will be filled with University students. The townhouses will fill with retirees downsizing.

**24-2** -Families also want the sweet small town of Davis- this is the main draw to this town. If you add 1800 units and 5000 people to Davis, it is no longer that same small town. Covell and Pole Line will likely become even more traffic congested and I am concerned this will significantly impact the safety and bikeability of our roads.
-The schools at risk in DJUSD are across town (Patwin, Montgomery) - not seeing how building in North Davis impacts those schools significantly.

Lastly, the Cannery residents have witnessed the false promises of developers and the city regarding the Cannery Urban farm as well as the commercial strip in front of the Cannery that have not been delivered on. It is hard to believe that the promises of additions of bike trail connections over F street and Pole line will come to fruition.

If you want families to move here, keep making Davis nice for families. Make an awesome park in the Cannery commercial strip surrounded by a protected plaza, walking area, and add family friendly restaurants and children's activity centers. The families will come if we invest in nice things for kids and families. We do not need 1800 new residences to achieve this goal.

Sincerely,
Allison Buss

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## LETTER 24: ALLISON RUBIN-BUSS

### Response to Comment 24-1

The comment is introductory and refers to The Cannery letter. Please see responses to Letter 17.

### Response to Comment 24-2

Please see Master Response 1.

**Letter 25**

**Dara Dungworth**

**From:** Anastasia Karp <amkarp@ucdavis.edu>
**Sent:** Tuesday, February 25, 2025 10:20 PM
**To:** Planning Commission
**Subject:** Comment on the North Davis Vernal Pools

**Categories:** VFD Comment

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

Good Evening!

**25-1** I write to say that regarding the North Davis vernal pools, I am very much in support of the "biological resource alternative" and creating a preserve around the vernal pool along with stewardship. I believe that this is the best option for that crucial area, when taking into consideration how vital it is as a rather rare native Californian ecosystem full of endemic and extremely rare plant species. As such, I believe it is very important that efforts be made to preserve the vernal pool through continuous stewardship. I sincerely hope you will take my input into careful consideration.

Thank you so much for your time and consideration!

All the best,
Anastasia Karp
UC Davis, Class of 2026
Environmental Science & Management Major

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## LETTER 25: ANASTASIA KARP

### Response to Comment 25-1

Please see Master Responses 1 and 7.

**Letter 26**

**Dara Dungworth**

**From:** Ann Privateer <annprivateer@gmail.com>
**Sent:** Wednesday, January 15, 2025 9:05 AM
**To:** Dara Dungworth
**Subject:** Re: The Village Farm Proposal

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

Dear City Staff Member,

**26-1** I am a retired teacher and was a city commissioner for thirteen years. The reason I am writing is to because I see many problems in your comments on the Village Farms Draft EIR regarding the project, here are some of the most concerning issues:

**26-2** - building hundreds of housing units on the 200 acres of flood plain is an enormous problem, and a fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change.

**26-3** -the toxics and other chemical contaminants leaking into the groundwater from the Old City Landfill and Sewage Treatment Plant located immediately adjacent to Village Farms. This includes PFAS "forever chemicals" exceeding maximum concentration levels allowed recently found from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals that cause cancer?

**26-4** -traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and pole Line Road which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City has no plan to significantly improve its currently minimal, inadequate and inconvenient public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

**26-5** -infrastructure costs including a hugely expensive Pole Line bike/ped overcrossing which the developer is not committing to cover all the costs for. How many Davis residents are willing to subsidize the millions for that project?

**26-6** -what about the additional fire station that is being proposed that is not needed because 90% of the fire department calls are medical, NOT fire related issues. What instead is needed has been advocate for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go East) when the traffic is backed up most of the time?

**26-7** - habitat impacts including the tearing out of a significant number of trees to dig up group to expand and reroute Channel A which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

**26-8** This is just a few of the many problems with the Village Farms project but fortunately Davis residents were not fooled last time and voted it down, so we need to not be fooled this time since this project has the same problems and more.

**26-9** This is such an important issue because Village Farms proposing 1,800 units on over 400-acres is the largest residential project ever proposed in the City if Davis on a site with a plethora of problems impacts. The Village Farms land site has many innate problems, plus it is located is at one of the most highly impacted areas of traffic in the City at Covell Blvd. and Pole Line Road which is also very close to where I live and have lived for forty years.

Thank You,

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**Letter 26 Cont.**

Sincerely,

Ann Privateer

## LETTER 26: ANN PRIVATEER (LETTER 1 OF 2, 01/15/2025)

### Response to Comment 26-1
Please see Master Response 1.

### Response to Comment 26-2
Please see Master Response 4.

### Response to Comment 26-3
Please see Master Responses 1 and 3.

### Response to Comment 26-4
Please see Master Response 5 and Response to Comment 23-2.

### Response to Comment 26-5
Please see Master Responses 1 and 6.

### Response to Comment 26-6
Please see Response to Comment 75-51.

### Response to Comment 26-7
Please see Master Responses 4 and 7.

### Response to Comment 26-8
Please see Master Response 1.

### Response to Comment 26-9
Please see Master Response 1.

**Letter 27**

**Dara Dungworth**

**From:** Ann Privateer <annprivateer@gmail.com>
**Sent:** Monday, February 24, 2025 11:36 AM
**To:** Dara Dungworth
**Subject:** Re: Building on a Flood Plain Makes no Sense

**Categories:** VFD Comment

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

Dear City of Davis,

I was recently talking about this issue with my neighbors, one of whom said, "if this passes we will move away from Davis."

**27-1** A fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change. Will north Davis resident need to buy flood insurance due to Village Farms?

Please, do not allow this to go forward.
Respectfully,
Ann Privateer

## LETTER 27: ANN PRIVATEER (LETTER 2 OF 2, 02/24/2025)

### Response to Comment 27-1

Please see Master Response 4.

**Letter 28**

**Dara Dungworth**

**From:** Anna Carr <ascarr1928@gmail.com>
**Sent:** Tuesday, January 21, 2025 4:26 PM
**To:** Dara Dungworth
**Subject:** Opposition to Village Farms Project

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

28-1 As a resident and homeowner in the City of Davis, I am writing to strongly oppose the Village Farms project due to its significant and unavoidable negative impacts on our community.

28-2 **Floodplain Development Risks**
Building 1,800 housing units on 200 acres of floodplain is fundamentally flawed. Climate change increases the likelihood of severe flooding, and legislation prohibits the State from bailing out cities that make reckless decisions to build in flood-prone areas. This risk is too great to ignore.

28-3 **Groundwater Contamination**
The proposed site is adjacent to the Old City Landfill and Sewage Treatment Plant, where toxic chemicals, including PFAS "forever chemicals," are contaminating groundwater. Recent tests show levels exceeding legal limits. How can we expect buyers to invest $700,000 to over $1 million for homes on land with contaminated groundwater linked to cancer risks?

28-4 **Traffic and Transit Concerns**
Located near Covell Boulevard and Pole Line Road, the project would drastically worsen traffic in an already congested area, endangering drivers, pedestrians, and bicyclists. With no plan to improve Davis's minimal and inadequate public transit system, this high-density development would amplify environmental and safety concerns while compromising emergency response times.

28-5 **Infrastructure Costs**
The project would burden the city and its residents with massive infrastructure costs, including a costly Pole Line bike/pedestrian overcrossing, for which the developer has not committed to full funding. Davis taxpayers already face significant financial obligations, including property, parcel, and library taxes—how much more can we bear?

28-6 **Unnecessary Fire Station**
The proposal includes a new fire station despite 90% of calls being medical, not fire-related. Instead, the city should invest in an Emergency Medical Service (EMS), which is more cost-effective. A fire station would cost $14 million to build and require millions more for staffing, equipment, and operations. Moreover, traffic bottlenecks would delay emergency vehicle access to the site.

28-7 **Environmental and Habitat Impacts**
The project would destroy significant habitat, including many trees, to expand and reroute Channel A, raising serious concerns about habitat destruction and increased flooding risks.

28-8 The Village Farms project is too large, too costly, and represents poor planning. Its numerous impacts far outweigh any potential benefits. I urge you to reject this proposal.

Thank you for your consideration.

Best regards,

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**Letter 28 Cont.**

Anna Carr

## LETTER 28: ANNA CARR

**Response to Comment 28-1**
Please see Master Response 1.

**Response to Comment 28-2**
Please see Master Response 4.

**Response to Comment 28-3**
Please see Master Response 3.

**Response to Comment 28-4**
Please see Master Response 5.

**Response to Comment 28-5**
Please see Master Response 1.

**Response to Comment 28-6**
Please see Response to Comment 75-51.

**Response to Comment 28-7**
Please see Master Responses 4 and 7.

**Response to Comment 28-8**
Please see Master Response 1.

**Letter 29**

# Comments on the Draft Environmental Impact Report for the proposed Village Farms development project in Davis, CA

By Ari Halberstadt, Davis resident, February 25, 2025

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29-1

## 1 Summary

These comments relate to chapter 4 of the Draft Environmental Impact Report (DEIR) for the proposed Village Farms development project in Davis. Chapter 4 addresses air quality, greenhouse gas emissions, and energy impacts. In these comments, I analyze the Biological Resource Preservation Alternative (BRPA), which is the leading option being offered by the city and the developer.

Emissions, especially greenhouse gasses, from the proposed project will be significant, particularly due to emissions from vehicles and electricity consumption. Fortunately, a variety of mitigation measures are available

to reduce emissions. In these comments, I present an alternative to the DEIR's approach for analyzing the emissions expected from the proposed project that is better suited to evaluating mitigation measures, including a community energy system. I also suggest additional mitigation measures that can help reduce emissions from the proposed project.

Compared to the DEIR's approach, this analysis revealed higher short-term emissions for the BRPA scenario, followed by declining emissions due to statewide changes in energy and transportation. The higher short-term emissions were due to several factors, including growth in the population residing in the development from 2028 to 2033, higher estimated electricity consumption for the project, higher emissions from electricity, higher mobile emissions due to inclusion of life-cycle gasoline emissions, and inclusion of embodied emissions from construction materials. Once the population of the development stabilizes, which is expected to happen by 2033, the analysis showed declining emissions. The decline would be expected due to two main reasons. First, state policies and other factors are expected to lead to increased electric vehicle adoption. By 2040 the population of light-duty vehicles could be 65% electric, with much lower emissions than gas-powered vehicles. Second, state and other policies, including renewable portfolio standards, are expected to lead to decreasing emissions from electricity.

**29-1 Cont.**

Even with these expected declines, though, the project would still cause significant emissions throughout the analyzed timeframe. Emissions would be particularly significant per capita in the earlier years, when there are more gas vehicles and grid electricity is more polluting. The project would therefore benefit from actions the city and developer could take to mitigate emissions further. In these comments I provide recommendations for mitigation measures that could reduce emissions and the environmental impact of the project.

I analyzed the emissions from the project for three scenarios:

1. A "No System" scenario, in which there is no renewable energy installed on site.
2. A "BRPA" scenario, consistent with the BRPA and with compliance with Davis' municipal energy codes, for which I estimate that 8 MW of solar photovoltaic generation would be installed on site.
3. A community energy system ("CES") scenario, in which 16 MW of onsite shared solar photovoltaic generation is combined with 5.8 MW / 50 MWh of shared battery storage.

An on-site community energy system, which I had suggested for study in the EIR in my prior comments for the earlier Notice of Determination, would provide significant mitigation of emissions from electricity use, including electricity used for charging electric vehicles, and would also lower criteria and health pollutant emissions. For the years 2028-2040, a community energy system could reduce GHG emissions to 1,902 metric tons of $CO_2$-equivalent emissions ($tCO_2e$) compared to the BRPA's 15,912 $tCO_2e$, a reduction of 88%. Financial analyses also indicate significant savings are possible with a community energy system, at least some of which could be applied to fund additional mitigation measures.

In these comments I suggest multiple additional mitigation measures. Below are a few of the measures I suggest, and their potential impact.

- Creation of a mitigation fund, which could be financed both by the developer and through revenue from a community energy system. This fund could finance implementation of these and other mitigation measures.
- Expansion of public transit through an electric passenger van fleet, which with a pool of 10 vans might mitigate 1,750 $tCO_2e/yr$.

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**29-1 Cont.**

- Provision of a light-duty electric vehicle shared fleet, which with 77 vehicles might mitigate 3,000 $tCO_2e/yr$.
- A micromobility electric shared fleet, which with 100 micromobility vehicles might mitigate 194 $tCO_2e/yr$.
- Conversion of the municipal fleet to an all-electric fleet, which might mitigate 500 to 1,000 $tCO_2e/yr$.
- Creation or expansion of a city-wide charging network, to encourage and support electrification of vehicles.

Including the community energy system, along with the examples above whose impact I estimated, might mitigate 6,812 $tCO_2e/yr$. For the year 2033, this would represent a reduction from 21,275 $tCO_2e/yr$ in the unmitigated BRPA scenario to 13,950 $tCO_2e/yr$ in the mitigated scenario, or a reduction of over 34%.

These mitigation measures would implement or support many actions in the city's Climate Action and Adaptation Plan (CAAP). These measures could potentially be expanded beyond the project, and could form a template for mitigation of emissions from other proposed development projects. By including the mitigation measures I describe, the proposed project would have reduced impacts, would be more effective in achieving Davis's climate goals, and potentially more attractive to the project's residents and the Davis community more broadly.

# 2 Alternative emission estimates

Emissions due to electricity depend on the amount of energy used, when and where it is used, and the emissions associated with the energy sources used to provide the energy. In this section, I describe an approach and provide emission values using hourly electric load shapes and long-run marginal emission factors, for both greenhouse gas emissions and criteria pollutants. In addition, I address emissions due to consumption of the electricity needed to power the electric vehicles expected to be associated with the project. An alternative local energy system incorporating shared solar and storage will be shown to be capable of mitigating approximately 90% of the emissions due to electricity consumption. This mitigation measure should be considered for implementation as part of the project.

## 2.1 Rates of emissions from electricity

**29-2**

The DEIR uses a single average rate of emissions. Using a single average rate obscures the effect of the time of use of electricity, which also obscures the effects of mitigation measures such as battery storage and load flexibility. Battery storage can store energy from clean solar generation during the day and discharge it at night. Load flexibility can shift loads from times when the grid is more polluting to times when it is cleaner, such as running an electric water heater at noon instead of at midnight. A single average rate for each year of an analysis also obscures the effects of future policies that could lead to reduced emissions on the grid. California has increasing renewable portfolio standards and is moving towards a 100% zero-carbon electric grid, so emissions from electricity would be expected to decline over time.

The DEIR used an emissions rate of about 206 lbs/MWh, or 93.44 kg/MWh. This rate was based on the power content label for PG&E from 2019 and is calculated, basically, by accounting for the total emissions attributed by PG&E for purchased generation, divided by the amount of generation, over the course of a year. However, the emissions associated with the power actually delivered to a customer depend on the power mix at a given moment on the electric grid providing power at that location. This rate of emissions can be higher or lower than the average, depending on factors including timing, location, method of generation, and effects of transmission

and distribution. The actual power mix used to serve a load, and in particular the marginal generator used to supply a load (or displaced by the lack of a load) does not have to correspond to electricity purchases. To put it succinctly, purchases are financial transactions, whereas emissions are physical events.

The marginal rate of emissions associated with delivering electricity to the location of a load can be used to capture the effect on emissions due to a load. When a new load is served on the grid, it will cause an increase in the output of the marginal generator. Conversely, when a unit of load is avoided, then the marginal generator provides less electricity. The specific marginal generator will vary from moment to moment, as well as the actual emissions generated from it. For instance, marginal emissions could be zero in the middle of a sunny day when there is excess solar on the grid. But, in the middle of the night, marginal emissions could be much higher. At peak grid demand times emissions can increase dramatically, as the dirtiest and least efficient generators are fired up. Each day of the year could have different emission rates, though generally in California, due to an abundance of solar generation, midday emissions are lowest.

**29-2 Cont.**

The National Renewable Energy Lab (NREL) developed the Cambium emission scenarios to predict the hourly rate of emissions across different regions and for different projections of future grid evolution (NREL 2025c). The resulting hourly metrics can be used to estimate the emissions from load on the CAISO grid for each hour of the year for future years. Their long-run marginal emission rate (LRMER) model captures the impact of possible changes to the grid over time, as well as the resulting marginal emission rates (Gagnon P and Cole W 2022). LRMER avoids some of the limitations of average and short-run emission models. Using a model such as NREL's LRMER can provide a prediction of future emissions from the project that is more likely to match actual emissions, as compared to using a flat historic average value for all hours of the year and all future years.

## 2.2 Electricity consumption

**29-3**

The proposed project will use all electric systems; no natural gas would be used. The DEIR, however, used CalEEMod to estimate annual electricity consumption, which does not include models for all-electric energy use. CalEEMod bases its estimates of residential electricity consumption on the CEC's 2019 Residential Appliance Saturation Survey (CalEEMod 2022 pD-12). The homes included in the survey were built to a mix of building standards and, importantly, incorporate a mix of energy sources including natural gas. CalEEMod therefore incorporates electric consumption and non-electric gas consumption. Since gas consumption substitutes for electric consumption for uses like space heating and cooking, the estimate of electricity use will be lower than for an all-electric home. Thus, CalEEMod is using a set of building energy consumption and electricity demand values that are not a good estimate for the consumption that would be expected for the proposed project.

Further, CalEEMod does not incorporate demand from EVs in its emission estimates. As of 2023, 7.33% of light-duty vehicles (LDVs) in Davis are EVs and PHEVs, based on numbers in the CEC's vehicle population tool for Davis' zip codes (95616, 95617, and 95618) (CEC 2025). The number of EVs can be expected to increase in the future, so 7.33% is a lower bound.

**29-4**

A single EV, driven 12,000 miles a year, might consume 4 MWh/yr. In 2023 there were 46,867 vehicles registered in Davis and 25,941 households (US Census 2025), so there are about 1.8 vehicles per household. With 1.8 vehicles per household, and 1,800 residential units for the proposed development, we can expect about 3,240 vehicles total of which at least 260 might be EVs. In 2033, there might be 998 EVs consuming nearly 4,000 MWh. If the percent of EVs were to reach 65% of vehicles by 2040, then there would be 2,106 EVs associated with the development in 2040, consuming 8,424 MWh/yr.

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Using CalEEMod's flat 206 lbs/MWh emissions rate, or 93.44 kg/MWh, the 998 EVs in 2033 would produce 374 $tCO_2e$/yr. Yet, as already discussed, this average rate of emissions obscures the effect of the timing of load. As an illustration of this, consider emissions associated with charging an EV on the night of February 9th, 2025. It takes on average 11 MWh/day to charge 998 EVs. The average rate of emissions from midnight to 6 AM that day was about 250 kg/MWh. Thus, if the vehicles were charged at night, they might cause the emission of 2,750 kg CO2. But, during the day from 9 AM to 3 PM emissions average just 21 kg/MWh, so those same vehicles, if charged during the day, might cause only about 231 kg CO2 in emissions. This is a dramatic illustration of how the timing of energy consumption can affect emissions, in this example leading to a 12x difference in emission rates.

Thus, a mitigation measure would encourage and support the charging of EVs during the day, rather than at night, and the use of energy storage to shift energy from daytime to nighttime for those loads that do run at night. However, this possibility for mitigation is apparent only if emission rates with sufficient temporal resolution are used.

## 2.3 Hourly electric load model

NREL has produced the ResStock dataset, incorporating simulated electric load shapes at hourly resolution for multiple housing types across a variety of climate zones, along with different combinations of energy measures (NREL 2025b). To model the loads due to the proposed buildings, the housing types proposed for the BRPA were mapped to housing types used in ResStock.

The land uses and housing types for the proposed project were provided in Appendix R of the Village Farms Davis TIS [Transportation Impact Study]. The TIS notes that "Information needed to identify the appropriate ITE residential land use categories was verified by City of Davis staff and the project applicant team, including the anticipated number of floors for the project's multifamily units and the number of single-family units that would be attached or detached." Therefore, I used the information in the TIS as the basis for matching the corresponding ResStock building types to use in the energy model.

**29-5**

**Table 3: Village Farms Davis – BRPA Land Uses**

| BRPA Project Description | | | Transportation Analysis Land Use Inputs | |
|---|---|---|---|---|
| **Land Use Type** | | **Quantity[1]** | **ITE Land Use Category (Type and Code)** | **Quantity[1]** |
| Residential Dwelling Units | | 1,800 DU | Single Family Detached Housing (210) | 1,230 DU |
| | | | Single Family Detached Housing (210)[2] | 90 DU |
| | | | Single Family Attached Housing (215) | 120 DU |
| | | | Multifamily Housing Low Rise (220) | 90 DU |
| | | | Affordable Housing Income Limits (223) | 270 DU |
| Neighborhood Mixed-Use | Neighborhood Services | 2.8 Acres | Strip Retail Plaza (822) | 30.5 KSF[3] |
| Public/Semi Public | Fire Station | 2.5 Acres | Fire and Rescue Station (575)[4] | 32.1 KSF[5] |
| | Pre-K Early Learning Center | 2.4 Acres | Day Care Center (565) | 17.7 KSF[6] |
| Parks/Recreation | Heritage Oak Park | 20.3 Acres | Public Park (411) | 20.3 Acres |
| | Village Trails Park | 7.5 Acres | Public Park (411) | 7.5 Acres |

*Table 1 Table of housing types for BRPA, from TIS.*

Based on the above table from the TIS, the following ResStock building types were selected.

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| ResStock housing type | ResStock units |
|---|---|
| Single family detached | 1320 |
| Single family attached | 120 |
| Multi-family 2-4 units | 90 |
| Multifamily 5 plus units | 270 |

*Table 2 ResStock housing types and numbers.*

Since the proposed project would use all-electric construction, I used measure package 13 from the ResStock dataset, "Ultra High Efficiency Air-to-Air Heat Pump With Electric Backup + Light Touch Envelope + Full Electrification". This measure package is all electric and implements several measures consistent with efficient all-electric construction.

ResStocks's aggregate hourly load shapes for Davis' climate zone for these housing types and the selected upgrade package were used to derive aggregate hourly load shapes for the proposed project. In addition, charging load corresponding to an estimate of EV load was also incorporated into the overall load shape. Total annual load with this model was approximately 21.0 GWh in 2033, compared to the DEIR's estimate of 13.3 GWh. See Figure 1 for estimated annual loads. Load was estimated to grow rapidly from 2028 to 2033 as the proposed project is built and occupied. Load was also estimated to grow due to increasing adoption of electric vehicles, which would continue throughout the years modeled.

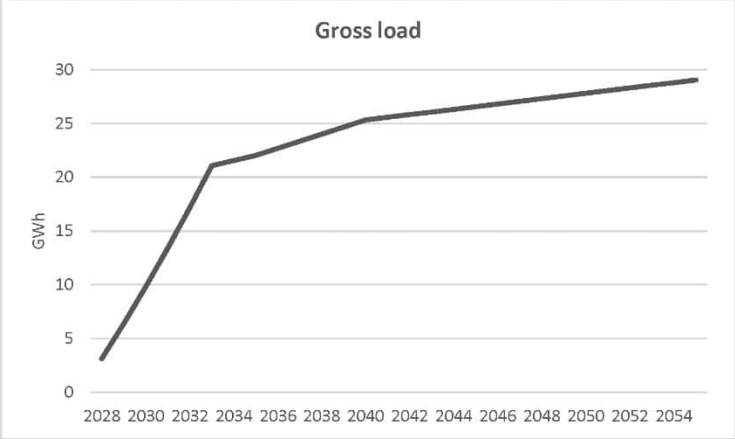



*Figure 1 Gross load for each year, adjusted for population growth through 2033 and ongoing EV adoption.*

The hourly and annual load values created with this approach are intended to provide an estimate of hourly energy use for the BRPA for a typical year. Actual loads will depend on building energy use as well other loads including electric vehicles. Load for the residential units will depend on the specific types of buildings that are ultimately constructed, the materials and techniques used in their construction, weather patterns, occupant and operational behavior, and more. The actual load shape for the buildings would therefore be expected to vary

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from the modeled loads; however, I believe that the modeled loads provide a reasonable estimate of the anticipated loads, given the information available at the time of writing.

## 2.4 Electricity emission scenarios and estimates

The hourly load shapes calculated above, combined with the hourly marginal emission rates, provide the inputs to calculate emissions from the proposed project. The emissions, though, will depend on the sources and patterns of energy used to provide power to the project. Different renewable energy scenarios can lead to very different amounts of emissions. According to the project description, solar energy will be incorporated in accordance with Davis' municipal code. I estimated that compliance with this code would entail installation of about 8 MW of on-site solar generation, in a "BRPA" scenario. Another option, the Community Energy System ("CES") scenario was also analyzed, in which a community solar plus storage system serving power to the development is incorporated into the BRPA project, replacing the 8 MW of solar in the BRPA scenario.

NREL's REopt Web Tool (NREL 2025) is able to calculate optimal economic system size and hourly battery dispatch for a solar plus battery installation. Using the hourly load shapes and PG&E's electricity pricing data as inputs, REopt was used to calculate the size and battery dispatch for a solar plus storage system, as shown in the CES scenario in Table 3 below. For the initial system sizing and battery dispatch analysis using REopt it was assumed that the project was occupied in 2028, annual load was 18,733 MWh, and load did not grow in subsequent years. An estimate of increasing load from increasing occupancy through 2033 and from ongoing EV adoption was then incorporated into subsequent steps of the analysis.

**29-6**

| Scenario | Solar generation | Battery storage |
|---|---|---|
| No system | - | - |
| BRPA | 8 MW | - |
| CES | 16 MW | 5.8 MW / 50 MWh |

*Table 3 Scenarios analyzed.*

To calculate emissions due to consumption of grid power, marginal hourly emission rates were multiplied by hourly net grid consumption as calculated by REopt. NREL's LRMER values for the midcase scenario in CAISO territory were used for the emissions rates associated with grid electricity consumption. The LRMER values were provided in 5-year increments from 2025 through 2050. Interpolation between each 5 year interval was used to derive values for intermediate years, while for the years after 2050 it was assumed that grid emissions were halved every 5 years. It was assumed that hourly grid consumption patterns remained the same across the years analyzed.

Figure 2 shows total climate emissions using the LRMER emission values. For the No System scenario significantly more climate emissions would be generated by the project from electricity consumption over the analysis period. Under the BRPA scenario emissions could be reduced by about 21%. However, under the CES scenario emissions could be reduced by over 90%, **avoiding the emission of nearly 28,000 $tCO_2e$**. On a straight annualized basis, this would reduce annual emissions by over 1,000 $tCO_2e$, as compared to a project with no renewable energy system. However, this straight annualization would obscure the impact of emissions early in the project, when the grid is expected to produce higher emissions than in later years.

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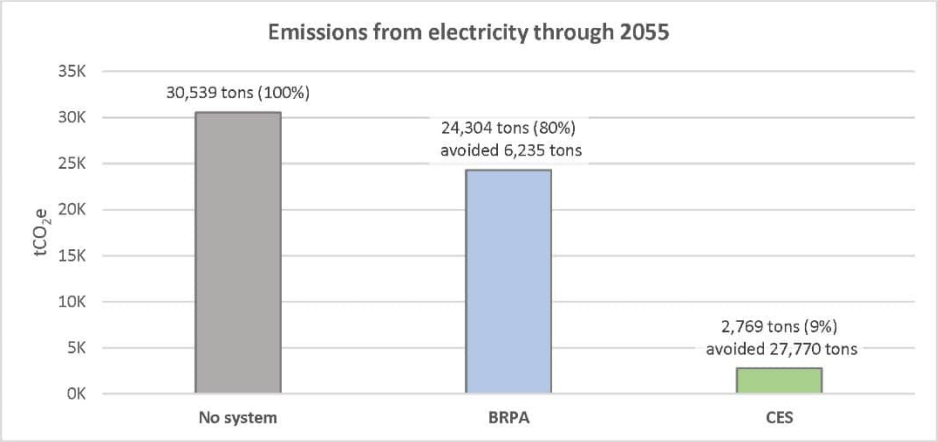



*Figure 2 Total estimated climate emissions from 2028 to 2055.*

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Figure 3 shows annual and cumulative emissions from electricity consumption associated with the three scenarios. For the year 2033, for instance, by which time much of the project would be expected to be in service and consuming electricity, emissions for the No System scenario would be about 2,500 $tCO_2e$, while for the BRPA scenario emissions would be 1,803 $tCO_2e$. But, with the CES scenario emissions would be just 219 $tCO_2e$. Figure 3 also shows how the overall grid is predicted in the LRMER models to become cleaner over time, with significant reductions in emissions through 2036, followed by more moderate reductions through 2055. This declining emissions rate means that emissions in the initial years of the project would be higher than in latter years. For any given year, though, emissions from the CES scenario would be about 10% of the No System scenario. Figure 3 also shows cumulative emissions for the three scenarios. This further illustrates how emissions accumulate rapidly under both the No System and BRPA scenarios, while under the CES scenario cumulative emissions remain much lower.

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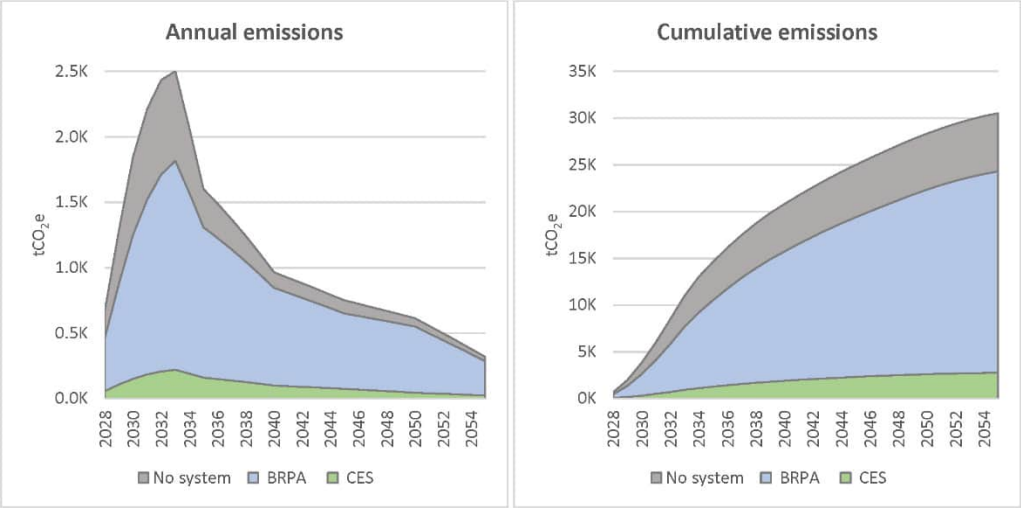



*Figure 3 Annual and cumulative climate emissions due to operational energy use.*

By using hourly load shapes and long-run marginal emission values, this analysis has shown the dramatic impact possible with a community solar plus storage system providing electricity to the development. The long-run marginal emission values also show a plausible trajectory for future emissions, assuming macro policies and changes are realized as predicted in the model.

## 2.5 Electric vehicle emissions

As more EVs are adopted, they will increase electricity demand, causing increased grid emissions due to increased electricity consumption. At the same time, conversion of gas-powered vehicles to EVs will result in reduced emissions. The CES scenario can significantly mitigate the emissions due to EV charging, such that emissions from electricity used to charge EVs will be significantly lower with the CES scenario than either the No System or BRPA scenarios.

**29-7**

Davis has about 1.8 vehicles per residence, given that there are 25,941 residential units (US Census 2025) and 46,867 light-duty vehicles (CEC 2025) in the city. Therefore, the proposed project may be expected to have 3,240 light-duty vehicles, assuming it maintains the same ratio of vehicles to residences as Davis overall. EVs currently constitute between 7 and 8% of vehicles registered in Davis, based on data in CEC's Light-Duty Vehicle Population in California tool (CEC 2025). Overall future EV uptake was modeled to correspond, approximately, to the adoption of EVs at a rate consistent with state goals (Sperling et al 2021), reaching 65% of total vehicles by 2040. Using this model for EV adoption, by 2028 there may be over 13% EVs, or 434 vehicles associated with the project, while in 2033 there could be 998 EVs, and by 2040 this may increase to 2,109 vehicles.

Figure 4 shows annual emissions from EVs, using the LRMER emission values, for the three scenarios and given the modeled number of EVs and expected energy consumption for each EV. For this model, it was assumed that the EVs charged 50% from 8 AM to 4 PM, and 50% during the remaining hours of each day. The solid green line shows the modeled number of EVs in each year. Despite the increasing adoption of EVs, Figure 4 shows annual

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emissions starting to decline in 2032 due to reduced emissions on the grid. Despite these declines, emissions under the No System and BRPA scenarios remain several times higher than for the CES scenario.

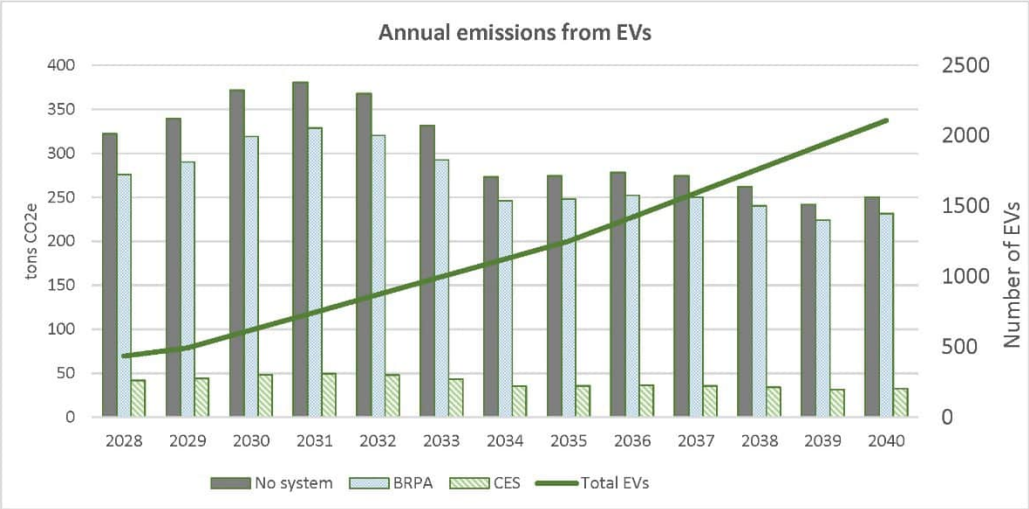



*Figure 4 Annual emissions due to grid electricity used to charge EVs, as well as EV adoption curve.*

Figure 5 shows modeled cumulative emissions through 2040 associated with EV use. The CES scenario reduced cumulative emissions through 2040 by 87% from the No System scenario, saving 3,452 $tCO_2e$, a reduction of 288 $tCO_2e/yr$ on average. In contrast, the BRPA scenario reduced emissions by only 11% over the same time period.

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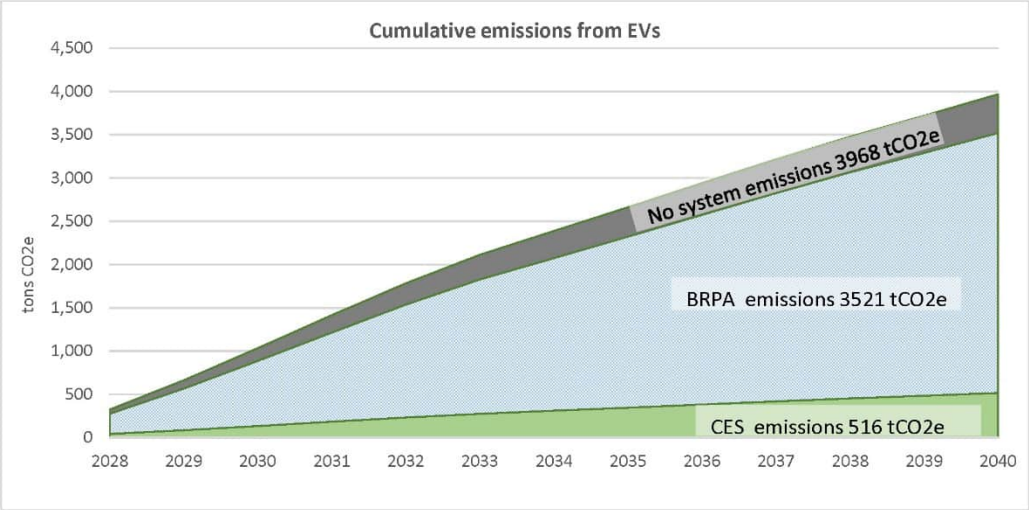



*Figure 5 Cumulative emissions due to grid electricity used to charge EVs.*

## 2.6 Mobile emissions

The largest category of emissions in the DEIR are due to mobile emissions. Tables 4.3-20 of the DEIR is reproduced below. The DEIR provides an estimate of 47,900,000 VMT for the BRPA, based on the Transportation Impact Study prepared for the proposed project by Fehr & Peers. The DEIR assumes an average fuel efficiency of 24.8 mpg (p4.3-65). This would result in consumption of 1,931,451 gallons of gasoline. At a tail-pipe emissions rate of 8.887 kg $CO_2$/gallon (EPA 2022) this would result in 17,165 $tCO_2e$, very close to the mobile annual GHG emissions provided in table 4.3-20. Note that this assumes that only gasoline is used, e.g., no diesel is used.

**29-8**

**Table 4.3-20**
**Unmitigated Operational GHG Emissions ($MTCO_2e$/yr) – BRPA**

| Source | Annual GHG Emissions |
|---|---|
| Mobile | 17,389 |
| Area | 23.5 |
| Energy | 1,246 |
| Water | 138 |
| Waste | 406 |
| Refrigerants | 3.8 |
| **Total Annual Operational GHG Emissions** | **19,206** |

Note: Rounding may result in slight differences in summation.

***Source: CalEEMod, March 2024 (see Appendix C).***

*Table 4 Operational GHG emissions from DEIR.*

The emissions rate used in the DEIR accounts only for tailpipe emissions from ordinary gasoline combustion. Each gallon of fuel consumed, though, is associated with upstream lifecycle emissions. In addition, the EPA's tailpipe emissions rate is a generic rate that does not account for the actual fuel used in California. The California

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Air Resources Board (CARB), under its Certified Fuel Pathways program, assesses the emissions associated with the sources of fuel in California and the California-specific CARBOB fuel blend. CARB provides a value of 100.72 $gCO_2e/MJ$, as shown in Table 5Table 3 and on CARB's website (CARB 2025). The conversion factor for MJ to gallons of gasoline is approximately 131.75 MJ/gallon, so the CARBOB tailpipe emissions would be 9.7245 kg $CO_2e$/gallon, while overall emissions from gasoline would be 13.270 kg CO2e/gallon.

**Table A.1. Summary Table of CARBOB CI**

| Component | Total CI* $gCO_2e/MJ$ |
|---|---|
| Crude Recovery and Crude Transport | 12.61 |
| Refining | 13.78 |
| CARBOB Transport | 0.52 |
| Tailpipe Emissions | 73.81 |
| Total CI | 100.72 |

* Individual values may not sum to the total due to rounding

*Table 5 Life-cycle emissions of gasoline in California (CARB 2023).*

With these numbers, we have

CARBOB tailpipe emissions: 1,931,452 gallons * 9.7245 kg $CO_2e$/gallon / 1000 kg/t = 18,782 $tCO_2e$

CARBOB lifecycle emissions: 1,931,452 gallons * 13.270 kg $CO_2e$/gallon / 1000 kg/t = 25,630 $tCO_2e$

The mobile lifecycle emissions are thus 147% higher than the emissions accounted for in the EIR. CARB's California-specific lifecycle emissions values better reflect the actual emissions associated with consumption of gasoline. This higher value emphasizes both the need to mitigate mobile emissions, as well as the larger impact that mitigation measures would have.

## 2.7 Embodied emissions

29-9

In my comments for the Notice of Determination I noted that embodied emissions could be significant and should be addressed in the EIR. I estimate that embodied emissions from construction of homes for the project could be nearly 70,000 $tCO_2e$, which on a 50-year annualized basis is 1,400 $tCO_2e$/yr. This estimate is based on the given number of units, an estimate of the size of each unit, and an average value of 184 kg $CO_2e/m^2$ in emissions for residential construction (Magwood C et al 2023), as well as an estimate for emissions from roadway construction (Espinoza M et al 2019). These embodied emissions do not include all embodied emissions, or the actual amounts of embodied emissions that would be created by the project, and so are a rough estimate of these emissions. Yet, "**reductions of 30 to 50 percent can be demonstrated with commercially available, affordable, and code-compliant building materials**" (Magwood C et al 2023). A reduction in embodied emissions of 50% could therefore reduce these emissions by 35,000 $tCO_2e$ and annualized emissions to 700 $tCO_2e$/yr.

## 2.8 Overall population-adjusted emissions

29-10

The proposed project is not expected to be fully occupied until around 2033, the year analyzed in the DEIR. Therefore, I assumed that the population of the proposed development would grow steadily from 2028 through 2033, and thus scaled emissions to match this. Figure 6 shows emissions from all quantified sources for the

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DEIR's analysis and for the BRPA and CES scenarios, with all results adjusted for the project's expected population in each year.

Two aspects in particular are evident in these figures. First, emissions are dominated by mobile emissions. Second, emissions grow from 2028 to 2033 as more of the project is constructed and people move into it, and, in the BRPA and CES scenarios, emissions drop thereafter due to modeled transportation electrification and reduced grid emissions consistent with recent statewide policy goals. The left chart in Figure 6 shows total emissions including all categories of emissions, whereas the chart on the right excludes mobile emissions. In the chart on the right it can be seen that under the CES scenario emissions would be significantly reduced. In addition, cumulative emissions (not shown in this figure) under the CES scenario would be much lower, since for each year the CES scenario's emissions are lower than either the BRPA scenario or the DEIR's analysis.

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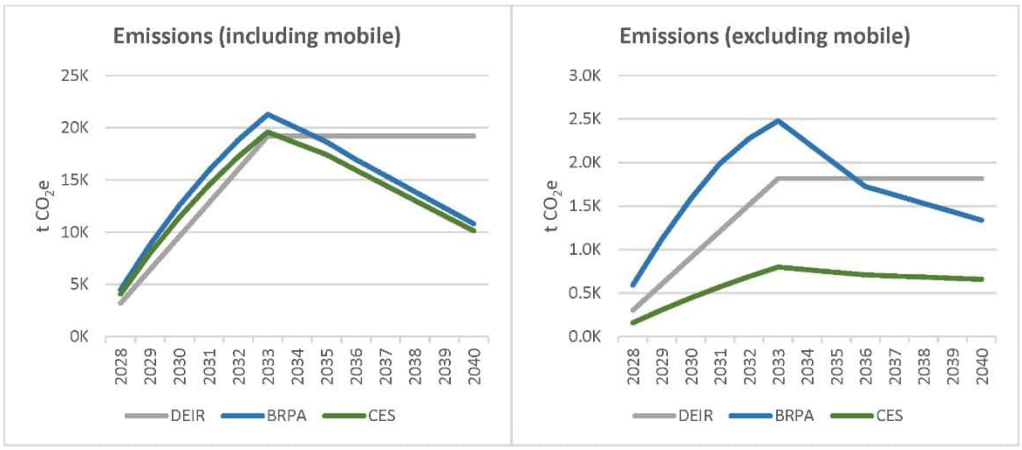



*Figure 6 Emissions for DEIR, BRPA, and CES scenarios, adjusted for growth in project population from 2028-2033, including mobile emissions (left) and excluding mobile emissions (right). The BRPA and CES scenario emissions include embodied emissions, which were not included as part of the DEIR analysis.*

## 2.9 Sensitivity of emissions to macro conditions

**29-11**

As noted, the analyses included the impact of two major factors that are external to the proposed project and that would be expected to reduce emissions over time. These factors are:

1. EV adoption will proceed in a manner consistent with state policies, such that about 65% of light-duty vehicles will be electric in 2040.
2. The overall CAISO electric grid will move toward lower emission intensity, as modeled in NREL's mid-case scenario.

If these two factors do not lead to decarbonization at the expected pace then emissions from the proposed project would be significantly higher. To explore the effect of changing these assumptions, I modeled EV adoption proceeding at 1/3 of the rate along with emissions on the CAISO grid reaching the LRMER's 2030 levels and remaining the same thereafter. The results of these changes are shown in Figure 7.

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Emissions from electricity under these changed predictions are much higher. With the lower EV adoption rate, only 30% of vehicles would be electric in 2040, compared to 65% in the prior analyses. The change in EV adoption reduces electricity consumption, but leads to an increase in mobile emissions from gas vehicles (not shown), while the more polluting grid results in higher emissions from electricity. Cumulatively, emissions under the BRPA exceed 67,000 $tCO_2e$. In contrast, emissions under the CES scenario remain much lower, at 8,163 $tCO_2e$, a reduction of 90% and almost 92,000 $tCO_2e$ from the No System scenario and about 59,000 $tCO_2e$ from the BRPA scenario. This demonstrates how a local community energy system could mitigate emissions from the proposed project, even if macro conditions do not develop as expected. In the mitigation section, I propose additional measures to reduce mobile emissions, which could be even more significant if mobile emissions from gas vehicles remain higher due to reduced EV adoption.

**29-11 Cont.**

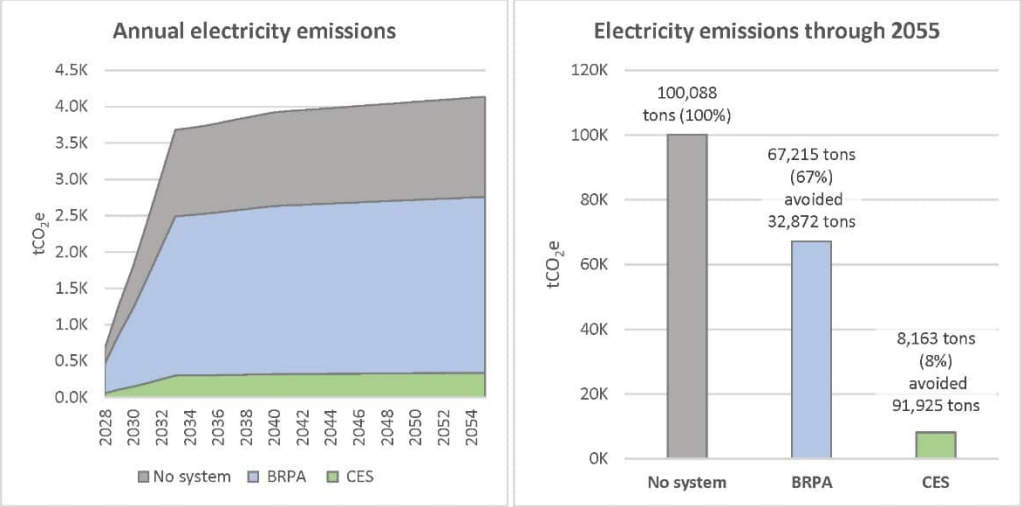



*Figure 7 Emissions from electricity assuming 1/3 rate of EV adoption and a CAISO grid that remains at 2030 LRMER mid-case emission levels. The left chart shows annual emissions, while the right chart shows total emissions through 2055.*

## 2.10Other emissions

Emissions of $NO_x$, $SO_2$, and PM2.5 from electricity consumption as calculated using NREL's REopt tool are shown in Figure 8. The CES scenario shows significant reductions in emissions of criteria and health pollutants. Pollutant levels under the CES scenario are actually shown as negative, due to displacement of polluting grid energy by exports of clean energy from the community energy system.

**29-12**

**Letter 29 Cont.**

**29-12 Cont.**

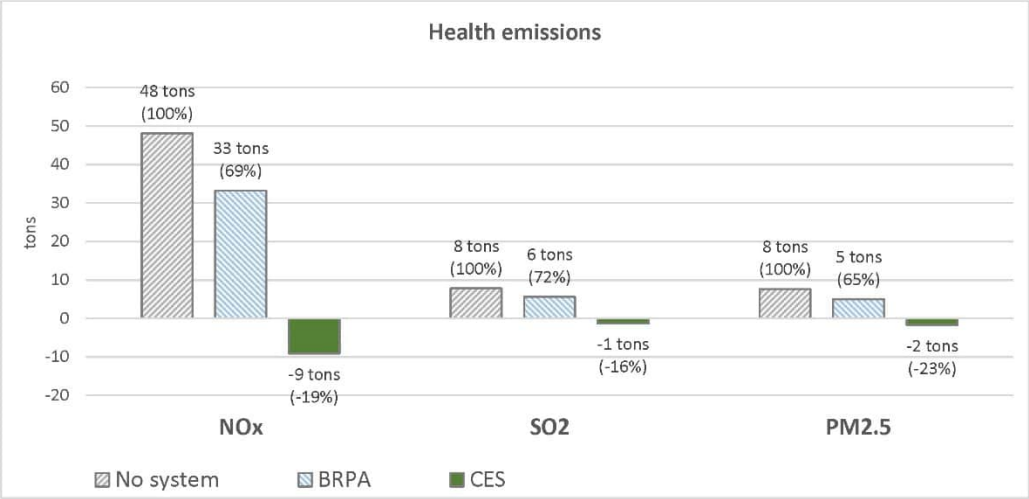



*Figure 8 Total health emissions under the three scenarios for a 30 year analysis period.*

## 3 Mitigation measures are needed

Several thresholds and targets are possible and may be consistent with the CAAP, including targets that were adopted as part of the CAAP. The CAAP provided a minimum target for 2030 of 40% below 2016 levels, or 340,200 $tCO_2e/yr$, which is equivalent to 5.2 $tCO_2e$/capita/yr assuming a population of 65,423. The CAAP also included a 2040 carbon neutrality target. In addition, the Adaptation Plan Initial Study/Proposed Negative Declaration, which was adopted as part of the CAAP, defined an efficiency threshold. These two approaches are discussed further below.

**29-13**

**Net zero target**: The DEIR took 2033 as the year for analysis. Therefore, we need to extend the 2030 target to 2033 to match expected emission levels. To reach net zero by 2040 would require per-capita emissions to decline by 0.52 $tCO_2e/yr$, so that by 2033 the per capita target would be 3.64 $tCO_2e$/capita/yr.

**Efficiency threshold**: The Adaptation Plan Initial Study/Proposed Negative Declaration used an efficiency-based threshold of 2.88 tCO2e/sp/yr, where sp stands for "service population", which is the sum of residents plus employees.

I compared emissions from the proposed project to these thresholds. To calculate per capita emissions for the development, I estimated its population and service population. Davis has 65,832 residents and 25,941 households (US Census 2025), for an average of 2.54 residents per household. If the same average holds for the 1,800 units in the proposed project then there would be 4,572 residents living in the project when it is built. The proposed project would include a fire station, daycare center, and small retail center. I estimated that there might be 100 employees associated with these services, which gives a service population of 4,672.

**Letter 29 Cont.**

| | | Net zero target 3.64 tCO2e/capita/yr in 2033 | | | Efficiency threshold 2.88 tCO2e/sp/yr | | |
|---|---|---|---|---|---|---|---|
| **Scenario** | **Estimated emissions ($tCO_2e$/yr)** | **Per capita ($tCO_2e$/capita/yr)** | **Excess per capita ($tCO_2e$/capita/yr)** | **Excess total ($tCO_2e$/yr)** | **Per service population ($tCO_2e$/sp/yr)** | **Excess per sp ($tCO_2e$/sp/yr)** | **Excess total ($tCO_2e$/yr)** |
| DEIR | 19,206 | 4.20 | 0.56 | 2,564 | 4.11 | 1.12 | 5,751 |
| BRPA scenario | 21,275 | 4.65 | 1.01 | 4,633 | 4.55 | 1.67 | 7,819 |
| CES scenario | 19,594 | 4.29 | 0.65 | 2,952 | 4.19 | 1.31 | 6,138 |

*Table 6 Emission levels in 2033 from the DEIR analysis and for the BRPA and CES scenarios as analyzed herein, compared to the CAAP's net zero targets and efficiency thresholds.*

The Initial Study / Negative Declaration stated that the efficiency-based threshold is particularly relevant to land-use development projects. If a project's GHG emissions would exceed the efficiency-based threshold, then "all feasible mitigation would be required to reduce emissions to a level below the threshold, or GHG offsets/credits purchased if feasible mitigation could not reduce emissions to the level required."

**29-13 Cont.**

The DEIR states that "the City has not specifically adopted goals or thresholds to analyze GHG emissions associated with construction of proposed projects." The DEIR states that for purposes of evaluating the proposed project in the DEIR that the "The City elected to use the YSAQMD's thresholds of significance, as well as the City of Davis adopted goal of net carbon neutrality by the year 2040, as set forth in the City's CAAP". However, the city could have elected to use the efficiency thresholds previously adopted as part of its CAAP.

Regardless of the choice between these thresholds, Table 6 shows that all three analyses and scenarios (DEIR, BRPA scenario, CES scenario) result in emissions that are above both the net-zero target and the efficiency threshold. The amount in excess depends on the method of analysis. This indicates that mitigation measures should be undertaken to reduce emissions.

In addition, the emissions are not unavoidable. For instance, the CES scenario reduces emissions, relative to the BRPA scenario, by 1,681 $tCO_2e$/yr. This is due to the reduction in energy emissions under the CES scenario to about 220 $tCO_2e$/yr in 2033. Applied to the DEIR analysis, this would eliminate much of the excess emissions of 2,564 $tCO_2e$/yr relative to the net-zero target. Later, I will provide additional suggestions for feasible mitigation measures, showing further that the emissions are not unavoidable.

The DEIR states that "implementation of the Proposed Project/BRPA would be consistent with the overarching goal of the CAAP, which is to reduce GHG emissions." However, the BRPA increases GHG emissions above the thresholds, regardless of the method of analysis. The mitigation measures described in the DEIR in section 4.3-8, pp4.3-77 4.3-79 are not quantified or sufficient to address the increased emissions. The DEIR states "Implementation of Mitigation Measures 4.3-8 would achieve a downward trajectory of operational GHG emissions, assuming an equal-level reduction per year sufficient to reach zero $tCO_2e$/yr by 2040." To achieve this downward trajectory will require implementing mitigation measures, and it will require ensuring that the trajectory is being maintained.

**29-14**

The DEIR concludes that no mitigation measures are required. I believe that this conclusion is inconsistent with the analyses both in the DEIR and those that I have performed, it conflicts with the CAAP, with the city's declaration of a climate emergency, and with the city's adopted thresholds of significance. Therefore, in the next section, I suggest a variety of mitigation actions that are feasible and could reduce emissions.

**Letter 29 Cont.**

# 4 Suggestions for mitigation measures

In this section I describe actions, along with possible funding sources, that could mitigate multiple issues identified in the DEIR. The approach I propose would also lower housing costs, lower energy burdens, and lower costs of transportation. Mitigation measures such are these are necessary to be able to meet the city's climate goals. As noted previously, the analyses I did for the BRPA and CES scenarios included the impact of two major factors that are external to the project and that could reduce emissions over time. These factors are:

1. EV adoption will proceed in a manner consistent with state policies, such that about 65% of light-duty vehicles will be electric in 2040.
2. The overall CAISO electric grid will move toward lower emission intensity, as modeled by NREL's mid-case scenario.

29-15

If actual future conditions do not match the models then project emissions would remain higher for longer. By undertaking the mitigation measures proposed here, as well as others, the city and developer could reduce emissions even if actual conditions do not match the modeled emissions. By providing electricity for the proposed project from a community energy system, the project would benefit from clean electricity with approximately 90% lower emissions. This would ensure that operating emissions from electricity remain low, including from EV charging, regardless of the situation on the overall electric grid. The city and developer could also implement mitigation measures to reduce VMTs and electrify transportation.

29-16

Over the 12 years from 2028 to 2040, the quantified mitigation measures I propose (see Table 7) could avoid an estimated 81,984 $tCO_2e$. These are rough estimates of emissions that could be mitigated. I did not quantify reductions from all suggested mitigation measures. Thus, these estimates are intended to illustrate the potential reductions possible and to provide a list of suggested actions that could be undertaken to mitigate emissions.

| | Action | Emissions category | Reduction (tCO2e/yr) | CAAP actions |
|---|---|---|---|---|
| 29-17 | Community energy system | Energy | 1,168 | BE5 community solar energy<br>BE8 create community microgrids and resiliency hubs<br>TR11 develop sustainable housing |
| 29-18 | Mobility actions (see Table 8) | Mobile | 4,944 | TR1 electric vehicle charging plan<br>TR2 decarbonize the municipal fleet<br>TR3 First mile/last mile transportation<br>TR4 electric micromobility vehicles<br>TR6 expand public transit<br>TR7 strengthen regional transit<br>TR10 low emissions vehicle program |
| 29-19 | Reduce embodied emissions | Construction | 700 | |
| 29-20 | Other actions (see suggestions) | Various | Not yet quantified | CR1 Carbon sequestration and removal, and others. |
| | **Total** | | 6,812 | |

*Table 7 Summary of suggested mitigation measures and estimates of potential annual emission reductions.*

**Letter 29 Cont.**

Figure 9 shows the effect on emissions of implementing the above mitigation measures. The gold "Mitigated" line shows that emissions are significantly reduced relative to the other scenarios, including the mobile and construction mitigation measures.

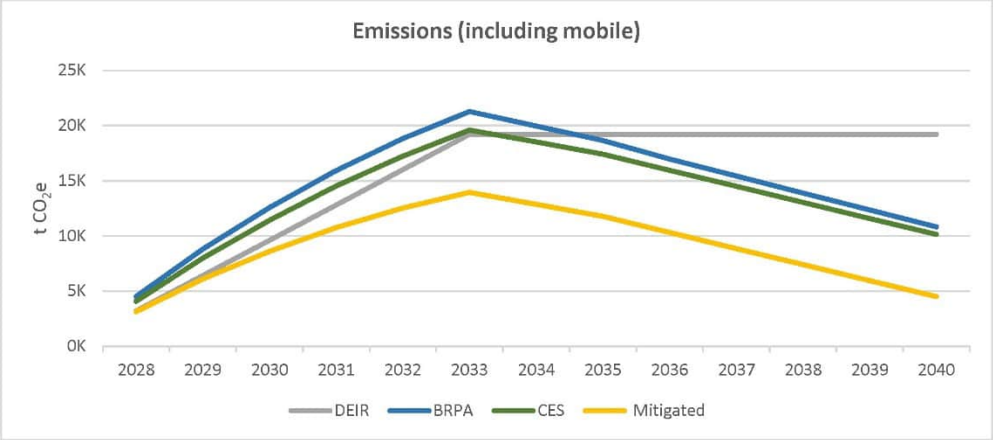



*Figure 9 Emissions under all scenarios. The Mitigated scenario includes a community energy system, along with the measures suggested to mitigate embodied and mobility emissions.*

29-21

There are multiple feasible mitigation measures that could be implemented, including:

- Incorporation of a community energy system
- Use of construction materials and methods with lower embodied emissions
- Measures to increase adoption of electric vehicles, shared mobility, fleets, etc.
- GHG abatement actions financed from payments into a fund
- Higher density construction aligned with VMT reduction
- Multiple additional measures to reduce VMTs
- Improved transit-oriented development

## 4.1 A community energy system could mitigate operating emissions

A community energy system could mitigate a significant portion of emissions. By providing cleaner electricity from day 1, emissions due to onsite energy consumption would be significantly reduced.

29-22

These emission reductions would start as soon as the community energy system began operating. If it began operating as early as 2028, then energy emissions would be reduced from that date, without waiting until, say, 2033. This would reduce cumulative emissions, whose impact is especially significant in earlier years as the overall grid is expected to be more polluting in early years and to become cleaner over time, consistent with state clean energy goals.

The potential reductions were analyzed under the CES scenario. For the years 2028-2040, operating emissions from energy for the BRPA scenario could be 15,912 $tCO_2e$. With a community energy system, emissions over the same period could be just 1,902 $tCO_2e$. This is an average reduction of 1,168 $tCO_2e$/yr.

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**29-22 Cont.**

A community energy system could implement CAAP action BE8 Create Community Microgrids and Resiliency Hubs. The community energy system could be built as a microgrid. This would enable the entire community to be resilient, including all the homes, the daycare center, any businesses, common spaces, street lighting, and the fire station. The power could potentially stay on even through multiple days of outage on the PG&E grid. Resiliency would extend equitably to all residents and would avoid the need for those with limited mobility to have to evacuate from their homes. It could support everyday energy-dependent activities, including communications and transportation (by providing power to charge electric vehicles).

A community energy system would also support CAAP actions BE5 Community Solar Energy. It could also support BE7 Renewable Energy on City Facilities, by providing power to city facilities, such as the proposed fire station, water pumping facilities, or an adjacent municipal facility.

A community energy system could plan for and provide clean energy to accommodate an increasing number of electric vehicles. Under the BRPA, there is no provision for increasing, over time, the amount of solar generation installed on the project. The amount of solar installed under the BRPA would match the amount specified at the time of construction, without consideration for load growth, much of which would come from electrification of vehicles. A community energy system, though, could grow the amount of generation and battery storage to ensure that affordable clean energy continues to be delivered to the community even as the community's energy needs increase.

## 4.2 The developer and community energy system could finance a mitigation fund

**29-23**

Since emissions from the project would exceed thresholds defined by the city, then all feasible mitigation measures should be undertaken or offsets/credits purchased. To boost feasible mitigation measures, and in line with purchases of offsets, the developer could pay into a fund that would be used to mitigate emissions. Since there is a defined emissions threshold that specifies the level at which mitigation is required, then payment could occur as emissions exceed the threshold. In addition, the city's goal is to reach zero emissions by 2040, therefore the developer could pay into the fund at least so long as emissions from the project exceed the city's goal or exceed the city's climate budget.

A community energy system could go further to support emission reductions and improvements in quality of life by providing additional financing to the fund. Based on a financial analysis with plausible assumptions about costs and benefits, a community energy system might realize savings of $110M through 2040 compared to the No System scenario. These savings could be split between residents and the city. Assuming an 8% discount rate for residents and a 4% discount rate for the city, with the city receiving say 45% of the savings, then the city could benefit from a present value of nearly $31M through 2040 from revenues on the sale of electricity to the project's residents. The residents in turn would benefit from the remaining share of the savings on their electric bills. The city's revenue could, for instance, be added to the mitigation fund. In addition, the proposed community energy system would continue to operate beyond 2040, realizing additional savings on electricity. A portion of this ongoing savings could continue to provide funds to implement further actions by the city.

## 4.3 A mitigation fund could finance multiple measures

**29-24**

The mitigation fund could provide significant financing to mitigate emissions in the project area and throughout the city.

**Letter 29 Cont.**

**29-4 Cont.**

Since mobile emissions are the main source of emissions due to the proposed project, the city could implement targeted actions to reduce those emissions. There are many ways this could be accomplished. The actions could provide multiple benefits, including:

- mitigate emissions (including GHGs, particulates, and other pollutants)
- mitigate traffic congestion
- improve equity, by making transit more affordable and available, reducing transit burdens
- retain funds in the city that otherwise would have been spent on gasoline
- reduce the cost of transit by using electric vehicles with lower operating and ownership costs
- provide employment to implement, install, and provide ongoing support for these actions

Below is a list of possible mitigation measures, along with rough estimates of costs and potential impact for several items. These costs and benefits are just initial estimates, while actual costs and mitigation potential may vary. These examples show that there are many feasible actions that could be undertaken to mitigate emissions. Table 8 summarizes examples of transit-related mitigation measures targeted to reduce the largest source of emissions.

**29-25**

| Action | Present cost (10 yrs) | VMT avoided (VMT/yr) | GHG emissions mitigated ($tCO_2e$/yr) | CAAP actions supported and/or implemented |
|---|---|---|---|---|
| Electric passenger van fleet (10 vans) | $17M | 3.3M | 1,750 | TR6 expand public transit<br>TR7 strengthen regional transit<br>TR10 low emissions vehicle program |
| Light-duty electric vehicle shared fleet (77 vehicles) | $10M | 5.8M | 3,000 | TR6 expand public transit TR7 strengthen regional transit<br>TR10 low emissions vehicle program |
| Microbility electric shared fleet (100 micro-vehicles) | $3M | 0.37M | 194 | TR3 First mile/last mile transportation<br>TR4 electric micromobility vehicles |
| City-wide charging network (200 units) | $1M | | | TR1 electric vehicle charging plan |
| Decarbonize the municipal fleet | | | 500 to 1,100 | TR2 decarbonize the municipal fleet (emission reduction numbers from CAAP) |

*Table 8 Summary of some transit-related mitigation measures.*

**29-26**

Provision of an **electric passenger van fleet** (supporting and implementing CAAP items TR6 expand public transit TR7 strengthen regional transit, and TR10 low emissions vehicle program). Using PG&E's fleet calculator tool, the present cost of a small school bus (a proxy for a passenger van) operated for 10 years is about $310,000. Thus, about $3M could be used to purchase 10 passenger vans. Assuming a driver costs $100k/yr each, and 20 are hired, then this would be another $14M in present costs for 10 years, for a total of $17M in present costs. These vans could be used to transport passengers every day throughout the city. The vans could even transport children to and from school and other activties, relieving a significant source of daily traffic congestion. If each van were to travel 150 miles/day and hold 6 passengers on average, it would potentially displace 900 VMTs/day, or 3.3M VMTs/year. If these passenger VMTs displaced light-duty ICE VMTs it could avoid use of 132,000 gallons of gasoline and mitigate 1,750 $tCO_2e$/yr (ignoring for now any emissions due to use of charging electricity).

**Letter 29 Cont.**

**29-27** Provision of a **light-duty vehicle shared fleet** (supporting and implementing CAAP items TR6 expand public transit, TR7 strengthen regional transit, and TR10 low emissions vehicle program). These could be used by city residents, similar to how shared mobility services operate. Using PG&E's fleet calculator tool, the present cost of an electric passenger vehicle is about $130,000. Thus, $10M of the mitigation fund could purchase and operate 77 shared vehicles, available to the community and displacing emissions from gas vehicles that would otherwise have been used for travel. If each vehicle were to travel 160 miles/day (at about 1/3 utilization), the fleet could displace 16,000 VMTs/day or 5.8M VMTs/yr. If these VMTs displaced ICE VMTs it could avoid use of about 225,000 gallons of gasoline per year and mitigate nearly 3,000 $tCO_2e$/yr.

**29-28** Provision of a **micromobility shared fleet** (supporting and implementing CAAP items TR3 First mile/last mile transportation and TR4 electric micromobility vehicles). Electric scooters and other small vehicles could be purchased and distributed throughout the proposed project and city. If a micromobility vehicle has a lifetime present-cost of ownership of, say, $30,000, then allocating $3M from the mitigation fund could provide 100 such vehicles. If each micromobility vehicle displaced 10 VMTs/day, then the micromobility fleet could displace 1000 VMTs/day or 365,000 VMTs/year. This could avoid use of about 14,600 gallons of gasoline per year and mitigate 194 $tCO_2e$/yr.

**29-29** Provision of a **city-wide charging network** to support vehicle electrification (supporting CAAP item TR1 electric vehicle charging plan). The city could colocate at least some of these charging sites with local energy generation. By owning the energy systems, the city could provide lower-cost charging while retaining revenue in the city that otherwise would have been spent on gasoline or on non-locally owned electricity. If an L2 charge location were to cost $5,000 each, then the city could install 200 charging locations for each $1M spent.

**29-30** **Decarbonize the municipal fleet**, implementing CAAP item TR2. The municipal fleet could charge from the community energy system. If a municipal charging facility were built adjacent to the proposed Village Farms project, it would make it possible to charge the municipal fleet from the shared community energy systems.

**29-31** The above measures (excluding decarbonization of the municipal fleet) are estimated to cost $31M in present dollars. Of course, any amount could be spent on these or other measures, but this illustrates what could be accomplished without even tapping the full mitigation fund's cashflow. Other examples of actions that could be taken include:

- Providing incentives to support adoption of new or used EVs.
- Providing incentives to support home electrification, such as for electric panel upgrades and appliance replacements.
- Actions and financing to support and/or install distributed energy resources throughout the city.
- Implementing regenerative projects for natural and agricultural lands, to protect and restore habitat, sequester carbon, and provide natural environments for residents to explore and enjoy. This would help implement CAAP item CR1 Carbon Sequestration and Removal.
- Creating a revolving-loan fund with a community bank to finance mitigation measures throughout the city.
- Including load-flexibility measures, to shift energy consumption to times when there is more clean energy.

The examples above are illustrative of the range of actions that the mitigation fund could support.

**Letter 29 Cont.**

## 4.4 Embodied emissions could be reduced

In section 2.7 I estimated embodied emissions from construction of the project at 70,000 $tCO_2e$, or 1,400 $tCO_2e/yr$ on a 50-year annualized basis (using an average embodied carbon value of 0.184 $tCO_2e/m^2$, an estimate of home sizes for the project, and an estimate of embodied road paving emissions). Yet, reductions of 30 to 50 percent can be achieved with "commercially available, affordable, and code-compliant building materials" (Magwood C et al 2023). This would reduce annualized emissions by 700 $tCO_2e/yr$. The biggest categories of emissions come from concrete (33-36%), insulation (15-26%), cladding (6-13%), interior surfaces (10-13%), windows (9-11%), and wood framing (5-11%). The developer could select alternatives for these materials and methods to reduce the amount of embodied emissions generated by the project. Examples of alternative materials are shown in Table 9. Embodied emissions could also be reduced by constructing different housing mixes. Smaller, more compact units, and attached or multifamily structures can also reduce embodied emissions by reducing the materials needed for construction.

29-32

up to 140% reduction

up to 50% reduction

| | As-Built Materials | Best Available | Best Possible |
|---|---|---|---|
| **Concrete Mix** | 0%–14% SCM | 15%–29% SCM | 30%–50% SCM |
| **Cavity Insulation** | Fiberglass | Cellulose | Agricultural residue fibers |
| **Exterior Cladding** | Brick | Engineered wood | Bamboo or bio-composite |
| **Flooring** | Carpet and tiling | Linoleum and cork | Mycelium composite and clay |
| **Interior Cladding** | Drywall | Drywall lowest-emitting product | Lime cork plaster |

Note: SCM = supplementary cementitious materials.

Source: C. Magwood and M. Trottier, *Material Emissions Benchmark Report for Part 9 Homes in Vancouver*, 2022

*Table 9 Material substitutions with lower climate emissions (from Exhibit 9 of Magwood C et al 2023).*

# 5 References

CAAP 2023, Initial Study/Proposed Negative Declaration, p2-7, https://files.ceqanet.opr.ca.gov/285919-1/attachment/IPUDRuh1dv8hdmupkcTvEyNyJiZnOtP7L0kbDEKrMzTfLTnMYah4_dHgAgeLLSZasH3jUnbjpOYiCBaf0

CalEEMod 2022, Appendix D, CalEEMod Version 2022.1 https://caleemod.com/documents/user-guide/05_Appendix%20D.pdf

CARB 2023, Lookup Table Pathways Technical Support Documentation, https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/ca-greet/lut_update_2023_2.pdf

CARB 2025, LCFS Pathway Certified Carbon Intensities, https://ww2.arb.ca.gov/resources/documents/lcfs-pathway-certified-carbon-intensities.

CEC 2025, Light-Duty Vehicle Population in California, https://www.energy.ca.gov/data-reports/energy-almanac/zero-emission-vehicle-and-infrastructure-statistics-collection/light

Davis CAAP 2024, 2020 Climate Action and Adaptation Plan (CAAP), https://www.cityofdavis.org/city-hall/economic-development-sustainability/sustainability/2020-climate-action-and-adaptation-plan-caap

EPA 2022, Greenhouse Gas Emissions from a Typical Passenger Vehicle, https://www.epa.gov/greenvehicles/greenhouse-gas-emissions-typical-passenger-vehicle.

Espinoza M et al 2019, Carbon Footprint Estimation in Road Construction: La Abundancia–Florencia Case Study, https://www.mdpi.com/2071-1050/11/8/2276

Gagnon P and Cole W 2022, Planning for the evolution of the electric grid with a long-run marginal emission rate, iScience, https://www.sciencedirect.com/science/article/pii/S2589004222001857

Magwood C et al 2023, The Hidden Climate Impact of Residential Construction, Rocky Mountain Institute, https://rmi.org/insight/hidden-climate-impact-of-residential-construction/

NREL 2025, REopt: Renewable Energy Integration & Optimization, https://www.nrel.gov/reopt/

NREL 2025b, ResStock, https://resstock.nrel.gov/

NREL 2025c, Cambium, https://www.nrel.gov/analysis/cambium.html

Rennert K et al 2022, Comprehensive evidence implies a higher social cost of CO2, Nature, https://www.nature.com/articles/s41586-022-05224-9

Sperling et al 2021, Driving California's Transportation Emissions to Zero, https://escholarship.org/uc/item/3np3p2t0

US Census 2025, QuickFacts Davis city, California, https://www.census.gov/quickfacts/fact/table/daviscitycalifornia/PST045222

## LETTER 29: ARI HALBERSTADT

### Response to Comment 29-1

Please see Master Response 1. Specific responses to the claims summarized in this comment are provided in Responses to Comments 29-2 through 29-32 below.

### Response to Comment 29-2

The industry standard model for estimating emissions for projects in California is web-based California Emissions Estimator Model (CalEEMod) Version 2022, which was used for analyzing the Proposed Project's and BRPA's air quality and GHG emissions. CalEEMod was developed for CAPCOA by public and private industry leading experts and reviewed by a technical advisory committee comprised of other public entities, including, but not limited to, the California Air Resources Board (CARB), California Department of Public Health, City of Sacramento, County of Sacramento, Sacramento Area Council of Governments, and University of California, Davis, as well as several air districts throughout the State. According to the Yolo-Solano Air Quality Management District (YSAQMD) website, YSAQMD recommends use of CalEEMod Version 2022 to prepare air quality and GHG analyses for CEQA documents.[13]

The operational emissions presented in the Draft EIR, including emissions associated with energy consumption, are based on emissions anticipated to occur for the first year of operations. CalEEMod includes the option to choose to use the forecasted GHG emission factors for the first year of operations, rather than the 2019 reported factors, which were applied in the modeling conducted for the Proposed Project and the BRPA. In addition, use of the CalEEMod estimated forecasted factors, rather than the predicted hourly rates suggested by the commenter, represents a conservative analysis. Regardless, as discussed on page 4.3-54 of the Draft EIR, the majority of the Proposed Project's/BRPA's operational criteria pollutant emissions are associated with mobile and area sources, and as shown in Table 4.3-19 and Table 4.3-20, the majority of the Proposed Project's/BRPA's operational GHG emissions are associated with mobile sources. Energy-source emissions represent a relatively small proportion of the Proposed Project's/BRPA's overall operational emissions.

Further, as noted on page 4.3-49 of the Draft EIR, given the program-level entitlements being sought at this time, the project engineer has not yet identified the extent of on-site roof-top solar that would be provided. On-site solar energy generation would be required in compliance with Title 24, through the provision of roof-top solar, and will be calculated prior to issuance of building permits in compliance with Mitigation Measure 4.3-8. For conservative purposes, the modeling in the Draft EIR performed for the current set of program-level entitlements does not account for the provision of on-site solar energy systems. Thus, the Draft EIR has noted that actual energy emissions associated with the Proposed Project and BRPA are likely to be less than what was analyzed in the Draft EIR, and the analysis provided in the Draft EIR represents a conservative, worst-case scenario related to energy source emissions. Overall, the Draft EIR concluded that the Proposed Project/BRPA would result in a significant and unavoidable impact related to operational criteria pollutant and GHG emissions. Thus, even if energy emissions were to be estimated using the recommendations included in the comment, the conclusions of the Draft EIR would not change. The analysis included in the Draft EIR related to energy-source emissions remains adequate.

[13] Yolo-Solano Air Quality Management District. CEQA and Land Use. Available at: https://www.ysaqmd.org/plans-data/ceqa/. Accessed March 2025.

## Response to Comment 29-3

The commenter is incorrect. While CalEEMod was used to calculate annual electricity consumption, as discussed on page 4.3-49 of the Draft EIR, and as presented in the CalEEMod results included as Appendix C to the Draft EIR, the modeling assumes that the Proposed Project and the BRPA would be built all-electric. Specifically, the natural gas usage for all land uses within the CalEEMod modeling was set to zero, and electricity usage was adjusted to account for the additional electricity usage that would occur due to the all-electric nature of the Proposed Project.

## Response to Comment 29-4

Please see Response to Comment 29-2. Furthermore, the commenter's calculation used to derive the number of electric vehicles (EVs) that would charge on-site, and the timing at which the EVs would be charged, is speculative. As such, the increase in energy demand associated with such use of EV chargers is unknown, and accounting for the increase in energy demand associated with potential EV charging would also be speculative. While all EVs could theoretically only charge during the day or at night, such an occurrence would be unlikely and is not supported by substantial evidence. Further, restricting private residents or visitors to only charge their vehicles during the day is not enforceable. Thus, the commenter's suggested mitigation regarding EV charging restrictions is not feasible.

## Response to Comment 29-5

The comment summarizes the information used by the commenter to calculate hourly and annual load values for the project, and does not address the adequacy of the Draft EIR. Please see Response to Comment 29-2.

## Response to Comment 29-6

Please see Response to Comment 29-2.

## Response to Comment 29-7

Please see Response to Comment 29-4.

## Response to Comment 29-8

The average fuel efficiency referenced in the comment was used solely to estimate gasoline consumption associated with the Proposed Project's/BRPA's potential to result in the inefficient or wasteful use of energy, or conflict with a State or local plan for renewable energy or energy efficiency, as discussed under Impact 4.3-5 of the Draft EIR. Such data was not used to estimate mobile GHG emissions. Rather, the mobile GHG emissions presented in Table 4.3-20 were estimated using CalEEMod. Mobile emissions are estimated within CalEEMod based on fleet mix and vehicle emission factor data derived from the CARB EMFAC2021 database. For the Proposed Project/BRPA, the EMFAC data used was based on the Countywide fleet mix, which is comprised of 13 different vehicle types, including both gasoline and diesel-powered vehicles. As discussed in Response to Comment 29-2, above, CalEEMod is the industry standard model for estimating emissions for projects in California. Given that mobile GHG emissions were calculated using the industry standard model, which applies State- and County-specific vehicle fleet mix and emission factor data, the analysis included in the Draft EIR remains adequate.

With regard to the commenter's claims about lifecycle emissions, the California Resources Agency, in adopting the CEQA Guidelines Amendments on GHG emissions, found that a lifecycle analysis was not warranted for project-specific CEQA analyses in most situations, for a variety of reasons, including lack of control over some sources, and the possibility of double-counting

emissions (see Final Statement of Reasons for Regulatory Action, December 2009). Because the amount of materials/fuels consumed during the operation or construction of the Proposed Project is not known, the origin of the raw materials/fuels purchased is not known, and manufacturing information for those raw materials/fuels is also not known, calculation of lifecycle emissions would be speculative. Thus, the inclusion in the Draft EIR analysis of indirect GHG emissions from materials/fuels used by the project is not warranted.

## Response to Comment 29-9

The term "embodied emissions" is synonymous with the term "lifecycle emissions." Thus, please see Response to Comment 29-8. In addition, as discussed on page 4.3-63 of the Draft EIR, the Proposed Project and BRPA are required to comply with the California Building Standards Code (CBSC) and CARB standards, including adherence to the most recent CALGreen Code and the Building Energy Efficiency Standards. Further, as required by Section 8.01.090 of the Municipal Code, the Proposed Project/BRPA would comply with Tier 1 standards of the CALGreen Code, which would otherwise be voluntary under the CBSC. Thus, the Proposed Project would be constructed using code-compliant building materials, which would inherently result in a reduction in embodied emissions.

## Response to Comment 29-10

The comment summarizes the information used by the commenter to estimate population-adjusted emissions, and does not address the adequacy of the Draft EIR.

## Response to Comment 29-11

The comment summarizes the information used by the commenter to calculate reductions in emissions from EV usage and low emission energy usage, and does not address the adequacy of the Draft EIR. Please see Responses to Comments 29-2 and 29-4.

## Response to Comment 29-12

Please see Response to Comment 29-2.

## Response to Comment 29-13

The City has not specifically adopted goals or thresholds to analyze GHG emissions associated with construction of Proposed Projects. Use of the Sacramento Metropolitan Air Quality Management District (SMAQMD) adopted thresholds of significance for analyzing construction-related GHG emissions is the recommended approach established by YSAQMD, and several other projects within the City of Davis have elected to use a similar approach in their analysis of construction-related GHG emissions.

With regard to construction GHG emissions, the Draft EIR includes Mitigation Measures 4.3-7(a) and 4.3-7(b) which require the use of renewable diesel fuel in all off-road equipment greater than 25 horsepower for both the Proposed Project and BRPA, and for the BRPA only, implementation of on-site construction GHG reduction measures or payment of offset fees to demonstrate that construction-related GHG emissions would be reduced to 1,100 MTCO2e/yr. According to the Draft EIR, implementation of Mitigation Measures 4.3-7(a) and 4.3-7(b) would ensure construction-related GHG emissions would be below the applicable threshold of significance.

With regard to operational GHG emissions thresholds, the commenter identifies the 2.88 $tCO_2e/sp/yr$ efficiency threshold from the Adaptation Plan Initial Study/Proposed Negative

Declaration prepared for the City's CAAP. Page 4.3-46 of the Draft EIR describes why use of this efficiency threshold is not appropriate for the Proposed Project, as follows:

> The 2020 Yolo County Regional GHG Emissions Inventory Update for the Cities of Davis, Winters and Woodland – Draft Technical Memorandum (2020 GHG Emissions Inventory), includes an estimation of citywide 2016 emissions levels, which were used as the basis for the City of Davis's citywide GHG reduction target thresholds.[14] The emissions reductions targets provide a desired rate of reduction, which are more ambitious than the State's most recent target set in EO B-55-18, and include achievement of citywide carbon neutrality by 2040.
>
> The CAAP includes measurable GHG emissions reduction and climate change adaptation actions that align with the City's net neutrality goals. When implemented, the actions are anticipated to reduce GHG emissions within the City by 37 percent below 2016 levels by 2030 and set the community on a trajectory toward the 2040 carbon neutrality goal. As such, projects that were considered within the 2020 GHG Emissions Inventory can be addressed through the CAAP GHG emissions reduction and climate change adaptation actions.
>
> The Proposed Project/BRPA would require a sphere of influence (SOI) amendment, annexation into the City of Davis, a General Plan amendment, and pre-zoning of the site. As such, the Proposed Project/BRPA was not considered within the 2020 GHG Emissions Inventory. In order to maintain the emissions reductions trajectory anticipated by the CAAP and mandated by the City's climate emergency declaration, the Proposed Project/BRPA would be required to demonstrate that operations would not exceed existing emissions levels associated with the project site/BRPA site. Should the Proposed Project/BRPA result in increased on-site emissions relative to existing levels, the project would be responsible for reducing post-project emissions to a level equal to the existing level of emissions. By ensuring that emissions from the Proposed Project/BRPA remain at or below existing levels, the project would provide a proportionate share of emissions reductions and would not inhibit attainment of citywide net carbon neutrality by the year 2040, nor would the project conflict with the City's CAAP.

Simply stated, the project site/BRPA site is currently located outside of the Davis city limits and does not currently have any City of Davis General Plan land use designations; as a result, the Proposed Project was not anticipated in the emissions inventory for the Davis CAAP. Thus, use of the referenced efficiency threshold, which is based on such inventory, is not appropriate for the Village Farms Davis GHG analysis.

With regard to operational GHG emissions, the Draft EIR includes Mitigation Measure 4.3-8 to assure that implementation of the Proposed Project/BRPA would not result in long-term operational impacts related to GHG emissions or the creation of conflicts with an applicable regulation. As discussed under Mitigation Measure 4.3-8(3), should net operational emissions be shown to exceed the maximum emissions levels required for a downward trajectory, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled. Mitigation Measure 4.3-8(3) includes a list of sample reduction measures that could be implemented in order to satisfy this requirement. Regardless, due to uncertainties related to the potential efficacy and feasibility of the GHG reduction measures, as well as the availability of off-site carbon credit programs, the Draft EIR noted that the full GHG reductions associated with the Proposed Project or the BRPA cannot be guaranteed at this time. Therefore,

[14] Yolo County Department of Community Services. *Yolo County Regional Greenhouse Gas Emissions Inventory Update for the Cities of Davis, Winters and Woodland – Draft Technical Memorandum*. April 30, 2020.

the Draft EIR concluded that impacts related to GHG emissions would remain cumulatively considerable and significant and unavoidable.

## Response to Comment 29-14

Contrary to the commenter's claim, the Draft EIR includes several mitigation measures related to GHG emissions. Please see Response to Comment 29-13.

## Response to Comment 29-15

The comment summarizes the commenter's suggestions for mitigation measures, which are discussed in further detail in the letter's subsequent comments. Please see Responses to Comments 29-16 through 29-32.

## Response to Comment 29-16

The calculations used to estimate the reductions presented within the comment are unclear. The suggested mitigation measures included in Table 7 of the comment letter are discussed in further detail within Responses to Comments 29-17 through 29-32 below.

## Response to Comment 29-17

Committing to a microgrid is infeasible as additional mitigation for the project. Firstly, a large-scale microgrid could result in substantial additional, unstudied environmental impacts from its construction and operation. A typical microgrid system involves on-site energy generation (such as solar panels) and battery storage for the energy produced. The potential impacts of converting large areas of the project site for solar panels and locating battery storage near residential and urban uses were not analyzed in the EIR, and any analysis would only be speculative at this time, with no design for a microgrid system proposed by the applicant or suggested by any commenter. Secondly, the land required and the financial and engineering feasibility of integrating such a complex system is questionable and likely disproportional for a project of this moderate size, as it would impose substantial design changes and significantly higher costs on a project intended to provide housing options to lower and middle-income residents. The City of Davis is embarking on research regarding the feasibility of a future municipal utility which would likely require a joint powers authority of at least three communities. The suggestion to require the applicant to construct a microgrid system is rejected for the foregoing reasons as too speculative and infeasible. If the City decides in the future to create or join a city municipal utility, the impacts of constructing and operating such a facility would need to be analyzed at that time, once more details are developed.

## Response to Comment 29-18

The suggested mobility actions are discussed in further detail within Responses to Comments 29-25 through 29-30 below.

## Response to Comment 29-19

Please see Response to Comment 29-9.

## Response to Comment 29-20

The commenter is unclear what various other actions they are suggesting be implemented. However, with regard to carbon sequestration, as discussed on page 4.3-79 of the Draft EIR, the Proposed Project and the BRPA would include a total of approximately 186.0 acres and approximately 186.3 acres, respectively, of parks, open space, and greenbelts, including the

Heritage Oak Park and Village Trails Park, and natural vegetation areas along Channel A (including the agricultural buffer). With the exception of the Northern Agricultural Area, which is not anticipated to be planted with a significant number of trees, trees would be planted throughout such areas, in accordance with City requirements. In addition, an oak grove would be included in the 20.3-acre Heritage Oak Park as part of both the Proposed Project and the BRPA. The Proposed Project and the BRPA would be required to select a plant palette that includes a mix of native, drought-tolerant, climate-ready, and carbon-capturing qualities associated with the new trees, shrubs, and seasonal grasses. The provision of such landscaping and greenspace improvements on-site would result in carbon sequestration associated with the Proposed Project and the BRPA.

## Response to Comment 29-21

Please see Responses to Comments 29-9, 29-17, and 29-22 through 29-31.

## Response to Comment 29-22

Regarding community energy system, see Response to Comment 29-17. As noted on page 4.3-49 of the Draft EIR, given the program-level entitlements being sought at this time, the project engineer has not yet identified the extent of on-site roof-top solar that would be provided. On-site solar energy generation would be required in compliance with Title 24, through the provision of roof-top solar, and will be calculated prior to issuance of building permits in compliance with Mitigation Measure 4.3-8. For conservative purposes, the modeling in the Draft EIR performed for the current set of program-level entitlements does not account for the provision of on-site solar energy systems. Thus, the Draft EIR has noted that actual energy emissions associated with the Proposed Project and BRPA are likely to be less than what was analyzed in the Draft EIR. Although the modeling does not assume any on-site solar, the Proposed Project and the BRPA would both be built in compliance with the requirements of the CalGreen Tier 1 standards, as required by Section 8.01.090 of the Municipal Code, and would include the provision of on-site renewable energy. Additionally, as discussed on page 4.3-78 of the Draft EIR, all on-site residents would also have the opportunity to opt into receiving energy from Valley Clean Energy (VCE), ensuring that the Proposed Project/BRPA would be consistent with Action BE.5 of the CAAP, which is intended for the City to provide increased community solar energy by partnering with VCE to increase capacity in support of citywide building and transportation electrification, invest in community solar energy, and provide solar battery storage, as well as develop financing/incentive options to support building and transportation energy electrification and energy efficiency improvements. Action BE.5 also encourages all subscribers to enroll in the VCE UltraGreen option, which would be provided as an option to on-site residents.

## Response to Comment 29-23

The City of Davis has not adopted a GHG mitigation fund. Mitigation Measure 4.3-8 of the Draft EIR includes the option for the project applicant to purchase carbon credits should net operational emissions be shown to exceed the maximum emissions levels required by Mitigation Measure 4.3-8. Mitigation Measure 4.3-8 requires that carbon offset credits be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by CARB, YSAQMD, or the City of Davis, and that off-site mitigation credits be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code Section 38562, subdivisions (d)(1) and (d)(2). The offsets are required to be retired, and emissions must be offset through the year 2045. Such credits shall be based on CARB-approved protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the CCR, and shall not allow the use of offset projects originating outside of California,



except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by the City of Davis and/or the YSAQMD. Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) any registry established by YSAQMD.

With regard to the suggested community energy system, please see Response to Comment 29-17.

## Response to Comment 29-24

Please see Responses to Comments 29-23, and 29-26 through 29-30.

## Response to Comment 29-25

The suggested transit-related mitigation measures are discussed in further detail within Responses to Comments 29-26 through 29-30 below.

## Response to Comment 29-26

Light duty internal combustion engine (ICE) passenger vans are not being contemplated for use in this development. Any ICE light duty vehicles would be associated with the Davis Joint Unified School District (DJUSD) educational farm which will be fully owned and run by the school district, which is governed by the State agencies and regulations responsible for public educational facilities. The electric passenger van fleet would also be redundant and would undermine improving and expanding the existing Unitrans delivery of service to school-age children. It is more appropriate to expand the existing Unitrans route that is currently operating in partnership with DJUSD.

## Response to Comment 29-27

Introducing a community-shared light-duty van fleet into a project that does not envision any light vehicle fleets, particularly in a non-fully residential context, presents significant feasibility challenges. Firstly, there are potentially significant unstudied environmental impacts associated with developing and operating such a fleet, including increased traffic, potential noise from vehicle operations, and the infrastructure needed for charging or parking. Secondly, the project's design and operational plans would have to be adapted for the logistical requirements of managing a shared fleet, such as vehicle maintenance space and staff, scheduling, and user access. Thirdly, the financial burden of establishing and maintaining such a fleet, including vehicle procurement, insurance, and operational costs, would likely be substantial and was not incorporated into the project's original financial projections. As noted in Response to Comment 29-17, any substantial increases in project costs could render the affordable components infeasible.

## Response to Comment 29-28

The project developer has already proposed to provide pads for micromobility throughout the project. The developer will coordinate with the Yolo Transportation District (YoloTD) and a regional micromobility provider (scooters, bikes, etc.) to ensure proper distribution and ongoing maintenance and servicing.

## Response to Comment 29-29

Action TR.1 is targeted for implementation at the City level, and is, therefore, not applicable to the Proposed Project nor the BRPA. Action TR.1 aims to implement specifically located EV charging

projects, as identified in the City's EV Charging Plan, none of which are located on or near the project site/BRPA site. The Proposed Project/BRPA would include the provision of EV charging infrastructure in accordance with Section 8.01.110 of the City's Municipal Code, which includes more stringent requirements beyond the CalGreen requirements. Thus, the Proposed Project/BRPA would provide their fair share of EV charging infrastructure within the City, and the installation of any additional EV charging infrastructure on-site associated with a city-wide charging network would be the responsibility of the City, at their discretion. The comment has been noted for the record and will be forwarded to the decision-makers for their consideration.

## Response to Comment 29-30

Action TR.2 aims to decarbonize the municipal fleet and is targeted for implementation at the City level. Thus, Action TR.2 is not applicable to the Proposed Project nor the BRPA. Installation of a municipal charging facility would be the responsibility of the City, at their discretion. The comment has been noted for the record and will be forwarded to the decision-makers for their consideration.

## Response to Comment 29-31

Please see Response to Comment 29-23.

## Response to Comment 29-32

Please see Response to Comment 29-9.

**Letter 30**

**Dara Dungworth**

**From:** Ashley Bean <ashleybean@mac.com>
**Sent:** Tuesday, February 25, 2025 3:35 PM
**To:** Dara Dungworth
**Subject:** Opposition to the Village Farms Development Proposal

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

I am writing to express my strong opposition to the proposed Village Farms development. As a concerned resident of Davis, I believe this project presents numerous environmental, infrastructure, and financial challenges that would negatively impact our community.

**30-1** The proposed development, which includes 1,800 housing units on nearly 500 acres, is located in a fundamentally flawed site. A significant portion of the land—200 acres—falls within a FEMA Zone A Flood Hazard area. Building on a floodplain not only increases the risk of future flooding, particularly in light of climate change, but also exposes the city to financial liabilities, as state legislation now prevents financial bailouts for developments built in high-risk flood zones. Will existing North Davis residents be required to purchase flood insurance due to this project?

**30-2** Additionally, the Village Farms site is adjacent to the unlined Old City Landfill and Sewage Treatment Plant, both of which have a long history of toxic chemical leakage, including PFAS "forever chemicals," lead, arsenic, and other carcinogenic substances. The presence of these contaminants raises serious health concerns for future residents. Who would want to purchase homes priced at $700,000 to over $1 million in an area with known groundwater contamination?

**30-3** Traffic congestion is another major concern. The Covell Boulevard and Pole Line Road corridor is already one of the most heavily impacted areas in Davis. Adding 1,800 additional housing units will significantly worsen congestion, particularly since the city lacks a robust public transportation system to support higher density housing. Without a serious investment in transit infrastructure, this development will only exacerbate environmental and commuter issues.

1

**Letter 30 Cont.**

**30-4** The project also requires substantial infrastructure investments, including a new fire station at an estimated cost of $14 million, plus long-term staffing and operational expenses. Given that 90% of fire department calls are medical emergencies rather than fire-related incidents, the city would be better served by investing in an Emergency Medical Services (EMS) system rather than an unnecessary fire station. How will the city justify these costs to taxpayers?

**30-5** Safe pedestrian and bicycle access is yet another unresolved issue. The feasibility of a Pole Line undercrossing—a critical component for safe transit—has yet to be determined. If it is deemed infeasible, residents will be left without a safe route for non-vehicular travel. If it is feasible, who will cover the millions of dollars required to build it? Will taxpayers be expected to subsidize this project?

**30-6** Finally, this development fails to address the need for truly affordable housing. With the majority of units projected to cost between $700,000 and well over $1 million, this project will not be accessible to average-income workers, young families, or those who contribute to the local economy. This contradicts claims that the project will support Davis's workforce or increase school enrollment. Instead, it will encourage more long-distance commuting and further strain city resources.

In summary, the Village Farms project is simply bad planning. It poses significant environmental risks, worsens already overburdened infrastructure, imposes excessive financial costs on Davis residents, and fails to provide affordable housing solutions. I urge the City of Davis to reject this project in favor of a more responsible and sustainable approach to development.

Thank you for your time and consideration.

Sincerely,

Ashley Oney

## LETTER 30: ASHLEY ONEY

### Response to Comment 30-1
Please see Master Responses 1 and 4.

### Response to Comment 30-2
Please see Master Response 3.

### Response to Comment 30-3
Please see Master Responses 1 and 5.

### Response to Comment 30-4
Please see Master Response 1. In addition, as noted on page 4.12-1 of the Draft EIR, the Davis Fire Department (DFD) provides pre-hospital emergency medical services. In addition, the Draft EIR notes under Impact 4.12-1 on page 4.12-14 that construction of the new fire would allow the DFD to respond to on-site fire and emergency medical events within the applicable response time standard. The fire station could also potentially include a City Emergency Operations Center. Therefore, the proposed fire station would also meet emergency medical needs in the area.

### Response to Comment 30-5
Please see Master Responses 1, 5, and 6.

### Response to Comment 30-6
Please see Master Response 1.

**Letter 31**

**Dara Dungworth**

**From:** Ashley <weinshya@gmail.com>
**Sent:** Monday, February 24, 2025 11:47 PM
**To:** Dara Dungworth
**Subject:** Village Farms = horrible idea

**Categories:** VFD Comment

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

The Village Farm plan is a horrible idea!

1. There's going to be an increase in traffic which means car exhaustion will continue to pollute our air.

2. Car exhaustion is harmful to our health and contain GREENHOUSE GASES that cause climate change.

**31-1** 3. I thought we were trying to save our planet, make our city healthier, go green, breath freely, not have to wear a mask due to air pollution and the release of greenhouse GASES.

4. By burning fuel, dangerous byproducts are released into our air. These byproducts, such as carbon dioxide, gets trapped in our atmosphere. This causes heat to be trapped causing global warming.

1

**Letter 31 Cont.**

*Ashley Weinshilboum, MA EDU*
*She/Her/Ella*

## LETTER 31: ASHLEY WEINSHILBOUM

### Response to Comment 31-1

Please see Master Response 1.

**Letter 32**

February 22, 2025

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

Re: Comments on the Draft EIR for the Village Farms Davis Project (SCH #2023110006)

Dear Ms. Dungworth:

**32-1** The Draft EIR (DEIR) the City prepared for the Village Farms Project is incomplete and deficient in multiple ways. The City and its consultants need to prepare higher quality impact analyses that fully disclose the VMT, Energy, and GHG impacts and include all feasible mitigation to reduce these impacts. Detailed comments are provided below.

**The Energy Impact Analysis is Inadequate and the Project and BRPA would Result in a Significant Energy Impact**

**32-2** Comment 1. The energy impact analysis under Impact 4.3-5 fails to evaluate the efficiency of energy consumption associated with project-related transportation. More specifically, it fails to address question VI.a from the CEQA Checklist, which asks whether a project would "result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?" Instead of analyzing the energy efficiency in which project related transportation would function, the energy impact analysis presents the quantities of fossil fuels that would be consumed by vehicle travel associated with operation the Proposed Project and BRPA—this is misleading. Also misleading is whether the energy consumed by the project would be renewable or fossil fuel–based. The efficient use and conservation of renewable energy is also important because as California strives to renewable to fully transition its electrical grid to renewable sources of generation by 2045 pursuant to the Renewable Portfolio Standard, demand for electricity is projected to grow substantially. It is projected that electricity demand will increase 26 percent by 2030 and 76 percent by 2045 compared to 2022 (California Air Resources Board. 2022. 2022 Scoping Plan for Achieving Carbon Neutrality. Approved by CARB December 15, 2022. Available: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed: December 30, 2024. Page 202).

**32-3** Instead, the energy impact analysis needs to address CEQA Checklist question VI.a, particularly regarding whether the energy consumed by project-related vehicle trips would be an efficient use of energy. This question is consistent with CEQA Section 21100(b)(3), which requires lead agencies to evaluate a project's potential for wasteful, inefficient, or unnecessary energy consumption. CEQA Guidelines Appendix F, Energy Conservation, provides additional guidance about the focus of an

**32-3 Cont.**

energy impact analysis. Under the heading, EIR Contents, it states, "Potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project" and, it explains that energy impacts may include "the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives."

More specifically, the energy efficiency analysis should be directly consistent with the VMT analysis provided under Impact 4.13-4, where the DEIR concludes that the Proposed Project and BRPA would be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) because the VMT efficiency of the residential component of the Proposed Project and the BRPA would be worse than both the local and regional VMT per capita averages. In other words, the VMT efficiency of the Proposed Project and the BRPA would be too high (i.e., too inefficient) relative to city-wide and regional averages. For these reasons, the DEIR determined that the VMT impact would be significant and unavoidable. For these same reasons, the DEIR should determine that the Proposed Project and BRPA would result in the wasteful, inefficient consumption of energy, thereby resulting in a significant energy impact.

**The DEIR Fails to Analyze Whether the Proposed Project would Conflict with or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency**

**32-4**

Comment 2. The DEIR needs to address question VI.b from the CEQA Checklist which asks whether a project would "conflict with or obstruct a state or local plan for renewable energy or energy efficiency."

In addition to being a GHG reduction plan, CARB's 2022 Scoping Plan, like its previous iterations, is a state plan for both developing more renewable energy generation and implementing energy efficiency measures, which is the type of plan mentioned in CEQA Guidelines Appendix G Checklist question VI.b). CARB's 2022 Scoping Plan calls for reductions in VMT per capita to achieve statewide GHG targets. CARB's 2022 Scoping Plan calls for calls for VMT per capita reductions of 25 percent below 2019 levels by 2030 and 30 percent below 2019 levels by 2045 and identifies local governments as lead actors to achieve these goals, both through VMT reductions and through GHG mitigation actions taken pursuant to the California Environmental Quality Act (CEQA) (California Air Resources Board. 2022. *2022 Scoping Plan for Achieving Carbon Neutrality*. Approved by CARB December 15, 2022. Available: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed: December 30, 2024. Page 77). Managing total demand for transportation energy, including electricity used by EVs, by reducing the miles people drive on a daily basis is also critical as the state aims for a sustainable transportation sector in a carbon neutral economy (*ibid.*, page 192). The Scoping Plan points to the need to accelerate infill development and housing production at all affordability levels in transportation-efficient places, with a focus on housing for lower-income residents as a VMT Strategy for Achieving Success (*ibid.*, page 195).

This analysis should also be consistent with the VMT analysis provided under Impact 4.13-4, where the DEIR concludes that the Proposed Project and BRPA would be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) because the VMT efficiency of the residential component of the Proposed Project and the BRPA would be worse than both the local and regional VMT per capita averages. In other words, the VMT efficiency of the Proposed Project and the BRPA

**32-4 Cont.**

would be too high (i.e., too inefficient) relative to city-wide and regional averages. For these reasons, the DEIR determined that the VMT impact would be significant and unavoidable. For these same reasons, the DEIR should determine that the Proposed Project and BRPA would conflict with CARB's 2022 Scoping Plan, resulting in a significant energy impact.

**The DEIR Fails to Disclose that the Operational VMT of the Proposed Project and BRPA would Conflict with the Davis Climate Action and Adaptation Plan**

**32-5**

Comment 3. The DEIR fails to disclose that operational VMT of the Proposed Project and BRPA would also conflict with the City of Davis 2023 *Climate Action and Adaptation Plan* (CAAP). However, there is no mention of the City's CAAP in the transportation impact analysis in Section 4.13 of the DEIR. This is poor preparation of a CEQA document, and the DEIR should be revised to fully disclose this highly relevant VMT goal in its transportation impact analysis. CAAP Action TR.11, Develop sustainable housing, states the city's climate action goal to "increase housing opportunities to support the jobs/housing balance *and decrease vehicle miles traveled*. Develop incentive options to increase housing construction in the city, including high-density, mixed-use (especially office space and food service), transit-oriented, and affordable options" [italics added for emphasis] (page 83). Thus, the City clearly recognizes the importance of high VMT efficiency in achieving its GHG reduction targets. The DEIR analysis needs to recognize this as well. The public deserves to know that the City of Davis developed a plan to achieve GHG reduction, which includes the goal to decrease vehicle miles traveled, and that the Proposed Project and BRPA would directly conflict with this plan. This important point should be disclosed in the DEIR.

**Mitigation Measure 4.3-8 to Reduce Operational GHG Emissions is Disingenuous**

**32-6**

Comment 4. Mitigation Measure 4.3-8 to reduce operational GHG emissions is improperly deferred and delegated mitigation that violates CEQA Guidelines Section 15126.4(a)(1)(B), which states:

> Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.

Mitigation Measure 4.3-8 states, "The project proponent shall prepare and implement a GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG

**32-6 Cont.** emissions, towards the goal of zero net GHG emissions by the year 2040." This mitigation measure is highly problematic for multiple reasons:

**32-7** Comment 5. Discretion, responsibility, and enforcement of this mitigation measure is delegated to some unknown "city" representative.

**32-8** Comment 6. The analysis of, and discretion over, which mitigation measures are ultimately incorporated into the Proposed Project or BRPA and their efficacy would take place outside of the public review process.

**32-9** Comment 7. Mitigation Measure 4.3-8 lacks commitment to specific GHG reduction measures and it lacks commitment to a performance standard that can be shown to be achievable. There is no mention of the criteria that would be used to determine whether onsite mitigation would be feasible, or whether purchasing and retiring carbon offsets would be feasible. The DEIR fails to explain the need to defer the selection of GHG reduction measures and a feasibility analysis of potential GHG reduction measures. It fails to explain why it is impractical or infeasible to include those details in its analysis.

**32-10** Comment 8. Item 3 on pages 4.3-81 and4.3-82 lists several deferred GHG mitigation measures that are currently feasible today. The City should evaluate their efficacy in this DEIR and include them in the modeling to determine if they would enable the project to meet the GHG emissions reduction performance targets set forth in item 2 (pages 4.3-80 and 4.3-81) rather than defer this analysis to a future time when members of the public cannot review it.

**32-11** Comment 9. Mitigation Measure 4.3-8 violates multiple points stated in the court's decision in *Golden Door Properties, LLC v. County of San Diego (2020) 50 Cal.App.5th 467*. The City and its CEQA consultants should review the holding in *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467 and revise Impact 4.3-8 such that the analysis, selection and incorporation of feasible GHG mitigation measures, and lead agency discretion are not improperly deferred.

**32-12** Comment 10. Mitigation Measure 4.3-8 is unenforceable and disingenuous. It lacks assurance that GHG reduction measures will be evaluated in an honest way. It gives too much discretion to the City and YSQMD. It includes no opportunity for members of the public to review and comment on the feasibility analysis prepared by the applicant, the criteria the applicant uses in its feasibility analysis, and the GHG reduction measures the applicant ultimately selects.

Moreover, the public has no assurance that the applicant will be in existence during the entire 7-year period that GHG reduction measures must be identified and implemented. The public has no assurance that the applicant will exist shortly after the Proposed Project/BRPA is built, much less in the year 2040 when the applicant is allegedly required to demonstrate its last iteration of GHG reduction. This concern is especially strong given that the North Davis Land Company is a Limited Liability Company—this critical information is not included in the DEIR. The DEIR does not even state who the applicant is.

**32-13** Comment 11. One of the bulleted measures in part 3 of Mitigation Measure 4.3-8 states, "Provide electric vehicle charging infrastructure in excess of existing Tier 1 CBSC requirements." Instead,

**Letter 32 Cont.**

**32-13 Cont.**

Mitigation Measure 4.3-8 should require that CalGreen Tier 2 requirements be achieved. The Tier 2 standards have already been determined to be feasible by CBSC.

**The DEIR should Provide More Clarity about Consistency of the Proposed Project/BRPA with the City of Davis Climate Action and Adaptation Plan**

Comment 12. It appears that the DEIR is being intentionally unclear about what the actions and measures in the CAAP actually require.

- On page 4.3-77, the DEIR states, "CAAP Action BE.6, and many of the other measures included in the CAAP, are not directly applicable to the Proposed Project or the BRPA. Both the Proposed Project and the BRPA would be generally consistent with the remaining CAAP actions that are applicable to the Proposed Project/BRPA." And "Action TR.11 aims to 'develop sustainable housing'.."
- On page 4.3-78, the DEIR states, "Several CAAP actions, such as Action TR.5, which is directly applicable to the Proposed Project and the BRPA, and Citywide actions such as Actions TR.3, TR.4, TR.6, and TR.7, are related to increasing the use of alternative transportation modes within the [c]ity."

**32-14**

- And on page 4.3-49 the DEIR states, "the project applicant has committed to several project design features that would ensure the Proposed Project is developed in accordance with the CAAP goals. On page 4.3-75, the DEIR states, "the project applicant has committed to several project design features that would ensure the Proposed Project is developed in accordance with the CAAP goals. For example, the project applicant has committed to the prohibition of natural gas on site; a portion of on-site units would be affordable housing units; the Proposed Project would include several bicycle and pedestrian infrastructure improvements; and the Proposed Project would implement TDM strategies to reduce VMT, as required by Mitigation Measure 4.13-4 of this EIR."

The DEIR should explain the pertinent CAAP actions and measures in full, rather than speaking to whether the Proposed Project and the BRPA would be "generally consistent" with them. Please provide a table or list of all the actions and measures in the City of Davis CAAP and discuss whether those actions and measures are applicable to the Proposed Project and BRPA and if and how the Proposed Project and BRPA would implement those measures. This method would provide the most clarity to the reader about whether the Proposed Project and BRPA would conflict "conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs," which in this case is the City of Davis CAAP. Furthermore, the City, its CEQA consultants, and the applicant should identify its role in helping the city implement its CAAP. Not all actions in the CAAP are to be implemented by the City. Many are to be implemented by the developers planning new development.

**Letter 32 Cont.**

**Additional Feasible Mitigation Shall be Implemented to Reduce Operational VMT and GHG Emissions**

The project shall consider all mitigation measures that would reduce the project's operational VMT and GHG emissions, including the measures listed below. By reducing VMT, all these measures would also reduce mobile-source GHG emissions. If any of these measures are infeasible, the DEIR should provide an explanation supported by detailed evidence:

32-15

Comment 13. Implement Measure T-17, Improve Street Connectivity, from CAPCOA's 2021 *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Equity and Health*, page 130 (Available: https://www.airquality.org/ClimateChange/Documents/Handbook%20Public%20Draft_2021-Aug.pdf. Accessed: September 13, 2024). CAPCOA states, "This measure accounts for the VMT reduction achieved by a project that is designed with a higher density of vehicle intersections compared to the average intersection density in the U.S. Increased vehicle intersection density is a proxy for street connectivity improvements, which help to facilitate a greater number of shorter trips and thus a reduction in GHG emissions." The project applicant shall coordinate with the City and Unitrans to include at least one street connection between the proposed project and the existing Northstar neighborhood for travel by transit buses. And ideal connection would connect the east end of Anderson Rd. in the Northstar neighborhood to the west end of Moore Blvd. in the Wildhorse neighborhood. in This would enable Unitrans and Yolo Bus to more efficiently serve the land uses of the Proposed Project and BRPA with the existing land uses in Northstar. A bus should be able to travel between the Proposed Project/BRPA site, the existing Northstar neighborhood, and the Wildhorse neighborhood without having to backtrack to Covell Blvd. Such street connections would result in lower VMT by transit buses, reduce Unitrans travel times, and positively influence transit ridership. Moreover, this connection would enable commercial delivery vehicles (e.g., DoorDash, Uber Eats, FedEx, UPS, U.S. Mail) to efficiently make deliveries to the land uses that comprise the Proposed Project/BRPA site, the existing Northstar neighborhood, and the existing Wildhorse neighborhood. These types of delivery trips are important because commercial deliveries are the fastest growing sector of VMT. Such street connections would also make it more convenient for residents of the Proposed Project/BRPA to carpool with residents of the existing Northstar neighborhood. (Moreover, this measure would also improve access for emergency vehicles and reduce response times by first responders). If desired, the street connections between the Proposed Project/BRPA site and the Northstar neighborhood could be restricted to transit vehicles, delivery vehicles, emergency vehicles, cyclists, and pedestrians. It's important to incorporate transit *into* project design rather than locate the project *near* transit. This distinction is important. To do otherwise is piecemeal planning.

32-16

Comment 14. The project applicant shall develop additional affordable housing on one or more infill sites in or near downtown Davis. Research shows that residents who live in affordable housing located on infill sites generate less daily VMT than the regional average. Such a project would be GHG efficient and would offset the poor VMT efficiency of the proposed project.

**32-17**

Comment 15. The project applicant shall implement a free transit pass program. This entails providing a free transit pass to every resident who is not otherwise eligible for a free transit pass (e.g., UC Davis students, DJUSD students). Each resident shall have the choice of a free transit pass for Yolo Bus or Unitrans. This measure is consistent with Measure T-29, Reduce Transit Fares, in CAPCOA's 2022 *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Equity and Health*, page 199.

**32-18**

Comment 16. Install and maintain a designated secure, indoor bicycle storage area for all residential land uses, including multifamily dwelling units. The measure is consistent with Measure T-10, Provide End-of-Trip Bicycle Facilities in CAPCOA's 2021 CAPCOA's 2021 *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Equity and Health* (page100). This measure encourages commuting by bicycle, thereby reducing VMT, GHG emissions, and wasteful consumption of energy.

**32-19**

Comment 17. Fund, install, and maintain bike racks or bike lockers at the bus stops closest to the project site that are part of the Unitrans lines P, Q, L, T, F, and E, the Yolobus 43 and 230 routes. This measure will also help reduce the level of VMT generated by the project, as well as other nearby developed areas.

**32-20**

**Additional Feasible Mitigation Shall be Implemented to Reduce Operational GHG Emissions**

The project shall consider all mitigation measures that would reduce the project's operational GHG emissions, including the measures listed below. If any of these measures are infeasible, the DEIR should provide an explanation using supporting evidence.

Comment 18. Implement all applicable energy efficiency standards set forth in Tier 2 of California Green Building Energy Codes (CALGreen) in the design of all buildings.

**32-21**

Comment 19. Install solar panels on all building rooftops and on canopies above all parking lots, as well as battery energy systems, sufficient to meet the 90 percent of the annual electricity demand, including anticipated demand for charging electric vehicles. Design all buildings with south facing rooftops to maximize solar energy. Install solar panels on any shade structures at the parks and Pre-K early learning center

**32-22**

Comment 20. Provide a Level EV charging station at every single-family residence, cottage, and townhome. The project description in the DEIR states only that all single-family residential units "would support Level 2 EV charging," which is vague. The project shall include actual Level 2 EV chargers at every single-family residence, cottage, and townhome.

**32-23**

Comment 21. Install cool roofs on all buildings. Cool roofs are designed to reflect more sunlight and absorb less heat than a standard roof, keeping buildings cooler in the summertime and thus reducing air-conditioning loads. Newly constructed buildings shall be designed to include Cool Roofs in accordance with the requirements set forth in Tier 2 of

**32-23 Cont.** the most recent version of the California Green Building Energy Code (CALGreen). Alternatively, install green roofs that consist of a layer of vegetation on top of buildings, which provides natural insulation and climate control benefits. These roof designs will provide energy efficiency benefits to the buildings, particularly during the heat of summer.

**32-24** Comment 22. Implement Mitigation Measure E-21, Install Cool Pavements, from the CAPCOA *Handbook*. Install cool pavements in place of dark pavements. Cool pavements help to lower ambient outdoor air temperatures when compared to dark-colored, heat-absorbent pavements such as asphalt. This reduces the electricity needed to provide cooling in climates like the Sacramento Valley.

**32-25** Comment 23. For all dwelling units in multifamily residential units that are not dedicated as affordable, below market rate units, requiring parking costs to be unbundled from costs to rent or own a residential unit.

**32-26** Comment 24. Install cool pavements in place of dark pavements along all streets, parking lots, driveways, bike paths, and sidewalks. Cool pavements help to lower ambient outdoor air temperatures when compared to dark-colored, heat-absorbent pavements such as conventional asphalt. This reduces the electricity needed to provide cooling, thereby reducing associated GHG emissions depending on the project parameters.

**32-27** Comment 25. Install rainwater collection and storage systems as part of every building rooftop so that collected rainwater can be used for outdoor irrigation.

**32-28** Comment 26. Install graywater systems in every building with indoor water use. These design features will reduce the volume of water needed to be supplied to the project site from offsite systems, and associated energy consumption.

**32-29** Comment 27. All swimming pools, including those at the aquatic complex, shall be designed and constructed to use solar water heating or other technologies with equivalent energy efficiency. Natural gas or other fossil fuels should not be used for heating swimming pool water.

**32-30** Comment 28. The project shall replace diesel-powered agricultural pumps in Yolo County with electric pumps and install the necessary electricity connections to the grid or solar photovoltaic systems that supply the pumps with necessary power. This would be a local GHG offset measure.

**32-31** The project shall also implement the five VMT mitigation measures listed under Comment s 13–17, which would have the co-benefit of reducing mobile-source GHG emissions.

**32-32** **The Mass Emission Threshold Used to Evaluate for Construction-related GHGs is Unsubstantiated**

Comment 29. The analysis of construction-related GHGs under Impact 4.3-7 applies SMAQMD's threshold of 1,100 MTCO2e/year. This threshold is inappropriate for the current project for multiple reasons.

**32-32 Cont.**

The use of this threshold for the specific conditions in Davis is not supported, and never was supported, by substantial evidence. SMAQMD first developed this threshold based on a screening analysis in which it examined 102 EIRs and MNDs for projects in Sacramento County between 2014 and 2018. SMAQMD's screening analysis determined that a threshold of 1,100 MTCO2e/year would capture 98 percent of operational GHG emissions associated with new land use development in Sacramento County. SMAQMD decided to recommend the same criterion to evaluate GHG emissions generated by project construction (SMAQMD 2020. *Greenhouse Gas Thresholds for Sacramento County*, page 39. Available: https://www.airquality.org/LandUseTransportation/Documents/ SMAQMDGHGThresholds2020-03-04v2.pdf. Accessed September 12, 2024). And SMAQMD's development of this threshold was based on a public input process that included input from the cities and counties in its jurisdiction, SMUD, and the Environmental Council of Sacramento.

Comment 30. First, the threshold of 1,100 MTCO2e/year is out of date because it does not reflect the state's current goals of climate neutrality, as mandated by AB 1279 of 2022. SMAQMD developed its thresholds of significance before the State Legislature passed AB 1279, which established a statewide policy for California to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net-negative emissions thereafter (as noted on page 4.3-26 of the DEIR). This means the SMAQMD's threshold was developed before the state's mandate of carbon neutrality. When SMAQMD first developed its threshold of 1,100 MTCO2e/year, it "sought to capture only those projects that are necessary to meet AB 32 goals." (SMAQMD. 2014. *Justification for Greenhouse Gas Emissions Thresholds of Significance*, page 10. Available as part of the SMAQMD Board of Directors Meeting Agenda for October 23, 2014. Available: https://www.airquality.org/meetings/board-of-directors/board-of-directors-meetings. Accessed September 15, 2024.)

The DEIR, YSAQMD, the City of Davis, and its consultant have not provided evidence that the mass emission threshold SMAQMD developed for Sacramento County can also be used for projects in Yolo County or the City of Davis. When SMAQMD developed its threshold, it did not examine data from development in Davis or other parts of YSAQMD's jurisdiction and it did not collect public input from entities in Davis or other parts of YSAQMD's jurisdiction. The GHG emissions inventory in Sacramento County is substantially different than the GHG inventory in Davis, as are the types of land use development, the jobs–housing balance, and the area's VMT efficiency. Without supporting evidence, SMAQMD's threshold of 1,100 MTCO2e/year should not be used to evaluate projects in Davis. Just because YSAQMD says it is okay does make it a defensible threshold. The analysis shall apply a threshold that is supported with substantial evidence, and if necessary, the City should develop a threshold based on substantial evidence. If the City or YSAQMD indeed recommends the use of 1,100 MTCO2e/year as a threshold for analyzing projects in Davis, the DEIR should supply supporting evidence. If there is no substantial evidence for using 1,100 MTCO2e/year as a threshold for analyzing construction-related GHG emissions for a project in Davis, a revised impact analysis should be provided that applies a threshold that is based on substantial evidence. One such threshold would be 0 MTCO2e. Another approach would be to qualitatively determine whether the construction activity would implement specific best management practices that are consistent with CARB's 2022 Scoping Plan. One such measure that would be consistent with CARB's 2022 Scoping Plan would involve only using certified renewable diesel fuel in all diesel-

powered equipment used during construction. Another measure consistent with CARB's 2022 Scoping Plan would be requiring at least 25 percent of the construction equipment be electric powered, on an energy consumption basis for all construction activity before 2045, and 75 percent thereafter—as stated in Table 2-1, on page 77 of CARB's 2022 Scoping Plan.

**32-32 Cont.**

Comment 31. The City should develop a meaningful, substantiated threshold of significance to evaluate the mass of construction-related GHG emissions associated with development of the Proposes Project or BRPA. One defensible threshold would be zero. Alternatively, the City could develop a non-zero threshold that is based on the applicable modeling assumption used to develop CARB's 2022 Scoping Plan. This assumption is found in Table 2-1, on page 77 of CARB's 2022 Scoping Plan (and in Table C-1 in Appendix C to the Scoping Plan [page 16]). Here the 2022 Scoping Plan states that the energy demand of construction equipment should be 25 percent electrified by 2030 and 75 percent electrified by 2045. Thus, the project proponent shall use all-electric or hybrid electric construction equipment to meet, at a minimum, the 25 percent standard. If doing so is in feasible due to the lack of availability of electric or hybrid-electric construction equipment, the project proponent shall purchase offsets from the voluntary offset market to meet the standard.

**The DEIR Fails to Fully Disclose the Impact of Construction-related GHG Emissions**

**32-33**

Comment 32. Even if 1,100 MTCO2e/year were a legitimate threshold to evaluate construction-related GHGs for projects in Davis, the DEIR does not fully disclose the impact of construction-related GHG emissions for the Proposed Project and the BRPA because it does not disclose, in a way meaningful to the general public, how many years during the construction phase that this quantitative threshold would be exceeded. Based on the CalEEMod output values shown on pdf sheet number 154 of Appendix C to the DEIR, construction of the Proposed Project would exceed the level of 1,100 MTCO2e/year for 3 consecutive years. Similarly, based on the CalEEMod output values shown on pdf sheet number 8 of Appendix C, construction of the BRPA would also exceed the level of 1,100 MTCO2e/year for 3 consecutive years. This should be disclosed in the analysis under Impact 4.3-7 of the DEIR. Readers would also likely appreciate that this section of the DEIR disclose the total estimated level of GHG emissions that would be associated with construction of both the Proposed Project and the BRPA.

**SMAQMDs 1,100 MTCO2e/year Threshold is Not Applied Meaningfully**

**32-34**

Comment 33. Even if 1,100 MTCO2e/year were a legitimate threshold to evaluate construction-related GHGs for projects in Davis, the DEIR incorrectly interprets this criterion as being 1,100 MTCO2e *during any calendar year*. Instead, the analysis should evaluate whether project construction would possibly generate 1,100 MTCO2e *during any 12-month period*. Table 4.3-17 in the DEIR indicates that, with implementation of Mitigation Measure 4.3-7(a), construction of the Proposed Project would generate a maximum of 1,086.93 MTCO2e/year, which is less than the criterion of 1,100 MTCO2e/year. A note at the bottom of Table 4.3-17, states "Source: CalEEMod, November 2024 (see Appendix C)." Unfortunately, this value cannot be found in Appendix C. The way this value was calculated needs to be included in the DEIR. And, given that 1,086.93

MTCO2e/year is approximately 1 percent below the criterion of 1,100 MTCO2e/year no evidence is presented that that construction-generated GHG would not exceed the criterion *during any 12-month period*.

Even if substantial evidence supports the use of 1,100 MTCO2e/year as a significance threshold, the analysis should be revised to disclose whether this mass emission criterion could be exceeded *during any 12-month period*. According to the CalEEMod output file for the Proposed Project, on pdf sheet number 4, it was assumed that construction would begin on April 1, 2024. What if construction began later in that calendar year? Or earlier? How would that effect the level of GHGs, with implantation of Mitigation Measure 4.3-7(a), that would occur during any single calendar year?

**32-34 Cont.**

Other parts of Appendix C show that it was assumed that construction would occur 5 days per week. However, it's not uncommon for construction to take place 6 or 7 days per week. If this were the case for the Proposed Project, then it would generate a level of GHG emissions that exceeds the criterion of 1,100 MTCO2e/year, even with implantation of Mitigation Measure 4.3-7(a). An exceedance of the criterion could also occur if construction phases overlapped more than assumed in the modeling (e.g., architectural coatings, structure building happening simultaneously).

For these reasons, more disclosure is needed in the DEIR. As is, the analysis of construction-related GHGs in the DEIR is inadequate.

Comment 34. To make matters worse, Mitigation Measure 4.3-7(b) includes the following two measures for reducing construction-related GHG emissions:

**32-35 Cont.**

- Modify the construction schedule to reduce the intensity of construction to lower emissions;
- Ensure that phases of development do not overlap.

These measures do not reduce the total level of GHG emissions that would be emitted during construction. They merely change the timing and pace of construction-related GHG emissions.

**32-36**

Comment 35. Mitigation Measure 4.3-7(b) also states, "Use alternative fuels for generators at construction sites such as propane or solar, or use electrical power." It is unclear how using propane-fueled generators would lower the level of GHG emissions during construction.

**32-37**

Comment 36. Mitigation Measure 4.3-7(b) is inconsistent with CARB's 2022 Scoping Plan. As mentioned in Comment 3, Appendix C to the Scoping Plan states that to "decarbonize the industrial energy supply (construction equipment)" the 2022 Scoping Plan assumes that the energy demand of such equipment would be 25 percent electrified by 2030 and 75 percent electrified by 2045. Therefore, Mitigation Measure 4.3-7(b) should include the use of all-electric and hybrid-electric construction equipment as one of the many ways to reduce construction emissions.

**GHG-emitting Construction Activity would Conflict with the Scoping Plan**

**32-38**

Comment 37. The DEIR contains no analysis about whether construction of the Proposed Project would be consistent with CARB's 2022 Scoping Plan. In Table 2-1 on page 77 of its 2022 Scoping

**Letter 32 Cont.**

**32-38 Cont.**

Plan, CARB indicates the need to stop using fossil fuels to power construction equipment. It states that the energy demand of construction equipment should be 25 percent electrified by 2030 and 75 percent electrified by 2045. The Proposed Project would not incorporate any measures consistent with this goal and therefore project-related construction activity would not be consistent with the Scoping Plan. This should be part of the qualitative analysis in the DEIR to properly answer the CEQA Checklist question that asks whether the project would "conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs."

Thank you for the opportunity to submit these comments.

Sincerely,

Austin Kerr
Davis, CA
jakerr44@gmail.com

## LETTER 32: AUSTIN KERR

### Response to Comment 32-1

The comment is introductory and expresses general dissatisfaction with the Draft EIR. Please see Responses to Comments 32-2 through 32-38. As detailed therein, the analyses and conclusions of the Draft EIR are adequate.

### Response to Comment 32-2

As stated on page 4.3-65 of the Draft EIR, vehicle trips generated by both the Proposed Project and the BRPA would result in an approximately 0.01 percent increase in the State's current consumption of gasoline. However, the Draft EIR notes that such an increase is likely an overestimate, as the estimate does not account for the increasing ownership of electric vehicles.

The Draft EIR also notes that the Proposed Project and BRPA would both be required to comply with all applicable regulations associated with vehicle efficiency and fuel economy which would help to reduce consumption of gasoline and reduce the State's dependence on petroleum products. The Proposed Project and BRPA would also be required to comply with the CBSC and the City of Davis Municipal Code, which also require new developments to include the necessary electrical infrastructure for EV charging stations. Given the Proposed Project's/BRPA's required compliance with all applicable regulations associated with vehicle efficiency and fuel economy, the Draft EIR reaches the reasonable conclusion that transportation energy usage would not be inefficient or wasteful.

### Response to Comment 32-3

Please see Response to Comment 32-2. In addition, the VMT analysis for the residential components of the Proposed Project/BRPA used a VMT per capita metric. This metric captures VMT associated with all vehicle travel activity that would start or end at the Proposed Project/BRPA's residential uses and divides that VMT value by the number of project residents. This, in turn, creates a VMT-generation rate on a per resident basis. However, residential VMT per capita is different than other VMT metrics, such as total VMT, which includes VMT on roadways within a given geographic area associated with both project-related trips and all background trips generated by other uses. The foregoing different VMT metrics are not to be compared to each other, as they present an "apples-to-oranges" comparison. Sufficient research exists that supports the notion that increasing residential densities, in and of itself, presents a viable approach to reducing VMT. In addition, for projects that improve destination proximity, it is common for VMT analysis results to indicate an increase in project-generated VMT and a decrease in total VMT that occurs within a geographic boundary due to a reduction in trip distances. In the case of the Proposed Project/BRPA, while the Proposed Project/BRPA would result in a significant and unavoidable impact related to per capita VMT, the Proposed Project/BRPA would add to the housing stock within the City of Davis, thus, providing residents with higher-density housing opportunities closer to destinations within the City, such as employment uses and the UC Davis campus. By providing such higher-density housing opportunities within the City limits, the Proposed Project would be reasonably anticipated to decrease regional commute trip lengths, resulting in a decrease in the project's total VMT. As a result, transportation energy usage associated with the Proposed Project/BRPA would not be inefficient or wasteful.

### Response to Comment 32-4

Please see Responses to Comments 32-2 and 32-3.



## Response to Comment 32-5

The comment states that the Proposed Project would conflict with the City of Davis' adopted CAAP because the project is inconsistent with CAAP Action TR.11. The Proposed Project's consistency with TR.11 is analyzed in the discussion of Impact 4.3-8 in the Draft EIR. As discussed therein, Action TR.11 aims to "develop sustainable housing", which is further expanded on as "Increase housing opportunities to support the jobs/housing balance and decrease vehicle miles traveled. Develop incentive options to increase housing construction in the City, including high-density, mixed-use (especially office space and food service), transit oriented, and affordable options." As described in the Draft EIR, the Proposed Project and the BRPA are generally consistent with Action TR.11, as the Proposed Project/BRPA would increase housing opportunities, including high-density, mixed-use, transit oriented, and affordable options. While the Proposed Project and BRPA would have a significant VMT impact with respect to the VMT per capita standards used for the transportation analysis, Action TR.11 includes no explicit reference to new housing having to be at or below the City's VMT per capita thresholds. Instead, it correctly states that providing more local housing development will improve the City's jobs/housing balance, thereby resulting in fewer long-distance trips into the City from adjacent communities (see also the section in Master Response 5 entitled "Project Effect on Region-Wide VMT"). The Action does reference the additive benefits of that housing having density, being situated in infill sites, and/or being a transit-oriented development. However, the policy does not conclude that this is the only type of housing that should be considered to achieve the Action. Therefore, the fact that the Proposed Project would result in increased per capita VMT does not in itself render the project inconsistent with Action TR.11, given that the project does meet most of the objectives of the policy.

## Response to Comment 32-6

Mitigation Measure 4.3-8 requires that the project proponent prepare and implement a GHG Reduction Plan to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040, and that, prior to approval of the entitlement for each phase of the project, the project proponent shall indicate how to complete and implement a series of actions.

Firstly, the proponent shall model the GHG emissions of the subject phase, taking into account applicable building standards and other regulatory requirements, as well as building design, use of renewable energy, etc. The modeled emissions should meet the targets included in Mitigation Measure 4.3-8 for the specified year, as shown in the below table. Accordingly, a specific performance standard is included in Mitigation Measure 4.3-8 in the form of the downward targets that must be met, as specified in the following table:

| BRPA | | |
|---|---|---|
| **Year** | **Maximum Permitted Net Project Emissions ($MTCO_2e$)** | **Emissions Reductions Achieved ($MTCO_2e$)** |
| 2033 | 19,206.00 | 0.00 |
| 2034 | 16,462.29 | 2,743.71 |
| 2035 | 13,718.57 | 5,487.43 |
| 2036 | 10,974.86 | 8,231.14 |
| 2037 | 8,231.14 | 10,974.86 |
| 2038 | 5,487.43 | 13,718.57 |
| 2039 | 2,743.71 | 16,462.29 |
| 2040 | 0.00 | 19,206.00 |
| *Total Emissions Reductions* | | *76,824.00* |

The mitigation measure recognizes the possibility that the targets cannot be met, and accordingly, identifies a number of examples of reasonable means to achieve compliance with the stated performance standard. The ultimate effectiveness of the examples included in the mitigation measure to reduce GHG emissions to below the stated performance standard is uncertain at this time. It is important to recognize, however, that the referenced GHG mitigation measures are not illusory, insofar as specific performance standards are specified, available means to achieve performance standards are included, and the City and applicant are committed to implementing the mitigation measures to reduce the project's GHG emissions. Notwithstanding this, the ability for such actions to fully reduce the project's GHG emissions below the applicable thresholds is uncertain. For example, if carbon off-sets are needed to meet the specified trajectory targets in Mitigation Measure 4.3-8, the future availability of carbon off-set credits that provide ongoing carbon off-sets (as compared to one-time off-sets) cannot be determined with complete certainty.

Because Mitigation Measure 4.3-8 includes a specific, enforceable performance standard and identifies potential actions necessary to achieve the standard, Mitigation Measure 4.3-8 meets the requirements of Section 15126.4(a)(1)(B) of the CEQA Guidelines, and the EIR does not inappropriately defer mitigation.

## Response to Comment 32-7

As stated in Mitigation Measure 4.3-8 of the Draft EIR, the City of Davis Department of Community Development is the monitoring agency for the mitigation measure. As discussed further in Chapter 4 of this Final EIR, Section 15097 of CEQA requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports. The intent of the MMRP is to ensure the implementation of adopted mitigation measures. Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Davis. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City of Davis will be responsible for monitoring compliance.

## Response to Comment 32-8

Pursuant to CEQA Guidelines Section 15126.4(a)(1)(B):

> Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will considered, analyzed, and potentially incorporated in the mitigation measure.

As stated above, the specific details of a mitigation measure may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review. It is impractical to include a finite list of measures within MM 4.3-8 because the regulatory environment and available technologies concerning GHG emissions continues to evolve and advance. Thus, it is reasonable for the City to allow the applicant flexibility as to how the reduction targets in MM 4.3-8 can be met.

## Response to Comment 32-9
Please see Responses to Comments 32-6 and 32-8.

## Response to Comment 32-10
Please see Responses to Comments 32-6 and 32-8.

## Response to Comment 32-11
The commenter claims that Mitigation Measure 4.3-8 violates multiple points stated in the court's decision in *Golden Door Properties, LLC v. County of San Diego (2020)* 50 Cal.App.5th 467 but provides no substantial evidence to support this claim.

## Response to Comment 32-12
Please see Response to Comment 32-8. The applicant will adhere to all requirements by the City of Davis, YSAQMD, and any relevant and required agencies. Moreover, mitigation measures, conditions of approval and any other additional requirements imposed on the project through, for example, the development agreement, "run with the land" such that even if the property is sold, the requirements persist regardless of the developer's identity.

## Response to Comment 32-13
Please see Response to Comment 32-8. In addition, regarding EV charging infrastructure, specifically, Mitigation Measure 4.3-8 references Tier 1 CBSC standards because the Proposed Project/BRPA would be required to comply with such standards in accordance with the City of Davis Municipal Code. The language regarding EV charging infrastructure within Mitigation Measure 4.3-8 is intended to provide flexibility to allow the project applicant to provide EV charging infrastructure in excess of the required Tier 1 CBSC standards, which could be in compliance with Tier 2 standards, or in excess of the Tier 2 standards. Thus, by providing flexibility within the referenced measure, the mitigation measure allows for EV charging infrastructure to be provided at a rate that exceeds the current Tier 2 standards.

## Response to Comment 32-14
Contrary to the commenter's statement, the Draft EIR includes a detailed discussion of the CAAP measures that would be applicable to the Proposed Project, as well as a discussion of the CAAP measures that are intended for City-wide application, and, therefore, are not applicable to individual development projects like the Proposed Project/BRPA. The Draft EIR is not required to present the CAAP measures in a table or list format as part of the CAAP consistency analysis. As such, the CAAP consistency analysis within Impact 4.3-8 of the Draft EIR is adequate.

## Response to Comment 32-15
The project plans clearly show a street connection from the project site/BRPA site to Wildhorse through an extension of Moore Boulevard into the Village Farms Davis neighborhoods. While a bicycle and pedestrian overcrossing is identified for a connection over F Street and the UPRR track, a full-size vehicle connection at that location is not feasible because there is not sufficient land near F Street to accommodate the necessary radii, grades, and rights-of-way. An at-grade crossing connecting F Street to Village Farms Davis is not feasible due to UPRR's policy of not

allowing new at-grade crossings. More information can be found within the Union Pacific Railroad Public Projects Manual.[15]

## Response to Comment 32-16

As discussed within the Project Description chapter of the Draft EIR, the Proposed Project would include a total of 300 on-site affordable housing units, and the BRPA would include a total of 270 on-site affordable housing units. Such units would be restricted for households meeting the definitions established by Davis Municipal Code Section 18.05.020, and a land dedication would be developed and managed by a regional Affordable Housing developer for the development of the on-site affordable housing units. Development of off-site affordable housing is not included as part of the Proposed Project/BRPA, and a nexus does not exist to require the project to construct such development. Such a proposal would be considered a separate development application, and is required to be considered by the City for review and approval separate from the Proposed Project/BRPA. The comment has been forwarded to the applicant and City decision-makers for their consideration.

## Response to Comment 32-17

Mitigation Measure 4.13-3(b) requires that the project applicant fund a Transit Service and Facilities Plan for the area encompassing the project site/BRPA site and other development along the north side of the Covell Boulevard and Mace Boulevard corridor between the westerly city limits and the I-80 interchange. Mitigation Measure 4.13-3(b) includes a list of potential transit improvements, one of which would require implementing transit pass/fare subsidies for residents and employees.

## Response to Comment 32-18

Multifamily units are being built by non-profit developers with their own funding models. The applicant can encourage developers to include features such as bike storage areas, but cannot commit them to so many specific amenities that can then undermine the developers' ability to get funding. The remaining residential units will have garages or other areas designated for bike storage.

## Response to Comment 32-19

The City cannot require the applicant to implement the suggested improvements at existing off-site bus stops, which are under the ownership of another agency. However, Mitigation Measure 4.13-3(b) requires that the project applicant fund a Transit Service and Facilities Plan for the area encompassing the project site/BRPA site and other development along the north side of the Covell Boulevard and Mace Boulevard corridor between the westerly city limits and the I-80 interchange. The Transit Service and Facilities Plan shall identify transit service and facility improvements required in accordance with Unitrans and Yolobus policies related to unmet transit needs, timing for improvements, transit service warrants, and performance standards. Mitigation Measure 4.13-3(b) includes a list of potential transit improvements, one of which would require improving terminal facilities (i.e., stops) to accommodate additional passengers and transit vehicles.

[15] Union Pacific Railroad. *Union Pacific Railroad Public Projects Manual*. July 30, 2021. Available at: www.up.com/cs/groups/public/@uprr/@corprel/documents/up_pdf_nativedocs/pdf_up_public_projects_manual.pdf. Accessed March 2025.

## Response to Comment 32-20

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. City of Davis Municipal Code Section 8.01.090 currently requires compliance with CalGreen Tier 1 standards. Mitigation Measure 4.3-8 requires future phase developers to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. The suggested measures to achieve compliance with the reduction requirements include some actions or equipment that are contemplated in the CalGreen Tier 2 standards, such as increased use of energy-efficient appliances.

## Response to Comment 32-21

As presented on page 4.3-49 of the Draft EIR, on-site solar will be required in compliance with Title 24 through roof-top solar; however, the modeling did not assume or account for the required on-site solar. Therefore, the operational emissions estimates in the Draft EIR are conservative in that they do not account for the further reductions that will be provided through the required implementation of on-site solar, as suggested by some commenters. The quantification and analysis of GHG emissions required at each phase of development pursuant to Mitigation Measure 4.3-8 will demonstrate a further reduction of emissions since that analysis, unlike the Draft EIR, will take into account the required on-site solar.

## Response to Comment 32-22

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. Moreover, as required by Mitigation Measure 4.3-8, if at the time that subsequent development applications are submitted, net operational emissions are shown to exceed the maximum emissions levels set forth in the mitigation measure's schedule of annual reductions, "the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled." Potential reduction measures include providing EV charging infrastructure in excess of existing Tier 1 CBSC requirements. As EV adoption grows, an EV-ready home is more attractive to buyers. Installing the infrastructure during construction is much cheaper than retrofitting later.

## Response to Comment 32-23

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. Currently, the City Code requires compliance with Tier 1 standards, which include cool/solar-reflective roofs.

## Response to Comment 32-24

The use of cool pavements will be considered amongst other measures that may be implemented for compliance with Mitigation Measure 4.3-8, if further GHG reductions are determined to be necessary after each development phase's emissions are quantified.

## Response to Comment 32-25

The TIS prepared for the Proposed Project by Fehr & Peers identifies potential TDM strategies to reduce project-generated VMT, which would be required through implementation of Mitigation Measure 4.13-4. As discussed on page 4.13-41 of the Draft EIR, one TDM strategy that would be required to be implemented as part of Mitigation Measure 4.13-4 would be to unbundle residential parking costs from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost. The measure would result in decreased vehicle ownership and, therefore, a reduction in VMT. The strategy would be relevant to any rental dwelling units that comprise the

residential component of the Proposed Project. The revenue generated can also be used for supporting public transportation system operations and management.

## Response to Comment 32-26

Please see Response to Comment 32-24.

## Response to Comment 32-27

The Proposed Project/BRPA would incorporate comprehensive water conservation measures that align with the City of Davis's water efficiency requirements, including drought-tolerant landscaping, high-efficiency irrigation systems with smart controllers, water-efficient plumbing fixtures in all residences, and low-water-use appliances in all units. These measures, which have proven effective in reducing water consumption in similar developments, will help ensure the project meets the City's water conservation goals. Furthermore, additional costs for design, materials, installation, and long-term maintenance by the homeowners of these systems could place an undue financial burden on the project and ultimately affect housing affordability.

## Response to Comment 32-28

Greywater plumbing infrastructure would not be included as part of the Proposed Project/BRPA, as the cost of such infrastructure adds significant expenses that would create a barrier to affordable multifamily construction and attainable housing pricing. However, the Proposed Project/BRPA would include several design features to reduce water consumption on-site such as use of climate-adapted landscaping and installation of non-potable water infrastructure. In addition, the project applicant has committed to implementing a Sustainability Implementation Plan concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at the project site/BRPA site to ensure compliance with the environmental sustainability features that are incorporated into the project.

## Response to Comment 32-29

The Proposed Project/BRPA does not include an aquatic complex, and is not proposing any swimming pools at this time. In addition, the Proposed Project/BRPA would be constructed as an all-electric development.

## Response to Comment 32-30

A nexus does not exist to require the project applicant to replace off-site agricultural pumps within the County. As discussed above, the Proposed Project/BRPA would be required to implement Mitigation Measure 4.3-8, which includes a number of examples of reasonable means to achieve a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. The measures included in Mitigation Measure 4.3-8 are focused on providing meaningful reductions in on-site GHG emissions. In addition, Mitigation Measure 4.3-8 includes the option to purchase carbon credits to offset project annual emissions. Purchase of carbon offset credits could be used to fund off-site GHG mitigation programs, which could include the replacement of GHG emitting infrastructure, such as off-site agricultural pumps within the County, if such programs are deemed applicable by the City of Davis or YSAQMD.

With regard to on-site improvements, the Proposed Project/BRPA would be constructed as an all-electric development.

## Response to Comment 32-31

Please see Responses to Comments 32-15 through 32-19.



## Response to Comment 32-32

As stated on page 4.3-15 in the Air Quality, Greenhouse Gas Emissions, and Energy chapter of the Draft EIR, the City has not specifically adopted goals or thresholds to analyze GHG emissions associated with construction of proposed development projects. The YSAQMD currently recommends that GHG analysis of development projects' construction and operational activities be consistent with the SMAQMD's adopted thresholds of significance. As such, the Draft EIR uses the SMAQMD's significance threshold of 1,100 $MTCO_2e$/yr, consistent with YSAQMD and SMAQMD guidance.

In addition, while the GHG portion of *Tsakopoulos Investments, LLC v. County of Sacramento* (2023) 95 Cal.App.5th 280, was not certified for publication, the case provides instructive language related to the analysis of construction-related GHG emissions. Specifically, in *Tsakopoulos Investments, LLC v. County of Sacramento* (2023) 95 Cal.App.5th 280, the Third District Court of Appeal affirmed a judgment denying a CEQA challenge to Sacramento County's approval of a mixed-use development project known as the Mather South Community Master Plan (MSCMP). As discussed therein, in the Air Quality chapter of the EIR prepared for the MSCMP, the County did not develop a threshold of significance for construction-related GHG emissions. As part of its reasoning for such an approach, the County explained that "[e]missions resulting from the usage of off-road vehicles is only 4.7 percent of the total inventoried emissions in Sacramento County, which include emissions from recreational and industrial equipment in addition to construction fleets. Although emissions from the operation of newly constructed buildings adds to existing building stock resulting in a cumulative year-on-year increase in emissions, the level of construction activity required to build new buildings in a region does not result in a cumulative increase in emissions because of their temporary nature." Citing construction activities' required compliance with existing regulations, such as the CARB Low Carbon Fuel Standard, as well as standard mitigation applied for the purpose of reducing other air pollutants, the County determined in the MSCMP EIR that "…construction emissions would not contribute to a significant climate change impact, and no threshold is necessary."

Although the County did not provide a threshold for GHG emissions generated during construction, the County still calculated and presented the MSCMP's anticipated GHG emissions from construction-related activities for each year in an appendix to the EIR. The appendix additionally contained the anticipated annual GHG emissions that would occur during operations of the MSCMP associated with the project's residential, non-residential, and transportation uses. The Third District Court found that "[t]he final report is informative as to the level of emissions expected from construction-related activities and provides the public with the ability to compare those numbers against the greenhouse gas emissions expected upon project build out."

Ultimately, the Third District Court cited CEQA Guidelines Section 15064.4, which focuses on a lead agency's responsibilities for determining the significance of impacts from GHG emissions. The Third District Court ruled that "[t]he County complied with the Guidelines and Tsakopoulos presents no credible argument to the contrary."

Given the Third District Court's determination in *Tsakopoulos Investments, LLC v. County of Sacramento* (2023) 95 Cal.App.5th 280, the Draft EIR's analysis of GHG emissions similarly complies with CEQA Guidelines Section 15064.4, as, unlike the MSCMP EIR (which was found to contain an adequate GHG analysis), the Draft EIR provides quantitative thresholds against which to analyze GHG emissions. The 1,100 $MTCO_2e$/yr numerical threshold used by SMAQMD is a screening level threshold that has been established as an accepted threshold and is used by

several other air districts throughout the State, including the Placer County Air Pollution Control District (PCAPCD), which also has jurisdiction of a portion of the SVAB. Similar to the MSCMP EIR, the Draft EIR also includes data in Appendix C that allows the public to compare the level of GHG emissions expected from construction-related activities against the emissions expected upon project buildout. Thus, the analyses and conclusions in the Draft EIR's Air Quality, Greenhouse Gas Emissions, and Energy chapter are adequate.

## Response to Comment 32-33

The construction GHG emissions presented within Impact 4.3-7 of the Draft EIR represent the maximum $MTCO_2e$/yr that would be emitted during the construction period. The industry standard approach is to present the highest emissions modeled; by doing so, the analysis ensures that the conclusions are based on a worst-case scenario. While Impact 4.3-7 of the Draft EIR could be revised to include the additionally requested information, the presentation of such information would not change the conclusions presented within the Draft EIR. In addition, such information can be found in the modeling results, which were provided as Appendix C to the Draft EIR.

## Response to Comment 32-34

Please see Response to Comment 32-32. SMAQMD also has jurisdiction over a portion of the SVAB, which is the same air basin managed by the YSAQMD. In addition, the portion of the SVAB governed by the SMAQMD has similar characteristics to the portion of the SVAB governed by the YSAQMD. As stated within Chapter 6, Greenhouse Gas Emissions, of the SMAQMD Guide to Air Quality Assessment in Sacramento County, the threshold of significance for the construction phase of all project types is "1,100 metric tons of $CO_2e$ per year." Contrary to the comment, the applicable threshold is not defined as 1,100 $MTCO_2e$ during any 12-month period. In addition, the emissions presented in Table 4.3-17 of the Draft EIR were based on the CalEEMod results, with the reductions applied off-model using guidance from the U.S. Department of Energy. As such, the analysis and conclusion of Impact 4.3-7 of the Draft EIR are adequate.

## Response to Comment 32-35

As stated within Chapter 6, Greenhouse Gas Emissions, of the SMAQMD Guide to Air Quality Assessment in Sacramento County, the threshold of significance for the construction phase of all project types is "1,100 metric tons of $CO_2e$ per year." By modifying the construction schedule to reduce the intensity of construction to lower emissions or ensuring that phases of development do not overlap, the annual construction-related GHG emissions would be reduced. Therefore, given that the threshold is based on annual GHG emissions, inclusion of the aforementioned reduction measures within Mitigation Measure 4.3-7 is adequate.

## Response to Comment 32-36

Propane fuel has a lower carbon content than conventional gasoline and diesel fuel. According to the U.S. Energy Information Administration, a total of 12.68 pounds of $CO_2$ are emitted for every gallon of propane, while a total of 18.73 pounds of $CO_2$ are emitted for every gallon of finished motor gasoline, and a total of 22.45 pounds of $CO_2$ are emitted for every gallon of diesel.[16] Thus, use of a propane generator as compared to a gasoline or diesel powered generator would result in a reduction of GHG emissions during construction.

[16] U.S. Energy Information Administration. *Carbon Dioxide Emissions Coefficients*. Available at: https://www.eia.gov/environment/emissions/co2_vol_mass.php. Accessed March 20, 2025.

## Response to Comment 32-37

The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. Table 2-1 of the 2022 Scoping Plan includes statewide actions that were included in the Scoping Plan Scenario modeling intended to reduce statewide GHG emissions. However, the 2022 Scoping Plan does not state that such measures are required to be implemented by local development projects. Specifically, the 2022 Scoping Plan includes separate guidance related to local actions in Appendix D of the plan. As stated on page 9 of Appendix D, local governments that prepare CEQA-qualified CAPs that include strategies in priority areas such as transportation electrification, VMT reduction, and building decarbonization are contributing to alignment between local climate action and the State's climate goals. As discussed on page 4.3-79 of the Draft EIR, implementation of the Proposed Project/BRPA would be consistent with the overarching goal of the CAAP, which is to reduce GHG emissions. Thus, the Proposed Project/BRPA would generally be consistent with the guidance related to local actions included in Appendix D of the 2022 Scoping Plan.

## Response to Comment 32-38

Please see Response to Comment 32-27.

**Letter 33**

**Dara Dungworth**

**From:** Aveen Alkhatib <aveenalkhatib@gmail.com>
**Sent:** Wednesday, February 19, 2025 1:20 PM
**To:** Dara Dungworth
**Subject:** Opposition to village farms

**Categories:** VFD Comment

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

Hello,

**33-1** I am a home owner of an heirloom townhome at the cannery. What attracted me to the location was the promise of a community that included farmland, shops and a quiet community.

I am disappointed and strongly oppose g the building of the village farms to pave over the fields near the community as well as increase traffic. Please do not move forward with this plan, thank you

Dr. Aveen Alkhatib,PhD
956 Legend Terrace

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## LETTER 33: AVEEN ALKHATIB

### Response to Comment 33-1

Please see Master Response 1.

**Letter 34**

**Dara Dungworth**

**From:** clutterbarbara@gmail.com
**Sent:** Wednesday, February 19, 2025 6:04 PM
**To:** Dara Dungworth
**Subject:** Village Farm EIR comment

**Categories:** VFD Comment

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

Ms. Dungworth,
Below is my comment for the EIR.
Barbara

**34-1** Davis NEEDS housing desperately. However, I have 3 major concerns about the EIR.

**34-2** First, at the Planning Commission meeting, concerns were raised by the proximity of the development to an old landfill. Old landfills could be suspect for **toxic waste contamination** of the area. This was not addressed in the EIR.

**34-3** Second, Commissioner Valencia asked about the **absent wastewater drainage system** and was told that they didn't have information on that. That seems like an egregious error in an EIR, especially when there is possible contamination from the landfill.

**34-4** Third, safe pedestrian and bicycle crossings of Poleline are critical to this project being safe and sustainable. They were described in the EIR, but commitment by the project developers to specifics of the building of this necessary crossing and to it being built before new residents move in, were lacking.

Thank you for reading.
Barbara Clutter

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## LETTER 34: BARBARA CLUTTER

### Response to Comment 34-1
Please see Master Response 1.

### Response to Comment 34-2
Please see Master Response 3.

### Response to Comment 34-3
The comment is unclear; please see Master Response 1. In addition, Planning Commissioner comments provided at the February 12, 2025 public hearing to accept comments on the Draft EIR are summarized and responded to in Letter 217.

### Response to Comment 34-4
Please see Master Response 6.

**Letter 35**

**Dara Dungworth**

**From:** Barbara Molloy <barbmolloy@gmail.com>
**Sent:** Tuesday, February 25, 2025 10:02 AM
**To:** Dara Dungworth
**Subject:** Village Farms DEIR comments

**Categories:** VFD Comment

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Hello Ms. Dungworth,

The Village Farms proposal has many problems, here are just some to consider for why this project needs to be rejected:

35-1 **Overview: Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has a lot of problems primarily because it is a handicapped site with a 200-acre flood plain, and it is adjacent to the unlined Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including carcinogenic PFAS "forever chemicals"). The Covell Blvd. and Pole Line Rd. area already has enormous traffic and adding 1,800 housing units would exacerbate it. There would be no bicycle/pedestrian safe access via an undercrossing or overcrossing from the west, north or south, and now the DEIR is questioning the "feasibility" of a Pole Line Undercrossing to the east. Additionally, there would be all the costs imposed by the enormous amount of infrastructure needed, as well as the massive impacts on the native plants, wildlife and habitat from re-routing Channel A and tearing out 952 trees. Beyond all that, the housing would be unaffordable to local workers and young families with average incomes since the homes would be at least $700,000-$800,000 with a major number of them being $1 million and over. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, and Village Farms is *outside* the City limits in Yolo County.**

35-2 **- Building hundreds of housing units on the 200 acres of a FEMA Zone A Flood Hazard flood plain makes no sense** and would bring flooding problems. A fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change. Will north Davis resident need to buy flood insurance due to Village Farms?

35-3 **-The toxics and other chemical contaminants leaking into the groundwater from the Old City Landfill and Sewage Treatment Plant located immediately adjacent to Village Farms.** This includes carcinogenic PFAS "forever chemicals" and manganese exceeding maximum concentration levels recently found from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals like PFAS's that cause cancer? There are also solid toxics exceeding MCL's including lead, arsenic, and toxaphene which is a neurotoxin and potential carcinogen.

35-4 **-Traffic impacts which would be far worse than they are now from adding 1,800 more housing units at Covell Blvd. and Pole Line Road** which is already heavily impacted. Shoe-horning in 1,800 units on this Village

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**Letter 35 Cont.**

**35-4 Cont.** Farms site is not going to be "environmentally superior" with those numbers. It is illogical since the City has no plan to significantly improve its currently minimal, inconvenient and inadequate public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

**35-5** **- Massive infrastructure costs including anun-needed new Fire Station because 90% of the fire department calls are medical, NOT fire related issues**. Instead, what is needed, and has been advocated for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go east) when the traffic is backed up most of the time?

**35-6** **-Uncertain "feasibility" of the only bicycle/pedestrian grade-separated crossing for safe access particularly for children. The Pole Line bike/pedestrian undercrossing is now *uncertain* since the DEIR says it has not yet determined its "feasibility".** This is likely due to existing infrastructure such as underground utilities and the land needed for its construction, particularly on the east side of Pole Line Road near Moore Ave. Furthermore, even *if* it is feasible, the developer is *not* committing to covering all the costs for the undercrossing. How many Davis residents are willing to subsidize the millions of dollars for that project? This is a major access component of the project however; the DEIR admits that it is not even sure if the undercrossing is feasible due to other existing infrastructure. Why don't they have an answer yet? When? After the vote?

**35-7** **-Unaffordable housing where the vast majority of the homes will be McMansion's**, Market homes will not be cheaper than $700,000 - $800,00 but the majority of them will be well over $1 million, the same as the unaffordable homes currently being built in northwest Davis. This does not help our average workers or particularly families with young kids, so this project will *not* help bring a lot of kids to the schools contrary to the developer's claims. This housing would *not* help workers and young families with average incomes since they will not be able to afford these homes.

**35-8** - **Habitat impacts including tearing out 952 trees to dig up to expand and re-route Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

**35-9** **In summary, Village Farms is proposing 1,800 units on roughly 400-acres as the largest residential project ever proposed in the City of Davis, on a site with a plethora of problems, impacts and costs.** It is located at one of the most highly impacted area of traffic in the City at Covell Blvd. and Pole Line Road which would be much worse. There are toxics issues, flooding risks, access issues, public safety issues, and enormous costs that would be imposed on Davis residents. Therefore, this project needs to be rejected just as Covell Village was for the same reasons and more.

Thank you for considering these important issues.

Barbara Molloy

Davis resident since 1985

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## LETTER 35: BARBARA MOLLOY

### Response to Comment 35-1
Please see Master Responses 1, 3, 4, 5, 6, and 7.

### Response to Comment 35-2
Please see Master Response 4.

### Response to Comment 35-3
Please see Master Response 3.

### Response to Comment 35-4
Please see Master Response 5 and Response to Comment 23-2.

### Response to Comment 35-5
Please see Master Response 1 and Response to Comment 75-51.

### Response to Comment 35-6
Please see Master Responses 1 and 6.

### Response to Comment 35-7
Please see Master Response 1.

### Response to Comment 35-8
Please see Master Response 7.

### Response to Comment 35-9
Please see  Master Response 1.

**Letter 36**

**Dara Dungworth**

**From:** Dara Dungworth
**Sent:** Sunday, February 16, 2025 11:19 AM
**To:** Dara Dungworth
**Subject:** Village Farms_Zeller_Bar

**Categories:** VFD Comment

**From:** Barbara Zeller <zeller.be1@gmail.com>
**Sent:** Thursday, February 13, 2025 3:49 PM
**To:** Planning Commission <PlanningCommission@cityofdavis.org>
**Subject:** Village Farms

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To Whom It May Concern:

36-1 I am opposed to the development. The Cannery development currently has traffic issues. There is no indication the traffic from this project will not further impact the Cannery. Traffic during rush hour is currently impacted on Covell. I've heard the comment that we need to be biking or walking. The population is aging. Many people are unable to walk or bike to local stores.
The cost of the homes is high in relation to the size of the homes. Some schools in Davis need to be closed or put to other use to save money.

Barbara Zeller
Berryessa Ln.
Davis

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## LETTER 36: BARBARA ZELLER

### Response to Comment 36-1

Please see Master Response 1.

**Letter 37**

**Dara Dungworth**

**From:** Barry Katzman <blkatzman@yahoo.com>
**Sent:** Friday, February 21, 2025 2:13 PM
**To:** Dara Dungworth
**Subject:** Village Farms Draft EIR

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

37-1 The EIR should be more forthcoming with regard to the project's removal of a very large number of Arizona (Velvet) Ash trees. It is misleading to single out Arizona Ash for exclusion on the alleged basis that it not native. (Page 4.4-44) This species is equally as "regionally native" as Coast Live Oak, which are listed in Table 4.4-10, and should likewise appear there. This omission suggests that the EIR has intentionally obscured the impact on this California native tree because the project will entail removal of nearly 400 of them. Together with other California native trees, the nearly half of the approximately 950 trees proposed to be removed by the project are native species, contrary to contentions on Page 4.4-44 that the impact on native species will be minimal ("less than seven percent"). The EIR should own up to the true impact in order to address appropriate mitigation.

--Barry Katzman, Davis Resident

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## LETTER 37: BARRY KATZMAN

### Response to Comment 37-1

The assertion that Arizona ash (*Fraxinus velutina*) is not native is based on the stated range for the species published in the Jepson eFlora. According to the Jepson eFlora, the range of *Fraxinus velutina* includes the Southern Sierra Nevada, South Coast, Transverse Ranges, East of Sierra Nevada, and the Mojave Desert and Mountains. This species is well adapted to the desert climates within its natural range, which has made it a popular landscape tree, and in this case, successful at escaping cultivation. On the other hand, the range of coast live oak (*Quercus agrifolia*) includes the City of Davis and surrounding areas. According to the Jepson eFlora, the range of *Quercus agrifolia* includes the Sacramento Valley (including Davis), inner and outer North Coast Ranges, the Central Coast and San Francisco Bay Area, inner and outer South Coast Ranges, South Coast, Channel Islands, and the Transverse and Peninsular Ranges, including the adjacent Mountains. As stated in the Draft EIR, Davis is within the native range of *Quercus agrifolia*, but not within the native range of *Fraxinus velutina*.

**Letter 38**

**Dara Dungworth**

**From:** Becky Zeigler <bzeigler@internationalstudents.org>
**Sent:** Thursday, February 13, 2025 5:37 PM
**To:** Dara Dungworth
**Subject:** Village Farms proposal

**Categories:** VFD Comment

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

Dear Dara,

38-1 I'm very concerned about this current Village Farms proposal.
I do not want to see it go forward.

38-2 - Building hundreds of housing units on 200 acres of FEMA Zone A Flood Hazard flood plain makes no sense. There is a high likelihood of flooding especially in my neighborhood Wildhorse.

38-3 -adjacent to old city landfill and sewage treatment plant with a long history of leakage into the ground, water of toxic and chemical contaminants.

- the impact on habitat, wildlife, and native plants.

38-4 - traffic issues that are already at play on Covell and Poleline will be multiplied influencing traffic and congestion as well as infrastructure needs and costs.

38-5 Please do not move forward on this. It will detract from Davis, there is a lack of foresight.
Thank you,
Becky Zeigler

Sent from my iPhone

1

## LETTER 38:BECKY ZEIGLER

### Response to Comment 38-1
Please see Master Response 1.

### Response to Comment 38-2
Please see Master Response 4.

### Response to Comment 38-3
Please see Master Response 3.

### Response to Comment 38-4
Please see Master Responses 1, 5, and 7.

### Response to Comment 38-5
Please see Master Response 1.

**Letter 39**

**Dara Dungworth**

**From:** Beverly Wooster <bevmrw@gmail.com>
**Sent:** Sunday, February 23, 2025 12:13 PM
**To:** Dara Dungworth
**Subject:** Village Farms proposed development

**Categories:** VFD Comment

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

**39-1** I am an eighty-seven-year-old and have lived in The Cannery for over four years. It has been a good neighborhood, safe and quiet. I am able to walk and enjoy the surroundings, especially when I see children playing in their yards and in the open areas. If Village Farms is developed, I don't think I will be able to enjoy my walks and the peaceful atmosphere by because of added traffic, which will pose a danger to children, dogs, walkers, etc. I am absolutely opposed to the Village Farms development in its present form.

Sent from my iPhone

1

## LETTER 39: BEVERLY WOOSTER

### Response to Comment 39-1

Please see Master Response 1.

**Letter 40**

Feb. 23, 2025. Document: 14 pp.
Attachment: 10 p.p.

InRe: Village Farms Davis Project Draft EIR
Public Comment concerning adequacy
herebelow proposed project termed "VFD"

From: BJ Klosterman 2906 Pole Line Rd. Unit 4, Davis, CA 95618
Questions? : Phone (530) 760-5679

To: Dara Dungworth, Principal Planner
City of Davis Dept. of Community Development
23 Russell Blvd., Suite 2, Davis, CA 95616

RECEIVED
FEB 25 2025
City of Davis
Community Development

Included here, as part of my comments, by reference, are my prior comments of 7 Dec. 2023 on VFD Draft EIR scope and content, delivered attn: Sherri Metzker. Copy attached here for your convenience. The Draft EIR is sadly inadequate regarding subjects covered by many of my prior comments. Now to these current comments.

40-1

Given Project Objectives: Most private property development with improvements can generate property tax revenue to city. The revenue to city objective creates an inappropriate a priori bias toward "preferred" alternatives being increased development. And that leads to G.I.G.O. conclusion that an alternative with even worse than proposed project impacts on wildlife, water, noise, and air (and related noise + air pollution health impacts on human health) and traffic (and related impacts on human safety) is the second place environmentally preferred alternative. Inaccurate; Inadequate. EIR means environmental, not economic, impact report. Economic objectives should be covered instead in economic analysis document.

**Letter 40 Cont.**

RECEIVED
FEB 25 2025
City of Davis
Community Development

p.2: Draft EIR, VFD Public Comment By Klosterman

Reasonable Alternatives: "A range of reasonable alternatives" should be IDed and reviewed, and "disclose other ways objectives of project could be obtained." Instead Draft EIR presents reasonable number of Unreasonable alternatives. Inadequate.

**40-2**

Examples: Off-site alternative as the twice-public-rejected tech. + MF housing site outside City limits east of Mace Blvd, with all the attending negative impacts; Ag. preservation alternative of a urban-trapped narrow, impractical to commercially farm, parcel south of Channel A along PoleLine. I've already commented, above, on the 'drill, baby, drill' increased/intensified development all the way north alternative.

**40-3**

In my prior comments (refers to pages 2 and 3), two alternatives were IDed that would a) preserve a major parcel of usable (and currently + historically successfully used) ag. resources; and b) provide alternative (off-site) housing and education and public services facilities locations. (I add here to that alternative the "horse ranch" site east side Wildhorse, and the inside Mace curve east of Harper Jr. High, and (a rezone) the South part of Cannery project to my prior listing.) Obviously, a hybrid of these would also be reasonable project alternative: the proposed VFD land uses + densities South of Channel A only. And the d.u. proposed for North of Channel A provided instead by infill, redevelopment and alt. siting.

**40-4**

**Letter 40 Cont.**

p.3: Draft EIR, VFD Public Comment BJ Klosterman

40-4 Cont.

These 3 above-listed reasonable project alternatives would all be equal or better compared to proposed project, and EIR Draft proposed alternatives, for objectives, while simultaneously lessening/mitigating a large number of significant impacts compared, (except for No project alternative).

40-5

Cumulative Effects/Impacts: Where environmental impacts are already significant, project-specific contributions that exacerbate should have project-specific mitigations. Example is the General Plan noise standards for residential are already exceeded for existing housing along Pole Line Rd., and LOS stop and go traffic "jams" happen most weekdays during p.m. peak times on this Davis/Woodland Commuter route and trucks transport route, with attendant air quality problems. Any proposed VFD project impacts here are not merely cumulative to Davis, but also concentrated in negative effects on existing Pole Line neighborhoods. Therefore, in the EIR project-specific mitigations that influence impacts on noise and air quality should be IDed and timing of mitigation implementation should be tied to development phases.

40-6

The Draft EIR's nebulous approach of City should be lead agency for cumulative mitigation (eg. on noise) efforts and developer contribute fair share is inadequate. In practice, it is an excuse for money in the city's coffers, but env. and neighbors left damaged and lacking in relief.

**Letter 40 Cont.**

p.4 Draft EIR, VFD Public Comment BJ Klosterman

This argument also applies where cumulative impacts/effects to date do not exceed standards of significance but the addition of the proposed project would additively trigger or exceed the threshold/standard.

Analogy: The Wildhorse west neighborhood park installation, required of the developers, went in on time. The south-east neighborhood park, that had development Major Project Financing Plan fees to City with City as lead agency has Council-approved park design and schedule (originally 2003-2004). And as of 2025 it's still a blank water-gobbling plot of grass, the project not done. Result is Wildhorse's south and east affordable housing areas are left without this promised and needed recreational resource (that's called for by General Plan standards). This is a repeat of what happened with the prolonged delay for Oak Grove park, and the lack of adequate space and City spending in park needs in that area for decades.

**40-6 Cont.**

Example of a project-specific mitigation for project contribution to cumulative impacts: Wildhorse project exacerbated already excessive cumulative traffic noise pollution. Mitigation was by direct ~~project~~ action involving double-pane windows and improved attic wall insulation for the most severely impacted existing neighboring dwelling units. Wildhorse developer paying all costs and mitigation coordinated with timing of development's first phase, which involved Pole Line access.

**Letter 40 Cont.**

p.5 Draft EIR, VFD Public Comment BJ Klostermann

Examples of some potential VFD mitigations, project specific, that influence cumulative effects:

40-7 First I'll note the traffic noise analysis seems to be based on inadequate data, e.g. one single, ~~solitary~~ solitary day, with a mere 2 stations on Pole Line; neither measuring point adjacent to existing housing; the day a tule fog, January 29, 2024.

40-8 The following suggestions relate to mostly, but not exclusively, noise, traffic safety, air quality and climate change, wildlife.
Since in mitigations and development planning, design and implementation, "God and the Devil are in the details, the EIR mitigations should be detailed.

40-9 Project sound walls along Pole Line? This can increase noise impact on existing across-street neighbors.
Wall surface materials and surface treatments of wall-sides facing Pole Line shall be muffling to sound, not hard-reflective-of-noise.
Example: Textured surface with planted vines climbing wall.

40-10 Pole Line Rd. Greenstreet set backs space shall be adequate for large or dense shade trees and other vegetation that shall be chosen in part for sound muffling capacity. Tree root zone spacing shall be adequate to minimize root displacement of bike/ped. paths and related safety hazards.
All trees in public spaces, such as greenstreets, greenbelts, parks, as well as all trees planted for new development by commercial/for-profit entities shall be planted to Tree Davis specifications or equivalent to improve "survive and thrive" success. Spaces provided for root zones shall be adequate for mature tree health.

**Letter 40 Cont.**

p.6 Draft EIR, VFD Public Comment Bd Klosterman

**40-10 Cont.** We don't need or want 15 gallon pot-bound tree specimens bunged into post holes (what happened on a lot of Wildhorse west phase public green spaces.)

**40-11** As e-vehicles are quieter as well as less air polluting, all Single Family low density and medium density market rate dwelling units shall have one ev. charging station per d.u. All residential density higher than medium shall have at least one ev charging station for every four du.

**40-12** Proposed project shall be modified to have centrally located north-south oriented collector or minor arterial road with project ~~traffic feeding into this~~ smaller streets feeding into this road, the main road placed parallel to Pole Line (then 90° turn or curve south of Channel A if no development north of it) with connection east-west to 4 way signalized intersection at Pole Line and Moore, and south end access at Covell Blvd. (This allows some alternative traffic routing for cars via Wright to Covell westward without all impacts at Pole Line/Covell intersection.

**40-13** Proposed project shall be modified so that no 4-way intersections are located at Donner or Picasso.

Proposed project shall be modified to have no development Channel A northward and no traffic intersections with Pole Line north of Channel A. (This is consistent with City's intent with Wildhorse project to 'draw the line in the sand' at Channel A.)

(These existing east of Pole Line Rds do not have either major traffic destinations, nor good thru routing.)

**Letter 40 Cont.**

p7 Draft EIR, VFD Public Comment BJ Klosterman

40-14 If any roadway infrastructure improvements are done to Pole Line Rd., involving paving materials, wheel-noise-muffling/absorbing paving options shall be ~~incorporated~~ included if technically feasible.

40-15 VFD south east corner park: at least 25 percent land shall be committed to medium and large shade trees, varied species including valley oaks, with compatable irrigation and other vegetation, to be done with east phase housing. (This helps mitigate air quality, climate change and wildlife impacts.)

40-16 The Draft EIR analysis of the impacts of those 4 Pole Line proposed intersections on stop and go gear shifting of truck traffic and truck related ~~truck~~ safety/noise/air pollution seems inadequate. And mitigations inadequate too. Trucks don't accelerate + decelerate with the ease and limited travel distance of cars. See prior suggestion of mitigation by getting rid of plans for 4-way intersections for cars + trucks at Picasso and at Donner (p. 6, hereabove).

40-17 To protect Wildhorse Affordable Apartment residents from vehicle exhaust, noise, intersection traffic safety hazards and crime dangers, VFD mixed use area near Moore/Pole Line intersection shall not be used for gas station or alcohol-selling convenience store.

**Letter 40 Cont.**

p 8 Draft EIR, VFD Public Comment BJ Klosterman

Mitigations continued:

Rooftop PhotoVoltaic/Solar Panel Systems are best installed at time of building/roof development so that later roofing material redo aren't ripping up PV installations before their "useful life" is over. Roofing material useful life and PV system useful life should be coordinated.

**40-18** Therefore all Single Family and ~~middle~~ medium density market-rate housing (if sold by individual dwelling units) shall have, at time of construction, installed PV systems sized maximally to available roof space. All other housing shall have PV systems, at buildings' time of construction, installed with system sized to maximum technically feasible or shall be mandatorially on Valley Clean Energy 100% renewable or PG+E 100% renewable energy services rate structure. ~~Medium~~ Medium High and High density shall be exempt if these densities have greater than 25% affordable housing.

**40-19** Buildings shall have light (not dark, sun-heat-absorbing) roofing materials. North walls should be considered appropriate for Yin Min Blue paint. No natural gas lines or appliances shall be installed.

**40-20** Package delivery depots shall be installed for low ~~Single~~ and medium density housing areas, so delivery vehicles are not idling in streets for package deliveries from Amazon, UPS, etc., while driver walk-delivers to individual home doorways.

**Letter 40 Cont.**

p9 Draft EIR, VFD Public Comment BJ Klosterman

Cumulative Impacts and Mitigations, Continued:

40-21 As this will be a development in the 21st Century, not the 20th, for mitigations of Climate Change, energy use matters, why hasn't an expert organization such as the Rocky Mountain Institute been harnessed to help ID and ~~attain~~ flesh out mitigations?

Wildlife:

Both proposed project and several alternatives seem to choke down Channel A and its riparian type vegetation into a very narrow space on the eastern part of the project site. This would negatively impact wildlife territorial movement and migration. It would also negatively impact seasonal flows to the Wildhorse section of Channel A, and its wildlife value.

40-22 Include mitigation requiring remedy of this choke down narrowing. Local Audubon folks, Sierra Club folks, State Fish & Game folks responsible for this area or raptor species, Cornell Lab of Ornithology, as well as County and City Wildlife staff, would/could be helpful in properly defining project parameters and mitigations to actually ~~be~~ negate, or fully balance with wildlife benefits, the projects negative impacts. Draft EIR is currently inadequate in identifying reasonable, technically feasible mitigations.

**Letter 40 Cont.**

p.10 Draft EIR, VFD Public Comment BJ Klosterman

Wildlife cont'd:

Historically there have been vernal pool type seasonal pools, supporting among other small creatures, brine shrimp just north of channel A on the western half of site.

**40-23** Biological mitigation could be not BRPA's bio. space south of channel A, but rather a biological safe space ~~not~~ north of channel A extending up to APN 042-110-029.

Mitigations re Ag land and also Swainson's hawk migration resource needs: APN 042-110-029

**40-24** shall be placed in perpetuity or for a period of not less than 60 years into open space agricultural easement with the Yolo County Land Trust or equivilant non-profit ~~organization~~ non-government organization.

Mitigation: If no development channel A northward (on County Assessor Parcel 35-970-33) is a mitigation, the following mitigation shall also apply:

**40-25** Channel A northward ~~is~~ to northern limit of this parcel shall be placed in perpetuity ~~of~~ or for a period of not less than 60 years into open space easement held by a nonprofit land trust or agricultural easement for land north of channel A's ~~[illegible]~~ center line, said easement to be with Yolo County Land Trust or equivilant non-profit, non-government organization.

**Letter 40 Cont.**

p.11 Draft EIR, VFD Public Comment BJ Klosterman

Trees: South Oaks cluster

Mitigation should include provisions about what goes around these trees in "drip line". Excessive root disturbance, or regular irrigation could turn one or more of the valley oaks into "widow-makers" by causing acute large limb failure. The City does not need this liability and trees don't need the lasting bad rap. The big heritage valley oak, ~~is~~ located in the ag. land that became 82 Acres Estates phases 2 etc. in Davis had that unfortunate habit when exposed to major changes in water availability.

40-26

Housing segregation:

The proposed project segregates low density S.F. into rich, isolated neighborhoods, like Donald Trump country club territory. # units only one ~~has~~ housing type exceeds General Plan standards? In contrast, the BRPA jams med-high and high (Multi-Family/apartments) type housing together at the south end of site (240 du ~~or~~ 440? in violation of the G. Plan's 150 du of basically one housing type maximum in one area?) Given medium density days can be lots of types of housing, perhaps development could have some mixing of low density and medium density du locations ~~south~~ south of channel A. The ~~BRPA~~ BRPA's arrangement is just ghettoization, and is an inappropriate negative impact that the City/EIR consultant should amend/correct.

40-27

**Letter 40 Cont.**

p.12 Draft EIR, VFD Public Comment BJ Klosterman

Water:

Given climate changes, over the life of the proposed VFD project, the Sacramento River may well become like the Colorado, with supply of water inadequate to meet demand. Consequently, 1800+ new ~~[illegible]~~ straws in the city's water glass is a significant negative impact.

**40-28**

Our community demand peaks in summer due to irrigation of urban landscape. Therefore the project EIR ~~should~~ must, to be adequate, include three following mitigations.

**40-29**

(1) All developer-installed or for-profit installed or City-installed landscaping or landscaping components shall ~~[illegible]~~ strictly follow all good Xeriscape principles.

(If EIR-prep. Staff or City Staff are unfamiliar with these principles, which BJ Klosterman has previously provided to Community Development in writing in regard to this project site, call BJ and she'll be happy to meet with Staff and review these.)

(2) As our rainfall is roughly 17 inches/year, but turf grasses need about 48+ inches water/year, turf grasses shall be strictly limited or forbidden for everything except young child play areas and public sports playing fields.

This mitigation should state what these limited square footage areas of turf grass allowed are for the different land uses, Especially for low and medium ~~density~~ density housing areas.

**Letter 40 Cont.**

p.13 Draft EIR, VFD Public Comment BJ Klostermen

Water Mitigations, continued:

**40-30** All quasi-public and public landscape spaces shall be irrigation piped to potentially ~~carry~~ reclaimed water.

In other words, "Purple pipe it" guys and gals!

**40-31** Are the low density dev. with their large lots required to have systems to take advantage of rainfall coming off house roofs, such as downspout rainbarrels, rainwater gardens and "streambeds" for drainage to be used on-site, or rainwater cisterns? If not, why not?! Large lots on average have larger areas of landscape and that increases summer peak water demands.

Back to noise and air-pollution cumulative effects:

**40-32** The proposed project's exacerbating these effects along Pole Line aren't negative impacts spread over the Davis population evenly. Rather these impacts are concentrated health threats + injuries incurred unfairly by near neighbors. For the affordable housing apartment residents at Terracina (mostly families, often with young children) the following mitigation should be included: with VFD developer paying for install; City, for maintenance Water For The Pole Line Rd greenstreet and setback, and the Moore Blvd greenstreet and setback, adjacent to the Wildhorse affordable apartment complex, these areas shall be landscape retrofitted to install trees and shrubs ~~for~~ of type and density (and infrastructure irrigation) to muffle traffic noise and help absorb traffic exhaust. City shall thereafter provide greenstreets' maintenance.

**Letter 40 Cont.**

p. 14 Draft EIR, VFD Public Comment BJ Klosterman

The following is from the 2025 calendar titled "Spirit of Place America's Treasured Lands"

See top right picture and note what it is in the company of:




40-33

**Letter 40 Cont.**

Feb 23, 2025 from BJ Klosterman Attachment
Attn: Dara Dungworth, Principal Planner
7 Dec. 2023

IN RE: Village Farms Davis Draft EIR,
Proposed project, scope and content of document,
Public Comment on.
In these comments, proposed project termed "VFD"
pp. 10

Attn: Sherri Metzker
City of Davis Community Development Department
23 Russell Blvd. Ste. 2, Davis, CA 95616

RECEIVED
FEB 25 2025
City of Davis
Community Development

From: BJ Klosterman
2906 Pole Line Rd. Unit 4, Davis, CA 95618
Questions on Comments? telephone ~~530 756 3920~~ now 530 760-5679

Commentor's View Biases:
I am a 43 year long resident of the La Buena Vida condo neighborhood (built as affordable housing) immediately east across Pole Line Rd. from the proposed project. I have background in Biology and planning and design or operations experiences involving some residential projects in Davis and elsewhere in California. I chaired Davis' first major projects financing plan task force and served on following economics commission. I served on first Board of Directors of Tree Davis. Thank You for legal comment period, and my comments follow here.

40-34

Some env. impact topics noted here overlap; each subject, whatever the heading, is applicable to scope and content of Draft EIR.

I. Davis, a compact, natural resources efficient, utility and infrastructure efficient urban city in a valued rural setting? Proposed project VFD of 1800 du involving 390.55 acres on mostly high ~~value~~ quality ag. soil, averaging well under 5 du./acre. Looks like urban sprawl to me, with attendant negative environmental impacts.

~~Sugge~~ next page

**Letter 40 Cont.**

Village Farms Davis Draft EIR Scope... 7Dec2023 p2, BJK

Suggest Environmentally Superior Alternative or Mitigations:

(A.) Leave Channel A in current place and plan a denser urban VFD with at least 1800 du on APN 035-970-33 only south of Channel A. Use remaining parcel (Channel A and northward) as part of drainage, flood control, ag. mitigation and part of wildlife mitigations (aligned with NorthStar North Drainage Pond, Channel A in Wildhorse, Wildhorse golf course open space (public easement) and Davis perimeter greenbelt/ag buffer around Wildhorse.) (see this area for public and University birds habitat programs)

40-35

Please note: During planning of Wildhorse development PD3-89 east across Pole Line / Rd 102, City of Davis Community Development Department and Public Works Department emphasized, from concerns for both urban planning and Pole Line / Rd. 102 L.O.S. and safety, that experts in these departments were strongly opposed to housing development north of the current Channel A location. On Wildhorse, the golf course was allowed as ag.-compatable recreation open space with the course land swaled directly north of Channel A and course designed near Pole Line to create flood water (Channel A overflow) holding capacity. Also the course was designed as links style to reduce turf irrigation, I.P.M. was required, and, for wildlife habitat/migration corridor and ~~see~~ public scenic vista mitigations, an openspace easement was required, Davis perimeter greenbelt with ag buffer, 200 ft., most of border.

40-36

(B) Environmentally Superior Alternative, a second suggestion: Leave this parcel(s) in agriculture. Instead meet housing needs by/via redevelopment of property lands to south of this site, E.g.: Redevelop Oak Tree Plaza, 50 commercial below, MF stories above at PD 6-75 B, PD 2-87, PD 6-85; redevelop Senior apts. PD 9-76 for senior 1st floor, MF stories above, (south of Cannery Project) and redevelop Office Park (also PD 9-76) for MF

next page

**Letter 40 Cont.**

Village Farms Davis Draft EIR scope... 7Dec2023 p3.
BJK

stories above offices; develop the part of PD 1-82 (on Kennedy Place) that is vacant parcel. Also, move Nugget Fields to Harper JHS back acreage, then develop at about 15 du/acre the DJUSD infill parcel on Moore and Pole Line. These are just examples of past use that is really current under utilization of lands within City. City Staff being very competent could identify more.

40-36 Cont.

II. Water Matters: Climate Change too.

(A) Wet/Flood 1.) 100 yr. flood zone maps updated recently? Climate change likely effects? What parts of VFD site in 100 yr. flood zones? 2.) There are historic wetlands, both in lower west-east swale, and in part just northwest ~~of~~ of Channel A, 3.) What of properly up-sizing du roof gutters and downspouts (for SF, MF, etc) to cope with the heavier rains to come due to climate change? Termite infestation, rot-fungus precautions?

40-37

(B) Dry/Drought?

Confident Sacramento River water good for demands over next 50 to 60 yrs. (typical useful life of housing)? Or will Sac. River be like Colorado River, overobligated and overdrawn? So does VFD have grey water systems? composting toilets? "purple pipes" infrastructure for non-potable or recycled water use in public landscape spaces like greenstreets and greenbelts? Xerophytic ~~principals~~ principles used in landscapes? Cistern/rain barrel roof water collection systems? That is, how will VFD be efficient in using water quantity; selective on water quality use; and resilient to drought, heat, and water shortages?

40-38

What species or cultivers of trees that are drought-tolerant, relatively lower water needs, but diseases resistant will be developer- or builder-installed? Tree diversity to reduce disease spread? Irrigation arrangements to protect trees in drought (for shade and cooling) so dry trees do not become Fire spread Hazard along greenbelts, greenstreets, parks? (But lesser plants allowed to be stressed?)

40-39

next page.

**Letter 40 Cont.**

Village Farms Davis Draft EIR scope ... 7 Dec 2023 p 1
BJK

III Air Quality, Pollution and Human health, Climate changes

A.) Mitigations re Construction, site prep soil moving and winds? Impacted neighborhoods Country and Oak Tree Plaza use when winds from north; La Buena Vida and Greystone MF when winds from westly.

B.) Cumulative Effects: (Including traffic)
Air: Pole Line + Covell Intersection heavily used by sensitive receptors (school kids) as pedestrians + bicyclists. In 2001, City shrugged off a Wildhorse EIR required NOx monitoring mitigation condition. What are cumulative or project VFD impacts on COx, NOx, particulates air quality for existing residential areas along Pole Line and for ped./bike users of Pole Line corridor, nearby Covell corridor, including intersections of Pole Line + Covell? (Writer's personal note: Frequently have to close condo windows due to motor-vehicle exhaust and ~~road~~ road related particulates, esp during peak use hours. Otherwise, raw throat, sinus distress. My condo about 100ft. east of Pole Line on back of building facing away from road for 4 of my 6 windows.)
Recommend mitigation for cumulative effects includes air quality monitoring at Pole Line & Covell Intersection.

C.) Some Climate Change impact mitigations for VFD:
1. Project approval requires all SF detached du (except Formal Affordable Housing) to have substantial rooftop PV (solar panels) systems (may be part of roof tiles themselves), installed before first sale of each particular house.
2. All SF and MF roof materials (except PV systems) to be light-colored (dark roofs absorb heat, than heat attics, which overheat homes). eg. avoid dark roof tiles, dark asphalt shingles. Proper attic ventilation, as well as insulation, for warming climate, shall be required.
3. All housing shall have proper voltage and electric vehicle charging stations: 1/du SF, 1 per 4 du MF.

next page.

40-40

40-41

40-42

**Letter 40 Cont.**

Village Farms Davis Draft EIR scope... 7 Dec 2023 p.5 BJK

C)H. Vast majority SF lots to be directionally aligned for optimal PV system function or passive solar benefits,

5. Adequate spaces (both land/soil and air space) shall be reserved for mature root zones and canopies/crowns of full sized shade trees, including in Affordable Housing areas and all MF dev properties -- to avoid functional "red-lining" and related excess hot weather air conditioning needs for these housing types. Please note! space needs for shade trees should be required in greenbelts and greenstreets such that roots are not creating off-setting of pavement materials, ~~trucks~~ are hazards to pedestrians & bicyclists,

40-43

IV. Trees, Existing Conservation Efforts / Preservation!

40-44

A) Oaks, loose group in southern part VFD site.
B) Channel A riparian trees
C) Along west side rail tracks.

A) Cultural Resource? Unique hand-made human grave stone or memorial monument with cross inset and angled plaque top within dripline under oldest oak in A) group noted above here. (Unless someone has moved recently,) possible human grave in root zone. Do Not Disturb.

40-45

A) Oak group historic Swainson's nesting site (~~repeat~~) repeatedly used.

B) Riparian trees, at least 1 tree Swainson's nest site in past. Current?; Giant Garter Snake likely? (Writer has seen, but not visited VFD recently).

40-46

V. Wildlife and Channel A riparian area
Refer also to IA section above.

Existing trees important for avian food, shelter, nesting. As Cornell Ornithology Laboratories notes, there are severe, substantial losses in perching and song bird populations throughout the U.S. just in last 50 yrs. So Channel A corridor is important.

40-47

next page:

**Letter 40 Cont.**

Village Farms Davis Draft EIR scope... 7 Dec 2025 p.6. BJK

40-47 Cont.

Unfortunately, many projects "wildlife mitigation" are locations so far out from planned development that existing or intended wildlife habitat or migration corridors are fragmented patches, and needed continuity is lost. Also, often such patches lack adequate year round water access. What about VFD proposal?

40-48

II Growth Inducement
North of Channel A residential urban land uses would be growth pressure, promoting a Davis to Woodland Rd 102 corridor ~~Creep~~ Creep. For example: The owner of Wildhorse golf course has already proposed that the Public should sacrifice a wildlife and scenic vista critical part of the openspace easement on the course, so that he can privat profit from condo development there at public expense. If VFD extends north, with all the city-maintained infrastructure involved, the sound walls cutting wildlife flow and views, then why not have those condos, and develop the ag. parcel north of Wildhorse while you're at it!?? You'll already have another or need intersection into Pole Line anyway.

40-49

III Consistency with Davis General Plan Policies?
Many of these specific policies are environmentally oriented. Of these, how in-line with these policies is the VFD as proposed? Mitigations should be included as needed.

40-50

IV North of Channel A, continued:
(A) Is old Firing Range still in use for explosives? Is portion of VFD ~~area~~ site within shrapnel range, (as previously defined in Wildhorse EIR)?

40-51

(B) Former garbage dump north, close to here. Any potential hazardous waste ground-water movement to soils that long-term residential homeowners, eating from backyard gardens, might get exposed to in VFD?

next page.

**Letter 40 Cont.**

Village Farms Davis Draft EIR scope... 7 Dec 2023 p 7
BJK

IX. Construction/Development Directional Phasing; Rodents Issue:
Urbanizing this large land area will displace a great many rodents, which will flee/migrate, potentially flooding nearby existing residential neighborhoods and Oak Tree plaza (think grocery store) with pests. For example, this happened with Wildhorse ground prep in phase one, which was done north to south, thereby driving rodents en mass into existing La Buena Vida neighborhood. (In an upstairs condo, I went through over 200 mouse trappings in less than two months and my adjoining neighbor at that time resorted to rat poison in our shared garage space.) Can this ~~&~~ development-period environmental impact be avoided or mitigated with VFD by directional phasing of ground elevation preparations/earth moving? I ~~realize~~ realize rodent populations can cycle, some years low then ~~swelling~~ swelling over several years to high, then down again. But I bring this possible environmental impact to your attention.

40-52

X. Tale of Two Cities? Density of du types, location proximity to greenspace Vs. Big roadways:
There seems to be a trend to locating higher-density (relatively lower cost) housing close to larger roadways -- even though these residents have fewer motorized ~~vehicles~~ vehicles per capita. Result is to maximize number of persons being exposed to maximum amount of vehicle air pollution and noise pollution (both proven health hazards). ~~While~~ Meanwhile, this same higher-density housing is placed to have relatively less access to publicly paid for/maintained parks and neighborhood green-belts (with bike and pedestrian transportation access and health

40-53

next page.

**Letter 40 Cont.**

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BJK

promoting trees and open space greenery producing clean oxygen). Davis main-drag bike lanes, bumpy bike paths in green streets and less-than-dependable, infrequent buses is not the same thing. (Says this commentor, who lives along Poleline and has not used/owned car/truck since later 1980s, so considerable experience.)

In contrast, lower-density (relatively more expensive) housing is located away from bigger roads, but next to scenic edge-of-town vistas and publicly paid-for parks and neighborhood greenbelts. Residents here, better off financially, both have and use more motor vehicles per capita and have access to much more open space already (private ownership large lots). The less-rich are essentially exposed to more pollution hazards from traffic and are "red-lined" in re trees/open space and urban heat impacts due to lack of adequate tree shade and landscape greenery evapo-transpirative cooling. Environmentally disparate. So, how does VFD do on this?

40-53 Cont.

For example, arrange higher-density housing alongside the public green spaces, such as neighborhood greenbelts and parks, (not on larger road greenstreets and then assign these denser-housing development areas the cost of maintaining those greenstreets themselves in the road right of ways).

Please see also previous comments about tree crown and root zone spaces in MF sites, as well as tree selections, under III.c mitigations and II. Dry/Drought, hereabove.

XI Noise Pollution

40-54

(a) Construction/development work hours? re noise pollution to existing neighborhoods, as this is large ~~project~~ project extending over lengthy calendar period. What mitigations are provided?

next page.

**Letter 40 Cont.**

Village Farms Davis Draft EIR scope... 7 Dec. 2023 p 9
BJK

XI (b) Pole Line Rd. traffic increases, Noise impacts to existing neighborhoods; Comulative impacts:

**40-55** Noise levels, What areas of existing residential neighborhoods (such as La Buena Vida four-plexes) east of Pole Line Rd. are predicted to be exposed to greater than 60 dB CNEL? Health impacts of noise pollution and resultant stress are known. What mitigations would lower this to 60 dB CNEL or less? Wildhorse mitigations provided some mitigations to directly adjoining addresses only. And, sadly, recent renovation of Pole Line Rd. by city did not include vehicle wheel-sound-damping materials?

**40-56** (c) If Pole Line Rd traffic ~~management~~ noise-management for nearby planned VFD housing is accomplished in part by sound wall(s) adjoining Pole Line corridor, how does this reflect/bounce of noise back at existing residential east of Pole Line Rd get mitigated? Surfacing materials/textures of wall to dampen sounds?

XII Traffic LOS? Wait times, during peak use hours on Pole Line Rd, for intersection of Pole Line and Donner where Donner vehicles are making left turn (west to southbound) into Pole Line? Mitigations? And given the recent choked-intersection risks to ~~bicyclists~~ street-

**40-57** bikes making right turn from Pole Line to Donner, or from Donner to Pole Line, Why hasn't city cut seperate bike right-turn-lanes into/thru all that pseudo ~~bike~~ bridge choker areas? As VFD will contribute traffic impacts, ~~we~~ perhaps could contribute cost/funds to correct that oversight/lack?

next page.

**Letter 40 Cont.**

Village Farms Davis Draft EIR scope... 7 Dec 2025 BID BSK

XIII Scenic vistas: (south to north)

Photo-contest-winning, panoramic views of solar year westward to the inner coastal mountain ranges over the ag. fields -- the art tapestry view long-hanging in council/community chambers. The sensory proof of Davis' place in the agricultural setting (with its agricultural based university). Loss is significant impact (esp. at sunsets) to Davis Community and to existing east-side pole line near residential neighborhoods. (Also drivers and bikers who often pull-over to cell phone photograph the views to share with friends and family.) Mitigations? A pedestrian viewing "tower"? Linked to above grade bike/ped bridge crossing of Pole Line?

And on that high flying note, thanks again for considering my comments.

BJ Klosterman

40-58

End.

## LETTER 40: BJ KLOSTERMAN

### Response to Comment 40-1
As stated on page 3-2 of the Draft EIR, the project objectives were developed by the project applicant, as is appropriate under CEQA. The applicant's objectives are wide ranging and nothing precludes the inclusion of an objective focused on economics.

### Response to Comment 40-2
Please see Master Response 2.

### Response to Comment 40-3
Please see Master Response 2. An Off-Site Project Alternative was evaluated in the Draft EIR and substantial evidence demonstrates that the off-site project alternative would avoid or substantially lessen at least one of the project's significant impacts. Thus, the Off-Site Project Alternative evaluated in the Draft EIR meets the requirements of CEQA.

### Response to Comment 40-4
Please see Master Response 2. In addition, the Palomino Place Project has received its entitlements from the City of Davis, and accordingly, intends to move forward with construction. Therefore, it is not reasonable nor informative to include evaluation of an off-site alternative at the Palomino Place project site in the Village Farms Davis Project Draft EIR.

The commenter suggests that other locations be considered such that a hybrid of sites compose the Off-Site Project Alternative. This general supposition has already been evaluated in Chapter 7, Alternatives Analysis, of the Draft EIR, within the Alternatives Considered But Dismissed From Further Analysis section. Specifically, the Draft EIR considered a Buildout Within City Limits Alternative, as follows:

> **Buildout Within City Limits Alternative**
> The Buildout Within City Limits Alternative would consist of development of the same project components as the Proposed Project within the City of Davis city limits. Because the City does not contain one contiguous plot of land that is currently undeveloped and would be large enough to accommodate all components of the Proposed Project, the Buildout Within City Limits Alternative would include development over multiple vacant and underutilized off-site parcels that are located within the City of Davis.
>
> As the project would not be located all on one site, the Buildout Within City Limits Alternative would not be capable of meeting all of the project objectives, and the opportunity for the project to include a variety of benefits would not occur. For example, the Buildout Within City Limits Alternative would not fully meet Project Objective #3 in that it would not include construction of a fourth fire station within the north Davis area. This fire station is not only needed to serve the Proposed Project, but also existing communities within north Davis that are outside of the City's emergency response time goals.
>
> Most importantly, and the primary reason for rejection, is the City's lack of available vacant and underutilized sites to accommodate the Proposed Project. For example, Table 62, Vacant and Underutilized Sites, City of Davis, September 2023, of the Davis Housing Element, identifies a total residential unit capacity of 242 units for the vacant and underutilized sites within the City.[17] However, as noted, Table 62 does not include the

[17] City of Davis. *2021-2029 Housing Element, City of Davis*. Adopted December 5, 2023.

capacity in the Downtown area that was created with the Downtown Davis Specific Plan. Appendix E of the Housing Element identifies a potential build-out capacity for the Downtown Davis Specific Plan area of 780 units. While this would close the gap between the Proposed Project's 1,800 units and 242 residential unit capacity in Table 62 of the Housing Element, only approximately 50 percent of the total Project units could be accommodated.

Overall, the Buildout Within City Limits Alternative would not be considered a feasible alternative to the Proposed Project and has been dismissed from further evaluation.

## Response to Comment 40-5

The Draft EIR included an analysis of cumulative impacts based on implementation of the Proposed Project/BRPA in combination with cumulative development within the applicable area or region within each of the technical chapters, pursuant to CEQA Guidelines Section 15130. In addition, with respect to noise impacts, as discussed under Impacts 4.10-2 and 4.10-4, project-specific and cumulative operational noise impacts would be less than significant, and mitigation measures are not required. Furthermore, with respect to cumulative transportation effects related to level of service and congestion, please see Master Response 5. Pursuant to the CEQA Guidelines Section 15064.3, environmental documents must use VMT rather than LOS as the metric to analyze transportation impacts. Lastly, cumulative air quality impacts are discussed under Impact 4.3-6 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR.

## Response to Comment 40-6

The alleged unfulfilled commitments within the Wildhorse subdivision are not relevant to the Proposed Project and associated Draft EIR. Please see Master Response 1.

## Response to Comment 40-7

The baseline noise level data was collected over a period of 24 hours. Noise levels emanating from roadways do not typically fluctuate substantially from day-to-day, with the exception of weekends typically being quieter than weekdays. The traffic noise analysis was conducted using the FHWA traffic noise prediction model. The model predicts relative changes in average noise levels based upon changes in vehicle volumes. Even if the total noise exposure from day to day were to change somewhat, the relative change between project and no project would remain the same, and thus would have no effect on the conclusions of the noise study.

## Response to Comment 40-8

Specific responses to the claims summarized in this comment are provided in Responses to Comments 40-9 and 40-32 below.

## Response to Comment 40-9

Saxelby Acoustics reviewed the potential for increased noise due to sound wall reflections using the SoundPLAN noise model. The model concluded that the maximum potential increase in noise levels for receptors along the east side of Pole Line Road was 0.2 dBA $L_{dn}$. Landscaping will provide additional scattering of sound and this is not considered in the noise model.

The project traffic volumes alone on Pole Line Road, North of Picasso, has been predicted to increase by a maximum of 1.3 dBA under the Proposed Project (Draft EIR, Table 4.10-13). With the potential sound wall reflection increase this change would be a total of +1.5 dBA. The test of

significance along this segment is + 3 dBA. Therefore, even with the potential sound wall reflection, this would remain a less-than-significant impact.

## Response to Comment 40-10

Please see Master Response 1. The Proposed Project and the BRPA would include new plantings of native, drought-tolerant trees, shrubs, and seasonal grasses within the proposed Heritage Oak Park and Village Trails Park, as well as within the greenbelts that would occur along portions of all the site's boundaries, as well as adjacent to and/or within the proposed residential villages.

## Response to Comment 40-11

Please see Master Response 1 and Response to Comment 32-13. There is no nexus to the project for the EV charging requirement beyond the requirements of the CBSC or the City of Davis Municipal Code, as recommended by the commenter.

## Response to Comment 40-12

Please see Master Response 1.

## Response to Comment 40-13

Please see Master Response 1.

## Response to Comment 40-14

Please see Master Response 1. Based on the transportation noise analysis performed for the project and presented in Chapter 4.10, Noise, of the Draft EIR, there is no nexus to the project for quiet pavement as recommended by the commenter.

## Response to Comment 40-15

Please see Master Response 1.

## Response to Comment 40-16

The traffic noise analysis assumes that traffic flows at a continuous rate of speed. While an accelerating vehicle can produce periods of higher noise levels than a vehicle that may be coasting or breaking, steady flows of traffic at full speed traffic flow tends to result in higher noise levels. The traffic noise analysis is conservative in this respect.

## Response to Comment 40-17

Please see Master Response 1. The preliminary planned development for the project does not include gas stations as an allowable or conditionally permitted use within the Neighborhood Mixed Use area.

## Response to Comment 40-18

As discussed on page 4.3-49 of the Draft EIR:

> Given the program-level entitlements being sought at this time, the project engineer has not yet identified the extent of on-site roof-top solar that would be provided. On-site solar energy generation would be required in compliance with Title 24, through the provision of roof-top solar, and will be calculated prior to issuance of building permits in compliance with Mitigation Measure 4.3-8. For conservative purposes, the modeling in this EIR performed for the current set of program-level entitlements does not account for the provision of on-site solar energy systems.

On-site solar would be provided consistent with the building codes in effect at the time of building permit issuance.

## Response to Comment 40-19

The applicant will adhere to the CALGreen requirements adopted by the City of Davis at the time of the tentative map application. Currently, the City Code requires compliance with Tier 1 standards, which include cool/solar-reflective roofs. In addition, as discussed throughout the Draft EIR, neither the Proposed Project nor the BRPA would include the use of natural gas.

## Response to Comment 40-20

Please see Master Response 1.

## Response to Comment 40-21

Please see Master Response 1.

## Response to Comment 40-22

Please see Master Response 7.

## Response to Comment 40-23

Please see Master Response 7.

## Response to Comment 40-24

Please see Master Response 7. In addition, the Proposed Project/BRPA would be subject to Mitigation Measure 4.4-10, which requires compliance with Yolo HCP/NCCP AMM16 related to Swainson's hawk.

## Response to Comment 40-25

Please see Master Response 1.

## Response to Comment 40-26

Please see Master Response 1. The Proposed Project/BRPA would be subject to Mitigation Measure 4.4-17, which requires compliance with the City's Tree Ordinance.

## Response to Comment 40-27

Please see Master Response 1.

## Response to Comment 40-28

Please see Master Response 1. Impacts related to water supply are addressed under Impact 4.14-2 in Chapter 4.14, Utilities and Service Systems, of the Draft EIR. As determined therein, the City's projected available water supply would meet the anticipated demand for water generated by the Proposed Project/BRPA and the City's existing commitments, as well as reasonably foreseeable cumulative development, during normal, single dry, and multiple dry years. The statement that climate change may result in the Sacramento River becoming like the Colorado River is speculative. Pursuant to CEQA Guidelines Section 15145, Speculation, "If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

## Response to Comment 40-29

The Proposed Project/BRPA would be subject to the requirements of the current CALGreen Code, including mandatory reduction in outdoor water use through compliance with a local water-efficient landscaping ordinance or the DWR's Model Water Efficient Landscape Ordinance (MWELO). The City has adopted the MWELO (City of Davis Municipal Code Section 39.02.045[a][4]).

## Response to Comment 40-30

Please see Response to Comment 40-29. Reclaimed water is not currently available in the City of Davis.

## Response to Comment 40-31

As stated on page 4.8-22 of the Draft EIR,

> LID measures would be integrated throughout the project site/BRPA site to provide stormwater quality treatment. LID components refer to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. The LID measures are anticipated to include both volume-based BMPs (e.g., bioretention, infiltration features, pervious pavement, etc.) and flow-based BMPs (e.g., vegetated swales, stormwater planter, etc.). The use of the features would be dependent upon location and setting within the project. The BMPs would be designed in accordance with the stormwater quality control standards established by Davis Municipal Code Article 30.03 and the CASQA – California Stormwater BMP Handbook.

The list of LID measures is conceptual at this time due to the programmatic entitlements being sought by the project applicant. Other LID measures mentioned by the commenter can be considered during future design so long as they comply with the CASQA BMP Handbook.

## Response to Comment 40-32

While vegetation can theoretically attenuate traffic noise, a width of approximately 100 feet of dense and tall year-round vegetation is required to achieve a notable (-5 dB) reduction in noise levels. Therefore, a single or double row of trees or shrubs is considered to be an ineffective barrier for noise. Furthermore, the Draft EIR concluded that impacts related to traffic noise would be less than significant, and mitigation was not required.

## Response to Comment 40-33

Please see Master Response 1.

## Response to Comment 40-34

Please see Master Response 1.

## Response to Comment 40-35

Please see Master Responses 1 and 2.

## Response to Comment 40-36

Please see Master Response 2 and Response to Comment 40-4.

## Response to Comment 40-37
Please see Master Response 4.

## Response to Comment 40-38
Please see Response to Comment 40-28.

## Response to Comment 40-39
Please see Master Response 1 and Responses to Comments 40-30 and 40-31.

## Response to Comment 40-40
Please see Master Response 1. A detailed discussion regarding air quality and GHGs and applicable mitigation measures can be found in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR.

## Response to Comment 40-41
Please see Master Response 5 and Response to Comment 75-9.

## Response to Comment 40-42
Please see Responses to Comments 40-18, 40-19 and 181-6.

## Response to Comment 40-43
Please see Master Response 1.

## Response to Comment 40-44
Please see Master Responses 1 and 7.

## Response to Comment 40-45
Please see Master Response 1. Impacts related to cultural resources were discussed in Chapter 4.5, Cultural and Tribal Cultural Resources, of the Draft EIR. As stated on page 4.5-20:

> Furthermore, the monument is located in a portion of the project site/BRPA site planned for Heritage Oak Park, and would not be disturbed by residential or other development included as part of the Proposed Project or the BRPA. Additionally, because neither development scenario would include construction near the concrete monument, physical changes to the monument or the ground beneath the monument would not occur. Finally, according to the Cultural Resources Study, previous cultural resource studies that included the project site/BRPA site did not identify human remains within the site or its vicinity.

## Response to Comment 40-46
As discussed in Impact 4.4-10 of the Biological Resources chapter of the Draft EIR, Swainson's hawk is a Yolo HCP/NCCP Covered Species and would be protected, should they nest on-site, through compliance with species-specific Yolo HCP/NCCP AMM 16 to address potential impacts to the species.

With respect to the giant garter snake, as discussed on page 4.4-25 of the Draft EIR:

> **No Habitat Present.** Channel A and the uplands within the study area do not represent suitable habitat for the species. The lack of perennial or semi-perennial water needed to

support a prey base, the lack of suitable basking habitat due to the dense riparian canopy, and the highly disturbed and farmed nature of the uplands surrounding Channel A make the study area unsuitable. Additionally, the lack of adjacent wetlands or rice farming to the Channel A also contributes to the unsuitability of the study area. Please see the giant garter snake habitat assessment for additional information on this species (Attachment J of the BRA, which is included as Appendix D to this EIR).

## Response to Comment 40-47
Please see Master Response 7.

## Response to Comment 40-48
Please see Master Response 1. A detailed discussion of growth-inducing impacts is provided in Chapter 6, Statutorily Required Sections, of the Draft EIR.

## Response to Comment 40-49
Please see Master Response 1. A detailed discussion of consistency with City of Davis General Plan policies is included in Table 4.9-2 in Chapter 4.9, Land Use and Planning, of the Draft EIR.

## Response to Comment 40-50
Please see Master Response 1.

## Response to Comment 40-51
Please see Master Response 3.

## Response to Comment 40-52
Please see Master Response 1.

## Response to Comment 40-53
Please see Master Response 1.

## Response to Comment 40-54
Please see Master Response 1. The Proposed Project/BRPA would be subject to Mitigation Measure 4.10-1, which requires construction activities to only take place between the hours of 7:00 AM and 7:00 PM, Monday through Friday, and 8:00 AM and 8:00 PM, on Saturday, pursuant to the City's Noise Ordinance.

## Response to Comment 40-55
Please see Master Response 1. As discussed under Impact 4.10-2 in Chapter 4.10, Noise, of the Draft EIR, Pole Line Road is subject to existing noise levels in excess of 60 dBA $L_{dn}$, and the Proposed Project/BRPA would not result in increases in traffic noise levels above the applicable Federal Interagency Committee on Noise (FICON) increase significance criteria.

## Response to Comment 40-56
Please see Response to Comment 40-9.

## Response to Comment 40-57
Please see Master Response 5.

## Response to Comment 40-58

Please see Master Response 1. Impacts related to scenic vistas were discussed under 4.1-1 in Chapter 4.1, Aesthetics, of the Draft EIR, and were determined therein to be significant and unavoidable, with feasible mitigation unavailable.

**Letter 41**

**Dara Dungworth**

**From:** City of Davis eNotification <webmaster@cityofdavis.org>
**Sent:** Wednesday, February 19, 2025 6:59 PM
**To:** Dara Dungworth
**Subject:** village farms (what a joke)

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**
Message submitted from the <City of Davis, CA> website.

**Site Visitor Name:** blake mcdonald
**Site Visitor Email:** judymcd1983@gmail.com

41-1 You're f234king kidding! 1800 units, the people of Davis do NOT want this, how many times does this crap need to be defeated. Years ago Measure X on this site was defeated, and recently DISC twice. The ugly ass Cannery, why was that ever built? They advertised in SF to sell units, they, until a few years ago, had a sign on the freeway "Hurry you can still own a piece of the Cannery" Who the hell are you building these UNITS for? Last week Davis had 57 houses for sale, one was for $500,000. There is other housing already approved. This has so many problems, it is beyond stupid. Why not 18,0000000!

1

## LETTER 41: BLAKE MCDONALD

### Response to Comment 41-1

Please see Master Response 1.

**Letter 42**

**Dara Dungworth**

**From:** Brenda Padilla <brenpadilla.bp@gmail.com>
**Sent:** Wednesday, February 12, 2025 6:54 PM
**To:** Planning Commission
**Cc:** Mike PAdilla
**Subject:** Village "Flawed" Farms

**Categories:** VFD Comment

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

**42-1** We, as long time residents of Davis - Wildhorse - are opposed to this project and have grave concerns about the proposal.

**42-2** The 1800 units on 497 acres project is excessive, unnecessary, too big and has far to many impacts and costs, and is bad planning. The thought of building housing in that area and to the east of it is a bad planning.

Davis does not need this.

What we first needed is improved and enhanced infrastructure and possibly retail - so we're not all running to Woodland for our needs!

**42-3** The impact studies indicate this project also has a "significant" risk to large increases in storm drain levels that would occur within the drainage features along Covell drain in the Wildhorse golfcourse - along with many other negative environmental impacts.

It would be egregious to proceed with this horrific and horrendous project.

**42-4** This project needs to be rejected due to all the impacts and costs it would bring.

Brenda Padilla

## LETTER 42: BRENDA PADILLA

### Response to Comment 42-1
Please see Master Response 1.

### Response to Comment 42-2
Please see Master Response 1.

### Response to Comment 42-3
Please see Master Responses 1 and 4.

### Response to Comment 42-4
Please see Master Response 1.

**Letter 43**

**Dara Dungworth**

**From:** burchb <burchb@protonmail.com>
**Sent:** Wednesday, February 12, 2025 6:41 PM
**To:** Dara Dungworth
**Subject:** village farms draft environmental report

**Categories:** VFD Comment

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

Hello Ms. Dungworth,

43-1 After reading more about the Village Farms DEIR, I am opposed to this project and its current DEIR.

Burch Bryant
2013 Hopper Place
Davis

Sent with Proton Mail secure email.

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## LETTER 43: BURCH BRYANT

### Response to Comment 43-1

Please see Master Response 1.

**Letter 44**

Village Farms: Proposed Housing north of Davis

February 2025

**44-1** I have two main concerns regarding the proposed development. First, where is the water coming from for the new homes and landscaping? Secondly, how is the increased traffic from this development going to be managed? I, along with thousands of others in Davis have removed their lawns, in an effort to transition to much lower water usage. It became evident two years ago that with increasing global temperatures, future water delivery will be reduced. We as a city came very close to mandatory rationing during 2022. Eighteen hundred more homes from Village Farms, and surrounding landscaping means much more year-round water demand. Is this how the city manages water usage, asking its citizens to switch to xeroscape landscaping, then turning around and adding many, many more permanent users of a limited resource?

**44-2** We all know about traffic congestion along the Hwy I-80 corridor. Most likely a large share of the new homeowners will be traveling to Sacramento or East Bay for work. Or just locally. We already have serious congestion at Pole Line and Covell Blvd., and with regional growth, the upgraded I-80 corridor will rapidly reach carrying capacity. I haven't seen any new mitigation measures proposed to move traffic away from central Davis. During commuting times, the city's major roads, i.e. Eight St. and Covell Blvd, are almost gridlocked. Without expanding our current road system, the city is heading towards complete lockdown during these hours.

**44-3** One argument I have read that favors additional new homes, is that it would increase the number of students attending Davis K-12 schools. Student enrollment has been dropping the last few years and directly affects funding for the same schools. This is reminiscent of an old argument that more development is critical because it brings in more tax revenue needed by the city. Both are just vicious cycles of argument. More houses/students means more expenditures needed from the city both for education and accommodating infrastructure. Taking into consideration that state and national birth rates are in decline, this argument makes no sense (the same can be said for most developed countries). It's just a temporary patch to a much broader issue. It's time we learn to live within the budgets we have, since student enrollment will only continue to decline through time.

**Letter 44 Cont.**

**44-4**

Rather than create more congestion, pollution, and water demands for Davis, why not just transform this area into a natural preserve, something just about everyone in Davis and beyond would favor. We just need generous donors.

Davis Resident, C. H. Pickett

Charlespickett1952@gmail.com

## LETTER 44: C.H. PICKETT

### Response to Comment 44-1
Please see Master Response 1. Impacts related to water supply are discussed in detail in Chapter 4.14, Utilities and Service Systems, of the Draft EIR.

### Response to Comment 44-2
Please see Master Responses 1 and 5.

### Response to Comment 44-3
Please see Master Response 1.

### Response to Comment 44-4
Please see Master Response 1.

**Letter 45**

**Dara Dungworth**

**From:** Callie Garritson <calliegarritson@yahoo.com>
**Sent:** Tuesday, February 25, 2025 3:52 PM
**To:** City Council Members; Planning Commission; Dara Dungworth
**Cc:** Nile Garritson Old
**Subject:** Village Farms DEIR Feedback

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**
(Apologies for the second send. I was alerted to additional recipients that should be on the email.)

Hi Ms. Dungworth and Planning Commissioners-

I have reviewed the Village Farms DEIR and am providing my feedback below. This proposed development includes 1,800 units, which at the assumed rate of 2.67 people per dwelling, will bring 4,800 additional people to Pole Line and Covell.

Overall Comments

45-1 It is unacceptable that there was no alternate less dense or smaller footprint option analyzed. This neighborhood as designed will be devastating for Cannery Residents. There was no outreach to the Cannery and in fact the developer went out of their way to avoid us and exclude us from any outreach efforts. I wonder why? DJUSD board members and others have stated they are depending on this neighborhood to save our schools. However, this neighborhood is full of small dense units which are not family friendly. Not many people will move to Yolo County from elsewhere to live in a condo or an 800 sq ft bungalow. Planning folks should be asking if there are enough SFH for families and not just units, units, units. Smaller houses are appealing for investors, so why are we building a huge neighborhood for investors? Why are we designing a neighborhood that will be 35-50% UCD students all the way across down.

VMT

45-2 The conclusion that making the neighborhood denser reduces VMT is flawed, and I assume is one of the signals that led to one of the Planning Commissioners to state that some aspects of the CEQA/DEIR process has been corrupted. Ask any faculty member of the UC Davis Transportation department about this assumption (which we did) and they will tell you VMT will only going down as density rises if there is a whole transportation infrastructure around the development like subways, increased bus routes, etc. There is no plan for any of these.

45-3 Traffic

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**Letter 45 Cont.**

**45-3 Cont.**

I am very concerned about traffic on Pole Line and Covell. These areas are already impacted by traffic during commute hours. I did not see any details in the plan to address the additional road traffic. Even more devastating is the connection between Village Farms and The Cannery. The road will cut through the Cannery Farm and through a bike/walk path that many children ride/use to get to Holmes middle school and North Davis Elementary School. Since the densest part of the development is close to the Cannery Roundabout, no doubt hundreds of cars a day will cut through the Cannery to avoid the terrible traffic at Pole Line and Covell, when heading to points west or UC Davis. Why should the Cannery have to absorb the noise, pollution and congestion associated with this neighborhood?

Also with the neighborhood designed the way it is now it will be filled with UCD students and traffic will be impacted all the way down Covell to Anderson.

Flooding

**45-4**

Two years ago, when we had a lot of rain, the drainage basin to the north of the cannery filled up to the top. When we pave over 200 acres of floodplain, I am not convinced this project has planned adequately for scenarios that used to be referred to as 100-year events but are occurring much more often. Who will be liable when the Cannery floods?

Soil Toxics

**45-5**

There are known toxins PFAS/forever chemicals in the soil not just near the old landfill but throughout the project. How is it a good idea to dig this up and have the wind blow this contaminated dirt on neighborhoods, soccer fields, preschools, etc. Also, Montessori Country Day Preschool is steps away from the project and was not considered in the Draft EIR. The toxic dirt will blow directly on dozens of 2-5 years olds daily, for the years it takes to build this project. Not to mention the health risks and legal exposure when you build houses on toxic soil and ground water. There is also a preschool inside the Cannery.

Costs

**45-6**

The city will have the burden of funding multiple expensive overdressing/undercrossing projects that haven't been scoped. The neighborhood should be better designed to account for these obstacles instead of just leaving it like a big question mark. The fire station is unnecessary if not for this crazy dense neighborhood.

Conclusion

**45-7**

I urge you to please represent your current constituency and city residents rather than putting developer and future potential residents' need ahead of ours. We are significant contributors to our community. We are AYSO coaches, Little League coaches, PTA members, parents of special

**Letter 45 Cont.**

**45-7 Cont.**

needs kids, doctors, teachers, state workers, nurses, retirees, grandparents and more. We are not disposable.

I don't speak for all the residents of the Cannery, but many of us are fine with a neighborhood going in next to us. But it should be nice, appropriately sized and work in a congruent way with the existing Cannery neighborhood.

Thank you,
Callie

## LETTER 45: CALLIE GARRITSON

### Response to Comment 45-1
Please see Master Responses 1 and 2.

### Response to Comment 45-2
Please see Master Response 5 and Response to Comment 23-2.

### Response to Comment 45-3
Please see Master Response 5.

### Response to Comment 45-4
Please see Master Response 4.

### Response to Comment 45-5
Please see Master Response 3.

### Response to Comment 45-6
Please see Master Response 1.

### Response to Comment 45-7
Please see Master Response 1.

**Letter 46**

February 22, 2025

Concerns/Problems with Village Farms Project

I am the owner of an apartment in the Buena Vista community off Pole Line and Donner Avenue. I attended the city meeting on 2/12/2025 and have read the EIR and documents available on the City of Davis website. I understand that Davis needs more affordable housing for employees that work within Davis. However, the Village Farms Project for 1,800 or even 2,700 units is far too dense. If consideration could be given to building a smaller number of units without affecting the flood plain and the soil from the Davis landfill, it may be a good compromise. However, I feel that another location should be selected for development for the following concerns/problems. **46-1**

1. Moving 1 million cubic feet of dirt that is contaminated from the Davis landfill. It was an unlined land fill from 1950 to 1970's. Toxins could leach into the ground water. PFAS are forever chemicals that are carcinogenic. This landfill did not provide the 1000-foot zone to protect PFA's and carcinogenic materials from leaching into the soil. **46-2**

2. Soil will be used to raise the ground for housing pads approximately 29 feet. This means that when there is heavy rain, there could be problems with the flood plane even though the developers plan includes Urban Ag Transition Area and Agricultural Mitigation with claims to manage flood zone by constructing detention facilities. **46-3**

Based on discussions by Wildhorse residents, the city has not maintained the flood channel along the Wildhorse golf course/Covell drain. Repairs and maintenance costs have been the responsibility of residents where the city and the developer should be held accountable for lack of execution and management. **46-4**

3. Traffic congestion – proposal to add lights at Picasso, Donner and Moore on Pole Line. In addition, a proposed circular street which will further slow traffic. If this goes through, these lights will have to be synchronized, or traffic will be at a standstill. This would be dangerous for cars, bike traffic and pedestrians as this is a very busy area which includes access to the Oak Tree Plaza Nugget shopping center area, Nugget fields, little league fields, dense apartment complexes, The Cannery and Wildhorse developments. **46-5**

Thank you.

Caren Murray

fourmurrays@hotmail.com

## LETTER 46: CAREN MURRAY

### Response to Comment 46-1
Please see Master Responses 1 and 2.

### Response to Comment 46-2
Please see Master Response 3.

### Response to Comment 46-3
Please see Master Response 4.

### Response to Comment 46-4
Please see Master Response 1.

### Response to Comment 46-5
Please see Master Response 5.

**Letter 47**

**Dara Dungworth**

**From:** Carole Markese <carolemm@pacbell.net>
**Sent:** Monday, February 24, 2025 8:01 PM
**To:** Dara Dungworth
**Subject:** Village Farms: Letter of Concerns

**Categories:** VFD Comment

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**Subject: Village Farms**

**47-1** 1. Traffic:
Air pollution and green house gases due to automobile car and truck exhaust regarding in gridlock from backed up vehicles. This is what will occur if Village Farms project of 1,800 units is approved at Covell Blvd and Poleline.

**47-2** 2. The sites issue has a flood plain because of its location: next to the old city landfill and sewage treatment plant. This area has a history of leakage into the ground water of toxins and other chemical contaminants.

**47-3** 3. Vernal Pools: Vernal pools need more adequate protection.

**47-4** 4. Soil toxics are an enormous issue.

**47-5** 5. Habitat impacts:
Tearing down 952 trees to expand and change the route Channel A will have enormous impacts on habitat most of all endangered species.

**47-6** 6. Infrastructure costs:
For one example the additional fire station is not needed.

**47-7** 7. Unaffordable Housing:
700,000-800,000 cost for medium home and higher end homes costing more.

**47-8** 8. EIR: DEIK is flawed because it is lacking important information for example the undercrossing is uncertain and fails to comply with CEQA requirements. EIRs need to include alternatives and create less impacts.

A smaller footprint is in order and tossed on the table before moving forward.

Thank you for hearing my concerns.

Sincerely,
Carole Markese
36 year resident of Davis.

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## LETTER 47: CAROLE MARKESE

### Response to Comment 47-1
A detailed discussion regarding air quality and GHGs can be found in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, in the Draft EIR. As discussed therein, mobile emissions were accounted for within the emissions modeling conducted for the Proposed Project/BRPA. Project-specific trip generation and VMT data provided by Fehr & Peers for full buildout of the Proposed Project and full buildout of the BRPA was applied to the project modeling. In addition, please see Response to Comment 75-9.

### Response to Comment 47-2
Please see Master Responses 3 and 4.

### Response to Comment 47-3
Please see Master Response 7.

### Response to Comment 47-4
Please see Master Response 3.

### Response to Comment 47-5
Please see Master Response 7.

### Response to Comment 47-6
Please see Master Response 1 and Response to Comment 75-51.

### Response to Comment 47-7
Please see Master Response 1.

### Response to Comment 47-8
Please see Master Responses 2 and 6.

**Letter 48**

**Dara Dungworth**

**From:** Carolina Roberts <carolina.a.roberts@gmail.com>
**Sent:** Wednesday, February 19, 2025 1:33 PM
**To:** Dara Dungworth
**Subject:** Concerns About Village Farms

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

48-1 I am writing as a concerned resident regarding the proposed Village Farms development project and its potential impact on our community. While I recognize the need for responsible development, I strongly oppose the current plan due to its significant environmental and community consequences, as well as the lack of transparency in the planning process.

**Environmental Impact**

48-2 One of my primary concerns is the adverse effect this project will have on The Cannery Urban Farm. The farm is an essential part of our neighborhood's identity and was a key component of the original vision for The Cannery as a sustainable, farm-to-fork community. The proposed road cutting through this space directly contradicts that vision, disrupting a vital resource that serves as a learning and gathering space for residents. Paving over this area for high-traffic access is both short-sighted and unnecessary when alternative infrastructure solutions exist.

**Traffic and Safety Concerns**

The projected increase in traffic through The Cannery neighborhood presents unacceptable safety risks, particularly for children, pedestrians, and cyclists. Based on the data referenced in the Draft Environmental Impact Report, traffic volumes on Cannery neighborhood streets could more than quadruple, effectively turning our residential roads into high-traffic thoroughfares. The potential for increased accidents and decreased quality of life for residents should not be overlooked.

**Lack of Transparency**

48-3 It is troubling that key details regarding traffic flow, environmental impact, and alternative development plans have not been adequately addressed in the public process. The community deserves full transparency from both the City and the developers, as well as a commitment to meaningful public input before any decisions are finalized. The omission of critical traffic data from public review raises concerns about whether all potential consequences have been fully considered.

For these reasons, I strongly urge the City to reconsider moving forward with the Village Farms project in its current form. I ask that you prioritize environmental preservation, resident safety, and transparency as you evaluate this proposal. I appreciate your time and consideration and look forward to hearing how the City intends to address these concerns. Carolina Roberts - 956 Stebbins Ln, Davis, CA

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## LETTER 48: CAROLINA ROBERTS

### Response to Comment 48-1
Please see Master Response 1.

### Response to Comment 48-2
Please see Master Response 5.

### Response to Comment 48-3
Please see Master Response 1. In addition, contrary to the assertion of the commenter, the Draft EIR, which is available to the public, provided detailed discussion of all environmental impacts associated with the Proposed Project/BRPA, alternative development plans, and impacts related to transportation.

**Letter 49**

**Dara Dungworth**

**From:** Carolyn Poutasse <cmpoutasse@gmail.com>
**Sent:** Wednesday, February 12, 2025 5:08 PM
**To:** Planning Commission; Dara Dungworth
**Subject:** Public Comment: Village Farms Project DEIR

**Categories:** VFD Comment

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

Good afternoon,

**49-1** I'm a resident of the LBV community with a question and a comment about the PFAS results from the Village Farms Project DEIR. While I'm unable to attend the Planning Commission meeting tonight (2/12), I hope that my remarks may still be considered for the EIR process.

**49-2** My question assumes that PFAS in landfill leachate could impact the Village Farms Project development area. I made this assumption because on page 9 of Section 4.8, the DEIR states that a singular direction of groundwater flow from the unlined Old Davis Landfill could not be calculated, suggesting that a groundwater plume underneath the development site is possible. Based on previous research (Titaley 2022, Kapuscinski 2024, Brusseau 2024, Schumacher 2024, and Cerlanek 2024), there's evidence that PFAS in landfill leachate and groundwater can lead to vapor intrusion, or the migration of vapor-forming chemicals from subsurface sources into an overlying building. **What containment and/or transformation measures has the developer proposed to include to mitigate future PFAS vapor intrusion at the Village Farm Project?** Please note that the PFOA half-life is more than 90 years. Based on the reported concentrations, PFAS will remain in the groundwater at levels that could negatively impact human health for over 180 years. Under these circumstances, PFAS mitigation strategies should be recommended for the project.

**49-3** My comment is that as of April 2024, the US EPA regulates PFAS using a mixture hazard index of PFHxS, PFNA, HFPO-DA, and PFBS, in addition to MCLs (https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas). These calculations are not present in the DEIR, but should be included to account for PFAS synergistic health effects and to be in compliance with the current regulations. According to Appendix O, PFAS were monitored using the DoD Quality Systems Manual Table B-15, which includes PFOA, PFOS, PFHxS, PFBS, 4:2 FTS, 6:2 FTS, 8:2 FTS, NEtFOSAA, and NMeFOSAA as analytes, such that this calculation can be conducted with the data already available. **Please modify the DEIR to calculate the PFAS mixture hazard index and include associated implications/broader health impacts.**

Thank you,
—
Carolyn Poutasse, PhD
Science Supporting Society
cmpoutasse@gmail.com

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## LETTER 49: CAROLYN POUTASSE

### Response to Comment 49-1
Please see Master Responses 1 and 3.

### Response to Comment 49-2
Please see Master Response 3.

### Response to Comment 49-3
Please see Master Response 3. PFAS have been identified in groundwater above the MCLs for drinking water. Therefore, no groundwater extraction, use, or interception is proposed for domestic use. Additional quantification of PFAS health effects related to groundwater exposure is not appropriate in the absence of a groundwater exposure pathway.

**Letter 50**

**Dara Dungworth**

**From:** Carrie Weinrich <candyone@icloud.com>
**Sent:** Monday, February 24, 2025 7:01 PM
**To:** Dara Dungworth
**Subject:** Village Farms DEIR

**Categories:** VFD Comment

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

Dear Ms Dungworth,

**50-1** Having lived in a house that was built in a 100 yr flood plain, I have my doubts about the drainage plan for the Village Farms project. No, I am not an engineer, but, thinking that you can change how nature operates, is not something anyone can 100% guarantee. Everyone wants to hear that it will work if we put the houses up higher etc. With climate change, I don't know how you can guarantee anything. Living in a flooded area is not something anyone wants. Building anything upsets the natural balance, and sometimes, you shouldn't build there. Period.

**50-2** I also take issue with where the traffic from 1,800 units is going to go on Poleline. It is already congested on a daily basis, and you will add 1,800 cars to that? Will it also be one way in, one way out? Then there are the contaminants from the old city landfill and sewage treatment plant, we seem to keep building on land that is contaminated, but saying it's ok after enough money is thrown at it. Mace ranch comes to mind. What will they do to protect the Vernal pools? These are things that need to be considered, and not glossed over because someone wants the project to be approved.

Thank you, Carrie Weinrich

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## LETTER 50: CARRIE WEINRICH

### Response to Comment 50-1

Please see Master Response 4.

### Response to Comment 50-2

Please see Master Responses 3, 5, and 7. In addition, a detailed description of the proposed circulation system is provided on pages 3-12 and 3-34 , and within Figure 3-6 and Figure 3-17 of the Draft EIR. As shown therein, the Proposed Project and BRPA would include multiple ingress/egress points to serve the proposed development.

**Letter 51**

**Dara Dungworth**

**From:** Catherine Brinkley <ckbrinkley@ucdavis.edu>
**Sent:** Wednesday, February 12, 2025 9:23 PM
**To:** Dara Dungworth
**Subject:** comments on DEIR

**Categories:** VFD Comment

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Dara,

[ I was not sure if we commissioners should also submit comments, but Greg has- so I will as well. Please let me know if this is not how you prefer we move forward].

**51-1** The DEIR should have evaluated viable and desirable alternatives. One such alternative would include preservation of the critical habitat *as well as* reduction in VMT with increased density.

**51-2** In California, an Environmental Impact Report (EIR) is required for projects that may have one or more significant environmental impacts. This project has 7 significant impacts. An EIR is an informational document that helps the public and decision-makers evaluate a project. An EIR shall describe **a range of reasonable alternatives to the project**, or to the location of the project, which would **feasibly attain *most* of the basic** objectives of the project, but would **avoid or substantially lessen *any* of the significant effects of the project**, and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6[a])

Here are the stated project goals with logical suggestions for viable alternatives:

1. Facilitate development of varied housing options, including affordable housing, and in sufficient quantities to meaningfully help to meet the City's Regional Housing Needs Allocation (RHNA) expectations for multiple income levels.
    a. This goal could be achieved to a greater degree with higher-density multifamily housing. The current proposals over-emphasize single family homes.
2. Guide urban growth in undeveloped areas closest to the central city to facilitate compact growth and to reduce potential vehicle miles traveled (VMT) and excessive sprawl.

**51-3**

a. The addition of transit to this plan could help fulfill this goal with bike highways or matching funds for public transit.
2. Provide educational and other public service facilities to serve the needs of any population growth resulting from facilitated development.

a. Preservation of trees and critical habitat would certainly help provide public services in flood control and educational opportunities.
2. Facilitate development that promotes non-vehicular travel and supports active modes of transportation.

a. Added bike and mixed use development at a higher density (eg.100-200 units per acre) would support non-vehicular travel

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**Letter 51 Cont.**

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

    a. This goal could be achieved through added density. More density results in reduced VMT. Why not increase the density to 100-200. Urban planning experts since Jane Jacobs have described a "good" density per acre for an urban environment as between 100 and 200 dwelling units per acre; this density allows for a mix of uses, access to amenities, and a vibrant community feel without becoming overly crowded. Below are some examples that would fit the Davis model:

- Del Mar Station in Pasadena, California, with 347 units on 3.4 acres, achieves a density of 102 dwelling units per acre.
- Paseo Verde in North Philadelphia, with 120 units on 1.9 acres, 63.2 units per acre.
- Storrs Center in Connecticut, with 668 units on 47.7 acres, has 14 units per acre.
- Orenco Station in Hillsboro, Oregon, with 2,394 units on 150 acres, has 16 units per acre.units per acre while reducing the development footprint?

51-3 Cont.

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

    a. The loss of prime farmland with this project does not mitigate this impact. Mitigation should and could include significant investment in permanent easements in the Davis urban growth boundary.

7. Increase City property tax revenue.

a. Again, this objective is best achieved with increased density as the current DEIR indicates. We should get more "neighborhood for our streets" with less investment in infrastructure to save even more upfront and long-term public costs. This is only achieved with higher density multi-family housing.

Below are a few notes on some of the significant impacts of the project:

- Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance ... even with implementation of mitigation measures. In addition, even with implementation of mitigation, the EIR determined that the Proposed Project would result in a cumulatively considerable and significant and unavoidable impact related to involving changes in the existing environment which, due to their location or nature, could cumulatively result in loss of Farmland to non-agricultural use.
    - This impact should be mitigated by significant investment in purchasing permanent conservation easements in the city's agricultural buffer zone.

51-4

- Air Quality, GHG Emissions, and Energy. The EIR determined that the Proposed Project would result in significant and unavoidable impacts related to conflicting with or obstructing implementation of the applicable air quality plan during operation of the Proposed Project because the reactive organic gases (ROG) and respirable particulate matter (PM10) emissions would be above the applicable Yolo-Solano Air Quality Management District (YSAQMD) thresholds of significance. Additionally, the EIR determined that, even with implementation of mitigation, the amount of ROG and PM10 emissions generated by the Proposed Project would result in a cumulatively considerable and significant and unavoidable net increase of a criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard (AAQS). The EIR also determined that the Proposed Project would result in a cumulatively considerable and significant and unavoidable impact related to the generation of GHG emissions, either directly or indirectly, that may have a significant impact on the

51-5

**Letter 51 Cont.**

**51-5 Cont.**

environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs during operation.

- A viable Alternative should include advanced GHG reduction strategies such as community solar and a microgrid. As commenter Richard McCan noted- an increase in low and mid-income affordable housing would increase the number of people who can live and work in Davis–a figure he notes is currently near 30% with workers commuting into the city and living well outside.

**51-6**

- Biological Resources. The EIR determined that, even with implementation of Mitigation Measures 4.4-15(a) through 4.4-15(c), the Proposed Project would result in a significant and unavoidable impact related to having a substantial adverse effect on State- or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. In addition, the EIR concluded that a cumulatively considerable and significant and unavoidable impact would occur related to the cumulative loss of habitat for special-status species associated with the Proposed Project.
  - A viable Alternative could avoid or reduce these impacts with a smaller footprint that preserves the critical habitat.

**51-7**

- Given the site location near a former unlined landfill, I am surprised to not see significant impacts on water quality as significant amounts of soil is moved across a sensitive canal structure.
  - The DEIR notes, "The cumulative setting for impacts related to hydrology and water quality encompasses the Covell Drain watershed, which, as discussed above, spans a total of approximately 17 square miles, and includes the entirety of the project site, as well as additional land in the project vicinity."
-

**51-8**

- In response, the DEIR states, "Construction of the Proposed Project/BRPA would include grading, excavation, trenching for utilities, and other construction-related activities that could cause soil erosion at an accelerated rate during storm events. In addition, soil would be disturbed during construction of the proposed off-site improvements, including a new roundabout and signals along Pole Line Road, a new traffic signal at the intersection of East Covell Boulevard and L Street, and off-site water line improvements within three existing roadways in the project vicinity. This EIR also covers the potential environmental affects that could result from future construction of grade-separated pedestrian/bicycle crossings at F Street and Pole Line Road. All such activities have the potential to affect water quality and contribute to localized violations of water quality standards if impacted stormwater runoff from construction activities enters the Covell Drain in the project area, which eventually drains to the Willow Slough Bypass."

**51-9**

The DEIR also states, "because a final Stormwater Control Plan has not been prepared, ongoing maintenance of the proposed stormwater treatment system and incorporation of proper source-control measures cannot be ensured at this time. Thus, project operation could violate water quality standards or waste discharge requirements or otherwise degrade water quality, and a significant impact could occur."

The DEIR also states that, "As such, Cunningham Engineering designed the drainage channel and detention basin to comply with the recommended elevation to ensure that contaminated groundwater is not infiltrated into the channel and does not impact the water quality of off-site flows. The proposed channel/detention basin base elevations of 26.5 feet amsl are consistent with the existing Channel A elevation and the existing Cannery basin elevations, both of which have been reported by the City not to have standing ground water at any time during winter months.18 Therefore, substantial evidence exists to conclude that potentially contaminated groundwater from the Old Davis Landfill would not come into contact with the Proposed





**Letter 51 Cont.**

**51-9 Cont.**

Project/BRPA storm water system"- but what about the excavated and exposed soil's impacts on areas outside of the project—and therefore outside of the Environmental Impact Review

If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines Section 15126.6[d]).

**51-10**

- Currently, the proposed alternatives fail to robustly meet many of the stated project goals as well as adequately mitigate the significant impacts. Rather, each alternative (with the exception of "no development") in its own way doubles down on various limitations of the original proposal—presenting Davis residents with a false choice as opposed to better options.

**Dr. Catherine Brinkley**
Faculty director | ELFS Lab
Search the contents of California's city and county plans: https://plansearch.caes.ucdavis.edu/



## LETTER 51: CATHERINE BRINKLEY

### Response to Comment 51-1
Please see Master Response 2. There is no "critical habitat" on-site. When a species is proposed for listing as endangered or threatened under the Endangered Species Act (ESA), the USFWS identifies specific areas that are essential to its conservation. These are the species' critical habitat. The USFWS has not designated any critical habitat on-site. Notwithstanding, the equal-weight BRPA includes a 47.1-acre Natural Preserve Area that avoids alkali playa wetlands wherein the endangered vernal pool tadpole shrimp were found.

### Response to Comment 51-2
Please see Master Response 2.

### Response to Comment 51-3
Please see Master Responses 1 and 2. Regarding the comment about transit, please see Response to Comment 45-2. Regarding the comment about trees, please see Master Response 7. The reference to "added bike and mixed use development" is unclear; however, regarding bicycle infrastructure, please refer to Mitigation Measure 4.13-2, wherein several bicycle improvements are required. Regarding the comment about prime farmland, Mitigation Measure 4.2-1 requires the project to provide compensatory farmland mitigation. Regarding the comments about increasing density, Chapter 7, Alternatives Analysis, includes evaluation of a Higher Number of Units – Same Footprint Alternative.

### Response to Comment 51-4
As shown on page 4.2-25 of the Draft EIR, Mitigation Measure 4.2-1 requires the project applicant to set aside in perpetuity, active agricultural acreage elsewhere in unincorporated Yolo County through the purchase of development rights and execution of an irreversible conservation or agricultural easement, consistent with Section 40A.03.025 of the Davis Municipal Code.

### Response to Comment 51-5
As shown on pages 4.3-80 through 4.3-82 of the Draft EIR, Mitigation Measure 4.3-8 requires the project applicant to prepare and implement a GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. Should net operational emissions be shown to exceed the maximum emissions levels presented in the applicable table above, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled, such as the installation of on-site photovoltaic systems in excess of City's or State standards. Therefore, implementation of Mitigation Measure 4.3-8 would include GHG reduction strategies, consistent with the recommendation of the comment. However, due to uncertainties related to the potential efficacy and feasibility of the GHG reductions measures, as well as the availability of off-site carbon credit programs, the full GHG reductions associated with the Proposed Project or the BRPA cannot be guaranteed. Therefore, the Draft EIR concluded that the impact would remain significant and unavoidable.

Regarding a microgrid, please see Response to Comment 29-17.

## Response to Comment 51-6
Please see Response to Comment 51-1.

## Response to Comment 51-7
Please see Master Response 3.

## Response to Comment 51-8
The comment includes an excerpt from page 4.8-19 of the Draft EIR under Impact 4.8-1 intended to explain how construction of the Proposed Project/BRPA could potentially impact water quality. However, the discussion within the Draft EIR continues, and ultimately concludes that compliance with the State NPDES Construction General Permit would minimize the potential degradation of stormwater quality and downstream surface water. Such compliance is required by Mitigation Measure 4.8-1 of the Draft EIR.

## Response to Comment 51-9
Please see Master Response 3. It is unclear what excavated soil the commenter is referring to. In addition, the Proposed Project/BRPA would be subject to Mitigation Measure 4.8-2, which requires preparation of a final Stormwater Control Plan.

## Response to Comment 51-10
Please see Master Response 2.

**Letter 52**

**Dara Dungworth**

**From:** Catherine Keller <catherinekeller13@gmail.com>
**Sent:** Monday, February 24, 2025 11:43 PM
**To:** Dara Dungworth
**Subject:** Village Farms DEIR

**Categories:** VFD Comment

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

Dear Dara Dungworth, This is a letter of concern about Village Farms. This is an area that has been repeatedly rejected by Davis voters for housing. Now, the largest project thus far is being proposed. Here are my concerns:

52-1 1. Is this a situation where the will of Davis voters is being tested? Increasing the number of housing units is not showing respect for the concerns of Davis voters.

52-2 2. The proposed site is on a 200 acre flood plain. This is subjecting the proposed housing and its new residents to water problems, high insurance premiums, and currently an unsympathetic Legislature for homeowners buying in areas that are prone to the forces of nature. And with climate change, those forces are unpredictable.

52-3 3. Adjacent to this site is an old city landfill. The seepage from this landfill has allowed toxic waste into the ground water.

52-4 4. The currently plan will remove 952 trees. Trees that are additive to the surrounding air, soil, and creatures that live there. Can the Federally-protected vernal pools be left unscathed with a proposed 1800 unit housing project?

52-5 5. The proposed expansion and rerouting of Channel A could cause the contaminated groundwater to mix with the channel runoff. This flows through Wildhorse. At the last Planning Commission meeting some Wildhorse residents informed the Commission and those of us attending about the water problems homeowners already suffer with.

52-6 6. CEQA's interest do not include traffic and make assumptions about vehicle miles traveled. Without a public transit system that regularly goes anywhere other than to the University, the assumptions are just that. There was nothing in the project description that these homes are for UCD employees - so it cannot be assumed the UCD bus system is going to reduce the environmental impacts of cars headed to anywhere else.

52-7 7. The DEIR refers to questionable "feasibility" of a Pole Line Road under crossing. Without safe alternatives for pedestrians and bicyclists, car travel must be expected. And with it, increased carbon dioxide, nitrous oxide, and other greenhouse gases. Vehicles contribute to the formation of ground-level ozone, which is a common component of smog. And all these add to global warming. Davis should be looking at ways to be good stewards of our air, water, soil, and native inhabitants - both plants and creatures.

52-8 8. While CEQA demands alternatives with less impact, a major focus of the Planning Commission meeting concerned 1800 to 2700 housing units. Including an assertion that 2700 units would reduce vehicle miles traveled. That kind of assumption does not make sense to me. I do not see any commitment in the DEIR for the City and University to expand Unitrans so it becomes a robust transit system which is ready to ride when new residents arrive. Without such an alternative in place to reduce vehicle pollution, Village Farm will not attract residents who can prioritize alternative transportation. Without public transit riders, the DEIR assumption about 2700 units is without foundation.

Please reject the Village Farms proposal based on the DEIR.

Thank you.

Catherine Keller

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**Letter 52 Cont.**

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- **Other pollutants**

Vehicles emit nitrogen dioxide, carbon monoxide, hydrocarbons, benzene, and formaldehyde.

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Climate change

- **Global warming**: Vehicles are a major contributor to global warming.

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## LETTER 52: CATHERINE KELLER

### Response to Comment 52-1
Please see Master Response 1.

### Response to Comment 52-2
Please see Master Response 4.

### Response to Comment 52-3
Please see Master Response 3 and Response to Comment 34-3.

### Response to Comment 52-4
Please see Master Response 7.

### Response to Comment 52-5
Please see Master Response 3 and Response to Comment 34-3.

### Response to Comment 52-6
Please see Master Response 5. It is for reasons set forth by the commenter that the External Walk, Bike, and Transit reductions applied in the project's trip generation estimate (Table 4.13-5) were kept considerably low.

### Response to Comment 52-7
Please see Master Responses 1, 5, and 6, and Response to Comment 47-1.

### Response to Comment 52-8
Please see Master Response 5 and Response to Comment 52-6.

**Letter 53**

**Dara Dungworth**

**From:** Catherine Portman <cportman@gmail.com>
**Sent:** Tuesday, February 11, 2025 1:53 PM
**To:** Dara Dungworth
**Subject:** burrowing owl sighting on the Village Farms project

**Categories:** VFD Comment

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

Hi Dara

53 I have a reported sighting of a pair of burrowing owls during breeding season on the Village Farms project.

--

Catherine Portman
Burrowing Owl Preservation Society
burrowingowls.org
5306660882

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## LETTER 53: CATHERINE PORTMAN

### Response to Comment 53-1

Please see Master Response 1. In addition, impacts to burrowing owl are discussed in detail under Impact 4.4-9 in Chapter 4.4, Biological Resources, of the Draft EIR. As discussed therein, suitable habitat exists on-site, and the Proposed Project and the BRPA could have a substantial adverse effect, either directly or through habitat modifications, on burrowing owl. The Proposed Project and BRPA would be subject to Mitigation Measure 4.4-9, which requires compliance with Yolo HCP/NCCP AMM18. The project applicant would be required to retain a qualified biologist to conduct planning-level surveys and identify western burrowing owl habitat within or adjacent to (i.e., within 500 feet of) a covered activity. If habitat for this species is present, additional surveys for the species by a qualified biologist are required, consistent with CDFW guidelines. If burrowing owls are identified during the planning-level survey, the project applicant would be required to minimize activities that would affect occupied habitat.

**Letter 54**

**Dara Dungworth**

**From:** Charles Auchterlonie <chuckauch@gmail.com>
**Sent:** Monday, February 17, 2025 5:19 PM
**To:** Dara Dungworth
**Cc:** Linda Deos
**Subject:** Village Farms upcoming Planning Commission Vote - NO

**Categories:** VFD Comment

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

Hi Dara:

**54-1** Charles Auchterlonie and Sara Yost here. We live on 811 Colby Dr in Davis. We do not support the proposed Village Farms development. We recommend the Planning Commission not approve this massive development.

**54-2** Our primary concern is the 1,800 new units. The current infrastructure primarily roads are not sufficient to support a development of this size. It will lead to gridlock on Covell Blvd and Pole Line Road. We are disheartened to see yet another proposed large development in Davis with little or no consideration regarding the impact to existing residents. Infrastructure (roads and traffic impact) must be addressed prior to the approval of large developments. Otherwise Davis will become yet another city snarled in traffic, cars polluting the neighborhood air and a reduced quality of life.

**54-3** We support additional housing in Davis but of a more moderate approach with appropriate infrastructure planning first.

Thank you for your consideration. Vote No on the current Village Farms development.

Charles and Sara
916-541-7486

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## LETTER 54: CHARLES AUCHTERLONIE AND SARA YOST

### Response to Comment 54-1
Please see Master Response 1.

### Response to Comment 54-2
Please see Master Responses 1 and 5.

### Response to Comment 54-3
Please see Master Response 1.

**Letter 55**

**Dara Dungworth**

**From:** Chen Zhao <czhao0308@gmail.com>
**Sent:** Wednesday, February 19, 2025 5:50 PM
**To:** Dara Dungworth
**Cc:** wmlowen
**Subject:** Village Farms project - effect on The Cannery residents

**Categories:** VFD Comment

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Hello,

**55-1** I am writing to express my concerns regarding the upcoming planned housing project (Village Farms) and the effects of necessary construction on the effects of existing Cannery residents.

I live in The Cannery (Gala Condos) with my 2 children (10 and 3). I have another child on the way.

**55-2** The proposed construction will introduce heavy traffic into our community and poses a safety hazard to residents, including young children who ride their bikes in the Cannery Loop.

**55-3** Furthermore, the original intent of The Cannery was as an urban farm and a walkable community. Paving over parts of the urban farm and introducing heavy traffic is against the spirit and nature of this community.

One of the reasons we moved here is for the urban farm and we adamantly oppose paving over the farm to accommodate this construction project.

**55-4** I strongly oppose this housing project unless the above concerns have been addressed with feasible solutions for The Cannery community.

Thank you for your attention to this urgent matter.

Chen Zhao and Marcus Lowenhaupt
1661 Spring St, Unit 225, Davis, CA 95616

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## LETTER 55: CHEN ZHAO AND MARCUS LOWENHAUPT

### Response to Comment 55-1
Please see Master Response 1.

### Response to Comment 55-2
Please see Master Response 5.

### Response to Comment 55-3
Please see Master Response 5.

### Response to Comment 55-4
Please see Master Response 1.

**Letter 56**

**Dara Dungworth**

**From:** Cristopher Martinez <cris44martinez@gmail.com>
**Sent:** Wednesday, February 12, 2025 10:01 AM
**To:** Planning Commission
**Subject:** Public comment on Village Farms EIR

**Categories:** VFD Comment

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

Dear Planning Commission,

As a Cannery resident, my three primary concerns with the proposed Village Farms project are below:

**56-1** 1. Disruption/damage to The Cannery Urban Farm. The EIR proposes paving a high-traffic road through the middle of our urban farm in order to connect the highest-density portion of the proposed development to our Cannery traffic circle. As imagined, designed, and built, The Cannery was sold to us as having an urban farm, and it is an essential portion of our community. Allowing such blatant disruption of the farm would run contrary to the concept of the The Cannery homes that our residents bought in to.

**56-2** 2. Traffic safety concerns related to our already unsafe narrow roads. The EIR study by GHD indicates that the relevant portion of Cannery Loop currently carries 970 average daily trips, and the study expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farm, this would create unacceptable safety hazards, especially to our vulnerable elderly and child residents.

**56-3** 3. Disproportionate noise impacts to The Cannery neighborhood. From a review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

**56-4** For the reasons above, I urge our City leaders to rethink the proposal and to incorporate the wellbeing and safety of The Cannery community into any analysis on the topic.

Sincerely,
Cris Martinez

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## LETTER 56: CHRISTOPHER MARTINEZ

### Response to Comment 56-1
Please see Master Response 5 and Responses to Comment 17-2 and 17-3.

### Response to Comment 56-2
Please see Master Response 5 and Response to Comment 17-5.

### Response to Comment 56-3
Please see Response to Comment 17-8.

### Response to Comment 56-4
Please see Master Response 1.

**Letter 57**

**Dara Dungworth**

**From:** cborrego@sbcglobal.net
**Sent:** Tuesday, January 28, 2025 2:51 PM
**To:** Dara Dungworth
**Subject:** NO to Village Farms development

**Categories:** VFD Comment

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

Dear Dara Dungworth,

**57-1** I strongly oppose the proposed development called Village Farms at Covell and Pole Line Road.

**57-2** - There is already WAY too much traffic on Covell and Pole Line. That enormous development on the south side of Woodland and the Cannery on Covell negatively impacts the traffic every single day. Adding more cars is not a good idea!

**57-3** - Public transit in Davis is already inadequate. There seem to be no plans to support public transit – and therefore the residents of the City will be expected to subsidize this rich developer so he can have more money and not have to live with the mess he is creating. NO.

**57-4** - With more traffic comes more danger to bicyclists and pedestrians, as well as drivers. The City needs to spend money to support overcrossings in places we have already built.

**57-5** - Building houses in a flood plain is poor planning.

**57-6** - I am given to understand that there are chemical contaminants leaking into the soil and water immediately adjacent to the proposed site, so disturbing the ground there risks the people who already live near the site as well as those who would live on top of it.

**57-7** - It would require a new fire station, but what we truly need is an EMS station to meet the needs we presently have.

**57-8** - Habitat loss. Those fields provide important habitat for a multitude of plant and animal species.

**57-9** - The Cannery was supposed to be a beautiful, multi-use area, but it is actually an UGLY, cramped eyesore. The last thing we need is another horrendous development that makes John Whitcombe rich but makes the rest of us miserable.

**57-10** Village Farms, with 1,800 units on over 400-acres, is the largest residential project ever proposed in the City of Davis. The Village Farms land site has many innate problems, plus it is located at one of the most highly impacted area of traffic in the City at Covell Blvd. and Pole Line Road.

**57-11** Altogether, building on that land is a terrible idea for humans, animals, and the City.

I strongly encourage you to SAY NO.

Sincerely,
Coleen Borrego

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## LETTER 57: COLEEN BORREGO

### Response to Comment 57-1
Please see Master Response 1.

### Response to Comment 57-2
Please see Master Responses 1 and 5.

### Response to Comment 57-3
Please see Master Responses 1 and 5, and Response to Comment 23-2.

### Response to Comment 57-4
Please see Master Responses 1 and 5.

### Response to Comment 57-5
Please see Master Response 4.

### Response to Comment 57-6
Please see Master Response 3.

### Response to Comment 57-7
Please see Response to Comment 75-51.

### Response to Comment 57-8
Please see Master Response 7.

### Response to Comment 57-9
Please see Master Response 1.

### Response to Comment 57-10
Please see Master Response 1.

### Response to Comment 57-11
Please see Master Response 1.

**Letter 58**

Colin Milburn and Peter Holman
1055 Pierce Lane
Davis, CA 95616

February 22, 2025

Dara Dungworth, Principal Planner
City of Davis Department of Community Development,
23 Russell Boulevard, Davis, CA 95616

Dear Dara Dungworth,

We are writing in regard to the DRAFT EIR (State Clearing House # 2022110006) for the proposed Village Farms Davis Project. We vehemently object to this development project based on its likely environmental impacts, most of which would not be sufficiently mitigated by the Biological Resources Preservation Alternative (BRPA).

58-1 As residents of Davis for more than 20 years, and based on our review of the EIR and its assessment of both the Proposed Project and the Biological Resources Preservation Alternative (BRPA), we conclude that this proposed development project would bring tremendously destructive changes to the quality of life in Davis and to the local environment. The scale of the proposed development project alone, gobbling up vast acreage of mostly undeveloped land and open-space farmland and transforming it into a sprawl of single-family homes, is staggering and distressing.

Both the Proposed Project and the BRPA would cause many of the same problems:

- 58-2 Traffic congestion, traffic noise, and traffic emissions in North Davis, especially around Covell Boulevard, are already unpleasant. This proposed project would exacerbate the traffic situation to intolerable levels. The traffic impacts of this project would not only ripple through the City of Davis but would clearly impact the traffic conditions on nearby freeways, including Interstate 80 (I-80), Interstate 5 (I-5), and State Route 113 (SR 113). The increased population represented by this project proposal would not be accommodated by job opportunities in Davis, and it is clear that many or most of the residents in this new development would be commuting by car towards Sacramento or towards Vacaville, Fairfield, and the Bay Area. This is a huge number of additional cars to be putting on the streets of Davis and the local freeways, especially during commuter hours. The air quality conditions and noise conditions would be proportionately negatively impacted, as well. 58-3 Traffic accidents and fatalities—including human as well as wildlife fatalities—would inevitably increase. (County Road 102 is already a death trap for animals, and as a two-lane road it certainly cannot safely handle the traffic expansion entailed by this project.) 58-4 The suggestion by the developers that many residents of the single-family homes in the Village Farms development would use public transportation alternatives is disingenuous and absurd, as we already see how commuter traffic currently operates in Davis and on the local highways, relative to the bus and train service options. The distance of Village Farms from the Amtrak station (coupled with the small size of

**Letter 58 Cont.**

**58-4 Cont.**

the train station parking lot) suggests that it will be much more likely that the majority of affluent residents in this sprawling suburban development will be commuting in and out of Davis by car on a daily basis.

**58-5**

- Note that these traffic impacts do not yet even take into consideration the many other "In Process," "Pending Construction," and "Under Construction" development projects in Davis, both in the vicinity of the Village Farms project and elsewhere in the city. These other projects – some of which seem to have stalled out but may get completed at any time – represent sources of as-yet untested traffic impacts and other environmental impacts, whose cumulative effects on the quality of life in Davis remain unknown but would only likely worsen conditions if the Village Farms project proceeds.

**58-6**

- While the City of Davis has often prided itself on environmentally responsible management and sustainable growth, the suburban sprawl of this project, extending the city's boundaries into undeveloped open lands and adding thousands of homes and vehicles, would produce a massive environmental impact. The anticipated carbon emissions represented by this development are shocking. The effects on wildlife would be massive.

**58-7**

- In regard to aesthetic considerations, the impact of this proposed development to current residents of Davis, especially those in North Davis, would be vicious. Noise, air pollution, and other factors during the construction process would make life very unpleasant for many years, and some of these issues would continue even after the construction phase is completed. Moreover, the boundary edge between the City of Davis and the more rural lands beyond has always been a distinctive aesthetic feature of this city (though of course it has changed over the decades) and many of us chose to settle here because of that feature. To alter this feature in such a cavalier way would be cruel to current residents, and the city as a whole would suffer, without any clear compensatory factors.

**58-8**

The BRPA alternative does at least address an enormous concern about the project — namely, the partial preservation of an existing seasonal wetlands area and part of its surrounding space, which currently serve as vital resources for local wildlife and migratory birds protected by the Migratory Bird Treaty Act. However, this BRPA alternative is still not acceptable for addressing the scope of what would be needed to actually and effectively preserve biological resources. The area in the BPRA designated as "Natural Habitat Area" is indeed an essential area to preserve, undeveloped, in perpetuity. However, the effect of the BRPA plan would be to surround this Natural Habitat Area completely by a barrier wall of suburban housing, with the Cannery to the south, the Village Farms to the north and the east, and the existing city to the west, across the train tracks and F Street. This Natural Habitat Area would become effectively an island – or a wasteland. While such a habitat area might address habitat needs for certain bird and insect species, it would become inaccessible to the mammals, reptiles, and other species that currently access this area from the north and east. Moreover, even if the goal were merely to preserve a bird habitat, this would not be sufficient at all for the many birds of prey who currently frequent this area – including threated local and native species such as the Swainson's hawk – who depend on mammals and reptiles being able to access the area, as well. Designing this habitat

**58-8 Cont.**

area as an enclosed island in the middle of a cityscape, rather than the end of a wildlife corridor (as it currently is), would not make it a habitable habitat at all for many species.

**58-9**

Moreover, the Village Farms development would also impact the wildlife routes that currently connect the area north of the Cannery to the North Star Pond area to the west. In other words, Village Farms would make the North Star Pond area into an island, as well. While F Street has always represented a danger to wildlife crossing from the north farmlands to the North Star Pond area, it nevertheless is currently a crossing route. This would be changed dramatically by closing this area off by surrounding it with more suburban sprawl.

**58-10**

Finally, even though the Natural Habitat Area is designated for preservation in the BRPA, it is not clear if the actual construction phase of the Village Farms development would destructively impact the preservation goals (e.g., construction equipment and machinery accessing that part of the natural habitat), or if any of the trees in the vicinity would be preserved effectively (currently they provide the nesting areas and migration stopover areas for many bird species, as well as some arboreal mammals). The maintenance and protection plan for this habitat area is also not clear in the BPRA. As we know from many unfulfilled promises made by some development companies responsible for other projects in Davis, certain aspects of proposed plans do not always go the way they were promised to go. (For example, the Cannery Marketplace, which has passed from developer to developer and remains perpetually under construction and unlikely to ever match the initial promises made by the New Home Company when the project was originally approved. Also, consider the ways in which some proposed commercial spaces in the Cannery and other developments in the city were later turned into apartment buildings, adding many more residents to developments that were initially promised to have fewer residents.)

In other words, what would be the actual enforcement mechanism for preserving this habitat area in Village Farms as a biological resources habitat, in the future? What is the sustainability plan that would keep this area functioning as a habitat over time?

To be clear: the BRPA is infinitely preferable to the much, much worse alternatives described by the Proposed Project. But it still does not go far enough. Indeed, it represents such an insufficient alternative that one wonders if the more egregious alternatives presented in the Project Plan were not simply strategic ploys—as if the developers may have intentionally presented a development vision so horrific that even a mediocre mitigation alternative such as the BRPA would seem attractive in comparison. While the BRPA is better, it is not acceptable.

**58-11**

The Village Farms project should not be approved to go forward, based on its environmental impacts.

If the City of Davis believes that the city needs to grow its population and its residential capacities, this is not the way to do it.

We urge the city planners to consider, if the city really needs to grow, that we live in a rapidly changing world and that growth needs to managed differently than it was in the past. It is clear to everyone that climate change is accelerating and that even small environmental risks in California – say, a little wildfire – can quickly expand to have outsized, catastrophic effects. The

**Letter 58 Cont.**

**58-11 Cont.**

City of Davis should not be in the position of considering ridiculous proposals from greedy, backwards-looking developers who continue to propose projects in the mode of 1950s suburban sprawl and car culture. Instead, if growth is necessary (but really, is it actually necessary?), then the city planners might instead consider encouraging development proposals to grow the city inwards and upwards, not outwards. Today, all rational models of sustainable urban development for the future of our world suggest that cities should be growing vertically, with denser residential areas and taller buildings, and should not be growing horizontally. New developments like Village Farms that propose expanding the existing city borders so radically should really be disqualified from the start, especially if their vision is just more of the same: more single-family homes, as far as the eye can see.

There are alternative ways of managing sustainable urban growth. This is not it. The city must reject this Village Farms proposal and voters must continue to reject proposals like it that would not enhance but only devastate the quality of life and the environmental conditions in our fair town.

Sincerely,



Colin Milburn and Peter Holman

## LETTER 58: COLIN MILBURN AND PETER HOLMAN

### Response to Comment 58-1
Please see Master Response 1.

### Response to Comment 58-2
Please see Master Responses 1 and 5.

### Response to Comment 58-3
Please see Master Responses 1 and 5. Wildlife road fatalities are typically related to common species. The comment fails to show how the project would directly impact special-status species.

### Response to Comment 58-4
Please see Master Response 1. It is for reasons set forth by the commenter that the External Walk, Bike, and Transit reductions applied in the project's trip generation estimate (Table 4.13-5) were kept considerably low.

### Response to Comment 58-5
Contrary to the assertion of the commenter, the Draft EIR included a detailed discussion of cumulative transportation impacts based on the implementation of the Proposed Project and the BRPA in combination with other proposed and pending projects in the region, including Palomino Place; Shriners Property; Davis Innovation Sustainability Campus (DiSC) 2022; the Cannery Remainder Commercial Parcels; Sutter Davis Expansion (including adjacent Communicare Expansion); various Bretton Woods developments; the Promenade/Nishi; and Olive Drive Mixed Use. Cumulative transportation impacts are discussed under Impacts 4.13-7 through 4.13-11 in Chapter 4.13, Transportation, of the Draft EIR.

### Response to Comment 58-6
Please see Master Response 1.

### Response to Comment 58-7
Please see Master Response 1. The Draft EIR acknowledges the project's significant aesthetic impacts in Chapter 4.1.

### Response to Comment 58-8
Please see Master Response 7.

### Response to Comment 58-9
Please see Master Response 7.

### Response to Comment 58-10
Please see Master Response 7. Furthermore, with respect to potential temporary construction impacts to the BRPA Natural Habitat Area, as shown in Figure 4.4-9 of the Draft EIR, such area would be avoided.

### Response to Comment 58-11
Please see Master Response 1.

**Letter 59**

**Dara Dungworth**

**From:** Colin Murphy <cwmurphy78@gmail.com>
**Sent:** Tuesday, February 25, 2025 1:54 PM
**To:** Dara Dungworth; Planning Commission
**Subject:** Comment on Village Farms draft EIR

**Categories:** VFD Comment

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

To the City Planners and Planning Commission for the City of Davis,

**59-1** I research sustainable transportation policy at UC Davis Institute of Transportation Studies and I have been a homeowner in the Cannery since 2021, in a unit about 100 yards from the Cannery Loop traffic circle. As a long-time Davis resident and 2nd generation UCD graduate with two degrees from the school over 10 years apart, I am acutely aware of the housing shortage our city has experienced over the last several decades. While I have not had the time to extensively review the DEIR, I have attended a community listening session about it and am following the issue via local media. Clearly, there are many steps left to be taken in this process and I urge thorough and deliberate consideration of each, but based on what I have seen so far, I am cautiously supportive of the process so far. I wanted to offer two comments on major issues as the DEIR is considered by the planning commission and city council.

**59-2** 1) Traffic - I recognize that the addition of a significant new residential development next to the Cannery will impact traffic flows in my neighborhood. While I would obviously prefer less traffic to more, I recognize that any additional housing will bring additional traffic and the estimated impact on the Cannery, as described in the DEIR would be an acceptable annoyance for the public good. While I enjoy the benefit of having a working farm in the Cannery, I recognize the utility of having a connection from the Cannery Loop traffic circle to the new development, and am willing to accept the loss of public green space it would bring, provided it seeks to minimize impacts on the farm space to the greatest extent possible. Additionally, I think it is critical that the Village Farms development have multiple outlets to local arterial roads, like Covell and Pole Line; it's fine to have Cannery Loop be part of the road network servicing the new development, but it should not be the entirety of it. Additionally, there needs to be expanded transit service to our area of town, and would ask that funding for expanded Unitrans service to this area be included as part of the mitigation measures the Village farm developers must provide.

**59-3** 2) Impact on habitat and environment - I recognize that with any development of natural or agricultural land, there are some necessary tradeoffs between development and preservation of ecosystems. For the most part, CEQA specifies and adequate consideration of such impacts and while I have not reviewed this part of the document, I generally trust City of Davis staff, and associated contractors to follow the requirements it lays out. The presence of sensitive habitat, such as vernal pools, and potential soil contamination from the old landfill or industrial activities is concerning, however. I would urge the City to take a risk-averse, precautionary approach when considering the risks of disturbing threatened ecosystems or exposing residents to pollution. While there clearly is a need for more housing in Davis, the risk to both residents' health and surrounding ecosystems is quite real. I urge the Planning Commission and the City Council to consider these issues carefully and would rather see a more limited project scope that avoids environmental harm if these risks cannot be thoroughly mitigated within the project scope. "First, do no harm," should be the operational principle guiding these decisions.

Thank you for your consideration and the significant effort that has gone into this project to date.

Sincerely,

Colin W Murphy Ph.D.

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## LETTER 59: COLIN MURPHY

### Response to Comment 59-1
Please see Master Response 1.

### Response to Comment 59-2
Please see Master Responses 1 and 5, and Response to Comment 23-2.

### Response to Comment 59-3
Please see Master Response 1, 3, and 7.

**Letter 60**

**Dara Dungworth**

**From:** corrie schmidt <winniecs@yahoo.com>
**Sent:** Monday, February 17, 2025 1:22 PM
**To:** Dara Dungworth
**Subject:** Regarding village farms project

**Categories:** VFD Comment

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

Dear city council member,
I have been living in Davis for 20 years now. My husband & I moved up here from Southern California so he could attend UC Davis for his masters & ultimately his PhD.
What I have grown to love over the years, is the beautiful farm lands that surround our charming community. Raising our children here has also been wonderful because the town remained relatively small. I know my kids are safe riding their bikes around & meeting friends at local parks because it's a small town.

60-1

I don't want to be reminded of Southern California when I hear about these new projects being considered that will create MORE traffic. I moved away from TRAFFIC for a reason! I also don't want to see beautiful farm land destroyed to make room for EXPENSIVE housing.
I attended one of the informational meetings at Pioneer library back in January. It's sounds like this project is a repeat of the Canary.
I urge you to vote no as I will be doing in November if & when the citizens get a chance to have the final say.
SAVE our farmland & SAVE our charming town that many of us moved here for!
Sincerely,
Corrie Acuna, a voter
Sent from my iPhone

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## LETTER 60: CORRIE ACUNA

### Response to Comment 60-1

Please see Master Responses 1 and 5.

**Letter 61**

**Dara Dungworth**

**From:** Caroline Robertson <cerobertson0601@gmail.com>
**Sent:** Monday, February 24, 2025 11:33 AM
**To:** Dara Dungworth
**Subject:** A No Vote on Village Farm Development

**Categories:** VFD Comment

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

Dear Mr. Dungworth,

61-1 When my husband and I purchased our home(s) in the Cannery it was with the understanding that the area where your proposed Village Farm was to be, would be a small commercial business development such as restaurant, medical/dental, athletic space. We understood that affordable housing was part of the original plans but so was the opportunity to have some retail/medical space available. Not MORE housing or concrete.

If anything needs to be built in that space it's another pool for the added housing/community to use and the original commercial space as promised.

We ask that this development NOT be built.

Kind regards and respect,
Curtis & Caroline Robertson

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## LETTER 61: CURTIS AND CAROLINE ROBERTSON

### Response to Comment 61-1

Please see Master Response 1.

**Letter 62**

**Dara Dungworth**

**From:** Cynthia Carter Ching <ccching@ucdavis.edu>
**Sent:** Wednesday, February 12, 2025 3:27 PM
**To:** Dara Dungworth
**Subject:** Support for Housing

**Categories:** VFD Comment

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

Dear Ms Dungworth & City Planning Commission,

62-1 I am a 16-year homeowner in the City of Davis, University Estates, near Willett Elementary. I'm writing to express my support for two housing projects before the City Council: Village Farms and Sweetbriar Townhomes.

62-2 The City of Davis needs to address our housing shortage in meaningful and substantial ways, with major developments having proximity to business and services. Tiny infill projects will not be sufficient for this need. Furthermore, Davis schools have been increasingly reliant on out-of-district students. Additional housing will help bolster the number of Davis families supporting our schools, through both local enrollment and new-sale property taxes.

62-3 Ironically, I received your contact information through a flyer being circulated in my neighborhood, from a resident who is very much *against* the developments named above. But I wanted you to know that our household of three voters supports a large and significant increase of housing in Davis.

Thank you for reading, and I wish you the best in helping these projects (and others) come to fruition.

62-4 Yours,
Cynthia Ching
1202 Bucknell Drive

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## LETTER 62: CYNTHIA CHING

### Response to Comment 62-1
Please see Master Response 1.

### Response to Comment 62-2
Please see Master Response 1.

### Response to Comment 62-3
Please see Master Response 1.

### Response to Comment 62-4
Please see Master Response 1.

**Letter 63**

**Dara Dungworth**

**From:** Darlene Boyce <darleneb@dcn.davis.ca.us>
**Sent:** Friday, February 21, 2025 8:47 PM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** VFD Comment

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

To whom it may concern,

**63-1** Have read a bit about the proposed Village Farms project. From my point of view I cannot understand why the City of Davis would entertain a project that includes proximity to a former dump and sanitation plant. What about the health of prospective buyers? They will expect the site to be safe. Naturally. How can we sleep at night knowing there could be dire results of poor planning.

**63-2** In addition, what is the city's definition of affordable housing? $800,000 and up? Not my definition.

I hope this ill defined project is rejected.

Thank you,
Darlene Boyce
833 Oak, Davis
Sent from my iPad

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## LETTER 63: DARLENE BOYCE

### Response to Comment 63-1
Please see Master Responses 1 and 3.

### Response to Comment 63-2
Please see Master Response 1.

**Letter 64**

**Dara Dungworth**

**From:** Darlene Boyce <darleneb@dcn.davis.ca.us>
**Sent:** Saturday, March 1, 2025 4:59 PM
**To:** Dara Dungworth
**Subject:** Re: Streets (VFD Comment)

**Categories:** VFD Comment

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Thank you for the confirmation. Yes, I would like this comment to be included along with my earlier one. Wasn't sure I got it in in time. Hope it can apply to subsequent new build areas as well. Thank you.
Sent from my iPad

> On Feb 28, 2025, at 8:05 PM, Dara Dungworth <DDungworth@cityofdavis.org> wrote:
>
> Good evening,
>
> I am writing to confirm the Planning Commission's receipt of your message. Thank you for your thoughts.
>
> Did you intend for this message to be a comment on the Village Farms Draft EIR? If so, please reply by 5 pm on Tuesday March 4 to confirm so it can be included in the formal responses being provided in the Final EIR.
>
> Thank you,
>
> Dara
>
> DARA L. DUNGWORTH (she/her)
> Principal Planner
> OFFICE: 530-757-5610, ext. 5882
> Community Development
> ddungworth@cityofdavis.org
> 23 Russell Boulevard
>
> Davis, CA 95616
> CITYOFDAVIS.ORG
>
> -----Original Message-----
> From: Darlene Boyce <darleneb@dcn.davis.ca.us>
> Sent: Monday, February 24, 2025 1:01 PM
> To: Planning Commission <PlanningCommission@cityofdavis.org>
> Subject: Streets
>
> CAUTION: External email. Please verify sender before opening attachments or clicking on links.
>
> I hope any newly developed neighborhoods will have streets wide enough for two lanes of traffic plus parking on both sides . When I visit newer areas I find congestion and lots of it. Imagine a fire engine trying to negotiate. What are we waiting for? A tragedy?
>
> Yes, i know my idea will lower the number of homes. . But more important, the homes that are built will be safer.
>

64-1

## LETTER 64: DARLENE BOYCE

### Response to Comment 64-1

Please see Master Responses 1 and 5. As discussed under Impact 4.13-5 in Chapter 4.13, Transportation, of the Draft EIR, the design of the on-site roadways and intersections would be subject to City of Davis Code and Public Works Department staff review and approval. Overall, by providing multiple access and egress points, the Proposed Project/BRPA would meet City of Davis standards for providing emergency vehicle access to the site.

**Letter 65**

**Dara Dungworth**

**From:** Dave Kreske <dave.kreske@deacon.com>
**Sent:** Tuesday, February 18, 2025 9:23 AM
**To:** Dara Dungworth
**Subject:** Village Farms - Multifamily portion

**Categories:** VFD Comment

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Dara,

65-1 I see that Village Farms is a new potential development in north Davis. Deacon is a top Northern California multifamily General Contractor in Sacramento. Do you happen to know if the development group, which appears to be a group of local property owners, have selected a GC or Architect on this development yet. Or is it too soon? Deacon would be very interested to assist with preconstruction and construction of the multifamily product.
Also, would this project be excluded from CEQA for the Affordable housing piece as most communities have waived due to the shortage of housing?

**Dave Kreske**
Vice President

Deacon Construction, LLC

P: 916.969.0900
M: 916.618.3138
deacon.com

Seattle | Portland | Sacramento | Pleasanton

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## LETTER 65: DAVE KRESKE

### Response to Comment 65-1

Please see Master Response 1.

**Letter 66**

**Dara Dungworth**

**From:** david0474@att.net
**Sent:** Sunday, February 23, 2025 10:09 AM
**To:** Dara Dungworth
**Subject:** Village Farms DEIR

**Categories:** VFD Comment

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**66-1** By some definition the houses in the Village Farms plan may seem affordable, but they're not the kind of affordable starter homes, condos or rentals which Davis needs to bring in families.

**66-2** The project is too large for its space. Extra cars will bring more pollution and safety concerns, especially since there is no outlet going north or west over the train tracks. We have already had a fatality at the corner of Pole Line and Covell with an adult bicyclist. And planning a park on that corner raises safety concerns, as well as subjecting the children playing to more pollution as cars idle at the lights. Even now at busy times, cars line up for nearly a block waiting for their turn.

**66-3** Why is there no alternative plan with a smaller footprint? I was at a meeting (last summer I believe) where several people suggested such an approach.

**66-4** I also heard the Sierra Club discussion, where it seemed only one person was in favor of the plan. I attended the planning commission meeting on February 12th, too. Despite the Vanguard's favorable write- up, very few people were in support. Perhaps they counted the Thompson group as supporters because they wanted some development. However, the Thompson group also criticised the plan as too big, having too few truly affordable houses and no rentals for new families.

**66-5** If anyone thinks that the bus system will decrease traffic (VMT), I disagree. The bus system is designed for UCD students and as such is not very useful for residents. I have a senior pass and can ride for free, but rarely do since it doesn't go where I need to go, like the library or Mondavi.

**66-6** As others have pointed out, there are way too many environmental problems here with inadequate mitigations. This is not a good fit for the betterment of Davis.

Sincerely, David Bakay

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## LETTER 66: DAVID BAKAY

### Response to Comment 66-1
Please see Master Response 1.

### Response to Comment 66-2
Please see Master Response 1.

### Response to Comment 66-3
Please see Master Response 2.

### Response to Comment 66-4
Please see Master Response 1.

### Response to Comment 66-5
Please see Master Responses 1 and 5.

### Response to Comment 66-6
Please see Master Response 1.

**Letter 67**

**67-1** The Village Farms project is too large and has too many negative issues that cannot be ignored. It's DEIR is seriously inadequate. This project is trying to shoehorn in 1,800 housing units on land with too many problems and at an intersection which already has massive traffic impacts.

**67-2** 1) Removing 952 trees along the channel is unacceptable for many reasons including the enormous destruction to the habitat including some endangered species like the Swainson's Hawk.

**67-3** 2) It has a floodplain of over 200 acres and housing should never be built on huge floodplains like this. That is basic common sense. The State will not financially rescue city's which build on big flood plains when flooding disasters happen now.

**67-4** 3) The housing would be built over an area where the groundwater has PFAS "forever chemical" which have leaked from the adjacent Old City Landfill and Sewage Treatment Plant. Tring to mitigate this by using toxic soil with arsenic levels 50X – 70X of what should be in residential soil is a terrible concept and leaves the City open for liability. Also, who would want to buy a house on top of toxics.

**67-5** 4 ) Infrastructure costs would be a huge burden o the City and residents. A new fire station would cost $14 to build and many millions more to staff. Equip and operate long t4re. not needed. Since 90% of the Fire Dept. calls are medical, the logical solution is to instead have a emergency medical service which would cost far less and could be located anywhere in east Davis since it only needs a small footprint of space. Also, the developer does not want to pay for the Pole Line undercrossing if it is feasible and those costs need to be 100% on the developer for his project, and no cost to Davis residents.

**67-6** 5) Teachers and most other workers and young families in Davis will not be able to afford homes in Village Farms with housing prices being from $700,000 to over $1 million.

**67-7** The DEIR is missing much important information like not knowing if the Pole Line Undercrossing is "feasible". Also. The DEIR is missing lesser impact alternatives that need to be analyzed like the "reduced footprint' alternative which would build only below the channel, preserve the vernal pools and build 900-1,000 housing units or less.

This Village Farms project is too big and has too many problems and costs and this proposal is unacceptable.

Sincerely,

David McGlocklin

## LETTER 67: DAVID MCGLOCKLIN

### Response to Comment 67-1
Please see Master Response 1.

### Response to Comment 67-2
Please see Master Response 7.

### Response to Comment 67-3
Please see Master Response 4.

### Response to Comment 67-4
Please see Master Response 3.

### Response to Comment 67-5
Please see Master Responses 1 and 6, and Response to Comment 75-51.

### Response to Comment 67-6
Please see Master Response 1.

### Response to Comment 67-7
Please see Master Responses 1, 2, 6, and 7.

**Letter 68**

**Dara Dungworth**

**From:** deborah hunter <hunter.deborah2255@yahoo.com>
**Sent:** Wednesday, February 5, 2025 11:12 AM
**To:** Dara Dungworth
**Subject:** village farms

**Categories:** VFD Comment

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Hi Dara-

**68-1** This Deborah again!

Hello....I'd like to express some serious concerns about the construction project called Village Farms.

I live directly across the designated site in a senior HUD housing off J street. This proposed housing project will cause-

-Horrific traffic on East Covell which is already packed -the busiest street in Davis (I have lived here 13 years-I know) So many car accidents occur at Pole Line and Covell

-Add dirt and toxic pollutants into the air

**68-2** -Create more noise to an already noisy busy area

-Take AWAY farm area--it's open land that Davis is seeing less and less of

-create more demand on water for us all

-create more demand on energy of all forms

-hurt the wild life of all kinds

**68-3** We who live in this area feel it is very over populated (it's very hard to find any parking in the Nugget/CVS plaza on E. Covell) and we certainly do not need more people and cars! I find such a housing plan unconscionable.

Yes..I understand about the state housing allotment. I spoke in length to Tom.

This is not the area of Davis to sprawl.

**68-4** I am not alone in my feelings. I could get a petition signed by neighbors and may need to do so to be heard.

Thank you for your consideration and time

Deborah Hunter -!221 Kennedy Pl. Davis 95616 530 601 3099

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## LETTER 68: DEBORAH HUNTER

### Response to Comment 68-1
Please see Master Response 1.

### Response to Comment 68-2
Please see Master Response 1.

### Response to Comment 68-3
Please see Master Response 1.

### Response to Comment 68-4
Please see Master Response 1.

**Letter 69**

**Dara Dungworth**

**From:** Diana L Miglioretti <dmiglioretti@ucdavis.edu>
**Sent:** Tuesday, February 25, 2025 8:56 AM
**To:** Dara Dungworth
**Subject:** Opposition to Proposed Village Farms Development

**Categories:** VFD Comment

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To whom it may concern:

As a homeowner in Davis and a Professor at UC Davis, I am writing to express my strong opposition to the proposed new Village Farms development. This project, which would be the largest ever built in Davis, raises several significant concerns: **69-1**

1. **Traffic Impact**: The added traffic on Covell and Pole Line—already known for congestion—would place an unreasonable burden on our community. It makes no sense to worsen an existing problem.
2. **Housing Demand**: Davis does not currently need additional housing. Numerous developments have been completed in recent years, and growth continues at a steady pace. **69-2**
3. **Environmental Concerns**: The plan to replace farmland with a subdivision is a shortsighted use of land. The proposed removal of trees for water channel rerouting is excessive and wasteful, depleting our natural resources. Increased vehicle emissions from traffic congestion and the destruction of wildlife habitat further compound the environmental impact. **69-3**
4. **Floodplain and Toxic Site Risks**: The development site lies on a known floodplain and borders a former toxic waste site containing harmful pollutants like PCBs. Disturbing this soil could release toxins into the environment, posing health risks to the community. Additionally, the current open space serves as an essential wildlife corridor and provides an aesthetic buffer that would be lost. **69-4**

Davis prides itself on environmental stewardship and sustainable growth. Approving this project would compromise these values for short-term gain. Instead, we should preserve the farmland and natural habitats that make our community unique. **69-5**

Thank you for considering my concerns. I strongly urge you to reject this development proposal.

Sincerely,

Diana Miglioretti, PhD

**Diana L. Miglioretti, PhD**
she/her/hers

**Department of Public Health Sciences**
Professor and Division Chief of Biostatistics

**UCD Comprehensive Cancer Center**
Population Sciences and Health Disparities Program Co-Leader

**University of California, Davis**
One Shields Ave., Med Sci 1C, Room 116
Davis, CA 95616

**Letter 69 Cont.**

**530-752-7168** telephone
530-309-5530 mobile
dmiglioretti@ucdavis.edu

**Appointments: Beverly Bock (babock@ucdavis.edu)**

https://dianamiglioretti.ucdavis.edu/
http://www.bcsc-research.org

UCDAVIS HEALTH

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## LETTER 69: DIANA MIGLIORETTI

### Response to Comment 69-1
Please see Master Response 5.

### Response to Comment 69-2
Please see Master Response 1.

### Response to Comment 69-3
Please see Master Responses 4, 5, and 7. Impacts related to vehicle emissions are discussed in Chapter 4.3, Air Quality GHG Emissions, and Energy, of the Draft EIR.

### Response to Comment 69-4
Please see Master Response 3, 4, and 7.

### Response to Comment 69-5
Please see Master Response 1.

**Letter 70**

**Dara Dungworth**

**From:** Diane Simon <simonsez@sbcglobal.net>
**Sent:** Tuesday, February 11, 2025 7:39 AM
**To:** Dara Dungworth
**Subject:** Village Farms DEIR

**Categories:** VFD Comment

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To: city staff

**70-1** I am very concerned about the plans for Village Farms, in particular about the plan to build housing on a flood plain that is designated a FEMA Special Flood Hazard Area. This seems like a disaster waiting to happen, especially in light of the climate crisis. In addition I oppose the plan to use soil contaminated with arsenic and lead, from land adjacent to the old city landfill and sewage treatment plant, to fill the flood plain.

**70-2** Equally concerning is the plan to build housing on land adjacent to the old landfill and sewage treatment plant, where the groundwater is known to be contaminated with toxic and cancer-causing chemicals, including PFAS.

**70-3** And rerouting runoff water in Channel A from farmlands could have serious environmental consequences as it potentially mixes with the contaminated groundwater and flows through Wildhorse and into the wetlands beyond. Again, this would expose the area to the possibility of severe flooding.

**70-4** In addition, almost 1,000 trees would have to be removed!!

**70-5** This is an ill-conceived plan, which I believe desperately needs to be modified. I propose that housing only be built below the channel. Density in that area could be increased.

Thank you for considering my input.

Diane Simon

Sent from AT&T Yahoo Mail for iPhone

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## LETTER 70: DIANE SIMON

### Response to Comment 70-1
Please see Master Responses 3 and 4.

### Response to Comment 70-2
Please see Master Response 3.

### Response to Comment 70-3
Please see Master Response 4.

### Response to Comment 70-4
Please see Master Response 7.

### Response to Comment 70-5
Please see Master Response 1.

**Letter 71**

**Dara Dungworth**

**From:** Donna Lemongello <dlemongello53@gmail.com>
**Sent:** Tuesday, February 18, 2025 8:52 AM
**To:** Dara Dungworth
**Subject:** village farms

**Categories:** VFD Comment

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71-1 Hi,
The DEIR for this development as it stands now is grossly inadequate to address traffic and circulation issues, and also the environmental impacts, from habitat and tree loss, to the presence of toxics on site. These points have been made across the board by others already, extensively,

Donna Lemongello

## LETTER 71: DONNA LEMONGELLO

### Response to Comment 71-1

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

**Letter 72**

**Dara Dungworth**

**From:** Dylan Sommer <sommerds2001@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:00 PM
**To:** Dara Dungworth
**Subject:** Village Farms Davis Draft DEIR Comment

**Categories:** VFD Comment

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Dara Dungworth,

I hope this email finds you well. I wanted to submit a brief comment regarding the draft DEIR for the Village Farms Davis project, in particular the BRPA protection of a 47.1 acre natural habitat area. I am strongly in favor of the inclusion of this natural habitat area, in the interest of preserving vernal pool habitat, which has only become more rare and therefore ecologically valuable with the unceasing development of California's central valley.

72-1

My only concern is the management of said natural habitat area - simply setting the land aside will not optimally protect the ecosystem, as unmanaged vernal pool habitat is often overrun by non-native grasses. Creating a stewarded preserve in this location, allowing for the possibility of carefully considered vegetation management, would give the land the best possible chance of remaining healthy and viable over time. Additionally, active stewardship could open the possibility of the land working as an educational resource for interested visitors. If you would like me to send you any resources regarding vegetation management in vernal pools and potential positive impacts, please don't hesitate to reach out!

Sincerely,

Dylan Sommer

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## LETTER 72: DYLAN SOMMER

### Response to Comment 72-1

Please see Master Responses 1 and 7.

**Letter 73**

**Dara Dungworth**

**From:** edleemd@yahoo.com
**Sent:** Wednesday, February 19, 2025 12:00 PM
**To:** Dara Dungworth
**Subject:** Village Farms Proposal

**Categories:** VFD Comment

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Dear Ms. Dungworth,

I am a resident of The Cannery. I'm extremely concerned about the impact the proposed Village Farms development will have on me, my family, and the community - not just within the Cannery but also in the adjacent areas. I wholeheartedly agree with the letter sent on behalf of the Cannery residents from our HOA President.

**73-1**

1. Unacceptable, material, and adverse alteration to The Cannery Urban Farm
2. Unacceptable traffic safety impacts to The Cannery neighborhood.
3. Disproportionate noise impacts to The Cannery neighborhood.

Sincerely,
Ed Lee
Cannery Resident

1

## LETTER 73: ED LEE

### Response to Comment 73-1

Please see Master Responses 1 and 5, as well as responses to Letter 17.

**Letter 74**

**Dara Dungworth**

**From:** Ed Taillon <edtaillon@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:31 PM
**To:** Dara Dungworth
**Subject:** Village Farms feedback

**Categories:** VFD Comment

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74-1 As outlined in a response in a 3 page letter from the Board of Directors of The Cannery, I too believe there are significant flaws in the Village Farms development proposal, and for that reason oppose it in its current state.

I agree entirely with The Cannery Board of Directors and will avoid a litany of additional reasons why I find this development to be not only a bad idea for the Cannery community, but all of Davis.

Is it not reasonable to expect the city to enforce completion of existing developments to include the Cannery front along Covell. The desire of Davis will not be maintained if you think just build, build, build, without proper long term planning considerations. We do not want to become another Roseville.

Edward Taillon
cannery resident

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## LETTER 74: EDWARD TAILLON

### Response to Comment 74-1

Please see Master Response 1.

**Letter 75**

**Village Farms Draft EIR comments:**

**Overview: Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has many problems primarily because the site is a handicapped site with a 200-acre flood plain, it is adjacent to the *unlined* Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including PFAS "forever chemicals"), the enormous traffic issues already at Covell and Pole Line lack of bicycle/pedestrian safe access issues because it cannot be accessed from F St. due to the railroad tracks, Covell Blvd. cannot have a grade-separated crossing due to existing infrastructure, and the DEIR now is questioning the "feasibility" of a Pole Line undercrossing. In additional to all of these issues, there is also the high costs imposed by the enormous amount of infrastructure needed and the massive impacts on the native plants, wildlife and habitat in the area. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, but Village Farms is outside the City limits in Yolo County.**

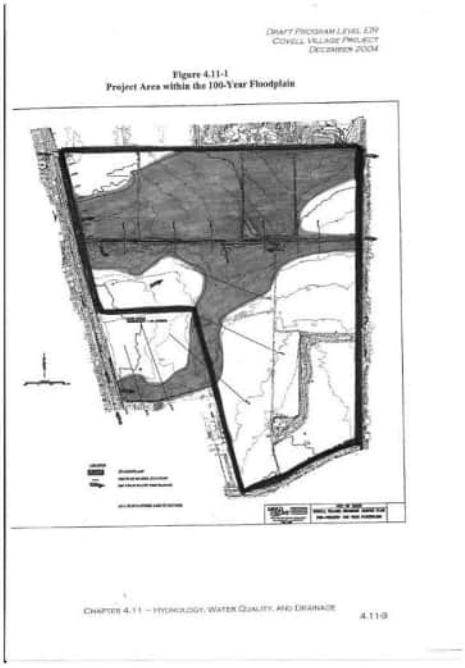
75-1

**The following are comments regarding issues and impacts not addressed adequately in the DEIR and other issues:**

1) **200-acre Floodplain** - Village Farms has an enormous flood plain of over 200 acres on covering roughly half of the land to be developed which is a FEMA Zone A Flood Hazard flood plain. A fundamental principal of good planning is to NOT build on enormous flood plains like this, particularly to try to shoe-horn in 1,800 on the parcel. Trying to engineer away a flood plain which take up at least half of the land to be developed makes no sense. The last thing we need in Davis is for the City to experience the flooding Natomas has had because the planning failed to engineer control of flooding in the flood plain. (see graphic below, Covell Village DEIR)

75-2

This project exposes the City to financial risk due to the flooding potential. It is noteworthy that per California's legislation the State will no longer financially bail out cities foolish enough to build on enormous flood plains like this. Wildhorse currently has had flooding issues due to climate change which can only get worse if the Village Farms project tried to re-route the enormous amount of water that 400 acres of ag land is soaking up currently.



**Letter 75 Cont.**

2) The DEIR does not have a detailed stormwater and flood control plan and analysis for the BRPA. The DEIR wants to put this off until the tentative map of the project if the project were approved. Seriously? It is astonishing that this DEIR would try to kick-the-can down the road on explaining how this project plans to try to control the massive amount of water that over 400 acres of ag land is currently soaking up. This needs to be added to the DEIR particularly since there project site already has enough flood control issues including the 200-acre flood plain. It is inexcusable that the DEIR is deficient in this critical information on how the Village Farm plans to not flood, and well as not flood surrounding areas. This DEIR was clearly rushed to accommodate the developers wished to get to a Measure J/D/R ballot quickly. The outcome of that is that the Covell Village DEIR has an incredible number of deficiencies and is seriously inadequate.

75-3

Further, it appears that the Proposed Project was going to use the UATA dig pit as a defacto detention basin when extreme rain storms occurred, which would feed into Channel A. This is where the arsenic soil is present , which is NOT "background" level arsenic since it is 56X – 73X higher them what residential should be. Yet, the Urban Development areas immediately adjacent have NO detectable arsenic in the soil. So, there is no basis for trying to excuse the high levels of arsenic, far above MCL's, to be "background". The high arsenic levels were clearly introduced via arsenic containing pesticides, herbicides and fertilizer since the high arsenic levels go 9' down from the surface as the DEIR explained was samples that deep and the surface soil. The question is, is the BRPA also planning to use the UATA as a defacto detention basin also in extreme weather situation? It is not made clear in the DEIR. But assuming it is the same as the Proposed Project .

75-4

If so, that means tht the high arsenic level soil would be washed into Channel A contaminating it and potentially poisoning wildlife, native plants, trees and bushes. It would then go through Wildhorse exposing those residents and pets and wildlife as well as native plant, trees, and shrubs. As it would go eat into Willow slough shallow groundwater and to the wetlands and its habitat and to other waterways. flow going through the Wildhorse neighbors. This situation of the exposure and spread of the arsenic contamination into our runoff and into Channel A with these high arsenic levels is unacceptable.

75-5

This issue is *not* mentioned in mitigation 4.8-1 because that section talks about the cause of polluting the channel from runoff would be primarily from construction causes. There is no mention of the UATA high arsenic level soil being washed into the channel, which would be plumbed via a connection from the UATA crater like dig-pit. This dig pit would result from excavating one million cubic yards of soil to try to fill the flood plain, to then build housing on.

The concept of using high arsenic soil to build housing upon is a health, welfare and safety issue to residents and also a serious potential liability situation to the City. Again, the UATA high arsenic content soil *cannot* be "background", since the soil on the ***directly adjacent*** Village Farms Urban Development Area (UDA) soil tested had no detectable levels of arsenic. If the UATA high arsenic soil were truly "background" it would be present in the UDA there also. So, the UATA high arsenic soil *had* to be from applied herbicides, pesticides or fertilizers, maybe some from the adjacent Old City Landfill and Sewage Treatment Plant since the high arsenic levels were detected as far 9 feet down with the soil borings tested.

75-6

3) The Project Description section on page 3-2 incorrectly states that the flow of Channel a runoff goes east to west. That is backwards, since the direction of the Channel runoff runs west to east. This needs to be corrected here and elsewhere in the DEIR

75-7

4) The design of re-routing of the channel would allow overflow to run onto Pole Line Rd. in extreme storm conditions. These extreme storm events are likely to happen more often due to climate change. This makes

75-8

**Letter 75 Cont.**

**75-8 Cont.**

no sense since this would back up the already massive amount of traffic trying to enter and leave Davis on Pole Line Rd. Traffic and flooding damage to cars would result. Planning to allow the flooding of a busy access road to the City is actually the *absence* of planning, This Channel design needs to be redesigned to prevent this from happening. This is not acceptable.

5) **Traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and Pole Line Road** which is already incredibly impacted. Shoe-horning in 1,800 units on this Village Farms site will only cause a more massive number of backed-up idling cars, which in turn will increase greenhouse gases and air pollution form car exhaust fumes and particulate matter. The air pollution in turn will deteriorate air quality and potentially have health impacts. The location of the Oak Heritage Park at Covell Blvd. And Pole Line Rd. would, in particular expose young children and adults recreating will be breathing more heavily from exercising and taking in more this polluted air. So, this then becomes a health issue as well an impact on our climate from the deteriorated air quality increased greenhouse gases (GHG's). and the All of these impacts are CEQA issues but the DEIR is dismissive of these issues.

**75-9**

**The theory that you would have lower VMT's if you cram in much more housing is illogical** because for one thing any reduction in car trips and vehicle miles travels would rely on having a robust public transit system that people actually used significantly. However, the City has no plan to significantly improve its currently minimal, inconvenient and inadequate public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more backed-up traffic and its environmental and health impacts. The DEIR is inadequate because it is not accurately factoring in the minimal public transit system that Davis has, and that it has no plans to significantly expand to the robust level of a system that would be needed to try to offset the traffic impacts in order to lower VMTs.

**75-10**

Beyond this, you cannot assume people will use even a robust public transit system particularly for young families with kids that need to be transported by their parents to school usually and their other activities. If Davis wanted to lower its VMT numbers it should start by getting a school bus system in town instead of hundreds of parents driving their kids to and from school daily.

The DEIR admits that the air quality would deteriorate with the Biological Resources Preservation Alternative (BRPA) . This is clearly due to cramming in 1,800 housing units, which in turned, would generate a massive amount of car traffic that will be backed up along Covell Blvd. and Pole Line Road. The resulting huge volume of fumes and particulate matter from care exhaust emissions would degrade air quality and cause health impacts as well as increase greenhouse gases.

**Conclusion from Air Quality, GHG emissions, and Energy Chapter:**

**75-11**

***"Based on the above, operation of the Proposed Project and the BRPA could violate an air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the Proposed Project and BRPA would be considered to result in a significant impact related to air quality.***

**75-12**

The DEIR also admits to air quality deterioration as well as greenhouse gases increasing as a result of the Village Farms project as being significant and unavoidable so the VMT application is not helping but actually causing the project to have more impacts with shoehorning in too many units (1,800) into the project.

The mitigations to try to make this massive traffic "a less than significant impact" are ridiculous.

**75-13**

6) The TIS study (Appendix R) admits that even with the mitigation measures suggested that VMT will not be reduced significantly enough to make a difference (i.e. 15% below or more below the baseline local or regional residential VMT

**Letter 75 Cont.**

per capita averages) **and the VMT impacts will still be significant and unavoidable for the Proposed Project or the BRPA.**

**Also, the DEIR state that the number of car trips from the Proposed Project with 1,800 housing units is 13,885 and interestingly, for the BRPA also with 1,800 housing units, the number of car trips is more at 15,415.**

**75-13 Cont.**

**Therefore, it is clear that shoehorning in more units onto a smaller piece of land is *not* helping reduce VMT, , but quite the contrary it creates more VMT's.**

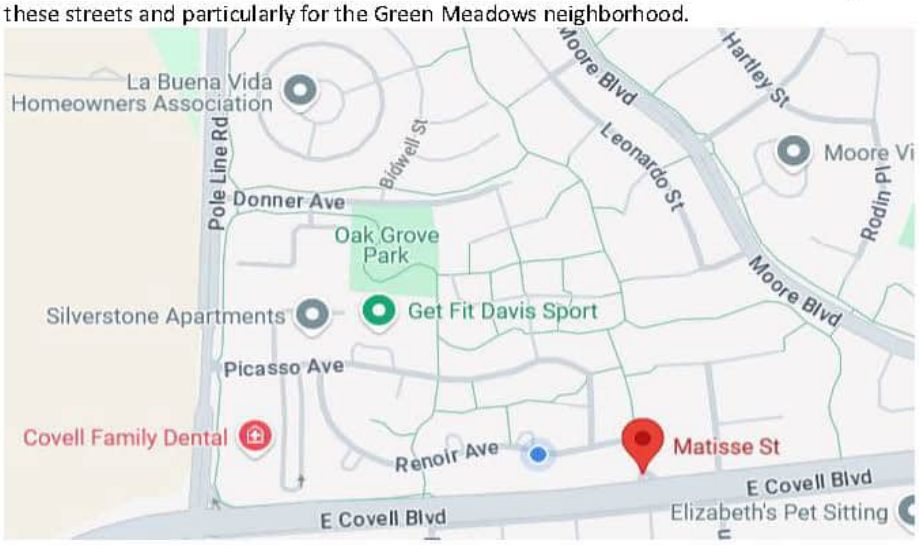
**So, cramming 1,800 housing units into the smaller BRPA acreage is *not* helping, but is counter-productive to reducing VMT. There it would appear that reducing eh number of housing units would help reduce the VMT impacts as well.**

**75-14**

**This makes clear that the best solution is a reduced footprint alternative similar (covered in point #18) the Covell Village Reduced Acreage Environmentally Superior Alternative needs to be added to DEIR to be analyzed with the modifications of a) protecting the vernal pools and b) reducing the number of housing units to 900-1,000 units or less.**

7) **Picasso, Renoir and Matisse would become a thru-way short-cut with massive traffic impacting the safety of the neighborhood.** There is no mitigation measure even attempted for the massive amount of traffic that would cut through the Green Meadows neighborhood on Matisse St. , Renoir Ave, and Picasso Ave. as well as Moore Ave. of cars going between Covell Blvd. and Pole Line road to try to avoid the Covell and Pole Line Road intersections. These streets are narrow and curved and only have one side of the street parking. There is speeding of cars cutting through currently doing this and the massive increase in this cut-through traffic would make it dangerous conditions for this neighborhood. (see graphic below of Matisse St., Renoir Ave, and Picasso Ave. connecting Covell Blvd. with Pole Line Road). There needs to be mitigation measures for these streets and particularly for the Green Meadows neighborhood.

**75-15**




8) **Serious lack of bicycle/pedestrian safe access issues.** There is no connectivity because the project cannot get a grade -separated crossing at F St . since the Railroad won't permit it. There is no way to provide a grade-separated crossing over or under Covell Blvd. due to existing infrastructure Further, the DEIR states that is uncertain if a Pole Line Rd. undercrossing is *feasible*. **This is a significant inadequacy of the DEIR.** Why does the DEIR not know yet if a Pole Line Rd. undercrossing is feasible or not? When will they know if a Pole Line Rd. undercrossing is feasible? Are they waiting until after the ballot to announce that it is not feasible, or that they still aren't sure if it is feasible? The DEIR is seriously inadequate by trying to side-step this critical infrastructure question. The EIR process has been rushed and is deficient on providing many important

**75-16**

**Letter 75 Cont.**

details like this which is inexcusable. The developer needs to get these answers and come back when the DEIR has an answer to this infrastructure issue and provides other absent details in the document

**75-16 Cont.**

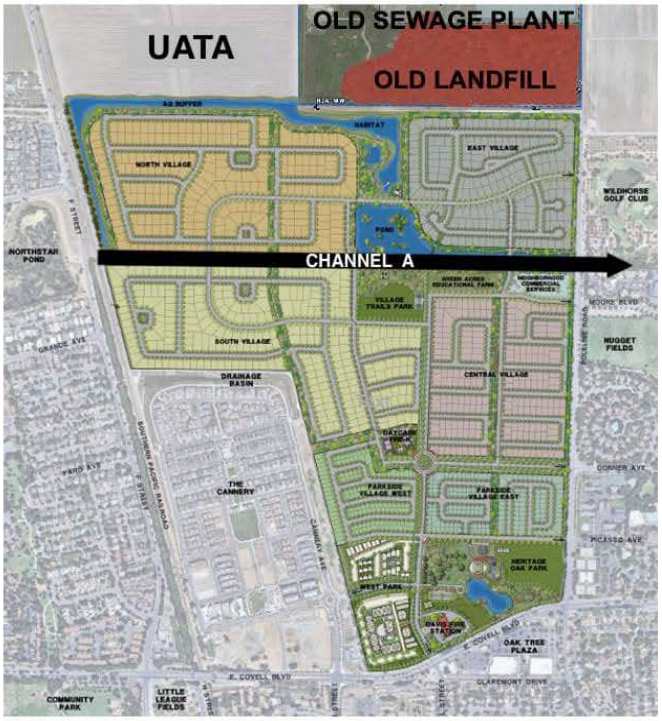
a) **The Pole Line Rd. undercrossing must be part of the project because it is essential for safe bicycle and pedestrian crossing, particular for the children which would have to cross Covell Blvd. and Pole Line Rd. to get from the Village Farms Project to any school in Davis**
b) **The Pole Line Rd. Undercrossing must be a baseline project feature in the Measure J/R/D vote.**
c) **Another issue is that developer must agree to cover the entire cost of the undercrossing if it is feasible, since it is *his* project driving the need for it. Davis residents should not be expected to be paying for the Village Farms infrastructure needs.**

**75-17**

9) **Toxics from the immediately adjacent Old City Landfill and Sewage Treatment Plant** – Landfills are now required to have huge "exclusionary zones" as a perimeter where not urban development is permitted for health, welfare and safety reasons. Often a mile or more around a landfill likewise old landfills also need to have an exclusionary zone. **A minimum of 1,000-foot buffer zones are often required of old landfills. The City can and needs to require at least a 1,000-foot buffer zone around this *unlined* Old City landfill for the health, welfare and safety of the community.**

PFAS "forever chemicals" which are carcinogenic and manganese have been monitored recently exceeding screening maximum concentration levels (MCL's) in the groundwater of the Village Farms project and the Old City Landfill. Failure to do have at least a 1,000-foot buffer would be irresponsible and expose the City to legal liability in the future due to the potential health, welfare and safety impacts on the community. The DEIR is dismissive of these toxics including PFAS's which are carcinogenic could cause serious health issues. The DEIR is inadequate regarding these serious toxics and chemical contaminants. (see graphic below)

**75-18**



**Letter 75 Cont.**

**10) The DEIR fails to include the relevant information that the UES groundwater monitoring study done in April 2024 which states that because the groundwater direction has changed over the years, continued studies need to be done to determine which direction the groundwater is going since currently it is undetermined (Appendix O page 10).**

Furthermore, it fails to point out that the UES study recommendations including additional monitoring studies to get updates on the PFAS and manganese levels which exceed MCL's and to determine the direction of the plume. This information needs to be added to the DEIR.

**But then, the DEIR in pages 4.7-33-34 the DEIR appears to be setting the stage to try to abandon the gas and water monitoring wells. However, the UES April 2024 groundwater studies made the recommendations that continued monitoring of the PFAS's and manganese and other chemical contaminants exceeding MCL's needs to be continued. This is to track the levels of the toxics and other chemical contaminants exceeding MCL's for any changes and because the plume direction needs to be determined since these chemical contaminants do migrate. Also, the direction of the groundwater has change over the years due to various factors so the flow direction of the groundwater also needs to be determined per the UES recommendations. Per the UES April 19, 2024 Report Recommendations:**

75-19

***"To understand the potential migration of the PFAS plume and evaluate any future impact to local water sources that are discovered, the Old Davis Landfill should continue to be monitored for any changes in the amount of contamination present.***

***Based on the above information, continued monitoring of manganese and PFAS to determine source of higher concentration and movement of contaminants in the aquifer are recommended."***

While the DEIR mentions exploring the possibility of abandoning the monitoring wells but it does not analyze how any well closures would impact the ability to detect future groundwater contamination. CEQA requires disclosure of foreseeable environmental risks (§15126.2)

The bottom line is, it is clear that the monitoring wells must not be abandoned and need to be used to continued monitoring long-term for the health, welfare and safety of the public.

However, raises the question, who will pay for these monitoring studies that will need to be done regularly into the future? Is the developer expecting the City to pay for these studies to impose these costs on Davis residents? These costs need to be paid for by the developer long-term. Not the City and Davis residents

**11) It is notable that the Yolo County Department of Environmental Health Village Farms NOP comment letter states that monitoring wells may need to be installed on the Old City Landfill for methane gas monitoring** for health and safety reasons due to Village Farms residential. Who will pay for the installation of the methane monitoring wells and who will pay for the long-term monitoring for health, welfare and safety reasons due to the Village Farms residential project.

75-20

**Yet, again, the DEIR in pages 4.7-33-34 the DEIR is setting the stage to try to abandon the gas and water monitoring wells. However, the the UES April 2024 groundwater studies made clear that continued monitoring of the PFAS's and manganese and other chemical contaminants exceeding MCL's needs to be continued. This is because the size and direction of the plume has not been determined. Also, the direction of the groundwater has change over the years due to various factors so the flow direction of the groundwater also needs to be determined.**

**75-20 Cont.**

While the DEIR mentions exploring the possibility of abandoning the monitoring wells but it does not analyze how any well closures would impact the ability to detect future groundwater contamination. CEQA requires disclosure of foreseeable environmental risks (§15126.2)

The bottom line is, it is clear that the monitoring wells must not be abandoned and need to be used to continued monitoring long-term for the health, welfare and safety of the public.

Again, this raised the question of who would pay for the installation of these monitoring wells and the long-term monitoring? The City? The County? All costs need to be covered short-term and long-term by the developer short term and long-term monitoring will induce cost for the City long-term.

**75-21**

12) **The DEIR does not address this question: What if methane gas levels rise in the Landfill where there are homes build close to it? City liability?**

**From the December 8, 3034 Yolo County Environmental Safety Division:**

***"The Old Davis Landfill may need to install monitoring wells as a protection measure for landfill gas migration because of the proposed residential development on the adjacent project parcel within 1,000 feet of the landfill footprint, The prescriptive methane compliance standard at the landfill property boundary is 5% by volume in air, however, a lower standard of methane applies to occupied structures. The landfill may have to implement corrective actions oat lower monitoring readings than 5% at the property boundary should the levels be a significant threat to the nearby development."***

***"The waste cell boundaries may need to be delineated to determine gas monitoring well placement. This delineation may require additional Phase II investigation which may include trenching or bore hole excavation."***

**75-22**

13) **Potential mixing of groundwater with Channel A runoff risks**. This serious problem can very well result because the area has an enormous flood plain which is a **FEMA Zone A Special Flood Hazard Area,** Furthermore, climate change is bringing more extreme storm events and also less ground water is being drawn since the City has been using surface water. Also, fewer City wells are used at this point for various reasons including some shutdown due to high chromium levels. As a result, ground water levels have been higher at times in some areas including in this Village Farms area (see table 4.8-3 pg. 4.8-8) increasing the risk of the groundwater mixing with the channel water. These factors added the presence of the huge 200-acre flood plain creates even more flooding potential for this area combined with climate change events increasing with more frequency.

The problem that potentially can result that the Channel A water mixed with this contaminated groundwater including high levels of PFAS "forever chemicals" (which are carcinogenic) manganese, aluminum, arsenic, and nitrates would flow to the east though Wildhorse exposing those neighbors and the wildlife and habitat and continuing to the east to the wetlands. PFAS are long-lived chemicals that accumulate and magnify up the food chain impacting wildlife. The outcome would be contamination of the wetlands polluting the water and destroying the habitat. This would be catastrophic .

The DEIR acknowledges this issue, therefore the risk of this groundwater contamination of the channel runoff potentially occurring:

***"In an effort to ensure that contaminated groundwater associated with the Old Davis Landfill does not enter the proposed storm water system for the Proposed Project/BRPA, Geocon prepared a Channel Evaluation Report to assess the depth***

**Letter 75 Cont.**

75-22 Cont.

***to which contaminated groundwater could be encountered on-site during excavation of the drainage system, including channel and detention basin. As previously discussed, and shown in Figure 4.8-3, the substantial majority of groundwater elevation data points are below 26.5 feet amsl. Thus, the Drainage Channel Evaluation prepared for the Proposed Project/BRPA by Geocon recommended the proposed drainage channel be designed with a base elevation above the groundwater elevation (i.e., 26.5 feet amsl) to limit the infiltration of groundwater into the channel that may be impacted by PFAS or manganese".***

14) **Soil contaminants present exposure risks to residents and potential liability to the City** The EIR is also deficient and dismissive regarding the soil toxics and chemical contaminants in the soil, particularly those above maximum concentration levels (MCL's). The developer plans to use the Urban Ag Transition Area (UATA) soil as a dig pit to try to fill in the 200-acre flood plain. **The DEIR estimates moving at least ONE MILLION CUBIC YARDS of the UATA soil to fill in the flood plain.** However, this UATA soil contains high in arsenic for residential soil exceeding maximum concentration levels. The UATA soil tested revealed that the **arsenic levels range between 6.1 – 8 mg/kg, but should not be more than 0.11 mg/kg for residential soil. This means the arsenic lever of this dig pit soil being used to fill the flood plain that will have residential housing built on it would be 56X – 73X higher than should be in residential soil.** This is yet another health, welfare and safety issue and could potentially expose the City to liability later on.

75-23

**The DEIR incorrectly claims that these high levels of arsenic in the UATA soil is "background" arsenic. However, the Village Farms Urban Development Area for residential development located immediately adjacent *to* the south of the UATA parcel, has *undetectable* levels of arsenic. If the UATA high arsenic soil levels were truly "background, " it would also be present in high levels in both locations of these adjacent parcels. Instead, every single UATA soil sample tested contained, while every single sample tested from the adjacent Village Farms land planned for residential development had *undetectable* levels of arsenic. These results strongly suggest that this arsenic is *not* naturally occurring but much more likely the result of human application of arsenic-containing chemicals such as some pesticides, herbicides or fertilizers.**

**The critical issue is that the developers want to move a massive volume of this high arsenic level UATA soil to try to raise the level of the flood plain, which housing would be built upon. This raised potential health, welfare and safety issues for the residents of homes built on this high arsenic level contaminated soil. The proper authority which should have been brought is DTSC since it is their jurisdiction to handle this situation. This is required due to the extremely high level of arsenic contamination in the UATA soil and determining if this contaminated soil could even be used to fill the enormous flood plain and then then if it as allowable to have homes built on this contaminated soil.**

**Yet, the DEIR tries to claim that these hazard's exposures are insignificant:**

***"4.7-2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Based on the analysis below and with implementation of mitigation, the impact is less than significant."***

75-24

**Further, all of this earth moving of this arsenic contaminated soil would be occurring within a one-quarter mile of the Montessori Pre-Kindergarten School at Renoir Ave. which is very close to Pole Line Road and Covell Blvd. , and the Birch Land Elementary School at 1600 Birch Lane, the Montessori School at 1811 Renoir Ave. and the educational Farm facility in the Cannery immediately adjacent to Village Farms.**

**Letter 75 Cont.**

The DEIR dismisses the soil dust and potential spillage of the high-level arsenic soil which would be moved by an enormous number of dump trucks. Exposure to these neighborhoods' residents east of Pole Line Rd. from Covell Blvd. going north where these tucks would be travels is also a concern.

***"4.7-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Based on the analysis below, the impact would be less than significant."***

**75-24 Cont.**

The Village Farms DEIR is dismissing the risks of exposure of soil containing high levels of arsenic contamination from the massive construction and earth moving to the 3 schools within a .25 mile of three school sites. This includes the Montessori pre-school, Birch Lane Elementary School and the Cannery farm education school which is immediately adjacent (west) to the Village Farm project. How can the DEIR claim that movement of this soil with high levels of toxaphene and lead would be insignificant which will result with soil dust and spillage from the trucks and exposure to children at three schools and residents of the nearby neighborhoods, particularly those along Pole Line Rd.?

**Due to the extremely high concentration of arsenic contamination in the soil, the site requires mandatory DTSC oversight.**

**A serious inadequacy in the DEIR is that the proper authority should have been brought in, the Department of Toxics Substances Control (DTSC), because of the level of this contamination and the enormous volume of soil being moved which is an issue properly their jurisdiction.**

**75-25**

**So, the following actions are needed by the City:**

- **A) The City needs to request DTSC jurisdictional determination.**
- **B) The City needs to ask DTSC to conduct a Preliminary Endangerment Assessment.**
- **C) When the contamination is confirmed, a Remedial Investigation/Feasibility Study is required under DTSA oversite.**
- **D) Then, the DEIR needs to be revised and recirculated to reflect DTSC's findings and necessary mitigation measures.**

**The City cannot approve the Village Farms project without fully addressing the contamination risk. Failing to do so would violate CEQA's disclosure requirements and puts future residents at risk.**

**75-26**

15) **The UATA must not be annexed into the City.** There is no need to annex it into the City even if it is used as a dig pit. This UATA soil has high arsenic contamination which may be cause for liability to the City. Furthermore, annexation of the UATA would leave it vulnerable to being developed later if the developer decides to fill in the dig pit hole.

**75-27**

**This UATA dig pit site must not be permitted to be filled in later on and developed** into housing or other urban uses, particularly due to the high arsenic levels and its proximity directly adjacent to the unlined Old City Landfill and Sewage Treatment Plant. **The Measure J/R/D baseline project features mist include this condition if the UATA is annexed to the City.**

**75-28**

**However, the City should not annex any of the Village Farms land above Channel A (including the UATA) but only have an easement on the north side of Channel A. Any consideration of development should be prohibited in the baseline project features, or must, at the very least, be subject to an additional Measure J/R/D vote just like the General Plan Urban Reserve land use designation.**

**Letter 75 Cont.**

75-29

16) **UATA dig pit site cannot be used for ag mitigation credit.** It is rather odd to refer to this dig pit area is being defined as an Urban Ag Transition Area (UATA) since there is nothing agricultural about it if it is being use as a dig pit. If the developer anticipates asking for ag mitigation land for this crater-sized hole in the ground, the City need to be clear that there is *no* way that ag mitigation credit would be given for this.

75-30

This crater-sized 10' deep hole would essentially become a defacto water detention basin where runoff for the adjacent unlined landfill would collect into the dig pit hole and soak down into the ground water producing a continuous feed of contamination into the groundwater. This groundwater communicates with the rest of the Village Farms groundwater that will make its way to potentially communicate with channel water. This potentially contaminated groundwater circulates and can make its way to mix with channel runoff. This potentially contaminated channel runoff would then run through Wildhorse , exposing those residents and wildlife, and out to the wetlands eventually . The risk of polluting the wetlands with this contaminated water (i.e. PFAS and manganese and other chemical contaminants) would be catastrophic.

75-31

17) **The UATA dig pit, must not used as part of the storm drainage system as** page. 4.8-30 in the extreme storm event. The DEIR states that it would basically be relied on to be a defacto detention basin and particularly since the soil has high arsenic levels which would soak in down into the groundwater further contaminating it. **It also appears that the UATA dig pit crater hole would be plumbed to allow this high arsenic contact soil wash into the Channel which must not be allowed.** This would contaminate the Channel A runoff water which goes downstream through neighborhoods exposing residents and then out to WIllow Slough and other water ways including the wetlands, Habitat would be impacted nd essentially poisoned by this high-level arsenic level into the Channel runoff in extreme storm condition

Furthermore, is the developer expecting the City to pick up the costs of any maintenance of this UATA dig pit such as weed abatement and mosquito control, or soil erosion issues into the future? Ther needs to be a long-term fund for the developer to pay for those costs if the UATA become part of the City.

75-32

18) ) **High levels of toxaphene and lead are in the soil where the Heritage Oak Park is planned. Children playing in this park would be exposed to toxic chemicals with serious, lifelong consequences.**

The park site is the location of the former old farm house and the soil in this park area has high levels of toxaphene (a neurotoxin and probable carcinogen) and lead.in the southern part of the project site where the large park is currently planned. Children in particular should *not* be exposed to these toxics chemicals which could cause serious health problems for the rest of their lives. The Heritage Oak Park is planned to be located on land where the old farmhouse was located which has **very high levels of toxaphene is present in the soil at 1,000 - 1,200,000 mg/kg where the Department of Toxic Substances Control (DTSC) maximum allowable level is 450 mg/kg. Lead is present in levels 6.6 -93 mg/kg exceeding the DTSC and CA Ecological Risk Office limit of 80 mg/kg**. While the DEIR vaguely claims that the soil will be removed, how would this be done, where is the plan? There no specific remedial plan yet the DEIT claims that all of the potential exposure to the public of this highly contaminated soil is not significant.

***"4.7-2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Based on the analysis below and with implementation of mitigation, the impact is less than significant."***

75-33

Further, all of this earth moving of this arsenic contaminated soil would be occurring within a one-quarter mile of the Montessori Pre-Kindergarten School at 1811 Renoir Ave. which is very close to Pole Line Road and Covell Blvd., the Birch Land Elementary School at 1600 Birch lane , and the educational Farm facility in the Cannery adjacent to the southern part of Village Farms while this earth moving is occurring in this southern part of the project.

**Letter 75 Cont.**

The DEIR dismisses the soil dust and spillage of the high level toxaphene and lead soil which would be moved by a enormous number of dump trucks. Exposure to these neighborhoods' residents east of Pole Line Rd. from Covell Blvd. going north where these tucks would be travels is also a concern.

***"4.7-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Based on the analysis below, the impact would be less than significant."***

**75-33 Cont.**

Yet, all of this construction and earth moving of this is within a .25 mile of three school sites, including the Montessori pre-school at 1811 Renoir Ave., the Birch Lane Elementary School at 1600 Birch Land and the Cannery education school which is immediately adjacent (west) to the Village Farm project. How can the DEIR claim that movement of this soil with high levels of toxaphene and lead would be insignificant which will result with soil dust and spillage from the trucks.

**The problem is that the DEIR does not specify any clear plan for remediating the toxaphene contamination at the old farmstead site, despite the fact that toxaphene is a persistent, highly toxic pesticide linked to serious human health risks; specifically, the document does not outline required cleanup measures, regulatory oversight by DTSC or financial assurances for remediation, raising concerns about whether the site will be made safe for public use."**

**75-34**

Toxaphene is a probable human carcinogen and requires regulatory oversight for cleanup. The DEIR does not confirm whether soil removal, capping, or other remediation methods will be used. There is no mention of DTSC involvement means that cleanup may not meet state and federal safety standards. Without a remediation plan, toxaphene-contaminated soil could pose long-term risks to construction workers, residents, and park visitors. The DEIR does not state who is financially responsible for the cleanup, raising concerns about potential taxpayer liability. **Due to the extremely high concentration of toxaphene contamination in the soil, the site requires mandatory DTSC oversight.**

Further, how many parents would feel comfortable having their kids play on this field knowing massive levels of toxaphene, of up to 1.2 *million* mg/kg, a neurotoxin and probable carcinogen, and high levels of lead has been in the soil?

**75-35**

Also, asbestos has not been evaluated inside of the water tank house, but why has it not been evaluated? The developer owns the tank house, and if it is locked closed, he can get into it to have the testing done. As mentioned earlier, the Heritage Oak Park should be centrally located *not* on the periphery.

**The serious inadequacy in the DEIR is that the proper authority should have been brought in, the Department of Toxics Substances Control (DTSC), because of the level of this contamination and the enormous volume of soil being moved which is an issue properly their jurisdiction.**

**So, the following actions are needed by the City:**

**75-36**

**A) The City needs to request DTSC jurisdictional determination.**

**B) The City needs to ask DTSC to conduct a Preliminary Endangerment Assessment.**

**C) When the contamination is confirmed, a Remedial Investigation/Feasibility Study is required under DTSA oversite.**

**D) Then, the DEIR needs to be revised and recirculated to reflect DTSC's findings and necessary mitigation measures.**

**The City cannot approve the Village Farms project without fully addressing the contamination risk. Failing to do so would violate CEQA's disclosure requirements and puts future residents at risk.**

**Letter 75 Cont.**

**19} The Heritage Oak Park is in the wrong location, on the perimeter exposes children and adults recreating to toxic fumes and particulate matter from car exhaust from backed-up traffic. This large park needs to be centrally located.**

75-37 This large park is planned to be located at the corner of Covell Blvd. and Pole Line Rd. but should be centrally located for several reasons. The main community park if centrally located makes it easier for residents from all areas of the project to get to it. Also, this would avoid exposure of kids and adults to fumes and particulate matter from the backed-up cars in traffic at Covell Blvd. and Pole Line Road. This bad air quality from backed up car traffic would be imposed on the children and adults and potentially causing health impacts when they are recreating at the Heritage Oak Park near the busy intersection. There would also be impacts to the any habitat and the surrounding neighborhoods of noise and night lighting as well as the fumes for the backed-up car traffic.

75-38 **20) The DEIR does not to mention anything about noise or if there would be night lighting impacts from the parks, particularly if there were to be public address systems.**

**21) The Reduced Acreage "Environmentally Superior Alternative" should have been included in the DEIR and needs to be added.** This alternative is from the previous Covell Village DEIR (see image below) which has been a citizen-based recommendation advocated for. CEQA requires that DEIR alternatives need to be *lesser* impacts:

***"The Guidelines require that the number of alternatives be limited to those that would avoid or substantially lessen any of the significant effects of the project (Section 15126(d)(5)."*** The Guidelines also speak to the General Plan consistency and site suitability and Village Farms has plenty of conflicts with the General Plan and its lack of suitability due to the many issues it has, and the many problems it would bring.

The DEIR is seriously flawed for many reasons, including lacking important information like the Pole Line Rd. undercrossing uncertainty, and dismissive conclusions. But it also fails to comply with CEQA requirements for EIR's to include alternatives that create *less* impacts. Yet, *all* of the alternatives are 1,800 housing units *or more*, with the exception of the "No project" and the 1,395-housing unit original proposal with the same layout as the 1,800-housing unit Proposed Project version. **The Village Farms DEIR is inadequate without**

75-39 **this reduced acreage alternative and the DEIR should have other alternatives with lesser impacts as well.**

The modifications added to the **"Reduced Acreage Environmentally Superior Alternative" (see illustration below)** were preserving the vernal pools and reducing the housing unit number to 900-100 units or less because preserving the vernal pools leaves a little more than 200 acres. The benefits of this alternative are reduced greenhouse gases (GHG) and air quality pollutants impacts. This proposal gets the housing far from the adjacent *unlined* Old City landfill and Sewage Treatment Plant and away from the majority of the 200-acre flood planning for the health, welfare, and safety of the residents of the project and the community.

**Further, it is notable that the Yolo County Department of Community Services asked that a Reduced footprint alternative be included in the Village Farms Draft EIR in their Village Farms NOP comment letter.**

**75-39 Cont.**

Covell Village Reduced Acreage Environmentally Superior Alternative




*"For the Covell Village Project, the Reduced Acreage Alternative would be considered the environmentally superior alternative." - Covell Village Draft EIR page 5-32*

***Covell Village DEIR Reduced Acreage Environmentally Superior Alternative***

**75-40**

**22) A reduced footprint project is needed instead of developing the entire Village Farms 400-acre parcel. It makes far more sense to *not* build hundreds of houses on the bulk of the 200-acre floodplain and to distance the housing far from the landfill due to the toxics issues. If the reduced acreage project is planned, then *only the land south* of the channel should be annexed with an easement along the northside of the channel. The land above the channel should not be developed due to the bulk of the 200-acre flood plain being located there, and the adjacent unlined Old City Landfill and Sewage Treatment Plant.**

**75-41**

**23) The 2,700 housing as the "greater number of units alterative" is ridiculous. CEQA requires alternatives to be reasonable. Using an unreasonable number of housing units as an alternative which should have lesser impacts, but instead makes more impacts also make this alternative unqualified as an alternative since CEQA requires the alternative sot be lesser impacts than the primary project proposes. Not equal impacts for more impacts. This DEIR is inadequate and also invites a law suit.**

**75-42**

**24) Vernal Pools issues - I do not see language DEIR regarding the vernal pools having a conservation easement. Why not?**

**a) There needs to be a conservation easement on the vernal pool preservation land and it needs to be held by a non-profit land trust.**

**75-43**

**b) The vernal pools conservation easement needs to be in the Measure J/R/D baseline projecct features to be on the ballot.**

**75-44**

b) The vernal pools constantly are referred to as "Alkaline Playa" Sometimes they are incorrectly referred to as "Alkaline Prairie" but they are not Alkaline Prairie (which is found in dryer highlands).

**Letter 75 Cont.**

**75-44 Cont.**

The terminology of "Vernal pools" needs to be included in the DEIR because endangered species such as the Vernal Pool Tadpole Shrimp present in the Village Farms vernal pools are protected by the Federal Government. Misclassifying, or using only the Alkali Prairie terminology potentially can allow a bypassing federal and state wetland protections. So, it is imperative that the term Vernal Pools be added to the DEIR to describe this rare natural habitat.

**75-45**

c) Also, California requires vernal pools to have a 250' buffer zone to prevent intrusive impacts to protect the vernal pools. It appears that there is some urbanization within 250" areas around the vernal pool's perimeter. Is there a 250' buffer zone and is it being adhere to prevent any urbanization on it? Also, the DEIR appears to be trying to lay ground to reduce the required 250' buffer of avoidance zone around the vernal pools to 50'.

**75-46**

From the Biological Resources Chapter:

***" Avoidance zones may be based on a fixed buffer distance from the special-status plant population, at the limit of a hydrologic break (such as Channel A), or as otherwise determined appropriate for the species in question. For plants associated with seasonal wetlands, the Avoidance Zone shall be to be associated with wetland hydrology.***

d) The DEIR states that 0.023 acres of the vernal pool would be destroyed due to construction which would include the endangered Vernal Pool Tadpoles Shrimp. This needs to be rejected. The DEIR does not even clarify where this piece of acreage is located. This vernal pool area must be preserved.

From the Biological Resources Chapter:

***"Because the BRPA would preserve the 47.1-acre Natural Habitat Area, which includes the majority of the Alkali Prairie land cover within the BRPA site, potential impacts related to special-status branchiopods would be reduced, as 9.789 acres of vernal pool tadpole shrimp habitat would be avoided. However, 0.023-acre of vernal pool tadpole shrimp habitat would be permanently filled, and any cysts within permanently filled features would be crushed and buried. In addition, potential off-site activities associated with the grade-separated crossing in the Western Program Study Area could result in potential impacts to 0.104-acre of seasonal wetland in the Western Program Study Area. As such, mortality of vernal pool tadpole shrimp, as well as permanent loss of suitable habitat, would occur during construction of the BRPA."***

**75-47**

e) These vernal pools contain the endangered Vernal Pool Tadpole Shrimp which are protected by Federal Law. The rare plants of the Alkali Milk-Vetch and the San Joaquin Spearscale native plants are extremely rare and need to be protected.

f) The BRPA proposes extensive grading and floodplain fill, altering natural floodplain functions and this can impact the vernal pools.

g) Also, existing flow patterns are replaced with artificial drainage systems, potentially disrupting subsurface water movement and natural recharge

**75-48**

**25) California requires vernal pools to have a 250' buffer zone to prevent intrusive impacts to protect the vernal pools.** It appears that there is some urbanization within 250' area around the vernal pool's perimeter. Is there a 250' buffer zone and is it being adhere to prevent any urbanization on it? Also, the DEIR appears to be trying to lay ground to reduce the required 250' buffer of avoidance zone around the vernal pools to 50' where they want to.

***"Avoidance zones may be based on a fixed buffer distance from the special-status plant population, at the limit of a hydrologic break (such as Channel A), or as otherwise determined appropriate for***

75-48 Cont. ***the species in question. For plants associated with seasonal wetlands the Avoidance Zone shall be 250 feet, but this zone may be as small as 50 feet for plant species that occur in uplands and do not appear to be associated with wetland hydrology."***

75-49 **26) Any agriculture easements need to be given to a non-profit land trust.**

75-50 **27) Habitat impacts including the tearing out 952 trees to dig up to expand and reroute Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues. The loss of these tree is unnecessary along much of the channel since it can be widened on one side rather than both. However, the loss of this many trees for the conversion of CO2 to O2 and the windbreak they offer together with the habitat they offer for many species of birds, some of which are protected like the Swainson's Hawks and other wildlife rely on these trees for their existence. The loss of these trees would be staggering as would the resulting impacts on the wildlife and habitat.

75-51 **28) A new fire station is not needed, instead an Emergency Medical Service (EMS) makes far more sense because 90% of the fire department calls are medical, NOT fire related issues**. Instead, what is needed , and has been advocate for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and

75-52 then the many millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go East) when the traffic is backed up most of the time?

75-53 Also, a noise issue is that the Fire Station noise from the sirens would be significant every time there is a call into the fire station does not appear to be addressed in the DEIR.

75-54 **29) Unaffordable housing where the vast majority of the homes will be McMansion's,** Market homes will not be cheaper than $700,000 - $800,00 but the majority of the houses will be well over $1 million. This does not help our average workers or particularly families with young kids, so this project will not help bring a lot of kids to the schools contrary to the developer's claims.(Note: While costs are not an DEIR issue, but it *is* a community issue since this housing would not help workers and young families with average incomes who will not be able to afford these homes.)

75-55 **30) There is a major P,G and E gas pipeline which runs north-south through Village Farms** which has had years of corrosive fertilizer chemicals used on the soil from farming which gets watered into the ground to the major gas pipe This pipeline needs to be inspected particularly if it comes anywhere near the unlined Old City Landfill since methane gas is often is an off gas from old landfills, The DEIR is inadequate because it makes no mention of mention of this inspection needed for health, welfare and safety reasons.

75-56 **31) 1,800 housing units would cause a major impact on our water supply** since the project will rely entirely on surface water even for landscape watering because no well water can be used due the contaminated groundwater with high levels of PFAS' "forever chemicals" manganese, arsenic, aluminum, selenium and nitrates. How much capacity would be left due to the massive water demand for this enormous 1,800-housing unit project that would be surface water dependent? Will Davis residents need to pay for expansion of the City's surface water because of Village Farms?

75-57 **32) 1,800 housing units would cause a major impact on our waste water treatment plant**. How much capacity would be left from the enormous draw by this 1,800-housing unit project? Will Davis residents have to pay for expansion of the waste water treatment plant because of Village Farms?

75-58 **33) A Traffic Circle at Moore Ave. does *not* make sense. How is are bicyclists and pedestrians going to cross the street if the Pole Line undercrossing is not feasible?** Even if it is feasible , how can a traffic circle manage the enormous amount of traffic that Pole Line Rd. already had and Moore Ave traffic, which will have even

**75-58 Cont.**

more cut through traffic to avoid the massive amount of traffic that Village Farms with is 1,800 housing unit would bring?

**75-59**

**34) The DEIR state tht for its flood control design including re-routing Channel A would involve replacing a pipe with a larger pipe underneath East Covell Blvd. , Fifth St, and Sycamore and near the intersection of Anderson Road and Alvarado Ave. So, who is going to pay for this needed infrastructure due to the Village farms project? Thes costs need to be completely paid for by the developer since it is his project causing the need for these infrastructure upgrades?**

**75-60**

**In summary, The Village Farms Draft EIR is seriously flawed for many reasons, including lacking important information like the Ple Line Rd. undercrossing uncertainty, and many dismissive conclusions.** . It also fails to comply with CEQA requirements for EIR's to include alternatives that create *less* impacts. One glaring deficiency is that the DEIR does not yet know the feasibility of a Pole Line undercrossing. The Pole Line undercrossing is a critical infrastructure component yet the EIR dos not if it can be built? When will it know? After a Measure J/R/D vote when they announce it is not feasible? Also, if feasible , the developer needs to pay for the entire undercrossing and not try to hoist any of the costs onto the community since it is his project that needs this undercrossing.

In addition, there are many questions and concerns about the flooding potential that are not addressed adequately in the DEIR. This project has far too many problems because it is handicapped with an enormous flood plain and is immediately adjacent to the Old City Landfill and Sewage Treatment Plant which has a long history of leaking toxics and other chemical contaminants. The DEIR was rushed and is inadequate. Furthermore , the Village Farms The project is too large, has too many site-related problems, and would bring too many impacts and costs.

Thank you for your time and consideration,

Eileen M. Samitz,

emsamitz@dcn.org

(530) 756-5165 (landline)

(530) 304-1624 (cell)

## LETTER 75: EILEEN SAMTIZ (LETTER 1 OF 6)

### Response to Comment 75-1
The comment is introductory, providing an overview of concerns that are expounded on in more detail throughout the letter. Please see the below responses to comments.

### Response to Comment 75-2
Please see Master Response 4.

### Response to Comment 75-3
Please see Master Response 4 and Response to Comment 97-7.

### Response to Comment 75-4
Please see Master Response 3.

### Response to Comment 75-5
Please see Master Response 3.

### Response to Comment 75-6
Please see Master Response 3.

### Response to Comment 75-7
The comment identifies an inadvertent error on page 3-2 of the Project Description chapter of the Draft EIR. Importantly, the drainage studies prepared for the project included the appropriate hydrologic setting, including direction of flow in Channel A. For example, on page 4 of Appendix K to the Draft EIR (*Drainage System and Flood Control Analysis for Village Farms Davis*, Cunningham Engineering, August 8, 2024), it is stated:

> The storm water flow through the area generally flows within Channel A (Flow #3). Flow from the Covell Drain entering at the northwest corner of the project site, turns south and flows southerly as channelized flow, parallel to the Railroad tracks, following the Covell Drain line on Figure 2.

Therefore, the drainage analyses included in the Draft EIR are adequate and accurate.

Page 3-2 of the Draft EIR is hereby revised as follows:

> **Project Site Setting**
> The project site consists of generally flat, agricultural land. In addition, one agricultural structure is located in the southern portion of the site. The project site is bisected by a north-to-south private access road (L Street), which also pivots to proceed in an east-to-west direction through a portion of the site. A City of Davis drainage course (Channel A) also flows ~~east to~~ west to east through the site. Additionally, a Pacific Gas and Electric Co. (PG&E) easement occurs along the western and northern site boundaries.

### Response to Comment 75-8
Please see Master Response 4.

## Response to Comment 75-9

The commenter's concern is typically addressed in CEQA by evaluating whether a proposed project's vehicle trips could result in a carbon monoxide (CO) "hot spot" due to excessive idling. As discussed on page 4.3-56 of the Draft EIR:

> *Proposed Project, Biological Resources Preservation Alternative*
>
> Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. Concentrations of CO approaching the AAQS are only expected where background levels are high, and traffic volumes and congestion levels are high. Implementation of the Proposed Project/BRPA would increase traffic volumes on streets near the project site/BRPA site; therefore, the Proposed Project/BRPA would be expected to increase local CO concentrations.
>
> As discussed in the Method of Analysis section above, considering that the law has changed with respect to how transportation-related impacts may be addressed under CEQA such that unacceptable LOS is no longer considered a significant impact on the environment under CEQA, the analysis herein uses guidance from the nearby SMAQMD and PCAPCD. According to the SMAQMD's CEQA Guidelines, emissions of CO are generally of less concern than other criteria pollutants, as operational activities are not likely to generate substantial quantities of CO, and the SVAB has been in attainment for CO for multiple years. Additionally, the PCAPCD, which has jurisdiction over a portion of the SVAB and is adjacent to the YSAQMD, has a screening level for localized CO impacts. According to the PCAPCD screening levels, a project could result in a significant impact if the project would result in CO emissions from vehicle operations in excess of 550 lbs/day.
>
> According to the modeling performed for the Proposed Project and BRPA, operation of the Proposed Project would result in maximum unmitigated mobile source CO emissions of 425 lbs/day, and operation of the BRPA would result in maximum unmitigated mobile source CO emissions of 462 lbs/day (see Appendix C). Consequently, CO emissions related to mobile sources associated with operation of both the Proposed Project and BRPA would be below the 550 lbs/day screening threshold used by PCAPCD. Therefore, according to the PCAPCD's screening methodology for localized CO emissions, the Proposed Project/BRPA would not be expected to generate localized CO emissions that would contribute to an exceedance of AAQS, and the Proposed Project/BRPA would not expose sensitive receptors to substantial concentrations of localized CO.

## Response to Comment 75-10

Please see Master Response 5 and Response to Comment 77-3.

## Response to Comment 75-11

The comment expresses concerns regarding the air quality findings of the Draft EIR but does not question its adequacy. Please see Master Response 1.

## Response to Comment 75-12

The comment expresses concerns regarding the air quality and VMT findings of the Draft EIR but does not question its adequacy. Please see Master Response 1.

## Response to Comment 75-13
The comment expresses concerns regarding the VMT findings of the Draft EIR but does not question its adequacy. Please see Master Response 1.

## Response to Comment 75-14
Please see Master Response 2.

## Response to Comment 75-15
Please see Response to Comment 191-3.

## Response to Comment 75-16
Please see Master Response 6.

## Response to Comment 75-17
Please see Master Response 3.

## Response to Comment 75-18
Please see Master Response 3.

## Response to Comment 75-19
Please see Master Response 3 and Response to Comment 75-20. Groundwater flows from beneath the landfill to beneath the proposed development area and the adjacent Wildhorse subdivision. The groundwater contains PFAS and other contaminants associated with the landfill that would present potential health concerns in the case of direct contact with the groundwater. Therefore, no groundwater use is proposed in association with the project, and Cunningham has designed the drainage channel to avoid groundwater interception. The City of Davis (the owner of the landfill) will continue to monitor groundwater quality and flow direction associated with the landfill under the direction of the RWQCB Cleanup Program. Monitoring wells that are abandoned as part of Project development will be replaced or relocated as determined appropriate by the City of Davis and the RWQCB.

## Response to Comment 75-20
The commenter appears to be referring to Mitigation Measure 4.7-2(e) of the Draft EIR concerning the on-site monitoring wells. Mitigation Measure 4.7-2(e) requires the applicant to consult with the Central Valley RWQCB and Yolo County Environmental Health Department prior to carrying out any actions regarding on-site monitoring wells. Thus, these agencies have full authority to decide whether all on-site monitoring wells, or a portion thereof, should remain in place.

## Response to Comment 75-21
Please see Master Response 3.

## Response to Comment 75-22
Please see Master Response 3.

## Response to Comment 75-23
Please see Master Response 3.

## Response to Comment 75-24

Please see Master Response 3. In addition, the Draft EIR (page 4.3-51), Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, explains the dust control measures with which the project contractor would comply:

> According to YSAQMD Guidance, even projects not exceeding the YSAQMD construction-related PM thresholds should implement best management practices to reduce dust emissions and avoid localized health impacts. The YSAQMD's best management practices for dust include, but are not necessarily limited to, the following:
>
> - Watering of all active construction sites at least twice daily;
> - Maintenance of at least two feet of freeboard in haul trucks;
> - Covering of all trucks hauling dirt, sand, or loose materials;
> - Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeding of area, as applicable and/or necessary;
> - Application of chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days), as applicable and/or necessary;
> - Planting of vegetative ground cover in disturbed areas as soon as possible;
> - Covering of inactive storage piles;
> - Sweeping of streets if visible soil material is carried out from the construction site; and
> - Treatment of accesses to distance of 100 feet from the paved road with a six- to 12-inch layer of wood chips, mulch, or gravel.
>
> Compliance with the aforementioned rules and regulations related to construction, as well as implementation of best management practices for dust, would help to minimize emissions generated during construction activities.

As such, the Proposed Project/BRPA would be required to implement best management practices (BMPs) to reduce dust emissions and avoid localized health impacts.

## Response to Comment 75-25

Please see Master Response 3.

## Response to Comment 75-26

Please see Master Response 3 regarding the arsenic portion of the comment. Annexation of the UATA (now referred to as "Northern Agricultural Area") would not "leave it vulnerable to being developed later if the developer decides to fill in the dig pit hole", as doing so would first require a General Plan amendment and subsequent CEQA review. These are discretionary actions subject to City Council approval. Should City Council approval occur, a follow-on Measure D vote would be required pursuant to City of Davis Municipal Code Section 41.01.020(b)(2)(A).

## Response to Comment 75-27

Please see Response to 75-26.

## Response to Comment 75-28

Please see Master Response 1.

## Response to Comment 75-29
Please see Response to Comment 5-6.

## Response to Comment 75-30
The results of groundwater monitoring demonstrate that contaminated groundwater from the landfill flows beneath the project site/BRPA site and the adjacent Wildhorse residential subdivision, but does not flow beneath the agricultural buffer area. Therefore, it is unlikely that potential groundwater/surface water interaction in the agricultural buffer area would result in contaminant transport. In addition, please see Master Response 3.

## Response to Comment 75-31
Please see Master Response 3.

## Response to Comment 75-32
Please see Master Response 3.

## Response to Comment 75-33
Please see Response to Comment 75-24.

## Response to Comment 75-34
Please see Master Response 3.

## Response to Comment 75-35
Mitigation Measure 4.7-2(b) adequately addresses the potential asbestos-containing materials in the on-site water tank house. Pursuant to CEQA Guidelines Section 15126.4(a)(1)(B), the mitigation measure includes sufficient performance standards to ensure that if ACM are found during the survey of the water tank house prior to demolition, then the contractor shall comply with applicable regulations concerning asbestos.

## Response to Comment 75-36
Please see Master Response 3.

## Response to Comment 75-37
Please see Response to Comment 75-9.

## Response to Comment 75-38
Contrary to the comment, park noise is addressed in Chapter 4.10, Noise, of the Draft EIR. As stated on page 4.10-15, park noise was addressed based on:

- Heritage Oak Park: Based upon the available plans, the park is anticipated to include a jungle gym play area, two half basketball courts, and a large field. The large field was assumed to accommodate a soccer field. Based upon data collected at existing parks, a jungle gym would generate levels of 55 dBA $L_{eq}$ at a distance of 65 feet to the center, basketball courts would generate noise levels of approximately 55 dBA $L_{eq}$ at 50 feet, and a soccer game would generate approximately 58 dBA $L_eq$ at 200 feet to the center of the field. All amenities were modeled as operating continuously during daytime hours. Maximum noise levels from such amenities were assumed to be up to 20 dBA higher than average levels.

With respect to any lighting at the parks, Mitigation Measure 4.1-4 of the Draft EIR would address this concern by requiring shielding and directional lighting methods in accordance with City standards.

## Response to Comment 75-39
Please see Master Response 2.

## Response to Comment 75-40
Please see Master Response 2.

## Response to Comment 75-41
Please see Master Response 2.

## Response to Comment 75-42
Please see Master Response 7.

## Response to Comment 75-43
Please see Master Response 7.

## Response to Comment 75-44
Alkali playas are a unique type of vernal pool, characterized by their clay hardpan, large size, extended period of inundation, and halophytic plant species. Olcott Lake at Jepson Prairie is a particularly large example of this habitat type. There was no intent to suggest that these features are not vernal pools, but instead to highlight their unique status by using the name "alkali playa." Additionally, as noted on page 4.4-8 (emphasis added), "A large alkali playa/alkali wetland complex is located within the Alkali Prairie land cover." As noted by the commenter, alkali prairie is the surrounding upland habitat and has the potential to support a different suite of plant and animal species than the alkali playa. This is reflected in habitat suitability analyses provided for each of the special-status species with potential to occur on-site.

## Response to Comment 75-45
Please see Master Response 7.

## Response to Comment 75-46
As shown on Figure 4.4-6 of the Draft EIR, vernal pool tadpole shrimp were documented in the alkali playas within the Natural Habitat Area as well as in a portion of a wetland ditch on the northeastern edge of the site. As discussed in the quoted text, the habitat within the Natural Habitat Area is proposed for avoidance under the BRPA, but the habitat in the wetland ditch may be impacted. The wetland ditch is a constructed feature that runs along the proposed UATA and is entirely isolated from the natural wetland features within the Natural Habitat Area. It may or may not be impacted when soil is removed from the UATA/Northern Agricultural Area, but has been shown as impacted in the Draft EIR in case that is ultimately necessary to construct the project. Any impacts to vernal pool tadpole shrimp (and any other federally listed species that area not HCP Covered Species) will be addressed during consultation between the USACE and USFWS, and impacts would require compensatory mitigation for the species, as outlined in Mitigation Measures 4.4-15(a) through (d) of the Draft EIR.

## Response to Comment 75-47

The Draft EIR acknowledges that vernal pool tadpole shrimp are federally protected by the Endangered Species Act, and acknowledges the rarity of alkali milk vetch and San Joaquin spearscale; species protection mechanisms are outlined in Mitigation Measures 4.4-1 and 4.4-3 of the Draft EIR.

Although there will be grading and fill in the current 100-year floodplain, the Channel A floodplain is presently disconnected from the channel due to extensive modifications related to historic and current agricultural uses, and the property owner and long-term farmer has never seen the agricultural fields (where the grading and fill will occur) be accessed by flood flows from Channel A. The Project proposes to construct a new, naturalized channel that would wind through a mosaic of riparian forest, native grasslands, and oak woodlands. This new channel would not be so incised, and is expected to access the newly constructed floodplain during storms ranging from the 100-year 24-hour event to the 200-year 10-day event.

The existing condition on the site is active agricultural use, and as such, the existing flow patterns are already artificial. Groundwater is pumped onto the site for irrigation of the crops that are grown on-site, and annually dug ditches convey excess water away.

## Response to Comment 75-48

Please see Master Response 7.

## Response to Comment 75-49

Please see Master Response 1.

## Response to Comment 75-50

Please see Master Response 7.

## Response to Comment 75-51

The on-site fire station would provide both fire and emergency medical services. The proposed fire station reflects input from the Davis Fire Department, which is the most appropriate entity to determine what type of facility is needed in north Davis.

## Response to Comment 75-52

Funding for fire protection services, including new stations, is not a CEQA issue as the courts have made clear in *City of Hayward v. Board of Trustees of the California State University* (November 30, 2015) 242 Cal.App.4th 833. (see Draft EIR, pg. 4.12-13).

## Response to Comment 75-53

Siren noise is addressed on page 4.10-21 of the Draft EIR, as follows:

> In addition, while the Proposed Project/BRPA would include development of a fire station, which could result in operational noise associated with sirens, the fire station would be located in the southern portion of the project site/BRPA site, adjacent to East Covell Boulevard. Thus, the fire station would have direct access to major roadways and the concentration of siren noise that would occur as engines leave the site would not be in proximity to existing residential uses. Therefore, further discussion of operational noise associated with the proposed fire station is not required, and the primary noise sources associated with the Proposed Project and BRPA would be noise associated with increased



traffic volumes on the local roadway network and noise associated with the proposed neighborhood services and Heritage Oak Park.

Regarding fire truck access onto Covell Boulevard, trucks are equipped with signal preemption, which would help facilitate fire truck travel along the Covell corridor. Traffic signal preemption allows the Davis Fire Department to override the normal operation of traffic lights, which gives the responding unit the ability to halt cross-traffic, while allowing traffic to flow and clear in the direction of travel for the responding emergency vehicle.

## Response to Comment 75-54

Please see Master Response 1.

## Response to Comment 75-55

The PG&E gas pipeline crossing the project site/BRPA site is periodically inspected and maintained by PG&E. Permitting of the project includes consultation with PG&E to ensure that the project design is compatible with the gas pipeline. At this on-site meeting, required by Mitigation Measure 4.7-2(f), the condition of the pipe can be assessed.

## Response to Comment 75-56

Water supply is addressed in detail in Chapter 4.14, Utilities and Service Systems, of the Draft EIR. The water supply evaluation in Chapter 4.14 is based on the Water Supply Assessment (WSA) prepared for the project by the City's consultant, Brown and Caldwell. The WSA was prepared in accordance with California Water Code Sections 10910 through 10915.

As shown in Table 4.14-9 of the Draft EIR, the City's projected available water supply would meet the anticipated demand for water generated by the Proposed Project and the City's existing commitments, as well as reasonably foreseeable cumulative development, during normal, single dry, and multiple dry years. As noted on page 4.14-26 of the Draft EIR, the minor increase in water demand associated with the BRPA (862 AFY for BRPA vs. 850 AFY for Proposed Project) would not change this conclusion.

## Response to Comment 75-57

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

## Response to Comment 75-58

Please see Response to Comment 97-72.

## Response to Comment 75-59

Funding of infrastructure is not a CEQA issue. Please see Master Response 1.

## Response to Comment 75-60

The comment consists of a broad summary of preceding concerns. Please see the responses to previous comments.

**Letter 76**

**Dara Dungworth**

**From:** Eileen Samitz <emsamitz@dcn.org>
**Sent:** Tuesday, January 14, 2025 4:39 PM
**To:** Dara Dungworth
**Subject:** Village Farms Draft EIR data needed

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

Hi Dara,

**76-1** I am not seeing car trip count data in the Village Farms Draft EIR.
Thanks much if you can send me that information including all the raw data that the consultants should have collected for this report.

Thanks much,

-Elieen

1

## LETTER 76: EILEEN SAMITZ (LETTER 2 OF 6, 01/14/2025)

### Response to Comment 76-1

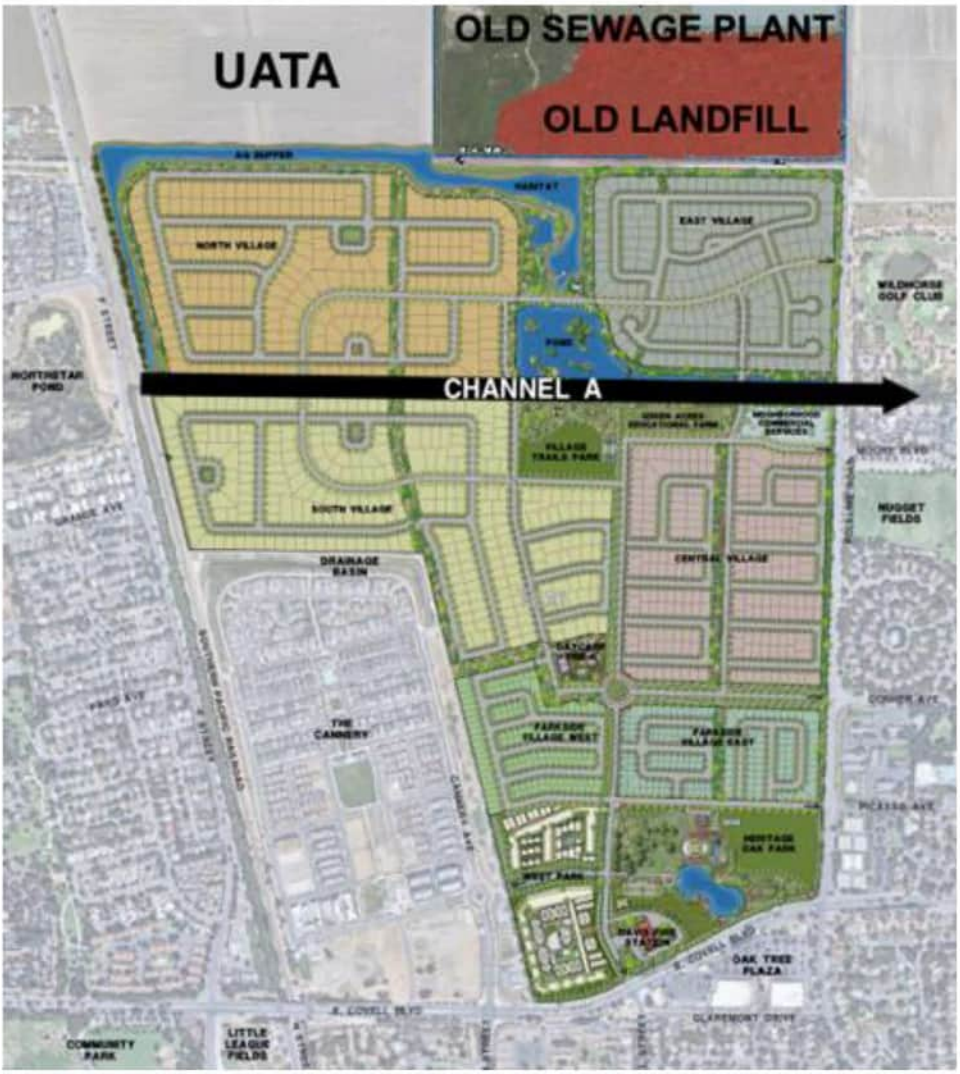
Please see Master Response 5.

**Letter 77**

https://www.davisenterprise.com/forum/commentary-village-farms-deir-is-inadequate/article_2476be12-e4c8-11ef-8e2d-8feebc64a77f.html

# Commentary: Village Farms DEIR is inadequate, project would bring massive impacts and costs

- By Eileen M. Samitz
- Feb 8, 2025 Updated Feb 10, 2025




***Original Village Farms proposal with added locations of the Old City Landfill and Sewage Treatment Plant, Channel A, and the UATA site.***

The Draft Environmental Impact Report has been released for comments on Village Farms, on a parcel outside city limits. It is the largest project ever proposed for Davis with 1,800 units on almost 500 acres. The DEIR was rushed and is inadequate since it's missing important details and makes unwarranted assumptions and conclusions.

77-1 The project has a multitude of problems primarily because it is a seriously handicapped land parcel. Issues include a 200-acre flood plain, being located adjacent to the *unlined* Old City Landfill and Sewage Treatment Plant, enormous traffic issues already at Covell Boulevard and Pole Line Road, access issues because it cannot be accessed from F Street due to the railroad tracks and there's questionable feasibility of a Pole Line undercrossing, massive impacts on habitat, and enormous costs of the infrastructure and services needed.

**History**

The site was first proposed for the Crossroads project in 1992, but after those developers realized that the project site was plagued with so many problems, particularly the enormous flood plain, toxics, traffic, access and infrastructure needs, that they abandoned the project and put the land up for auction.

John Whitcombe of Tandem Properties was the primary investor, who purchased the 386-acre parcel for only $3.2 million, which was a massive financial loss by the Crossroads developers.

Whitcombe proposed two earlier versions: Covell Center and later, after Measure J was approved by Davis voters, his Covell Village project was on the 2005 ballot. It was rejected by voters due to all the problems it would bring, including the massive impacts and costs. Now the 1,800 housing unit Village Farms is the latest iteration, but it has all of the same issues and even more impacts and costs.

77-2 The DEIR has been rushed to accommodate the developer's wishes to rush to a Measure J/R/D vote quickly, and as a result, it is seriously lacking in details and dismisses the serious impacts and consequences the project would bring if approved.

It is disappointing that the proposed project assumed that the vernal pools (protected by Federal law) could be paved over. The developer proposed paving over the vernal pools in previous versions, but environmentalists protested because sampling was done in dry season when the vernal pools were absent.

Vernal pools reemerge in wet seasons when seeds, including rare native plants and eggs of endangered Vernal Pool Tadpole Shrimp hatch. Public pressure motivated proper sampling this time, and these rare and endangered species were revealed confirming the vernal pools. The developer then had to add the Biological Resources Preservation Alternative version.

With the exception of the vernal pools being excluded from development in the BRPA, both the Proposed Project and the BRPA version both have 1,800 housing units, and they have the other same problems and impacts. Fortunately, the vernal pools survived discing, however the burrowing owl habitat did not in 2005.

**Traffic**

77-3 Traffic impacts at Covell Blvd. and Pole Line Rd. are currently incredibly impacted, but shoe-horning in 1,800 would result in gridlock with more greenhouse gases and air quality deterioration. The DEIR claims that traffic impacts would be lessened with a high density of housing, making the false assumption that residents will use much more public transit.

This is a fantasy since Davis has a minimal, inadequate and inconvenient public transit designed primarily for UC Davis, not community needs. The city has no plans to significantly expand its public transit. Creating a high

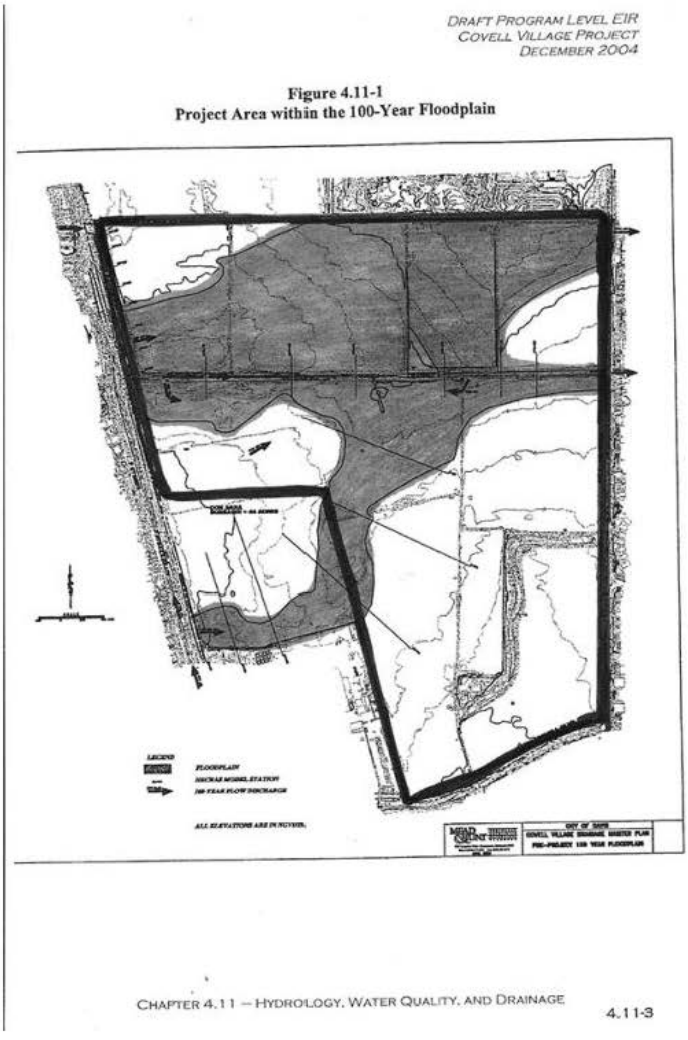
density of housing without a robust transit system would only exacerbate environment impacts by increasing traffic.

**Flood plain**

The enormous Village Farms flood plain is a FEMA Zone A Special Flood Hazard Area. Building hundreds of housing units on roughly 200 acres of flood plain is a huge problem, since a fundamental planning principal is that you *do not* build on enormous flood plains like this.

This is not only because of climate-change issues, but because of state legislation where California will no longer financially bail out cities foolish enough to build on flood plains like this when flooding disaster happens. That is more likely now than ever, due to climate change.

77-4




***The Covell Village DEIR map showing the 100-year flood plain (darker grey area).***

**Letter 77**

**Landfill toxics**

The unlined Old City Landfill and Sewage Treatment Plant adjacent (north) to Village Farms has had a long history of toxics and other chemical contaminants leaking into the groundwater.

77-5 Landfills are supposed to have large "exclusionary zones" or at least a 1,000-foot buffer zone for health and safety reasons. Village Farms should *not* be building so close to the Old City Landfill and Sewage Treatment Plant.

The toxics leaking include PFAS "forever chemicals" and manganese exceeding maximum concentration levels (MCL) recently reported from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals in high levels that cause cancer?

**Soil toxics**

77-6 The 118-acre Urban Ag Transition Aera is adjacent (west) to the Old City Landfill and the soil has arsenic levels that are 50 to 70 times what residential soil should have. The developers want use this soil as a "dig-pit" for filling the enormous 200-acre flood plain. The Heritage Oak Park site has toxics in the soil with toxaphene as high as 1,200,000 mg/kg and lead at 93 mg/kg, both exceeding maximum DTSC levels.

**Re-routing Channel A**

77-7 Trying to move and re-route the massive amount of runoff water currently being soaked up by over 400-acres of farmland could result in disastrous flooding. This includes the possibility of contaminated groundwater mixing with channel runoff, which then flows east through Wildhorse and potentially polluting the wetlands — a catastrophic scenario. Would expensive flood insurance be required of North Davis residents due to Village Farms?

**Habitat impacts**

77-8 The project would tear out 952 number of trees to expand and reroute Channel A which will have significant impacts on the habitat, particularly rare and endangered species, and raises major concerns about potential flooding.

**Access issues**

Serious access issues include no bicycle/pedestrian access via F Street because of the railroad tracks. The DEIR refers to the questionable "feasibility" of a Pole Line Road undercrossing due to existing infrastructure issues, 77-9 so there may not be a Pole Line bicycle/pedestrian undercrossing crossing, either.

Even if feasible, the developer has indicated that he would not cover the entire cost, although his project is driving the need for it. Further, this 1,800-unit project would use an enormous amount of water and wastewater treatment capacity and city services. These infrastructure costs would fall on Davis residents.

**Unneeded fire station**

77-10 The additional fire station being proposed is not needed because roughly 90% of the fire department calls are medical, *not* fire-related issues. An emergency medical service would make much more sense and cost far less.

Building a new fire station would cost *at least* $14 million to build, and many millions of dollars more for additional staffing (including fire fighters), equipment and operational costs long-term.

Also, how could a fire truck possibly get onto Covell Boulevard (especially going east) when the traffic is backed up most of the time?

**Unaffordable housing**

77-11

The average home would be at least $700,000-$800,00 according to a project representative, but the high-end homes would be far more expensive.

**EIR inadequacy**

The DEIR is seriously flawed for many reasons, including lacking important information like the undercrossing uncertainty, and dismissive conclusions. It also fails to comply with CEQA requirements for EIR's to include alternatives that create *less* impacts. Yet, *all* of the alternatives are 1,800 housing units *or more*, with the exception of the "No project" and the 1,395-housing unit original proposal with the same layout as the 1,800-housing unit Proposed Project version.

77-12

The City Council could have included a citizen-based recommendation for a down-sized "build below the channel" alternative, but they completely ignored it. The DEIR should have included analyzing building only below Channel A, preserving the vernal pools and reducing the housing units to a reasonable number. This design avoids the bulk of the flood plain, and moves housing much further away from the Old City Landfill and Sewage Treatment Plant toxics leakage.

In summary, it is important to submit comments and concerns about the Village Farms project and its DEIR before the 5 p.m. Feb. 25 deadline to city staff member Dara Dungworth at ddungworth@cityofdavis.org.

The 1,800-unit 497 acre Village Farms project is too big, has far too many impacts and costs, has predominately unaffordable housing and is simply bad planning. Furthermore, this project would present potential city liability issues regarding toxics, flooding and public safety issues.

Residents concerned about Village Farms project, can contact Citizens for Responsible Planning group at citizens@dcn.org.

***— Eileen Samitz is a former Davis Planning Commissioner and served on the city of Davis 2001 General Plan Update land-use committee and the subsequent Housing Element Update Committee.***

## LETTER 77: EILEEN SAMITZ (LETTER 3 OF 6, 02/08/2025)

### Response to Comment 77-1
The comment provides an overview of the following concerns expressed throughout the letter. Please refer to the following responses to comments.

### Response to Comment 77-2
Please see Master Response 1.

### Response to Comment 77-3
The comment incorrectly states that "The Draft EIR claims that traffic impacts would be lessened with a high density of housing, making the false assumption that residents will use much more public transit." In actuality, the Draft EIR does not assume that transit service could significantly reduce impacts associated with the project. External Walk, Bike, and Transit reductions applied in the project's trip generation estimate (Table 4.13-5) were kept considerably low.

### Response to Comment 77-4
Please see Master Response 4.

### Response to Comment 77-5
Please see Master Response 3.

### Response to Comment 77-6
Please see Master Response 3.

### Response to Comment 77-7
Please see Master Responses 3 and 4.

### Response to Comment 77-8
Please see Master Response 7.

### Response to Comment 77-9
Regarding bicycle/pedestrian access from F Street, please see Master Response 6. Regarding water and wastewater concerns, please see Responses to Comments 75-56 and 75-57.

### Response to Comment 77-10
Please see Response to Comment 75-53.

### Response to Comment 77-11
Please see Master Response 1.

### Response to Comment 77-12
The comment is conclusory. Please see the previous responses to comments and Master Response 2.

**Letter 78**

**From:** Eileen Samitz <emsamitz@dcn.org>
**Sent:** Wednesday, February 12, 2025 2:19 PM
**To:** Planning Commission <PlanningCommission@cityofdavis.org>
**Subject:** Village Farms DEIR Comments

Dear Chair Weiss and Planning Commissioners,

I have many comments regarding the Village Farms project which I have attached as well as a recent Op-ed I wrote which was published in local media last Sunday Feb. 9th for your review. This Village Farms project has the same problems and issues as its predecessor Covell Village , as well as many deficiencies in the DEIR including lathe lack of important details and in many cases no mitigations or mitigations which are ineffective to reducing the impact to less than significant as the DEIR tries to claim repeatedly. So, the result is the DEIR is seriously flawed and inadequate. The DEIR process has clearly been rushed to accommodate the developers desire to be on the Measure J/R/D ballot quickly, and as a result the DEIR is inadequate.

78-1

Since I cover a number of issues in my attached comments, I wanted to emphasize the overview of the problems that the project continues to present, just as its predecessor Covell Village did.

**Overview: Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has many problems primarily because the site is a handicapped site with a 200-acre flood plain, it is adjacent to the *unlined* Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including PFAS "forever chemicals") , the enormous traffic issues already at Covell and Pole Line, lack of bicycle/pedestrian safe access because it cannot be accessed from F St. due to the railroad tracks, Covell Blvd. cannot have a grade-separated crossing due to existing infrastructure, and the DEIR now is questioning the "feasibility" of a Pole Line undercrossing. In additional to all of these issues, there is also the high costs imposed by the enormous amount of infrastructure needed and the massive impacts on the native plants, wildlife and habitat in the area. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, but Village Farms is outside the City limits in Yolo County.**

78-2

I also wanted to emphasize point #14 in my comments regarding the inadequacy of the DEIR since it needs to include alternatives with *lesser* impacts per CEQA. However, all the alternatives have 1,800 housing units except the "No project" and the original 1,395-unit proposal.

78-3

What at the very least that needs to be added to the DEIR is the "Reduced Acreage Environmentally Superior Alternative" from the predecessor project, Covell Village's DEIR with the modifications of preserving the vernal pools and reducing the number housings units proportionally to roughly 900-1,000 units on the remailing, roughly 205 acres.

**Letter 78 Cont.**

**78-3 Cont.** This in turn, this avoids the major health, welfare and safety issue Old City Landfill which has had a long history leakage of toxics , now including high levels of PFAS "forever chemicals'" and manganese contaminating the groundwater in levels above screening maximum concentration levels. There are additional contaminants exceeding MCL's which may or may not be coming from the Landfill as well in the groundwater.

Here is the explanation from point #14 and the image to help illustrate this alterative which needs to the inadequate DEIR.

**78-4** **14) The Reduced Acreage "Environmentally Superior Alternative" should have been included in the DEIR and** This alternative is from the previous Covell Village DEIR (see image below) which has been a citizen-based recommendation advocated for. CEQA requires that DEIR alternatives need to be lesser impacts:

***"The Guidelines require that the number of alternatives be limited to those that would avoid or substantially lessen any of the significant effects of the project (Section 15126(d)(5).*** The Guidelines also speak to the General Plan consistency and site suitability and Village Farms has plenty of conflicts with the General Plan and its lack of suitability due to the many issues it has, and the many problems it would bring.

**78-5** The DEIR is seriously flawed for many reasons, including lacking important information like the undercrossing uncertainty, and dismissive conclusions. But it also fails to comply with CEQA requirements for EIR's to include alternatives that create *less* impacts. Yet, *all* of the alternatives are 1,800 housing units *or more,* with the exception of the "No project" and the 1,395-housing unit original proposal with the same layout as the 1,800-housing unit Proposed Project version. **The Village Farms DEIR is inadequate without this reduced acreage alternative and the DEIR should have other alternatives with lesser impacts as well.**

**78-6** The modifications added to the **"Reduced Acreage Environmentally Superior Alternative"** were preserving the vernal pools and reducing the housing unit number proportionally to 900-100 unit because preserving the vernal pools leaves a little more than 200 acres. The benefits of this alternative are reduced greenhouse gases (GHG) and air quality pollutants impacts. This proposal gets the housing far from the adjacent *unlined* Old City landfill and Sewage Treatment Plant and away from the majority of the 200-acre flood planning for the health, welfare, and safety of the residents of the project and the community.

**Further, it is notable that the Yolo County Department of Community Services asked that a Reduced footprint alternative be included in the Village Farms Draft EIR in their Village Farms NOP comment letter.**

**Letter 78 Cont.**

**78-6 Cont.**

Covell Village Reduced Acreage Environmentally Superior Alternative




***"For the Covell Village Project, the Reduced Acreage Alternative would be considered the environmentally superior alternative."*** *- Covell Village Draft EIR page 5-32*

***Covell Village DEIR Reduced Acreage Environmentally Superior Alternative***

**78-7**

I urge the Planning Commission to request the addition of this modified Reduced Acreage Environmentally Superior Alternative which even the County recommended. This alternative avoids the serious issue of the housing being in the flood plain and gets the housing distanced from the unlined Old City Landfill and Sewage Treatment Plant which is leaking high levels of PFFAS "forever chemicals" to protect the health, welfare and safety of the community and to avoid exposure of liability to the City for flooding and health impacts from the Village Farms project.

**78-8**

Thank you for your time and consideration and please feel free to contact me with any questions or for any more information my phone numbers are (530) 756-5165 (landline) or (530) 304-1624 (cell).

Eileen M. Samitz,

Former City of Davis Planning Commissioner

**Letter 78 Cont.**

**Overview: Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has many problems primarily because the site is a handicapped site with a 200-acre flood plain, it is adjacent to the *unlined* Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including PFAS "forever chemicals"), the enormous traffic issues already at Covell and Pole Line lack of bicycle/pedestrian safe access issues because it cannot be accessed from F St. due to the railroad tracks, Covell Blvd. cannot have a grade-separated crossing due to existing infrastructure, and the DEIR now is questioning the "feasibility" of a Pole Line undercrossing. In additional to all of these issues, there is also the high costs imposed by the enormous amount of infrastructure needed and the massive impacts on the native plants, wildlife and habitat in the area. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, but Village Farms is outside the City limits in Yolo County.**

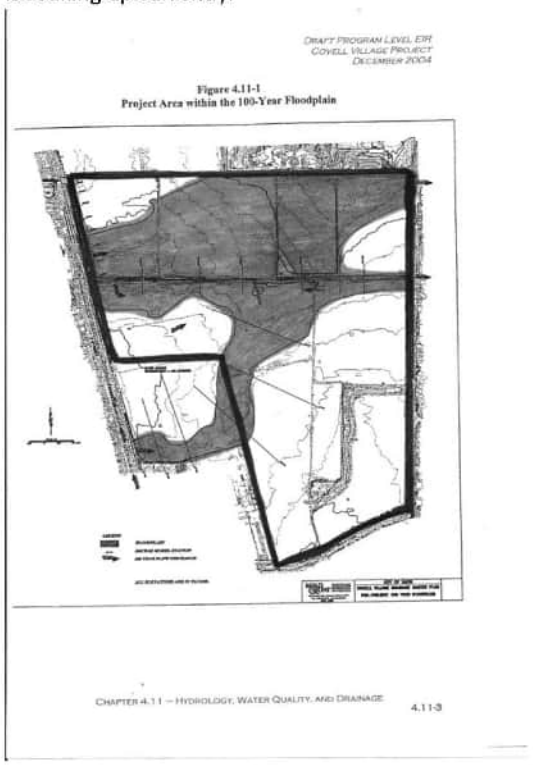
78-9

**The following are comments regarding issues and impacts not addressed adequately in the DEIR and other issues:**

1) **200-acre Floodplain** - Village Farms has an enormous flood plain of over 200 acres on covering roughly half of the land to be developed which is a FEMA Zone A Flood Hazard flood plain. A fundamental principal of good planning is to NOT build on enormous flood plains like this, particularly to try to shoe-horn in 1,800 on the parcel. Trying to engineer away a flood plain which take up at least half of the land to be developed makes no sense. The last thing we need in Davis is for the City to experience the flooding Natomas has had because the planning failed to engineer control of flooding in the flood plain. (see graphic below, Covell Village DEIR)

   This project exposes the City to financial risk due to the flooding potential. It is noteworthy that per California's legislation the State will no longer financially bail out cities foolish enough to build on enormous flood plains like this. Wildhorse currently has had flooding issues due to climate change which can only get worse if the Village Farms project tried to re-route the enormous amount of water that 400 acres of ag land is soaking up currently.

78-10



**Letter 78 Cont.**

78-11

2) **Traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and Pole Line Road** which is already incredibly impacted. Shoe-horning in 1,800 units on this Village Farms site will only cause a more massive number of backed-up idling cars, which in turn will increase greenhouse gases and air pollution form car exhaust fumes and particulate matter. The air pollution in turn will deteriorate air quality and potentially have health impacts. The location of the Oak Heritage Park at Covell Blvd. And Pole Line Rd. would, in particular expose young children and adults recreating will be breathing more heavily from exercising and taking in more this polluted air. So, this then becomes a health issue as well an impact on our climate from the greenhouse gases (GHG's). All of these impacts are CEQA issues but the DEIR is dismissive of these issues.

78-12

The theory that you would have lower VMT's if you cram in much more housing is illogical because it would rely on a robust public transit system that people actually used significantly. However, the City has no plan to significantly improve its currently minimal, inconvenient and inadequate public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more backed-up traffic and its environmental and health impacts. The DEIR is inadequate because it is not accurately factoring in the minimal public transit system that Davis has, and that it has no plans to significantly expand to the robust level of a system that would be needed to try to offset the traffic impacts in order to lower VMTs.

Beyond this, you cannot assume people will use even a robust public transit system particularly for your families with kids that need to be transported by their parent to school usually and their other activities. If Davis wanted to lower its VMT numbers it should start by getting a school bus system in town instead of hundreds of parents driving their kids to and from school daily .

78-13

The DEIR admits that the air quality would deteriorate with the Biological Resources Preservation Alternative (BRPA) . This is clearly due to cramming in 1,800 housing units, which in turned, would generate a massive amount of car traffic that will be backed up along Covell Blvd. nd Pole Line Road. The resulting huge volume of fumes and particulate matter from care exhaust emissions would cause health impacts.

**Conclusion from Air Quality, GHG emissions, and Energy Chapter:**

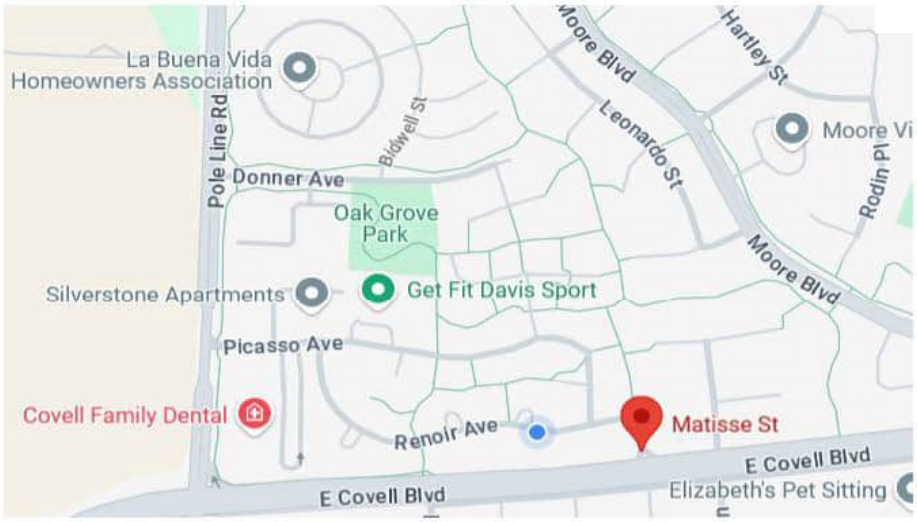
***"Based on the above, operation of the Proposed Project and the BRPA could violate an air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the Proposed Project and BRPA would be considered to result in a significant impact related to air quality."***

78-14

3) **Picasso, Renoir and Matisse would become a thru-way short-cut with massive traffic impacting the safety of the neighborhood.** There is no mitigation measure even attempted for the massive amount of traffic that would cut through the Green Meadows neighborhood on Matisse St. , Renoir Ave, and Picasso Ave. of cars going between Covell Bld. and Pole Line road to try to avoid the Covell and Pole Line Road intersections. These streets are narrow and curved and only have one side of the street parking. There is speeding of cars cutting through currently doing this and the massive increase in this cut-through traffic would make it dangerous conditions for this neighborhood. (see graphic below of Matisse St., Renoir Ave, and Picasso Ave. connecting Covell Blvd. with Pole Line Road)

**Letter 78 Cont.**

78-14 Cont.




78-15

4) **Serious lack of bicycle/pedestrian safe access issues.** There is no connectivity because the project cannot get a grade -separated crossing at F St . since the Railroad won't permit it. There is no way to provide a grade-separated crossing over or under Covell Blvd. due to existing infrastructure Further, the DEIR states that is uncertain if a Pole Line Rd. undercrossing is *feasible*. **This is a significant inadequacy of the DEIR.** Why does the DEIR not know yet if an undercrossing is feasible or not? When will they know if a Pole Line Rd. undercrossing is feasible? Are they waiting until after the ballot to announce that it is not feasible, or that they still aren't sure if it is feasible? The DEIR is seriously inadequate by trying to side-step this critical infrastructure question. The EIR process has been rushed and is deficient on providing many important details like this which is inexcusable. The developer needs to get these answers and come back when the DEIR has an answer to this infrastructure issue and provides other absent details in the document.

78-16

Another issue is that developer needs to agree to cover the entire cost of the undercrossing if it is feasible, since it is *his* project driving the need for it. Davis residents should not be expected to be paying for the Village Farms infrastructure needs.

78-17

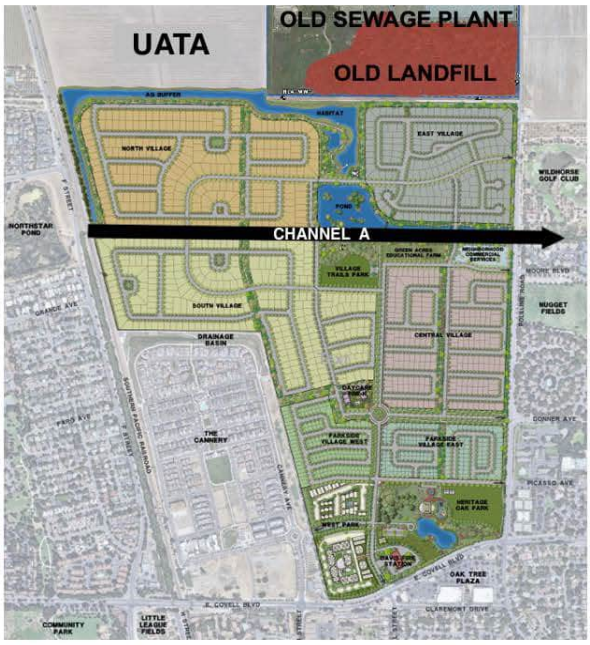
5) **Toxics from the immediately adjacent Old City Landfill and Sewage Treatment Plant** – Landfills are now required to have huge "exclusionary zones" as a perimeter where not urban development is permitted for health, welfare and safety reasons. Often a mile or more around a landfill likewise old landfills also need to have an exclusionary zone. **A minimum of 1,000-foot buffer zones are often required of old landfills. The City can and needs to require at least a 1,000-foot buffer zone around this *unlined* Old City landfill for the health, welfare and safety of the community.**

78-18

PFAS "forever chemicals" which are carcinogenic and manganese have monitored recently exceeding screening maximum concentration levels (MCL's) in the groundwater of the Village Farms project and the Old City Landfill. Failure to do so would be irresponsible and expose the City to legal liability in the future due to the potential health, welfare and safety impacts on the community. The DEIR is dismissive of these toxics including PFAS's which are carcinogenic could cause serious health issues. The DEIR is inadequate regarding these serious toxics and chemical contaminants. (see graphic below)

**Letter 78 Cont.**

78-18 Cont.




6) It is notable that the Yolo County Department of Environmental Health Village Farms NOP comment letter states that the City of Davis may need to install monitoring wells on the Old City Landfill for methane gas monitoring for health and safety reasons due to Village Farms residential. This methane monitoring will induce cost for the City long-term including a Phase II investigation (see below). The DEIR does not address this. What if methane gas levels rise in the Landfill where there are homes build close to it? City liability?

78-19

<u>From the December 8, 3034 Yolo County Environmental Safety Division:</u>

***"The Old Davis Landfill may need to install monitoring wells as a protection measure for landfill gas migration because of the proposed residential development on the adjacent project parcel within 1,000 feet of the landfill footprint, The prescriptive methane compliance standard at the landfill property boundary is 5% by volume in air, however, a lower standard of methane applies to occupied structures. The landfill may have to implement corrective actions oat lower monitoring readings than 5% at the property boundary should the levels be a significant threat to the nearby development."***

***"The waste cell boundaries may need to be delineated to determine gas monitoring well placement. This delineation may require additional Phase II investigation which may include trenching or bore hole excavation."***

7) **Potential mixing of groundwater with Channel A runoff risks.** This serious problem can very well result because the area has an enormous flood plain which is a **FEMA Zone A Special Flood Hazard Area,** Furthermore, climate change is bringing more extreme storm events and also less ground water is being drawn since the City has been using surface water. Also, fewer City wells are used at this point for various reasons including some shutdown due to high chromium levels. As a result, ground water levels have been higher at times in some areas including in this Village Farms area (see table 4.8-3 pg. 4.8-8) increasing the risk of the groundwater mixing with the channel water. These factors added the presence of the huge 200-acre flood plain creates even more flooding potential for this area combined with climate change events increasing with more frequency.

78-20

**Letter 78 Cont.**

The problem that potentially can result that the Channel A water mixed with this contaminated groundwater including high levels of PFAS "forever chemicals" (which are carcinogenic) manganese, aluminum, arsenic, and nitrates would flow to the east though Wildhorse exposing those neighbors and the wildlife and habitat and continuing to the east to the wetlands. PFAS are long-lived chemicals that accumulate and magnify up the food chain impacting wildlife. The outcome would be contamination of the wetlands polluting the water and destroying the habitat. This would be catastrophic.

78-21 The DEIR acknowledges this issue, therefore the risk of this groundwater contamination of the channel runoff potentially occurring:

***"In an effort to ensure that contaminated groundwater associated with the Old Davis Landfill does not enter the proposed storm water system for the Proposed Project/BRPA, Geocon prepared a Channel Evaluation Report to assess the depth to which contaminated groundwater could be encountered on-site during excavation of the drainage system, including channel and detention basin. As previously discussed, and shown in Figure 4.8-3, the substantial majority of groundwater elevation data points are below 26.5 feet amsl. Thus, the Drainage Channel Evaluation prepared for the Proposed Project/BRPA by Geocon recommended the proposed drainage channel be designed with a base elevation above the groundwater elevation (i.e., 26.5 feet amsl) to limit the infiltration of groundwater into the channel that may be impacted by PFAS or manganese".***

78-22 8) **Soil contaminants present exposure risks to residents and potential liability to the City** **The EIR is also deficient and dismissive regarding the soil toxics and chemical contaminants in the soil, particularly those above maximum concentration levels (MCL's). The developer plans to use the Urban Ag Transition Area (UATA) soil as a dig pit to try to fill in the 200-acre flood plain. The DEIR estimates moving at least 1 MILLION CUBIC YARDS of the UATA soil to fill in the flood plain.** However, this UATA soil that is very high in arsenic for residential soil exceeding maximum concentration levels. The UATA soil tested revealed that the arsenic levels range between 6.1 – 8 mg/kg, but should not be more than 0.11 mg/kg for residential soil. **This means the arsenic lever of this dig pit soil being used to fill the flood plain that will have residential housing built on it would be 56X – 73X higher than should be in residential soil.** This is yet another health, welfare and safety issue and could potentially expose the City to liability later on.

78-23 9) **This UATA dig pit site must not be permitted to be filled in later on and developed**, particularly due to the high arsenic levels and its proximity directly adjacent to the unlined Old City Landfill. And Sewage Treatment Plant. Any consideration of development should be prohibited in the baseline project features, or must at the very least be subject to a Measure J/R/D vote just like the General Plan Urban Reserve land use designation.

78-24 10) **UATA dig pit site cannot be used for ag mitigation credit.** It is rather odd to refer to this dig pit area is being defined as an Urban Ag Transition Area (UATA) since there is nothing agricultural about it if it is being use as a dig pit. If the developer anticipates asking for ag mitigation land for this crater-sized hole in the ground, the City need to be clear that there is *no* way that ag mitigation credit would be given for this.

78-25 This crater-sized 10' deep hole would essentially become a defacto water detention basin where runoff for the adjacent unlined landfill would collect into the dig pit hole and soak down into the ground water producing a continuous feed of contamination into the groundwater. This groundwater communicates with the rest of the Village Farms groundwater that will make its way to potentially communicate with Channel water. This potentially contaminated groundwater circulates and can make its way to mix with channel runoff. This potentially contaminated channel runoff would then run through Wildhorse , exposing those residents and wildlife, and out to the wetlands eventually . The risk of polluting the wetlands with this contaminated water (i.e. PFAS and manganese and other chemical contaminants) would be catastrophic.

**Letter 78 Cont.**

**11 ) High levels of toxaphene and lead are in the soil where the Heritage Oak Park is plar**

Furthermore, the soil in this park area has high levels of toxaphene (a neurotoxin and probable carcinogen) and lead.in the southern part of the project site where the large park is currently planned. Children in particular should *not* be exposed to these toxics chemicals which could cause serious health problems for the rest of their lives. The Heritage Oak Park is planned to be located on land where the old farmhouse was located which has **very high levels of toxaphene is present in the soil at 1,000 - 1,200,000 mg/kg where the Department of Toxic Substances Control (DTSC) maximum allowable level is 450 mg/kg. Lead is present in levels 6.6 -93 mg/kg and the DTSC and CA Ecological Risk Office maximum allowable level is 80 mg/kg.** While the DEIR claims that the soil will be removed, how would this be done, where is the plan?

78-26 **The DEIR does not specify any clear plan for remediating the toxaphene contamination at the old farmstead site, despite the fact that toxaphene is a persistent, highly toxic pesticide linked to serious human health risks; specifically, the document does not outline required cleanup measures, regulatory oversight by DTSC or financial assurances for remediation, raising concerns about whether the site will be made safe for public use."**

Toxaphene is a probable human carcinogen and requires regulatory oversight for cleanup. The DEIR does not confirm whether soil removal, capping, or other remediation methods will be used. There is no mention of DTSC involvement means that cleanup may not meet state and federal safety standards. Without a remediation plan, toxaphene-contaminated soil could pose long-term risks to construction workers, residents, and park visitors. The DEIR does not state who is financially responsible for the cleanup, raising concerns about potential taxpayer liability. **Due to the extremely high concentration of toxaphene contamination in the soil, the site requires mandatory DTSC oversight.**

**Further, how many parents would feel comfortable having their kids play on this field knowing massive levels of toxaphene, of up to 1.2 *million* mg/kg, a neurotoxin and probable carcinogen, has been in the soil?**

78-27 Also, asbestos has not been evaluated inside of the water tank house, but why has it not been evaluated? The developer owns the tank house, and if it is locked closed, he can get into it to have the testing done. As mentioned earlier, the Heritage Oak Park should be centrally located *not* on the periphery.

**12} The Heritage Oak Park is in the wrong location, on the perimeter exposes children and adults recreating to toxic fumes and particulate matter from car exhaust from backed-up traffic. This large park needs to be centrally located.**

78-28 This large park is planned to be located at the corner of Covell Blvd. and Pole Line Rd. but should be centrally located for several reasons. The main community park if centrally located makes it easier for residents from all areas of the project to get to it. Also, this would avoid exposure of kids and adults to fumes and particulate matter from the backed-up cars in traffic at Covell Blvd. and Pole Line Road. This bad air quality from backed up car traffic would be imposed on the children and adults and potentially causing health impacts when they are recreating at the Heritage Oak Park near the busy intersection. There would also be impacts to the any habitat and the surrounding neighborhoods of noise and night lighting as well as the fumes for the backed-up car traffic.

78-29 **13) The DEIR does not to mention anything about noise or if there would be night lighting impacts from the parks, particularly if there were to be public address systems.**

78-30 **14) The Reduced Acreage "Environmentally Superior Alternative" should have been included in the DEIR and needs to be added.** _This alternative is from the previous Covell Village DEIR (see image below) which has been a citizen-based recommendation advocated for. CEQA requires that DEIR alternatives need to be *lesser* impacts:

**Letter 78 Cont.**

***"The Guidelines require that the number of alternatives be limited to those that would avoid or substantially lessen any of the significant effects of the project (Section 15126(d)(5)."*** The Guidelines also speak to the General Plan consistency and site suitability and Village Farms has plenty of conflicts with the General Plan and its lack of suitability due to the many issues it has, and the many problems it would bring.

The DEIR is seriously flawed for many reasons, including lacking important information like the Pole Line Rd. undercrossing uncertainty, and dismissive conclusions. But it also fails to comply with CEQA requirements for EIR's to include alternatives that create *less* impacts. Yet, *all* of the alternatives are 1,800 housing units *or more,* with the exception of the "No project" and the 1,395-housing unit original proposal with the same layout as the 1,800-housing unit Proposed Project version. **The Village Farms DEIR is inadequate without this reduced acreage alternative and the DEIR should have other alternatives with lesser impacts as well.**

The modifications added to the **"Reduced Acreage Environmentally Superior Alternative"** were preserving the vernal pools and reducing the housing unit number proportionally to 900-100 unit because preserving the vernal pools leaves a little more than 200 acres. The benefits of this alternative are reduced greenhouse gases (GHG) and air quality pollutants impacts. This proposal gets the housing far from the adjacent ***unlined*** Old City landfill and Sewage Treatment Plant and away from the majority of the 200-acre flood planning for the health, welfare, and safety of the residents of the project and the community.

**Further, it is notable that the Yolo County Department of Community Services asked that a Reduced footprint alternative be included in the Village Farms Draft EIR in their Village Farms NOP comment letter.**

78-30 Cont.

Covell Village Reduced Acreage Environmentally Superior Alternative




*"For the Covell Village Project, the Reduced Acreage Alternative would be considered the environmentally superior alternative." - Covell Village Draft EIR page 5-32*

***Covell Village DEIR Reduced Acreage Environmentally Superior Alternative***

78-31

**15) Vernal Pools issues - I do not see language DEIR regarding the vernal pools having a conservation easement. Why not?** There would need to be a conservation easement on the vernal pool preservation land and it needs to be held by a land trust.

**Letter 78 Cont.**

78-32 The vernal pools constantly are referred to as "Alkaline Playa" Sometimes they are incorrectly referred to as "Alkaline Prairie" but they are not Alkaline Prairie (which is found in dryer highlands). The terminology of "Vernal pools" needs to be included in the DEIR because endangered species such as the Vernal Pool Tadpole Shrimp present in the Village Farms vernal pools are protected by the Federal Government.

78-33 Also, California requires vernal pools to have a 250' buffer zone to prevent intrusive impacts to protect the vernal pools. It appears that there is some urbanization within 250" areas around the vernal pool's perimeter. Is there a 250' buffer zone and is it being adhere to prevent any urbanization on it? Also, the DEIR appears to be trying to lay ground to reduce the required 250' buffer of avoidance zone around the vernal pools to 50'.

From the Biological Resources Chapter:

> " ***Avoidance zones may be based on a fixed buffer distance from the special-status plant population, at the limit of a hydrologic break (such as Channel A), or as otherwise determined appropriate for the species in question. For plants associated with seasonal wetlands, the Avoidance Zone shall be to be associated with wetland hydrology.***

78-34 The DEIR states that 0.023 acres of the vernal pool would be destroyed due to construction which would include the endangered Vernal Pool Tadpoles Shrimp. This needs to be rejected. The DEIR does not even clarify where this piece of acreage is located. This vernal pool area must be preserved.

From the Biological Resources Chapter:

> ***"Because the BRPA would preserve the 47.1-acre Natural Habitat Area, which includes the majority of the Alkali Prairie land cover within the BRPA site, potential impacts related to special-status branchiopods would be reduced, as 9.789 acres of vernal pool tadpole shrimp habitat would be avoided. However, 0.023-acre of vernal pool tadpole shrimp habitat would be permanently filled, and any cysts within permanently filled features would be crushed and buried. In addition, potential off-site activities associated with the grade-separated crossing in the Western Program Study Area could result in potential impacts to 0.104-acre of seasonal wetland in the Western Program Study Area. As such, mortality of vernal pool tadpole shrimp, as well as permanent loss of suitable habitat, would occur during construction of the BRPA."***

78-35 **16) California requires vernal pools to have a 250' buffer zone to prevent intrusive impacts to protect the vernal pools.** It appears that there is some urbanization within 250' area around the vernal pool's perimeter. Is there a 250' buffer zone and is it being adhere to prevent any urbanization on it? Also, the DEIR appears to be trying to lay ground to reduce the required 250' buffer of avoidance zone around the vernal pools to 50' where they want to.

> ***"Avoidance zones may be based on a fixed buffer distance from the special-status plant population, at the limit of a hydrologic break (such as Channel A), or as otherwise determined appropriate for the species in question. For plants associated with seasonal wetlands, the Avoidance Zone shall be 250 feet, but this zone may be as small as 50 feet for plant species that occur in uplands and do not appear to be associated with wetland hydrology."***

78-36 **17) Habitat impacts including the tearing out 952 trees to dig up to expand and reroute Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues. The loss of these tree is unnecessary along much of the channel since it can be widened on one side rather than both. However, the loss of this many trees for the conversion of CO2 to O2 and the windbreak they offer

**Letter 78 Cont.**

78-36 Cont. together with the habitat they offer for many species of birds, some of which are protected like the Swainson's Hawks and other wildlife rely on these trees for their existence. The loss of these trees would be staggering as would the resulting impacts on the wildlife and habitat.

78-37 **18) A new fire station is not needed, instead an Emergency Medical Service (EMS) makes far more sense because 90% of the fire department calls are medical, NOT fire related issues**. Instead, what is needed , and has been advocate for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and

78-38 then the many millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go East) when the traffic is backed up most of the time?

78-39 Also, the Fire Station noise from the sirens would be significant every time there is a call into the fire station does not appear to be addressed in the DEIR.

78-40 **19) Unaffordable housing where the vast majority of the homes will be McMansion's**, Market homes will not be cheaper than $700,000 - $800,00 but the majority of the houses will be well over $1 million. This does not help our average workers or particularly families with young kids, so this project will not help bring a lot of kids to the schools contrary to the developer's claims.(Note: While costs are not an DEIR issue, but it *is* a community issue since this housing would not help workers and young families with average incomes who will not be able to afford these homes.)

78-41 **20) There is a major P,G and E gas pipeline which runs north-south through Village Farms** which has had years of corrosive fertilizer chemicals used on the soil from farming which gets watered into the ground to the major gas pipe This pipeline needs to be inspected particularly if it comes anywhere near the unlined Old City Landfill since methane gas is often is an off gas from old landfills, The DEIR is inadequate because it makes no mention of mention of this inspection needed for health, welfare and safety reasons.

78-42 **21) 1,800 housing units would cause a major impact on our water supply** since the project will rely entirely on surface water even for landscape watering because no well water can be used due the contaminated groundwater with high levels of PFAS' "forever chemicals" manganese, arsenic, aluminum, selenium and nitrates. How much capacity would be left due to the massive water demand for this enormous 1,800-housing unit project that would be surface water dependent? Will Davis residents need to pay for expansion of the City's surface water because of Village Farms?

78-43 **22) 1,800 housing units would cause a major impact on our waste water treatment plant**. How much capacity would be left from the enormous draw by this 1,800-housing unit project? Will Davis residents have to pay for expansion of the waste water treatment plant because of Village Farms?

78-44 **In summary, The Village Farms Draft EIR is seriously flawed for many reasons, including lacking important information like the Ple Line Rd. undercrossing uncertainty, and many dismissive conclusions**. . It also fails to comply with CEQA requirements for EIR's to include alternatives that create *less* impacts. One glaring deficiency is that the DEIR does not yet know the feasibility of a Pole Line undercrossing. The Pole Line undercrossing is a critical infrastructure component yet the EIR dos not if it can be built? When will it know? After a Measure J/R/D vote when they announce it is not feasible? Also, if feasible , the developer needs to pay for the entire undercrossing and not try to hoist any of the costs onto the community since it is his project that needs this undercrossing.

In addition, there are many questions and concerns about the flooding potential that are not addressed adequately in the DEIR. This project has far too many problems because it is handicapped with an enormous flood plain and is immediately adjacent to the Old City Landfill and Sewage Treatment Plant which has a long history of leaking toxics and other chemical contaminants. The DEIR was rushed and is inadequate.

**Letter 78 Cont.**

**78-44 Cont.**

Furthermore , the Village Farms The project is too large, has too many site-related problems, and would bring too many impacts and costs.

Thank you for your time and consideration,

Eileen M. Samitz,

emsamitz@dcn.org

(530) 756-5165 (landline)

(530) 304-1624 (cell)

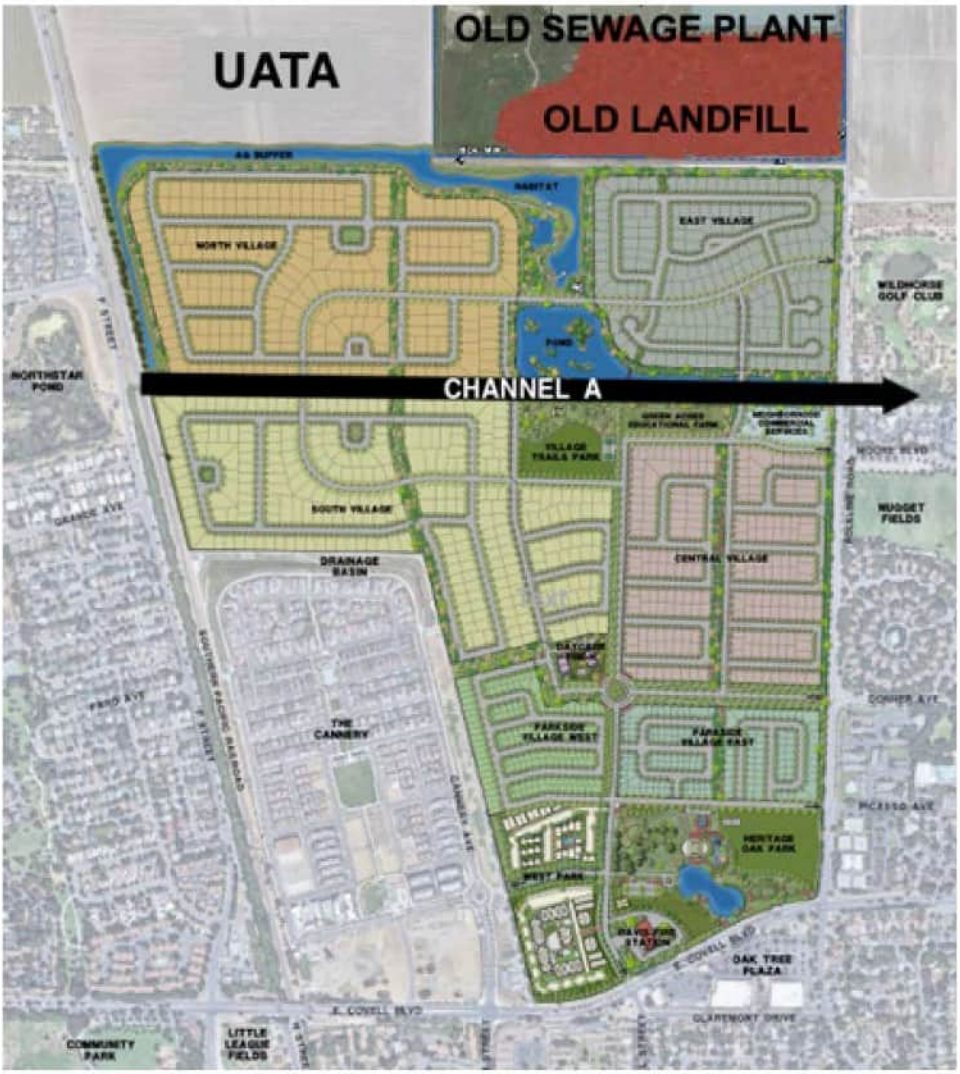
**Letter 78 Cont.**

78-45

https://www.davisenterprise.com/forum/commentary-village-farms-deir-is-inadequate/article_2476be12-e4c8-11ef-8e2d-8feebc64a77f.html

# Commentary: Village Farms DEIR is inadequate, project would bring massive impacts and costs

- By Eileen M. Samitz
- Feb 8, 2025 Updated Feb 10, 2025




*Original Village Farms proposal with added locations of the Old City Landfill and Sewage Treatment Plant, Channel A, and the UATA site.*

**Letter 78 Cont.**

78-45 Cont.

The Draft Environmental Impact Report has been released for comments on Village Farms, on a parcel outside city limits. It is the largest project ever proposed for Davis with 1,800 units on almost 500 acres. The DEIR was rushed and is inadequate since it's missing important details and makes unwarranted assumptions and conclusions.

The project has a multitude of problems primarily because it is a seriously handicapped land parcel. Issues include a 200-acre flood plain, being located adjacent to the *unlined* Old City Landfill and Sewage Treatment Plant, enormous traffic issues already at Covell Boulevard and Pole Line Road, access issues because it cannot be accessed from F Street due to the railroad tracks and there's questionable feasibility of a Pole Line undercrossing, massive impacts on habitat, and enormous costs of the infrastructure and services needed.

**History**

78-46

The site was first proposed for the Crossroads project in 1992, but after those developers realized that the project site was plagued with so many problems, particularly the enormous flood plain, toxics, traffic, access and infrastructure needs, that they abandoned the project and put the land up for auction.

John Whitcombe of Tandem Properties was the primary investor, who purchased the 386-acre parcel for only $3.2 million, which was a massive financial loss by the Crossroads developers.

Whitcombe proposed two earlier versions: Covell Center and later, after Measure J was approved by Davis voters, his Covell Village project was on the 2005 ballot. It was rejected by voters due to all the problems it would bring, including the massive impacts and costs. Now the 1,800 housing unit Village Farms is the latest iteration, but it has all of the same issues and even more impacts and costs.

The DEIR has been rushed to accommodate the developer's wishes to rush to a Measure J/R/D vote quickly, and as a result, it is seriously lacking in details and dismisses the serious impacts and consequences the project would bring if approved.

It is disappointing that the proposed project assumed that the vernal pools (protected by Federal law) could be paved over. The developer proposed paving over the vernal pools in previous versions, but environmentalists protested because sampling was done in dry season when the vernal pools were absent.

Vernal pools reemerge in wet seasons when seeds, including rare native plants and eggs of endangered Vernal Pool Tadpole Shrimp hatch. Public pressure motivated proper sampling this time, and these rare and endangered species were revealed confirming the vernal pools. The developer then had to add the Biological Resources Preservation Alternative version.

With the exception of the vernal pools being excluded from development in the BRPA, both the Proposed Project and the BRPA version both have 1,800 housing units, and they have the other same problems and impacts. Fortunately, the vernal pools survived discing, however the burrowing owl habitat did not in 2005.

**Traffic**

78-47

Traffic impacts at Covell Blvd. and Pole Line Rd. are currently incredibly impacted, but shoe-horning in 1,800 would result in gridlock with more greenhouse gases and air quality deterioration. The DEIR claims that traffic impacts would be lessened with a high density of housing, making the false assumption that residents will use much more public transit.

This is a fantasy since Davis has a minimal, inadequate and inconvenient public transit designed primarily for UC Davis, not community needs. The city has no plans to significantly expand its public transit. Creating a high

**Letter 78 Cont.**

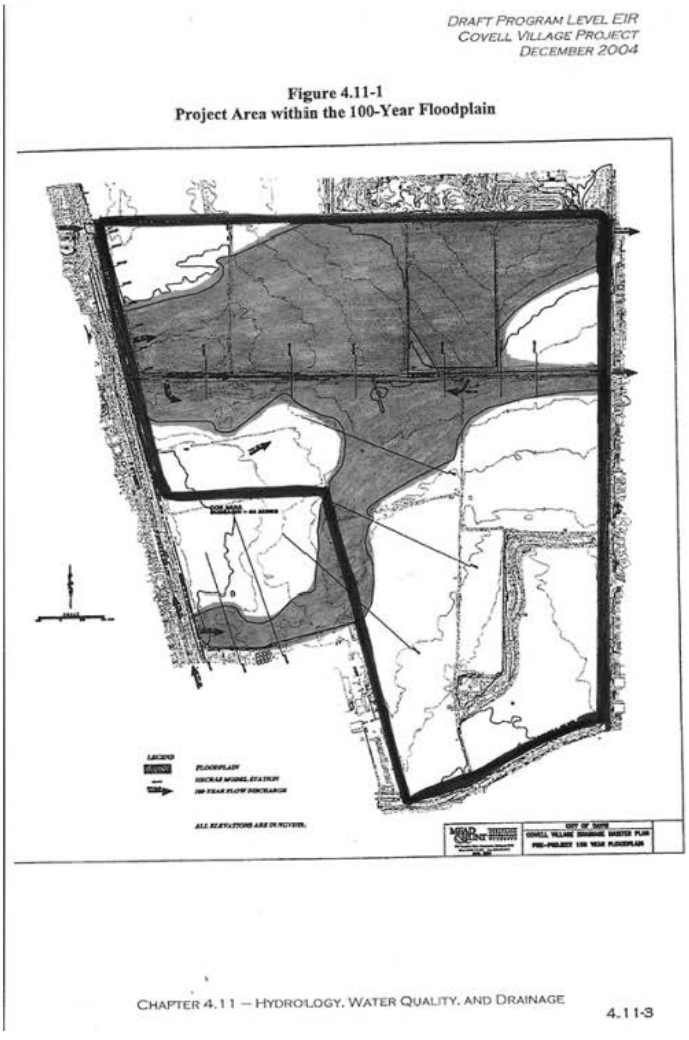
density of housing without a robust transit system would only exacerbate environment impacts by increasing traffic.

**Flood plain**

The enormous Village Farms flood plain is a FEMA Zone A Special Flood Hazard Area. Building hundreds of housing units on roughly 200 acres of flood plain is a huge problem, since a fundamental planning principal is that you *do not* build on enormous flood plains like this.

This is not only because of climate-change issues, but because of state legislation where California will no longer financially bail out cities foolish enough to build on flood plains like this when flooding disaster happens. That is more likely now than ever, due to climate change.

78-48




***The Covell Village DEIR map showing the 100-year flood plain (darker grey area).***

**Landfill toxics**

The unlined Old City Landfill and Sewage Treatment Plant adjacent (north) to Village Farms has had a long history of toxics and other chemical contaminants leaking into the groundwater.

78-49 Landfills are supposed to have large "exclusionary zones" or at least a 1,000-foot buffer zone for health and safety reasons. Village Farms should *not* be building so close to the Old City Landfill and Sewage Treatment Plant.

The toxics leaking include PFAS "forever chemicals" and manganese exceeding maximum concentration levels (MCL) recently reported from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals in high levels that cause cancer?

**Soil toxics**

78-50 The 118-acre Urban Ag Transition Aera is adjacent (west) to the Old City Landfill and the soil has arsenic levels that are 50 to 70 times what residential soil should have. The developers want use this soil as a "dig-pit" for filling the enormous 200-acre flood plain. The Heritage Oak Park site has toxics in the soil with toxaphene as high as 1,200,000 mg/kg and lead at 93 mg/kg, both exceeding maximum DTSC levels.

**Re-routing Channel A**

78-51 Trying to move and re-route the massive amount of runoff water currently being soaked up by over 400-acres of farmland could result in disastrous flooding. This includes the possibility of contaminated groundwater mixing with channel runoff, which then flows east through Wildhorse and potentially polluting the wetlands — a catastrophic scenario. Would expensive flood insurance be required of North Davis residents due to Village Farms?

**Habitat impacts**

78-52 The project would tear out 952 number of trees to expand and reroute Channel A which will have significant impacts on the habitat, particularly rare and endangered species, and raises major concerns about potential flooding.

**Access issues**

78-53 Serious access issues include no bicycle/pedestrian access via F Street because of the railroad tracks. The DEIR refers to the questionable "feasibility" of a Pole Line Road undercrossing due to existing infrastructure issues, so there may not be a Pole Line bicycle/pedestrian undercrossing crossing, either.

Even if feasible, the developer has indicated that he would not cover the entire cost, although his project is driving the need for it. Further, this 1,800-unit project would use an enormous amount of water and wastewater treatment capacity and city services. These infrastructure costs would fall on Davis residents.

**Unneeded fire station**

78-54 The additional fire station being proposed is not needed because roughly 90% of the fire department calls are medical, *not* fire-related issues. An emergency medical service would make much more sense and cost far less.

**Letter 78 Cont.**

78-54 Cont.

Building a new fire station would cost *at least* $14 million to build, and many millions of dollars more for additional staffing (including fire fighters), equipment and operational costs long-term.

Also, how could a fire truck possibly get onto Covell Boulevard (especially going east) when the traffic is backed up most of the time?

78-55

**Unaffordable housing**

The average home would be at least $700,000-$800,00 according to a project representative, but the high-end homes would be far more expensive.

**EIR inadequacy**

78-56

The DEIR is seriously flawed for many reasons, including lacking important information like the undercrossing uncertainty, and dismissive conclusions. It also fails to comply with CEQA requirements for EIR's to include alternatives that create *less* impacts. Yet, *all* of the alternatives are 1,800 housing units *or more*, with the exception of the "No project" and the 1,395-housing unit original proposal with the same layout as the 1,800-housing unit Proposed Project version.

The City Council could have included a citizen-based recommendation for a down-sized "build below the channel" alternative, but they completely ignored it. The DEIR should have included analyzing building only below Channel A, preserving the vernal pools and reducing the housing units to a reasonable number. This design avoids the bulk of the flood plain, and moves housing much further away from the Old City Landfill and Sewage Treatment Plant toxics leakage.

78-57

In summary, it is important to submit comments and concerns about the Village Farms project and its DEIR before the 5 p.m. Feb. 25 deadline to city staff member Dara Dungworth at ddungworth@cityofdavis.org.

The 1,800-unit 497 acre Village Farms project is too big, has far too many impacts and costs, has predominately unaffordable housing and is simply bad planning. Furthermore, this project would present potential city liability issues regarding toxics, flooding and public safety issues.

Residents concerned about Village Farms project, can contact Citizens for Responsible Planning group at citizens@dcn.org.

***— Eileen Samitz is a former Davis Planning Commissioner and served on the city of Davis 2001 General Plan Update land-use committee and the subsequent Housing Element Update Committee.***

## LETTER 78: EILEEN SAMITZ (LETTER 4 OF 6, 02/12/2025)

### Response to Comment 78-1
The comment is introductory and provides an overview of the commenter's concerns, which are elaborated upon in the ensuing comments. Please see the following responses to comments.

### Response to Comment 78-2
The comment is introductory and provides an overview of the commenter's concerns, which are elaborated upon in the ensuing comments. Please see the following responses to comments.

### Response to Comment 78-3
Please see Master Responses 2 and 3.

### Response to Comment 78-4
Please see Master Response 2.

### Response to Comment 78-5
Please see Master Responses 2 and 6.

### Response to Comment 78-6
Please see Master Response 2.

### Response to Comment 78-7
Please see Master Responses 1 and 2.

### Response to Comment 78-8
Please see Master Response 1.

### Response to Comment 78-9
Please see Response to Comment 75-5.

### Response to Comment 78-10
Please see Response to Comment 75-2.

### Response to Comment 78-11
Please see Response to Comment 75-9.

### Response to Comment 78-12
Please see Response to Comment 75-10.

### Response to Comment 78-13
Please see Response to Comment 75-11.

### Response to Comment 78-14
Please see Response to Comment 75-15.

**Response to Comment 78-15**
Please see Master Response 6.

**Response to Comment 78-16**
Please see Response to Comment 75-16.

**Response to Comment 78-17**
Please see Response to Comment 75-17.

**Response to Comment 78-18**
Please see Response to Comment 75-18.

**Response to Comment 78-19**
Please see Responses to Comments 75-20 and 75-21. In addition, the project would not impact methane gas levels in the landfill. Methane is created as organic materials in a landfill decompose. Methane gas generation in landfills decreases over time. Typically, very little is produced beyond 20 years after closure (Solid Waste Landfill Engineering and Design, McBean, Rovers and Farquhar, 1995. pg. 95-96). The Old Davis Landfill was closed in 1975, 50 years ago.

**Response to Comment 78-20**
Please see Response to Comment 75-22.

**Response to Comment 78-21**
Please see Response to Comment 75-22.

**Response to Comment 78-22**
Please see Response to Comment 75-23.

**Response to Comment 78-23**
Please see Responses to Comments 75-27 and 75-28.

**Response to Comment 78-24**
Please see Response to Comment 75-29.

**Response to Comment 78-25**
Please see Response to Comment 75-30.

**Response to Comment 78-26**
Please see Master Response 3.

**Response to Comment 78-27**
Please see Response to Comment 75-35.

**Response to Comment 78-28**
Please see Response to Comment 75-37.

**Response to Comment 78-29**
Please see Response to Comment 75-38.

**Response to Comment 78-30**
Please see Response to Comment 75-39.

**Response to Comment 78-31**
Please see Response to Comment 75-42.

**Response to Comment 78-32**
Please see Response to Comment 75-44.

**Response to Comment 78-33**
Please see Responses to Comments 75-45 and 75-46.

**Response to Comment 78-34**
Please see Response to Comment 75-46.

**Response to Comment 78-35**
Please see Response to Comment 75-48.

**Response to Comment 78-36**
Please see Response to Comment 75-50.

**Response to Comment 78-37**
Please see Response to Comment 75-51.

**Response to Comment 78-38**
Please see Response to Comment 75-52.

**Response to Comment 78-39**
Please see Responses to Comment 75-53.

**Response to Comment 78-40**
Please see Response to Comment 75-54.

**Response to Comment 78-41**
Please see Response to Comment 75-55.

**Response to Comment 78-42**
Please see Response to Comment 75-56.

**Response to Comment 78-43**
Please see Response to Comment 75-57.

**Response to Comment 78-44**
Please see Response to Comment 75-60.

**Response to Comment 78-45**
Please see Response to Comment 77-1.

**Response to Comment 78-46**
Please see Response to Comment 77-2.

**Response to Comment 78-47**
Please see Response to Comment 77-3.

**Response to Comment 78-48**
Please see Response to Comment 77-4.

**Response to Comment 78-49**
Please see Response to Comment 77-5.

**Response to Comment 78-50**
Please see Response to Comment 77-6.

**Response to Comment 78-51**
Please see Response to Comment 77-7.

**Response to Comment 78-52**
Please see Response to Comment 77-8.

**Response to Comment 78-53**
Please see Response to Comment 77-9.

**Response to Comment 78-54**
Please see Response to Comment 77-10.

**Response to Comment 78-55**
Please see Response to Comment 77-11.

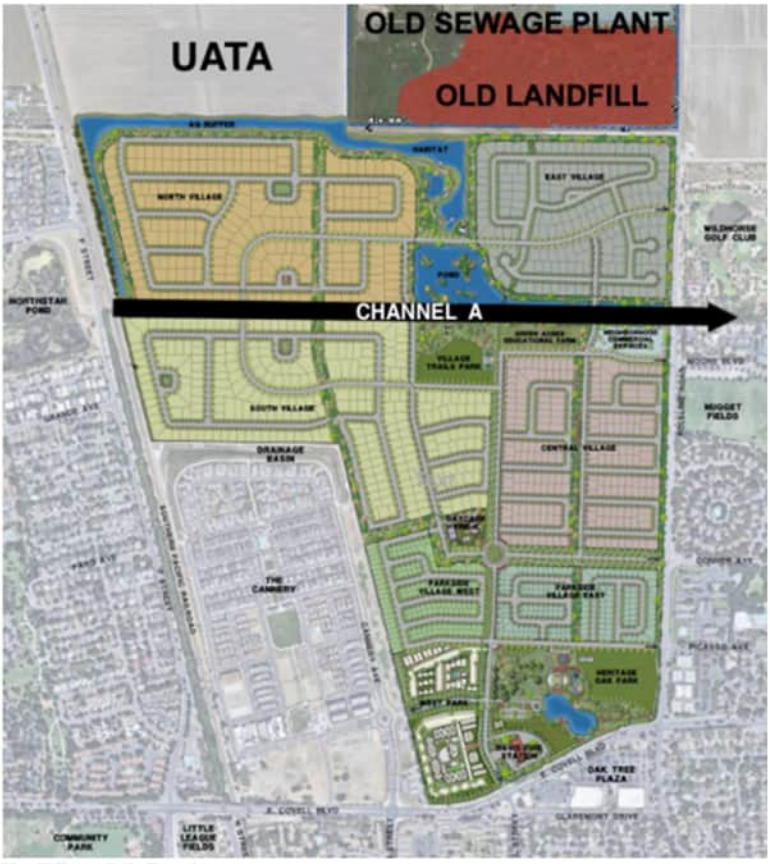
**Response to Comment 78-56**
Please see Response to Comment 77-12.

**Response to Comment 78-57**
Please see Response to Comment 77-12.

https://www.davisite.org/2025/02/planning-commission-and-majority-of-public-commentors-strongly-criticize-village-farms-project-and-d.html

# Planning Commission and majority of public commentors strongly criticize Village Farms project and DEIR Part I

February 18, 2025




**By Eileen M. Samitz**

The Village Farms Draft Environmental Report (DEIR) was released roughly a month ago and is required by the California Environmental Quality Act (CEQA) law to circulate to allow public comments to be received in writing and verbally at public meetings. Last Wednesday, Feb. 12th the City of Davis Planning Commission meeting agenized comments and discussion from the planning commissioners, and allowed the public to voice their comments.

79-1

79-1 Cont.

The outcome of the meeting was that the planning commissioners expressed significant concerns and had much criticism of the Draft EIR as well as raised other issues regarding the project. Likewise, the majority of the more than 50 public commentors, both in person and by recorded voicemail, disapproved of the project for many reasons that have been pointed out before (see previous article link below.) However, a majority of the commissioners and some public commentors wanted to see an analysis of a "reduced footprint" alternative, similar to one included in the Covell Village DEIR by the same consulting group.

Many of the issues and more have been raise in an earlier Op-ed:

https://www.davisite.org/2025/02/title-village-farms-deir-is-inadequate-project-would-bring-massive-impacts-and-costs.html

Part I of this article provides some relevant Planning Commissioner comments focused on the DEIR and other Village Farms project issues. Part II of the article will follow tomorrow which reflects comments made by many public commenters with concerns about the Village Farms project and the DEIR.

**Planning Commissioner comments**

79-2

Chair Michelle Weiss raised the issues of the need for grade-separated crossings for the project for the safety of bicyclists and pedestrians. She expressed concern for the destruction of 952 trees planned to be removed was *a lot* of trees to lose.

Commissioner Vince McLaughlin made clear that there needed to be analysis of a "reduced footprint" alternative. He also expressed the need for the DEIR to address the issues raised by the Cannery neighbors.

Commissioner Alan Bennett expressed support for analysis of a reduced footprint alternative as well.

79-3

Commissioner Georgina Valencia expressed concerns about the lack of safe bicycle and pedestrian access to the project. She also said that the DEIR was deficient in having a stormwater analysis.

Commissioner Catherine Brinkley also reiterated the need for analysis of a reduced footprint alternative.

79-4

Commissioner Johannes Troost had great concern about the traffic impacts and questioned the road lane capacities and how was circulation supposed to work at Covell Blvd. and Pole Line Rd.? He asked what the DEIR solutions were to these traffic impacts in an area that was already dangerous to bicyclists and pedestrians?

Commissioner Rowe had the most critical comments including the many inadequacies of the DEIR that he included in 41 pages if comments and concerns he submitted regarding the DEIR. But he also stated that a "reduced acreage" alternative analysis should have been included

79-5

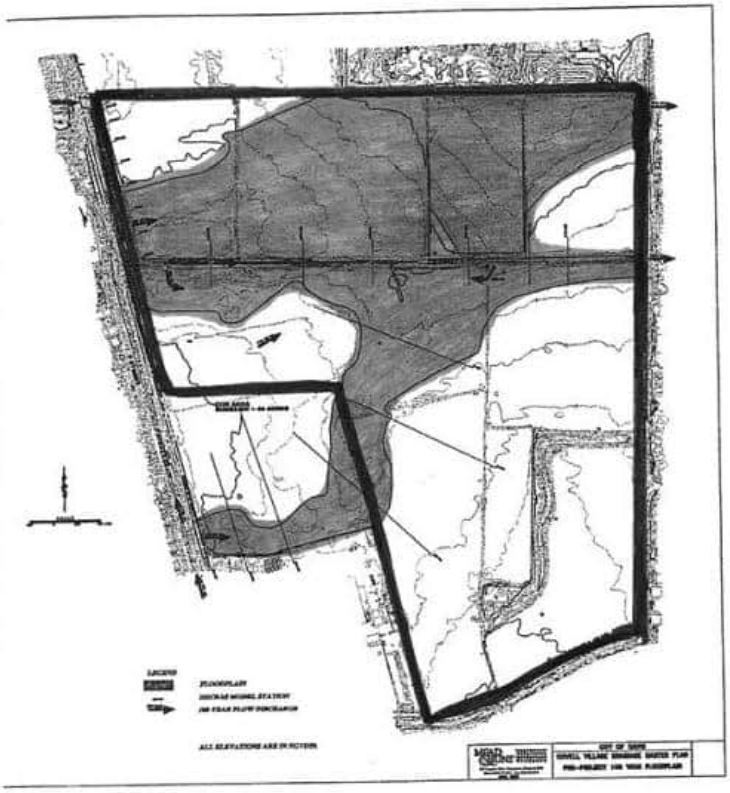
**Letter 79 Cont.**

**79-5 Cont.**

particularly since it was the "Environmentally Superior" alternative from the Covell Village DEIR. He explained the reasons including to avoid building on the enormous flood plain and getting the housing far away from the unlined Old City Landfill and Sewage Treatment Plant leaking toxics and other chemical contaminants.



**Figure 4.11-1**
**Project Area within the 100-Year Floodplain**



**79-6** "If we were voting tonight to certify the EIR, I could not do that." That was the unequivocal statement from Greg Rowe during a recent Planning Commission hearing, where he raised serious concerns about the Environmental Impact Report (EIR) for Village Farms. He said there were many things in this Draft EIR that deviated from standards of practice. He criticized the Alternatives Analysis of the Village Farms DEIR as fundamentally flawed and felt that the City essentially chose housing unit counts to meet a pre-determined Vehicle Miles Traveled (VMT) target. He pointed out that with one DEIR alternative included, the City incrementally increased the project's intensity until it reached 2,700 units—50% larger than the original proposal. According to Rowe, this directly contradicts CEQA's intent to develop alternatives that reduce environmental impacts, not escalate them.

**79-7** Rowe also criticized the City's failure to include the "Reduced Acreage" Alternative in the DEIR alternatives analysis which was previously identified in the 2004 Covell Village EIR as the environmentally superior option. That alternative, which proposed 1,500 units which was rather high, but it significantly reduced environmental impacts regarding the landfill, traffic, and biological resources. However, the reduced footprint was ignored by the City in favor of high-density proposals. He called this omission a corruption of the process.

**79-8** Bicycle and pedestrian safety was another major concern. As an experienced cyclist, Rowe described the Covell Blvd. and Pole Line Rd. intersection as dangerously unsafe and rejected the EIR's reliance on superficial mitigations like signage and striping as inadequate. The EIR commits to grade-separated crossings (i.e. undercrossings or overcrossings) but lacks financial guarantees and a clear timeline, raising concerns that these crossings may never materialize. Without them, he warned, the project poses a direct safety risk to the hundreds of students who would rely on them for daily commutes.

**79-9** Rowe also criticized the EIR's VMT assumptions, arguing that they ignore real-world commuting behavior. The claim that Village Farms would house UC Davis commuters fails to account for two-income households, where one partner's job may still anchor the family outside Davis. Instead of reducing traffic, the project would simply shift congestion elsewhere.

**79-10** Ultimately, Rowe stated that could not support the DEIR, stating that it fails to evaluate appropriate alternatives, relies on unrealistic transportation assumptions, and omits critical safety measures. He warned that the project, as proposed, would exacerbate congestion, create serious safety risks, and impose unacceptable environmental costs.

**79-11** The comments and discussion by the Planning Commissioners made clear that the Village Farms DEIR was inadequate and that there was a plethora of missing information and details. It is evident that the Village Farms DEIR has been rushed to accommodate the developers wishes to get to a Measure J/R/D vote quickly.

The other important commissioner commentary was that the majority of the planning commissioners agreed that a reduced footprint analysis should have included in the DEIR. What was not discussed was that there would need to be two modifications of the previous reduced acreage alternative, including preserve the vernal pools and downsizing the number of units significantly for the remaining 200 acres to maybe 900-1,000 units or less.

In summary, the Planning Commission overall had strong criticism of the Village Farms DEIR due to the many inadequacies of information missing from the document. In addition, a majority of the commissioners agreed that the DEIR needed to include an analysis of a smaller footprint alternative of building only below the channel downsizing the project. This alternative was included in the Covell Village project DEIR done by the same consultants (Raney) which Commissioner Rowe elaborated on in detail. This alternative would avoid building on the enormous 200-acre flood plain bringing flooding risks, and distancing the housing away from the toxics and other chemical contaminants from the unlined Old City Landfill and Sewage Treatment Plant and downsizing the number of housing units to a reasonable number to help reduce the traffic impacts.

**79-12**

The deadline for submitting comments for the Village farms Draft EIR is coming up soon. Residents with concerns regarding the Village Farms project and it DEIR are encouraged to submit their comments within the next few days before Tuesday, Feb. 25th by emailing City Staff member Dara Dungworth at *ddungworth@cityofdavis.org* The City weblink to the DEIR is at https://www.cityofdavis.org/city-hall/community-development/development-projects/village-farms-davis where you then click on the CEQA section.

Davis citizens concerned about the Village Farms project can contact Citizens for Responsible Planning at *citizens@dcn.org* for more information.

***— Eileen Samitz is a former Davis Planning Commissioner and served on the city of Davis 2001 General Plan Update land-use committee and the subsequent Housing Element Update Committee.***

## LETTER 79: EILEEN SAMITZ (LETTER 5 OF 6, 02/18/2025)

### Response to Comment 79-1
Please see Master Responses 1 and 2 and responses to Letter 77.

### Response to Comment 79-2
Please see Master Responses 6 and 7.

### Response to Comment 79-3
Please see Master Responses 2 and 5. Regarding the stormwater portion of the comment, please see Response to Comment 97-7.

### Response to Comment 79-4
Please see Master Response 5.

### Response to Comment 79-5
Please see Master Response 2 and responses to Letters 96 through 102.

### Response to Comment 79-6
Please see Master Responses 1 and 2.

### Response to Comment 79-7
Please see Master Response 2.

### Response to Comment 79-8
Please see Response to Comment 97-52.

### Response to Comment 79-9
Please see Master Response 5.

### Response to Comment 79-10
Please see Master Response 1.

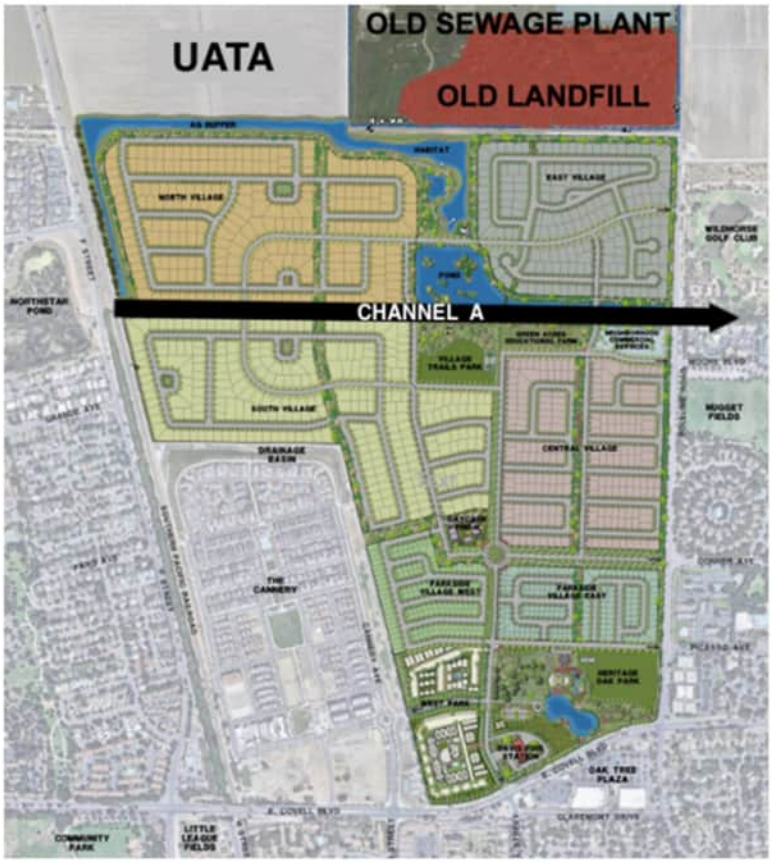
### Response to Comment 79-11
Please see Master Responses 1 and 2.

### Response to Comment 79-12
Please see Master Responses 1 and 2.

https://www.davisite.org/2025/02/planning-commission-and-majority-of-public-commentors-strongly-criticize-village-farms-project-and-deir-part-ii-public-commen.html

# Planning Commission and majority of public commentors strongly criticize Village Farms project and DEIR Part II Public Comments of concerns and issues regarding the Village Farm project and its DEIR

February 19, 2025




**By Eileen M. Samitz**

The Village Farms Draft Environmental Report (DEIR) was released roughly a month ago and the deadline for public comment is coming up soon on Tuesday Feb. 25th at 5pm. It

80-1

**Letter 80 Cont.**

is important to submit your comments and any concerns now to City Staff member Dara Dungworth at *ddungworth@cityofdavis.org*. The City weblink to the DEIR is at https://www.cityofdavis.org/city-hall/community-development/development-projects/village-farms-davis where you then click on the CEQA section.

**80-1 Cont.**

The Planning Commission held a meeting to hear comments from the commissioners and the public on the Village Farms DEIR on February 12th at Community Chambers. The outcome of the meeting was that the planning commissioners expressed many concerns and about the inadequacies of the Draft EIR. Likewise, the majority of the more than 50 public commentors pointed out inadequacies of the DEIR and rejected the project for many reasons that have been raised before. (See weblinksbelow.) A majority of the commissioners and some public commentors also asked for an analysis of a "reduced footprint" alternative of a downsized project to be added to the DEIR, similar to one included in the Covell Village DEIR by the same consulting group.

**80-2**

Many of the Village Farms issues and problems have been raise in an earlier Op-ed: https://www.davisite.org/2025/02/title-village-farms-deir-is-inadequate-project-would-bring-massive-impacts-and-costs.html

**80-3**

Yesterday, Part I of this article covered a number of the Planning Commissioners comments: https://www.davisite.org/2025/02/planning-commission-and-majority-of-public-commentors-strongly-criticize-village-farms-project-and-d.html

The following is a summary of the numerous Village Farms issues, followed by some of the comments from Davis residents with concerns about the project and its Draft DEIR voiced at the Planning Commission meeting.

**80-4**

**Many Village Farms concerns and issues**

- Village Farms is the largest project ever proposed in Davis for 1,800 housing units on almost 500 acres, but it has the same problems, and more, as its predecessor Covell Village that was voted down 60:40 by a Measure J vote in 2005.

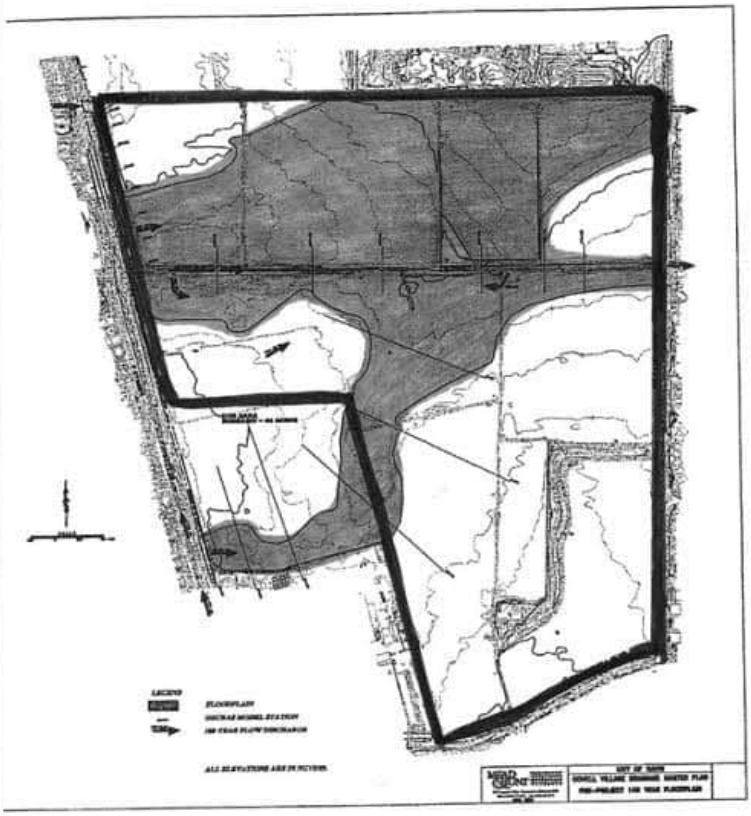
- the 200-acre flood plain and the fundamental planning principle that housing *should not* be built on an enormous flood plain like this due to flooding risks, particularly a massive amount of housing and the added issue of climate change. This is a FEMA Zone A, a Special Flood Hazard Area (SFHA).

**Letter 80 Cont.**

**80-4 Cont.**



**Figure 4.11-1**
**Project Area within the 100-Year Floodplain**





**80-5** -the toxics and chemical contaminants including PFAS carcinogenic "forever chemicals" and high levels of manganese also exceeding MCL's coming from the adjacent *unlined* Old City landfill and Sewage Treatment Plant into the groundwater.

**80-6** -soil toxics including toxaphene and lead in high levels in the area where the large Heritage Oak Park is to be located.

**80-7** -lack of safe access issues for bicyclists and pedestrians including the possibility that there would not be any grade-separated crossing. The DEIR states that is uncertainty about the "feasibility" of the Pole Line undercrossing. Village Farms has no access to the west because of the railroad tracks, no access from the north due to the Old City Landfill and Sewage Treatment Plant, and no ability for an underpass or overpass (south) at Covell Blvd. due to existing infrastructure. Now, in addition there is uncertainty of the feasibility of a Pole Line Rd. under-crossing to the east (likely also due to existing infrastructure.)

**80-8** -traffic impacts are already enormous at Covell Blvd. and Pole Line Rd. and adding 1,800 housing units there would only exasperate the situation with gridlock. In turn the gridlock would impose health and safety impacts from idling car exhaust and particulate matter deteriorating air quality, and increase greenhouse gases.

**80-9** -Vehicle Miles Traveled (VMT) is not a realistic metric to use for Davis. It makes the false assumption that higher density housing will result in more use of public transportation by the residents. This is a fallacy, particularly when Davis has an inadequate and inconvenient public transit system that is designed primarily to serve UC Davis needs, not the community's needs. The City has no plans to significantly expand its transit system, and furthermore you cannot expect or force people to use public transit to try to reduce car use.

**80-10** -952 trees being cut down and the destruction of habitat for endangered species, and also that trees help control flooding since they draw on a large volume of water.
-inadequate protection of the vernal pools which have the endangered species of Vernal Pool Tadpole Shrimp and the very rare native plant species of Astragalus tener var. tener and Extriplex joaquinana.

**80-11** -tearing up and re-routing Channel A destroying trees and habitat which also increases flooding potential, particularly to existing nearby neighborhoods such as Wildhorse. Will this increase flooding risk force north Davis residents to need to get flood insurance?

**80-12** -risks of the carcinogenic PFAS "forever chemicals" contaminated groundwater mixing with the Channel A runoff water. This can occur since groundwater levels periodically rise from less groundwater being drawn down due to surface water use, and climate change is causing more frequent heavy rain events. The project plans to re-route the channel creating new deep sections, potentially allowing the contaminated groundwater to mix with the channel runoff water. In turn, this contaminated channel runoff would flow east through Wildhorse exposing those residents, and ultimately to the wetlands. It would be catastrophic if the wetlands were contaminated and other connecting waterways.

**80-13** -traffic, road damage, and air pollution impacts from the need to move ONE MILLION CUBIC YARDS of UATA soil with high levels of arsenic to try to fill the massive 200-acre flood plain. This would take 100,000 dump trucks moving soil down Pole Line Rd., which was just re-paved. Imagine adding 100,000 dump truck trips to the already heavily impacted Pole Line Rd. traffic? Air quality would likely be impacted as well due to the soil dust from so many trucks moving his massive amount of high arsenic level soil.

**80-14** -the 118-acre UATA (Urban Ag Transition Area) "dig pit" would result creating a huge crater-like 10' deep hole that could have runoff from the adjacent unlined Landfill and Sewage Treatment Plant collect in it and soak into the ground further contaminating the groundwater.

**80-15** - unaffordable housing due to the majority of the Village Farms homes being at least $700,000 -$800,000 with a significant number of the homes costing over $1 million.

**80-16** -liability to the City due to the risk of flooding and potential health impacts from the toxics and other chemical contaminants exposure to the public.

**80-17** -enormous infrastructure costs including an un-needed new fire station that would cost Davis residents many millions to build, staff, equip, and operate long-term. Since 90% of the Fire Department calls are medical and only 10% are fire related, we don't need a new fire station. Instead, an emergency medical service is what makes far more sense and for a fraction of the cost. An emergency medical service would have such a small foot could be located almost anywhere in East Davis.

**80-18** -the serious inadequacy of the Village Farms DEIR due to the absence of so much information and details needed, including the lack of sufficient alternatives with *lesser* impacts than the primary project proposal as CEQA requires. An analysis of a reduced footprint alternative developing only below the channel was needed as well, downsizing the number of units significantly and preserving the vernal pools. CEQA states that "***The Guidelines require that the number of alternatives be limited to those that would avoid or substantially lessen any of the significant effects of the project (Section 15126(d)(5).***"

**Public commentors with major concerns and criticism of the Village Farms project and its DEIR**

**80-19** Nicholas Pinter, a Professor of Applied Geosciences and Wildhorse resident called in his comments regarding the potential flooding issues due to Village Farms and downstream to Wildhorse. " I have concerns about the design and impacts of the Village Farms project. My primary concern at this time is the effects of the project on downstream

**Letter 80 Cont.**

**80-19 Cont.**

hydrology. Having reviewed the draft environmental impact report (DEIR), I fear that this analysis, its hydraulic modeling, and other elements of the DEIR may significantly underestimate downstream hydrologic impacts. Potentially including significant additional flow volumes and higher water levels in the Wildhorse neighborhood and elsewhere. I recommend independent hydraulic modeling of the impacts of the Village Farms project.

The DEIR notes that mitigation efforts will be designed and implemented in the future, but no details are provided nor any specific timeline for the design or implementation of these mitigation measures. This is not acceptable. I recommend that the city of Davis and its residents insist on detailed engineering designs that prove full mitigation of downstream hydrologic impacts; mitigation to the standard recommended by the Association of State and Federal Flood Plain Managers (ASFPM) and others which requires *"zero adverse impacts."*

**80-20**

Last, and more broadly, the proposed Village Farms development involves large-scale relocation and reengineering of the current stream channel and flood plain system. This raises many additional questions and concerns. I leave you with a quote from ASFPM. *"Future developments should avoid high hazard and ecological sensitive areas. State and local government should guide development away from these areas by applying land use management techniques. This is the most effective way to minimize cumulative losses."*

**80-21**

Jim Flannigan explained how there was a glaring deficiency in the DEIR of a reduced footprint alternative analysis for the project to be located entirely below Channel A. This is to avoid building on the 200-acre flood plain and distance the housing far from the unlined Old City Landfill and Sewage Treatment Plant. He pointed out that the Yolo County Dept. of Community Service also recommended the DEIR analyzing this reduced footprint, as did he and other citizens during the only City Council meeting addressing the Village Farms DEIR alternatives in Dec. 2023.

**80-22**

Susan Rainer, an architect specializing in green planning, commented on the massive loss of trees and that tearing out 952 trees was ecocide. Also, that trees actually help prevent flooding by absorbing water, so removing them would contribute to flooding. She emphasized potential City liability due to toxics exposure the residents. She also stated her support for the DEIR analyzing a reduced footprint alternative.

**80-23**

Retired Cal Trans traffic engineer and former Planning Commissioner Dapo Okupe said that the idea of adding 1,800 at Covell Blvd. and Pole Line Rd. could not possibly work since we do not have the infrastructure to support the massive traffic resulting. He made clear that vehicle miles traveled (VMT) does *not* reflect the real impacts of traffic. (Note: This is

**80-23 Cont.** particularly true for Davis having such a minimal public transit system focused primarily on UCD needs, so car usage will not be significantly reduced as VMT assumes.)

**80-24** David McGlocklin also raised his concerns about the loss of the 952 trees and the habitat impacts. He also spoke to the many impacts and costs that the project would bring and potential City liability. He supported the analysis of a reduced footprint alternative also.

**80-25** Liz Reay stated that the project has already been voted down by the Davis voters and it has come back after 20 years to haunt us. She also said that the developer has had 20 years to figure this out but the many problems of the project have still not been resolved. She pointed out potential liability to the City regarding the toxics issues from the adjacent unlined Old City Landfill and Sewage Treatment Plant. Also, the possibility of home owners needing to get flood insurance due to flooding potential.

**80-26** Chris Carter brought up how the project with all its impacts made no sense and as a bicyclist that more car traffic at Covell Blvd. and Pole Line Rd. would make those roads even more dangerous. He did not want to get killed trying to travel on his bike there.

**80-27** Wildhorse resident Margie Longo, gave a detailed explanation of existing drainage conditions at Wildhorse and how the DEIR did *not* address the flooding potential that the Village Farms project would cause the Wildhorse neighborhood. She also supported the analysis of a smaller footprint alternative that was needed for the DEIR.
Cannery resident Andrew McElrone explained the many concerns that the Cannery neighbors had regarding the ability of the City to plan and oversee this project. The Cannery has had many problems with failed construction workmanship. There is much concern about the massive traffic impact that would funnel Village Farms traffic west through the Cannery's already impacted Cannery traffic circle.

**80-28** Former Planning Commissioner Nancy Price explained the health impacts of carcinogenic PFAS "forever chemicals" leaking from the unlined Old City Landfill and Sewage Treatment Plant that needs to have a minimum of a 1,000 ft. buffer zone to distance the housing from the landfill.

**80-29** Dr. Glen Holstein, a biodiversity specialist, commented on the inaccuracies of the DEIR on the habitat issues, and the fact that the mitigations were not sufficient to protect some of the rarest plants and invertebrate species in the world. He stated the need for better protection of these rare vernal pools on the Village Farms site and that he could not support the project.

**80-30** Sharon Montooth emphasized the lack of safe access issues for bicyclists and pedestrians at the busy intersection of Covell Blvd. and Pole Line Rd. particularly for children. She had great concern about the loss of so many trees and impacts on the wildlife, particularly

**Letter 80 Cont.**

**80-30 Cont.** endangered species like the Swainson's Hawk. She also raised concern about the toxics from the unlined Old City Landfill and Sewage Treatment Plant.

**80-31** Vijay Kumar, a professional civil engineer for 35 years, explained a stunning analogy that the estimated ONE MILLION CUBIC YARDS of soil that the project DEIR says it would need to move. This would be the equivalent of filling the Super Bowl Stadium with soil 600 feet high. He had never encountered a residential project professionally that had to move that much soil. (It is notable that this UATA "dig pit" soil has high levels of arsenic above MCL's to try to fill in the enormous 200-acre flood plain. This would likely cause air quality impacts as well from the soil dust.) He added that there is no reason to allow annexation of the UATA "dig pit" site.

**80-32** Dave Bakay expressed that the project traffic impact predictions were unrealistic and how vehicle miles traveled (VMT) was not logical as a metric. It makes no sense to claim having 2,700 units is better for VMT than 1,800 to reduce impacts. He raised the lack of access to the project from the west and the north, and their related safety issues for kids especially. He supported analysis of a reduced footprint alternative.

**80-33** John Keller emphasized the importance of CEQA and that climate change needs to be taken into account with our City planning.

**80-34** Calli Garritson, a Cannery resident, called in her many concerns about the toxics, potential flooding, lack of safe access , the DJUSD's overly-optimistic assumptions that Village Farms would bring a significant number of school children. She was especially concerned about the street that Village Farms plans to put through to the Cannery traffic circle which would pave through the Cannery urban farm, and cause major traffic and safety issues.

**80-35** La Buena Vida resident Roberta Stuart also called in her concerns that the traffic impacts from Village Farms would exacerbate an already excessively impacted roads (Pole Line Rd. and Covell Blvd.).

**80-36** Judy Feldman of Covell Farms called in comments enumerating the many Village Farms impacts including concern about the toxics, flooding potential, access issues, the habitat impacts and that none of these impacts were being adequately addressed by the DEIR.

**80-37** I attended, and also commented on many of the summarized issues (above) particularly the toxics, floodplain and flooding issues, traffic, and infrastructure issues and costs and the need for the DEIR to analyze a downsized version of the "Reduced Acreage Environmentally Superior Alternative" from the Covell Village Draft EIR of building only below the channel, with the modifications of preserving the vernal pools and downsizing the number of housing units significantly to a more reasonable number.

**Letter 80 Cont.**

**80-37 Cont.**

**Summary**

The comments from the Planning Commission and the majority of the public commentors were clear, that the Village Farms project proposal has a plethora of problems which are not addressed adequately by the DEIR. The DEIR was rushed to accommodate the developer's desire to get his project to a Measure J/R/D vote quickly. Village Farms has all the same problems and more, than its predecessor Covell Village which is why the project was rejected by Davis residents.

The fact is, the Village Farms site is seriously handicapped site with a massive 200-acre flood plain and flooding risks, significant toxics issues including PFAS carcinogenic "forever chemicals" leaking from the adjacent unlined Old City Landfill and Sewage Treatment Plant, habitat destruction, enormous infrastructure costs, lack of safe access for bicyclists and pedestrians due to existing infrastructure impeding the ability to add undercrossings or overcrossings, massive traffic that would exacerbate the already heavily impacted Covell Blvd. and Pole Line Rd. roads by adding 1,800 units and in turn the gridlock of idling cars exhaust would impose health and safety impacts, and the majority of the project having unaffordable housing for the incomes of average local workers and families.

For residents with concerns regarding the Village Farms project, please submit your DEIR comment before Tuesday, Feb. 25th at 5pm. For more information regarding the many Village Farms project issues, please contact Citizens for Responsible Planning at citizens@dcn.org.

***— Eileen Samitz is a former Davis Planning Commissioner and served on the city of Davis 2001 General Plan Update land-use committee and the subsequent Housing Element Update Committee.***

## LETTER 80: EILEEN SAMITZ (LETTER 6 OF 6, 02/19/2025)

**Response to Comment 80-1**
Please see Master Responses 1 and 2.

**Response to Comment 80-2**
Please see responses to Letter 77.

**Response to Comment 80-3**
Please see responses to Letter 79.

**Response to Comment 80-4**
Please see Master Response 4.

**Response to Comment 80-5**
Please see Master Response 3.

**Response to Comment 80-6**
Please see Master Response 3.

**Response to Comment 80-7**
Please see Response to Comment 97-52.

**Response to Comment 80-8**
Please see Master Response 5 and Response to Comment 75-9.

**Response to Comment 80-9**
Please see Master Response 5 and Response to Comment 77-3.

**Response to Comment 80-10**
Please see Master Response 7.

**Response to Comment 80-11**
Please see Master Response 4.

**Response to Comment 80-12**
Please see Master Response 3.

**Response to Comment 80-13**
Please see Response to Comment 99-2.

**Response to Comment 80-14**
Please see Master Response 3.

**Response to Comment 80-15**
Please see Master Response 1.

**Response to Comment 80-16**
Please see Master Responses 3 and 4.

**Response to Comment 80-17**
Please see Response to Comment 75-51.

**Response to Comment 80-18**
Please see Master Response 2.

**Response to Comment 80-19**
Please see responses to Letter 168.

**Response to Comment 80-20**
Please see responses to Letter 168.

**Response to Comment 80-21**
Please see responses to Letters 114 and 115.

**Response to Comment 80-22**
Please see responses to Letter 200.

**Response to Comment 80-23**
Please see Master Response 5.

**Response to Comment 80-24**
Please see Master Responses 2 and 7.

**Response to Comment 80-25**
Please see responses to Letters 149 and 150.

**Response to Comment 80-26**
Please see Response to Comment 97-52.

**Response to Comment 80-27**
Please see responses to Letters 157 and 158.

**Response to Comment 80-28**
Please see responses to Letters 165 and 166.

**Response to Comment 80-29**
Please see responses to Letter 95.

**Response to Comment 80-30**
Please see Response to Comment 97-52.

**Response to Comment 80-31**
Please see responses to Letter 209.

**Response to Comment 80-32**
Please see responses to Letter 66.

**Response to Comment 80-33**
Please see responses to Letters 120 and 121.

**Response to Comment 80-34**
Please see responses to Letter 45.

**Response to Comment 80-35**
Please see Master Response 5.

**Response to Comment 80-36**
Please see responses to Letters 125 and 126.

**Response to Comment 80-37**
Please see Master Responses 2, 3, 4, 5, 6, and 7.

**Letter 81**

**Dara Dungworth**

**From:** Elizabeth Coolbrith <elizabeth.coolbrith@gmail.com>
**Sent:** Wednesday, February 12, 2025 6:42 AM
**To:** Dara Dungworth; Sherri Metzker; Planning Commission; Donna Neville
**Cc:** lucasF@yolocounty.org; Inder Khalsa; Rochelle Swanson; Ryan Chapman; Jennifer Donofrio
**Subject:** Public comment: village farms

**Categories:** VFD Comment

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

Dear City of Davis staff,

I am writing in order to submit public comment in response to the Village Farms draft EIR.

81-1 I am a concerned Cannery resident and I do not believe that the Village Farms plans as drafted are safe, honest, or ethical to the Cannery community — particularly the idea of connecting through our farm to the Cannery traffic circle and to our very narrow roads, where are vulnerable elderly and children neighbors reside. Chief among my concerns are:

1. Material and adverse alteration to The Cannery Urban Farm;
2. Unacceptable traffic safety impacts to The Cannery neighborhood;
3. Disproportionate noise impacts to The Cannery neighborhood during and after project construction.

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

81-2
- We have previously noted a lack of candor from both the Village Farms developers and City staff with respect to the Village Farms plan, particularly as to whether the Village Farms developers plan to make material, adverse alterations to the existing Cannery Urban Agriculture Transition Area (UATA) and Cannery Urban Farm. The developers' intentions have now become clear via the Draft EIR—they do indeed plan to construct a road running right through the Cannery Urban Agriculture Transition Area and Cannery Farm, to connect the planned development to the Cannery Avenue / J Street corridor.
- Page 3-23 of the Raney Draft EIR erroneously states: "It should be noted that an existing UATA buffer is located adjacent to the Cannery Farm and Cannery subdivision and includes demonstration gardens, community space, and a drainage corridor along the Cannery frontage. The Proposed Project would not result in modifications to the existing UATA"
- Construction of a paved road through the UATA at the eastern edge of the Cannery neighborhood will clearly result in a material, adverse alteration of the UATA, thus resulting in significant, and likely ongoing disruption to the operation of the urban farm.
- As imagined, designed and built, The Cannery Urban Farm is an essential and integral feature of The Cannery. While the development of Village Farms could have presented a unique opportunity to expand The Cannery Farm and integrate it with Village Farms' own educational farm concept, the developers of Village Farms would apparently rather pave over The Cannery Farm.

2. Unacceptable traffic safety impacts to The Cannery neighborhood.

81-3
- The Cannery community will suffer disproportionate traffic safety impacts from the planned Village Farms development and the planned linkage of Village Farms with the Cannery via the unacceptable, material, and adverse alteration of the Cannery UATA and Cannery Urban Farm.
- While traffic congestion and level of service is outside the scope of the EIR process, it is nonetheless obvious to any astute local observer that the current and anticipated future design geometry of the intersection of East Covell Boulevard and L Street is, and would in all likelihood remain, inadequate to handle the volume of vehicle trips exiting Village Farms during peak morning hours and returning to Village Farms during peak

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afternoon and evening hours. If a road is built through The Cannery Urban Farm, we expect that a substantial majority of vehicle trips between Village Farms and destinations to the west (including U.C. Davis, and destinations accessible via Highway 113 and 1-80 West) will instead travel through Cannery neighborhood streets, creating significant and unacceptable traffic safety impacts for Cannery residents, notably for the many children and elderly residents of the neighborhood.

**81-3 Cont.**

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

**81-4**

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

**81-5**

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

3. Disproportionate noise impacts to The Cannery neighborhood.

**81-6**

- From our review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets.
- The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.
- While we defer to the expertise of Saxelby Acoustics, we note that their analysis relies heavily on estimates produced by the project's traffic engineer, GHD Group. In the interests of transparency, the City should seek to include any traffic plan, study or analysis created by GHD as part of the public EIR process.

With sincere concern,

Elizabeth and Robert Coolbrith

Sent from my iPhone

## LETTER 81: ELIZABETH AND ROBERT COOLBRITH

### Response to Comment 81-1
The comment is introductory and provides an overview of specific concerns that are addressed in the following responses.

### Response to Comment 81-2
Please see Responses to Comments 17-2 and 17-3.

### Response to Comment 81-3
Please see Responses to Comments 17-4 through 17-6.

### Response to Comment 81-4
Please see Response to Comment 17-6.

### Response to Comment 81-5
Please see Response to Comment 17-7.

### Response to Comment 81-6
Please see Responses to Comments 17-8 and 17-9.

**Letter 82**

**Dara Dungworth**

**From:** Ellen Kolarik <ellenkolarik@gmail.com>
**Sent:** Wednesday, February 12, 2025 3:17 PM
**To:** Planning Commission
**Subject:** Statement for planning commission session on village Farms 2/12/25
**Attachments:** statement planning commission 2-12-25.odt

**Categories:** VFD Comment

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

**Dear Planning Commission Members,**

My name is Ellen Kolarik and I am co-chair of Interfaith Housing Justice Davis but my comments reflect my own position.

**82-1** The Village Farms project will provide much needed housing in our community. The developer has committed to 20% affordable and is making an effort to provide at least a partial supply of attainable market rate homes for first time home buyers. This is good. However, my concern is that the housing shortage will push the price of even the smallest single family units to a level which is still not affordable for your typical teacher or individual in the workforce.

**82-2** I am asking that the developer make a commitment to increase the # of for sale attached homes (duplexes, quads, town homes or whatever) while similarly reducing the # of single family detached homes. This would not only help hold down the price of this type of housing (since attached homes typically sell for less than attached), but also increase density which allows for more areas of open space for the neighborhood and increases the viability of transit routes through the developments to reduce reliance on individual car trips, that is Vehicle Miles Traveled.

**82-3** In addition, I am asking that the developer increase the number of market rate apartments to include 3 and 4 bedroom options suitable for young families. This would again be done by further scaling back the # of single family units.

**82-4** Furthermore, I suggest the developer move all of the high density housing to a location adjacent to Covell and shift the proposed open green space to the north side of the high density apartments. This would allow apartment dwellers to more easily walk or bike to the shopping plaza across Covell, again helping to reduce VMT.

1

**Letter 82 Cont.**

**82-5** Finally, I would like a commitment that the major arteries through the development be designed with a width which will accomodate a bus transport line through Village Farms. This would set the stage to creating a bus route that would ultimately run through all of the north of Covell developments which are currently on the table.

Thank you,

Ellen Kolarik

## LETTER 82: ELLEN KOLARIK (LETTER 1 OF 2, 02/12/2025)

### Response to Comment 82-1
Please see Master Response 1.

### Response to Comment 82-2
Please see Master Response 1 related to non-CEQA comments, as economic concerns, including the prices of housing, are not under the scope of CEQA. In addition, see Master Response 2 related to alternatives, which include alternatives related to adjusting project density. Finally, please see Master Response 5 related to transportation and VMT.

### Response to Comment 82-3
Please see Master Response 1.

### Response to Comment 82-4
Please see Master Response 1.

### Response to Comment 82-5
Potential impacts related to transit facilities were addressed under Impact 4.13-3 of the Draft EIR. Internal roadways would be designed consistent with City standards.

**Letter 83**

**Dara Dungworth**

**From:** Ellen Kolarik <ellenkolarik@gmail.com>
**Sent:** Thursday, February 20, 2025 8:15 AM
**To:** Dara Dungworth
**Subject:** Submission Comments Draft EIR Village Farms
**Attachments:** Draft EIR Village Farms -ek.pdf

**Categories:** VFD Comment

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

My name is Ellen Kolarik and I am a resident of Davis, California. I am commenting on the Draft EIR for the Village Farms proposal. I have also attached my comments as a pdf.

**83-1**

1. Further research needs to be done on water flow. It is unclear from the current EIR how runoff from Village Farms will impact the Wildhorse development.

**83-2**

2. Further research needs to be done on leaching patterns from the former dump site which is adjacent to the Village Farms project. Everyone has a right to a living space free from toxic runoff.

3. Increased density alone does not reduce VMT. The density must be adjacent to public transit and major services to insure reduced dependence on cars. To this end, I believe the council should pressure the developer to:

**83-3**

a) Increase the number of market rate apartment complexes with a comparable reduction in the number of single family units. Floor plans should include 3 and 4 bedroom units suitable for families as well as smaller units.

b) Shift all the multifamily dwellings (both subsidized Affordable and market rate housing) to be adjacent to Covell by flipping the position of the park green space to the north side of the apartment complexes.

c) Commit to designing the thoroughfare immediately north of the multifamily dwellings to accommodate a bus transit line.

Together these 3 interventions increase density adjacent to services and decrease the distance to the bus line without increasing the number of units of the overall full plan.

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**Letter 83 Cont.**

**83-3 Cont.**

4. While Davis has a shortage of housing at all price points, the housing shortage for low income and missing middle is particularly acute. City council should pressure the developer to increase the number of attached housing (often referred to as missing middle or affordable by design) with a comparable decrease in the number of single family units. Ideally, attached housing would be scattered throughout the development, but a focus just north of the transit line (proposed under 3c) would also help reduce car dependence for a population more likely to need public transit.

## LETTER 83: ELLEN KOLARIK (LETTER 2 OF 2, 02/20/2025)

### Response to Comment 83-1
Please see Master Response 4.

### Response to Comment 83-2
Please see Master Response 3.

### Response to Comment 83-3
Please see Response to Comments 82-2 and 82-5.

**Letter 84**

**Dara Dungworth**

**From:** William Sarouhan <b_sarouhan@yahoo.com>
**Sent:** Tuesday, February 25, 2025 9:13 AM
**To:** Dara Dungworth
**Subject:** Traffic insanity

**Categories:** VFD Comment

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

**84-1** Please examine very carefully the impact of all of the traffic from this project on Poleline and the small traffic circle in the Cannery, not to mention Covell. There is no way the present configuration can accommodate future car numbers.
Thank you
Erica Sarouhan

Yahoo Mail - Email Simplified

## LETTER 84: ERICA SAROUHAN

### Response to Comment 84-1

Please see Master Response 5.

**Letter 85**

**Dara Dungworth**

**From:** Eva Spiegel <evaspiegel@gmail.com>
**Sent:** Tuesday, February 11, 2025 11:41 AM
**To:** Dara Dungworth; Planning Commission
**Subject:** Village Farms DEIR

**Categories:** VFD Comment

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

Dear City of Davis Planning Commission,

**85-1** My family has called Davis home since 1979 and I am so fortunate that I was able to return as an adult and buy a house in the community I love. Raising my own son here has given me an even greater appreciation for the city. Someday after he's done with college, I hope he will have an opportunity to come back like I did and continue to grow his roots. However, in order for this dream to become reality, Davis needs more housing and that's why I support Village Farms' proposal to build 1800 new units.

The 1800 units proposed by Village Farms makes sense. It's the right number of units for the proposed location, includes options for a range of income levels, and helps the City of Davis reach its mandated RHNA numbers while keeping the character and ethos of our community. This smartly planned development is exactly what my hometown needs.

Thank you,
--
Eva R. Spiegel
Cell: 530-400-9068

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## LETTER 85: EVA SPIEGEL

### Response to Comment 85-1

Please see Master Response 1.

**Letter 86**

**Dara Dungworth**

**From:** Evan Jacobs <evanjacobs2006@gmail.com>
**Sent:** Thursday, February 13, 2025 9:19 AM
**To:** Thomas McNairn; Dara Dungworth
**Subject:** Support for Village Farms and Sweetbriar Townhomes

**Categories:** VFD Comment

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

Dara and Thomas-

I hadn't given much thought to supporting Village Farms and Sweetbriar Townhomes until my elderly neighbors began leafleting the neighborhood with NIMBY flyers. I've had quite enough of this propaganda from self-absorbed boomers designed to preserve our community in amber, hurt local businesses and exclude students and low income residents from our neighborhoods.

Regarding the NIMBY propaganda about Village Farms - Davis is the safest community my family has ever lived in. Their statement about "adding more residents before addressing community safety" reads like a racist dog whistle. I have my own issues with the state of Davis roads and understand that growing our community and its businesses is the surest way to increase funding for our infrastructure and transit. "speeding e-bikes" is not a reason to slow down housing. I strained my eyes while rolling them reading about community health and pediatrics. My children have received excellent care at Sutter Davis for everything from the flu to broken bones and Sutter is completing a major expansion of their facilities. When my family needed more specialized care we've been lucky to be 25 minutes away from world class medical specialists at UC Davis and Shriners in Sacramento. Besides, what does a private hospital have to do with housing? The thoughtful answer is very little, it's a NIMBY boomer bait and switch. As always in our local NIMBY wars the alternatives posited are "moderation". Picking apart every single proposal and forcing them to be "moderated" or scrapped entirely is what has gotten our community and our state into a housing crisis in the first place.

86-1

The NIMBY note on Sweetbriar really infuriated me. It's one thing to be against a greenfield development of new homes, but it gives away their game when they simultaneously protest a smart infill development in our downtown core because of "parking". After all, "people need cars." Yes, since the dawn of time humans have relied on petro-carbon based transportation. There is plenty of handicapped parking in our town for residents that have mobility and accessibility issues. Otherwise take a bus, hop in a rideshare, peddle a cycle, speed downtown on your e-bike or just park a couple of blocks away and walk to downtown. Students drive our local small businesses and grow our tax base to fund city services and infrastructure – visit F street on a Saturday in August and again in October to see the positive impact of a thriving student community.

These projects reflect two different but complementary types of new housing development that are desperately needed. Please permit and support construction as quickly as possible.

Also, will someone please save a tree and teach these folks how to print double-sided?

Thank you,

Evan Jacobs

## LETTER 86: EVAN JACOBS

### Response to Comment 86-1

Please see Master Response 1.

**Letter 87**

**Dara Dungworth**

**From:** Fei Li <flcli@UCDAVIS.EDU>
**Sent:** Tuesday, February 25, 2025 3:17 PM
**To:** Dara Dungworth; Planning Commission; City Council Members
**Subject:** Village Farms proposal feedback

**Categories:** VFD Comment

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

Hi there,

I'm writing about some concerning issues that the developer behind the Village Farms proposal presented during the info session I attended.

They claim that a majority of the medium density "starter" homes will be between 800 and 1200 sqft and start at $800k. With my most generous calculations, that comes to *at least* **$666.67/sqft** for a *starter* home.

To put that into perspective, what was a "starter" 1865 sqft townhouse in the Cannery recently sold for an outrageous $790k. That's $423.59/sqft.

87-1 The developers behind Village Farms are proposing a **57.4% *increase*** in the price of a starter home. As of right now there are 74 home listings in Davis, *each of which* cost less per square foot than anything at Village Farms. Some of them even have real backyards.

It's not just me, right? Does that sound insane to you too?

I grew up in Davis and now I'm raising a family here. I've seen it how it changed over the 35 years that I've called this place home. I support increasing the home buying options for Davis families. But even if we put all of the concerning findings from the EIR aside, this iteration of **Village Farms isn't the solution we need**.

Thank you for all of your work and consideration.

Fei Li

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## LETTER 87: FEI LI

### Response to Comment 87-1

Please see Master Response 1.

**Letter 88**

**Dara Dungworth**

**From:** Fong He <danielhor30@hotmail.com>
**Sent:** Saturday, February 22, 2025 1:51 PM
**To:** Dara Dungworth
**Subject:** Concerns regarding the proposed Village Farms development

**Categories:** VFD Comment

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

Dear Ms. Dungworth,

88-1 Hope this letter finds you well. We are a family living in North Cannery. I am writing to express our strong concerns regarding the proposed Village Farms development. While I understand the desire for economic growth and expansion, I firmly believe that this development will have negative implications for the community in several critical areas, particularly traffic safety, overcrowding, and the general quality of life for current residents.

88-2 First and foremost, traffic safety in this area is already a significant concern. The roads around the proposed development are narrow and often congested due to the many schools located nearby. The addition of this VAST amount of new housing will only exacerbate the situation, not to mention the proposed new road cutting through the Cannery community. Increased traffic volumes will put pedestrians, cyclists, and drivers at greater risk, especially in areas where schools and parks are located nearby. I urge the council to consider the safety of residents, particularly children and the elderly, who may be vulnerable in an environment where traffic hazards increase.

88-3 In addition to the safety concerns, I am worried about the effect this development will have on the population density in our city. Our community already faces overcrowding in certain areas, with public services like schools, healthcare, and parks stretched thin. This new development will undoubtedly increase demand for these services, which may lead to reduced quality of life for current residents. We should be taking proactive measures to ensure that all residents, both current and future, have access to high-quality services, rather than rushing to accommodate new development at the expense of these needs.

88-4 Moreover, I believe this development could significantly alter the character of our neighborhood. Many of us moved here because of the tranquil, low-density atmosphere, and the introduction of this HUGE-scale property development will dramatically change the dynamics. There is a real concern that this development will lead to increased noise, pollution, and a loss of the community charm that makes our city a special place to live.

88-5 Another critical factor is the environmental impact of this development. Increased construction and development are likely to lead to habitat destruction, loss of green space, and an increased carbon footprint. Our community has made strides in sustainability and environmental awareness, and I urge the council to carefully consider the long-term environmental consequences of such a project.

88-6 In light of these concerns, I respectfully ask the council to vote against this proposed development. While growth is essential for the city's progress, it should be pursued in a manner that ensures the well-being and safety of existing residents and preserves the community's character. I believe that thoughtful, sustainable

**88-6 Cont.**

development plans that address traffic, infrastructure, environmental impact, and the quality of life for all residents will serve us much better in the long term.

Thank you for your time and consideration of this matter. I hope the council will make a decision that reflects the best interests of our community.

Sincerely,
He's family

## LETTER 88: FONG HE

### Response to Comment 88-1
Please see Master Responses 1 and 5.

### Response to Comment 88-2
Please see Master Response 5 with respect to traffic safety.

### Response to Comment 88-3
It should be noted that assessing impacts to quality of life is not within the scope of CEQA, which is focused on the potential physical environmental impacts associated with the construction of new or altered facilities required to maintain acceptable performance objectives. Please see Master Response 1 for further detail.

Such impacts are addressed in Chapter 4.12, Public Services and Recreation, of the Draft EIR. Although the Proposed Project/BRPA is anticipated to increase population and, thus, result in an associated increase in demand for public services, Impacts 4.12-3 and 4.12-4 both identified less-than-significant impacts related to schools and parks, respectively.

### Response to Comment 88-4
Please see Master Response 1 with respect to community character. Potential impacts to noise and pollution are addressed respectively in Chapters 4.10, Noise, and 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR.

### Response to Comment 88-5
Please see Master Response 7. The environmental impacts of the Proposed Project and BRPA are evaluated throughout the Draft EIR.

### Response to Comment 88-6
Please see Master Response 1.

**Letter 89**

I am writing regarding the Village Farms draft EIR.

Although we desperately need more housing in Davis, this development has too many flaws.

**89-1** The footprint is enormous at almost 500 acres with 1800 units. There are not enough affordable homes, or apartments included in the plans. The last thing Davis needs is more $1 million single family homes. We need housing for students, for our workforce, for low-income seniors and other low-income people.

**89-2** The location includes the Alkali Prairie Yolo Habitat Conservation Plan/Natural Community Conservation Plan south of Channel A. It is imperative that the Biological Resources Preservation Alternative be used should this development be built. We have so little natural habitat left in our area, especially vernal pools. There is no excuse to do anything but protect this land.

**89-3** Part of the development will be built quite close to the old waste water treatment plant and a former landfill. There has to be an enormous amount of toxic contamination at these sites. There is no indication of a plan to prevent the toxins at these sites from seeping into the soil, and air, in neighborhoods where housing will be built. This situation needs to be addressed much more seriously.

This development should not be built at planned for the above reasons.

Gayna Lamb-Bang
4350 Cowell Blvd.
Davis, CA 95618

## LETTER 89: GAYNA LAMB-BANG

### Response to Comment 89-1
Please see Master Response 1.

### Response to Comment 89-2
Please see Master Response 1.

### Response to Comment 89-3
Please see Master Response 3.

**Letter 90**

**Dara Dungworth**

**From:** George Galamba <ggalamba@gmail.com>
**Sent:** Monday, January 20, 2025 4:38 PM
**To:** Dara Dungworth
**Subject:** Village Farms

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

**90-1** I am opposed to the Village Farms development. Pole Line Road and Covell Blvd. are already impacted by traffic during morning and afternoon rush hour. Continuing to add additional traffic with no improvement to the infrastructure is insane.

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## LETTER 90: GEORGE GALAMBA

### Response to Comment 90-1

Please see Master Response 5.

**Letter 91**

**Dara Dungworth**

**From:** Gerald McClain <lgmcclain@yahoo.com>
**Sent:** Tuesday, February 25, 2025 3:27 PM
**To:** Dara Dungworth
**Subject:** Comments regarding the upcoming Proposal for the Village Farms DEIR

**Categories:** VFD Comment

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

I am a resident of Davis and have been for 65 Years. I reside also in East Davis. So we are again, for the 3rd. time, having to decide if John Whitcombe Tamdem Properties proposal to build Village Farms on 500 acres of good farm land is good for the citizens of Davis. After reading an "Excellent" Commentary in the Davis Enterprise (By Eileen Samitz) regarding the DEIR that was submitted to the City Council for consideration, I most definitely will vote NO, if the city council unwisely decides to put the project on the November ballot. The first two ballots that were presented in the past, were very poorly planned, but this new proposal is the worst. I talked with some of the homeowners in our area, and most were very concerned with the bad impact it would have on East side of town, as well as for other parts of our great city. We do not need a large, high density, over crowded TOWN, built and annexed into our city limits of Davis. This city has many serious problems that are not are not being addressed, because of lack of city funds, why should the city take on more problems of introducing a new TOWN to govern. As Eileen Samitz (former Davis Planning Commissioner) explained in her Enterprise Commentary, all of the problems she covered in each Category were well explained. Plus let us not forget that the city council will then have to raise taxes on all portions of our city utility bill each month, as they have been doing in past years to accommodate our growing population. For the present time, I believe the property should remain in the county until more thoughtful and beneficial projects can be submitted by the owners to the City of Davis. Respectfully submitted by a long time resident. Gerald McClain

**91-1**

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## LETTER 91: GERALD MCCLAIN

### Response to Comment 91-1

Please see Master Response 1.

**Letter 92**

**Dara Dungworth**

**From:** Gi Nam <gijungnam@berkeley.edu>
**Sent:** Wednesday, February 19, 2025 1:08 PM
**To:** Dara Dungworth
**Subject:** Re: Village Farms Draft Environmental Impact Report

**Categories:** VFD Comment

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

Opposition to Village Farms Development Project

Dear City Council Members,

As a resident of the Cannery neighborhood, I am writing to express my strong opposition to the current version of the Village Farms Development Project. While I support responsible development that benefits our community, I cannot support a project that fails to adequately address critical environmental and traffic concerns.

92-1

The proposed development raises serious issues, particularly regarding flooding risks and increased traffic pollution. Without proper mitigation measures, this project could lead to long-term environmental harm and significantly impact the safety and quality of life for residents. The City Council has a responsibility to ensure that development is both sustainable and well-planned, and this proposal, as it stands, does not meet that standard.

I urge you to vote against this version of the Village Farms Development Project and require the necessary improvements to address these significant concerns before moving forward. Our community deserves a project that prioritizes responsible growth, environmental protection, and infrastructure planning.

Thank you for your time and consideration.

Sincerely,

Gi Nam

Resident of City of Davis

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## LETTER 92: GI NAM

### Response to Comment 92-1

Please see Master Response 1. With respect to traffic and flooding concerns, please see Master Responses 5 and 4, respectively.

**Letter 93**

**Dara Dungworth**

**From:** Ginga Strozyk <gingastrozyk@gmail.com>
**Sent:** Tuesday, February 11, 2025 11:12 PM
**To:** Planning Commission
**Subject:** opposition of Village Farms development project

**Categories:** VFD Comment

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

Greetings. On behalf of myself and my mother, co owners of a condo unit on Donner Ave off of Poleline, I am once again voicing our complete opposition and concern for the proposed development project Village Farms. As has been stated before, here are a few reasons why...

93-1 Too much environmental impact

93-2 Too much traffic

93-3 Danger of flooding our existing homes!!

93-4 Dangerous toxins already in the land to be built on

Will cost us way too much

93-5 Also, the claims that these will be affordable homes are lies. They will be expensive McMansions that are unaffordable for the average families whom the developer claims he is catering to.

These are some questions we would like answered...

93-6 Who will take responsibility if flooding occurs to our homes due to negligent planning and development?
Who will take responsibility when people become sick because they bought a home built on toxic land?
What about the gridlock that the neighborhood will have to endure, causing a negative impact on day to day life? Do you have anything to say about that?

Sincerely,
Ginga Zeidenberg/Strozyk and Kinuko Yoshida

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## LETTER 93: GINGA STROZYK (LETTER 1 OF 2, 2/11/25)

### Response to Comment 93-1
Please see Master Response 1.

### Response to Comment 93-2
Please see Master Response 5.

### Response to Comment 93-3
Please see Master Response 4.

### Response to Comment 93-4
Please see Master Response 3.

### Response to Comment 93-5
Please see Master Response 1.

### Response to Comment 93-6
Please see Master Response 1, as well as Master Responses 3 through 5.

**Letter 94**

**Dara Dungworth**

**From:** Ginga Strozyk <gingastrozyk@gmail.com>
**Sent:** Sunday, February 23, 2025 4:09 PM
**To:** Dara Dungworth
**Subject:** Fwd: opposition of Village Farms development project (Resend)

**Categories:** VFD Comment

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

Hello,

My name is Ginga Strozyk (Zeidenberg) and I am forwarding this email that I sent to the planning commission to you so that you are made aware of the deep concerns many people have w the Village Farms project. My mother lives in a condo unit that we co-own across the street on Donner Avenue. We are terribly concerned about flooding that could occur by building on the flood plain. I grew up in Davis, and I remember two particular times where Covell was completely flooded near Poleline when I was a kid. Flooding is not our only concern, as you will see in the forwarded email. The Village Farms project is far too dangerous to be allowed to happen. Please reconsider.

94-1

Ginga Strozyk (Zeidenberg)
Sent from my iPhone

Begin forwarded message:

**From:** Ginga Strozyk <gingastrozyk@gmail.com>
**Date:** February 11, 2025 at 9:11:49 PM HST
**To:** PlanningCommission@cityofdavis.org
**Subject: opposition of Village Farms development project**

Greetings. On behalf of myself and my mother, co owners of a condo unit on Donner Ave off of Poleline, I am once again voicing our complete opposition and concern for the proposed development project Village Farms. As has been stated before, here are a few reasons why...

94-2

Too much environmental impact
Too much traffic
Danger of flooding our existing homes!!
Dangerous toxins already in the land to be built on
Will cost us way too much
Also, the claims that these will be affordable homes are lies. They will be expensive McMansions that are unaffordable for the average families whom the developer claims he is catering to.
These are some questions we would like answered...
Who will take responsibility if flooding occurs to our homes due to negligent planning and development?
Who will take responsibility when people become sick because they bought a home built on toxic land?
What about the gridlock that the neighborhood will have to endure, causing a negative impact on day to day life? Do you have anything to say about that?
Sincerely,
Ginga Zeidenberg/Strozyk and Kinuko Yoshida

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## LETTER 94: GINGA STROZYK (LETTER 2 OF 2, 02/23/25)

### Response to Comment 94-1

Please see Master Response 1. With respect to flooding, please see Master Response 4.

### Response to Comment 94-2

Please see Response to Comments 93-1 through 93-6.

# Comments on Village Farms Davis Project Draft Environmental Impact Report

By Glen Holstein, PhD

Tuleyome Senior Board Member

Since receiving a doctorate from UC Davis with research on how climate shapes global vegetation, I have been an expert consultant on vegetation and biodiversity with work that includes writing the award-winning Yolo Conservation Plan's vegetation section and teaching classes on California biodiversity.

Biodiversity is the number of different kinds of living things from animals and plants to mushrooms and kelp present in an area. It is not evenly distributed, and places where it is unusually high are called biodiversity hot spots. Many of these are in the tropics but they also include mediterranean climate zones in more temperate areas. Since North America's mediterranean climate region is centered in California, its biodiversity is particularly high among states. For example, our state's biodiversity is number one in plants, mammals, and plants + vertebrates. Endemic biodiversity is also significant and includes those species confined to a single area. California is number one in endemic biodiversity for plants, all vertebrates, mammals, amphibians, freshwater fish, and plants + vertebrates (Stein, et al. 2000).

95-1

Inside California, however, biodiversity is not equally preserved. Its great Central Valley, for example, is rated by the World Wildlife Fund as one of the most critically endangered ecoregions in North America and one of the few with no remaining intact habitat (Ricketts, et al. 1999) because it has been almost entirely converted to irrigated agriculture and urbanization. Consequently, it is the California ecoregion with the greatest plant extinction (Skinner & Pavlik 1994). If there are any places in the Central Valley where natural habitat survives contrary to the World Wildlife Fund and especially if they constitute biodiversity hot spots, it is critical for conservation at the global scale that they be carefully preserved because of their great rarity. The area called "Village Farms" is such a place.

One of the species this EIR documents as significantly present in the Village Farms area is the Federally-Listed Endangered Animal Species Vernal Pool Tadpole Shrimp (*Lepidurus packardi*), which is the highest level of protection any species

95-2

**95-2 Cont.**

can receive in the United States. The species, despite being a crustacean, is similar in size and appearance to an amphibian tadpole, hence its name. When it was federally listed in 2003 it was known from 18 populations, all of which are in the Central Valley. Consequently, it is endemic not only to California but also to its Central Valley, which is identified by the World Wildlife Fund as one of North America's most endangered ecoregions. The United States Fish and Wildlife Service identified needed critical habitat for each of these 18 populations, and the average size of these designated critical habitat areas is 25, 528 acres (USFWS 2003). The smallest of these designated critical habitat areas at 440 acres, however, is the only one located in Yolo County and is at its Grasslands Park. Now a nineteenth population found and confirmed by the Village Farms EIR is also in Yolo County and deserves as great an area of protection as the otherwise smallest area of protection, the 440 acres at Grasslands Park. The "preserved Natural Habitat Area" of 47.1 acres proposed in the "Biological Resources Preservation Alternative" of the EIR is obviously grossly inadequate by comparison. It would require the full 497.6 acres of the project to create an adequate and comparable protected Critical Habitat for this Federally-listed Endangered Animal Species. In the 110 pages of the EIR's Biological Resources section the Vernal Pool Tadpole Shrimp is only mentioned briefly on six pages despite its importance. These are pages 4.4-23, 4.4-38,39, and 4.4-69-71. The last three of these pages do not mention Vernal Pool Tadpole Shrimp's federal endangered species status and state that complete destruction of its habitat would have a "less-than-significant level" impact on the species, which is like saying they can cause sunrise at midnight. The latter is part of a 50-page part of the EIR's Biological Resources section extending from 4.4-57 to 4.4-107 stating that every biological impact of both versions of the project is "less than significant."

**95-3**

That Vernal Pool Tadpole Shrimp and other rare species discussed below were found and documented at the Village Farms site by field survey crews providing data for this EIR indicates that they did their job well. That is not the case for presumably other individuals who discussed this and other data while writing the EIR text. For example, in the Biological Resources Chapter's Page 4.4-4 a map identifies an area as "alkali prairie". The source given for this habitat type in the EIR text is the Yolo Habitat Conservation Plan/Natural Community Conservation

**95-3 Cont.**

Plan although this document is not included in the Biological Resources Chapter's Appendix bibliography. Since I personally wrote the habitat type parts of that document, I am quite familiar with their meaning. Alkali prairie is an upland entirely non-wetland habitat, but on Page 4.4-97 a map of the same area identified as the dry upland alkali prairie on the earlier map shows it consisting almost entirely of two wetland habitats, alkali playa and alkali wetland. While a better name for both would be clay pan vernal pool, what is most significant is that the EIR's maps are contradictory and significantly unreliable. Similarly, and bizarrely, on Page 4.4-2 the Village Farms site's landscape is described as "foothills" despite its location near the Central Valley's lowest point far from any hills. Another example of such careless writing is the claim that two trees, golden rain tree (*Koelreuteria)* and she-oak (*Casuarina*) are in the site's riparian vegetation despite their absence from the apparently complete inventory of such trees on pages 4.4-44 to 46.

**95-4**

The site is also a biodiversity hot spot because it provides habitat for some of the largest populations of very rare plants, those designated in CRPR 1-B, the highest rarity level in the agency-accepted California Native Plant Society Inventory of Rare and Endangered Plants of California, which is explained on the EIR's Pages 4.4-10 and 11. One of these 1-B plants the EIR surveys confirmed to be present at the site is Alkali Milk-Vetch (*Astragalus tener* var. *tener*), a beautiful violet-flowered herb endemic to clay pan vernal pools located between Sacramento and Oakland, an urbanization impacted limited range in which its remaining populations are rapidly being lost. The Village Farms EIR surveys, however, confirmed that 19,300 Alkali Milk-Vetch individuals are still present there, almost certainly one of its largest populations left in Yolo County, where many great previous losses are documented.

Another 1-B plant the EIR surveys documented at the site is San Joaquin Spearscale (*Extriplex joaquiniana*). Unlike Alkali Milk-Vetch, San Joaquin Spearscale is found in upland alkali prairie rather than wetland clay pan vernal pools. The surveys documented 20,900 individuals of this rare species, which is among its largest documented populations. The large populations of these two rare plant species documented at the Village Farms site by its EIR surveys confirm that it may be the most significant rare plant site remaining in Yolo County in

**Letter 95 Cont.**

**95-4 Cont.**

addition to it being the first new locality for the federally-listed endangered Vernal Pool Tadpole Shrimp (*Lepidurus packardi*) found in over 20 years.

**95-5**

Other 1-B rare plants not documented by the Village Farms EIR surveys could potentially occur there since suitable habitat is present and there are historical records at or near the site. These are Heartscale (*Atriplex cordulata* var. *cordulata*), Brittlescale (*Atriplex depressa*), Heckard's Pepper-grass (*Lepidium latipes* var. *heckardii*), California Alkali Grass (*Puccinelia simplex*), and Saline Clover (*Trifolium hydrophilum*). Although the latter species was not recorded at the site by the EIR surveys, there is an anecdotal report by a local botanist unaffiliated with the EIR that it was recently seen there.

**95-6**

In addition to Vernal Pool Tadpole Shrimp, there are other special status animal species occurring at or near the Village Farms site. These include:

1. Monarch Butterfly (*Danaus Plexippus*) is proposed for federal listing as threatened, and while the EIR surveys did not record it at the site, they did find abundant populations of one of its host plants, Narrowleaf Milkweed (*Asclepias fascicularis*) at the site and documentation of the species very close by. Consequently, the EIR concluded it is likely to occur at the site.
2. Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) is federally listed as threatened and is a Yolo Habitat Conservation Plan covered species. Since this species has been historically recorded at or near the site and many of its Blue Elderberry (*Sambucus nigra* ssp. *caerulea*) host plants are present there, the EIR rightly concludes that the potential for this species to occur there is high. Since site conditions permit populations of its host plant to greatly increase, potential for the species to flourish there could also increase.
3. Burrowing Owl (*Athene cunicularia*) is a California Endangered Species listing candidate, a California Department of Fish and Wildlife Species of Special Concern, and a Yolo Habitat Conservation Plan covered species. Open habitat with numerous rodent burrows that is currently widespread at the Village Farms site is ideal habitat for this species and its presence adjacently is currently documented. Consequently, the EIR reasonably concluded that the potential for this species to occur there is high.

**95-6 Cont.**

4. Swainson's Hawk (*Buteo swainsoni*) is listed as threatened by the California Department of Fish and Wildlife and is a Yolo Habitat Conservation Plan covered species. The Village Farms site's current condition of widespread open foraging habitat and numerous large nesting trees is ideal habitat for this species and the EIR surveys confirmed that this species currently widely and regularly uses this site.
5. Northern Harrier (*Circus cyaneus*) is a California Department of Fish and Wildlife Species of Special Concern for which the Village Farms current condition of widespread open landscapes provides ideal foraging habitat. The EIR surveys confirmed that this species' current use of the site for foraging is frequent.
6. White-tailed Kite (*Elanus leucurus*) is a California Department of Fish and Wildlife Fully Protected Species and a Yolo Habitat Conservation Plan covered species. As with Swainson's Hawk, the Village Farms current conditions of widespread open habitat for foraging and numerous potential nesting trees is currently ideal habitat for this species, and the EIR surveys confirmed that its current use of the site is regular and frequent.
7. Pallid Bat (*Antrozous pallidus*) is a California Department of Fish and Game Species of Special Concern and the Village Farms site's numerous old trees provide suitable roosting habitat. Since there are records of the species at or near the site, the EIR considers its potential to occur there as high along with Silver-haired Bat (*Lasionycteris noctivagans*) and Hoary Bat (*Lasiurus cinereus*), two species with lower protection status.
8. American Badger (*Taxidea taxus*) is a California Department of Fish and Wildlife Species of Special Concern. While the EIR considers its potential to occur in the study area low, that may not be definitive since the site's widespread open habitat with abundant rodent prey as well as a relatively recent record at the study area makes the low potential conclusion questionable.

The EIR only considers the fraction of species at the Village Farms site with special status because of some level of protection, but even these demonstrate it is an island of remarkably high biodiversity that miraculously has survived adjacent to the city of Davis. Its widespread open areas, for example, provide foraging for Swainson's Hawk, Northern Harrier, White-tailed Kite, Burrowing Owl, and

**95-6 Cont.**

potentially American Badger as well as ground nesting habitat for Burrowing Owl and potentially American Badger. Its trees can provide nesting and roosting habitat for Swainson's Hawk, White-tailed Kite, and bats like Pallid Bat, Silver-haired Bat, and Hoary Bat. Host plants for Monarch Butterfly and Valley Elderberry Longhorn Beetle are present and flourishing at the site. And most significantly, its vernal pool and alkaline prairie complex supports significant populations of three of the world's rarest taxa, Vernal Pool Tadpole Shrimp, Alkali Milk-Vetch, and San Joaquin Spearscale.

**95-7**

Unfortunately, both the EIR's Proposed Project and Biological Resources Preservation Alternative call for removal of 952 of the site's 1,237 trees that the site's raptors and bats depend on for roosting and nesting (Page 4.4-103). In addition, significant numbers of host plants for Monarch Butterfly and Valley Elderberry Longhorn Beetle would also be lost (Pages 4.4-71-74).

**95-8**

The widespread open areas at the site used for foraging and ground nesting by numerous species would be essentially lost if either the Proposed Project or the Biological Resources Preservation Alternative were approved. Even the 118.4-acre Urban Agricultural Transition Area (UATA) would be excavated to a depth of 9 to 10 feet deep to provide fill so that the urbanized part of the project could be raised above the local floodplain (Page 3-21). Consequently, any biological values present in the UATA like raptor foraging habitat and burrows used by burrowing owls and a variety of mammals would be immediately destroyed by the excavation. Numerous aerial photographs of UATA like Figure 4.8-4 also clearly show an irregular pattern of color change typical of that resulting from water ponding, which suggests vernal pools may be present in the UATA that are ignored in the EIR. If that is the case, these would be another significant site feature that would be destroyed by the proposed UATA.

**95-9**

The stated reason for the fill need is a City of Davis Design Standard that structure pads need to be elevated at least one foot above the Base Flood Elevation but the final elevation will be determined by hydraulic modeling conducted for the project (Page 4.8-42). Pad elevation from fill derived from the UATA will also elevate pads above hazardously toxic groundwater flowing south underground from the former Davis landfill (Pages 4.8-9 and 4.8-10). The upper elevation of this toxic groundwater is 26.5 feet above sea level, which is the same elevation as the

**95-9 Cont.**

bottoms of the Village Farms proposed drainage channels and detention basin, which contradicts the EIR claim that toxic groundwater will be isolated from those drainage channels and the detention basin (Page 4.8-23). Since the EIR states that the current Village Farms site elevation is 35 -45 feet above sea level (Page 4.8-2), that would mean that the depth from the present surface to the proposed drainage channels and detention basin bottoms as well as the toxic groundwater would range from 8.5 feet to 18.5 feet. Elevation of their pads would consequently place structures somewhat farther above the poisonously toxic groundwater located beneath them so that excavation for home improvement projects by potential homeowners would have to go deeper to encounter it.

**95-10**

Of course, the planned excavation of the UATA down 9 to 10 feet would place its new surface much closer to the toxic groundwater so that animals using it for burrows and plants rooting there would be much more likely to encounter its poisons. And even though UATA stands for Urban Agricultural Transition Area, any products from farming or grazing for consumption by humans or their animals from such a potentially toxic environment might be very undesirable.

**95-11**

Significant populations of extremely rare Vernal Pool Tadpole Shrimp (which is federally-listed as endangered), Alkali Milk Vetch, and San Joaquin Spearscale at the Village Farms site's vernal pool and alkali prairie complex raises other issues. The EIR's Proposed Project would destroy all these taxa immediately and completely, which the EIR acknowledges (Page 4.4-107) while its Biological Resources Preservation Alternative (BRPA) would not. However, BRPA would isolate them in a small 47.1 acres area surrounded by intensive proposed urban development. That is miniscule compared to other areas of protected Critical Habitat for federally-listed as endangered Vernal Pool Tadpole Shrimp, which average 25,528 acres and are 440 acres at a minimum. To provide comparable protection the proposed Village Farms site's 497.6 acres are needed.

That is because urban areas produce a variety of stresses precluding the long-term survival of rare species. Such protection was tried for Sacramento Orcutt Grass (*Orcuttia viscida*), a California and federally-listed endangered species that is the only plant species found exclusively in Sacramento County. As is proposed in the Village Farms Biological Species Preservation Alternative (BRPA), a small preserve called Phoenix Field surrounded by residential urbanization was set aside

**95-11 Cont.**

for Sacramento Orcutt Grass, but a variety of environmental impacts from homes surrounding the preserve gradually extirpated it there, which could presage the fate of the rarest species at the Village Farms site if they were confined to a similarly small area surrounded by urbanization.

**95-12**

These comments provide numerous reasons why the Proposed Project and the BRPA as well should be rejected. Consequently, the best alternatives are No Build or Off-site Project. The latter alternative recognizes that if a project like Village Farms is needed for housing and to maintain school enrollment, it should be located where the numerous environmental issues are not present that make Village Farms at its present proposed location so disastrous.

**95-13**

While significant islands of biodiversity next to a city like the Village Farms site is adjacent to Davis are unusual, because of unusual Yolo County conditions a somewhat similar biodiversity island but with different rarest species is present at the City of Woodland's edge at its Woodland Regional Park and Preserve (WRPP), which that city manages with loving care as a surviving example of its precious heritage where its children can experience nature outside of just books and classrooms. The City of Davis now could do the same at the Village Farms site, a biodiversity hot spot with significant populations of some of the earth's rarest species. Protecting such a place at Davis, which is home to one of the world's greatest centers of evolutionary biology at UC Davis and has political leaders with a stated commitment to the 30X30 policy of protecting biodiversity is very much needed. There are few places that could bring 30X30 to life as well as the Village Farms site. Its open areas could be not just preserved for foraging by raptors and ground nesting by species like burrowing owls but also enhanced for these species by revegetation with suitable species like the milkweeds needed by monarch butterflies. Its trees, instead of being largely destroyed as the EIR proposes, could be increased for use by raptors, song birds, and bats and these additional trees could be native including large ones like valley oaks and smaller ones like elderberries hosting the rare valley elderberry long horned beetle. Especially significantly its vernal pool areas that support large populations of three of the earth's rarest species could be protected and even enhanced so that other rare species that once occurred there like the plants Heartscale, Brittlescale, Heckard's Pepper-grass, California Alkali Grass, and Saline Clover might return as well as possibly rare vernal pool animals like California Tiger Salamander (*Ambystoma*

**Letter 95 Cont.**

**95-13 Cont.**

*californiense*) and Western Spadefoot (*Spea hammondii*). A shallow permanent pond might even be constructed in the eastern part of the site that would support other special status species like Northwestern Pond Turtle (*Actinemys marmorata*) and Giant Garter Snake (*Thamnophys gigas*). Most significantly, there would be room for an environmental education center so kids in Davis, like those in Woodland, can see, touch, and learn about the natural beauty that still survives nearby. While this may sound like an impossible dream in a world where too much is valued solely for profit, as Dr. King reminded us, dreams can come true!

LITERATURE CITED

Ricketts et al. 1999. Terrestrial Ecoregions of North America: a conservation assessment. Editors: Taylor H. Ricketts, Eric Dinnerstein, David M. Olson, Colby J. Loucks, William Eichbaum, Dominick DellaSala, Kevin Kavanagh, Prashant Hedao, Patrick T. Hurley, Karen M. Carney, Robin Abell, and Steven Walters.

Skinner & Pavlik. 1994. California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California, Fifth Edition. Editors: Mark W. Skinner and Bruce Pavlik. California Native Plant Society, Sacramento.

Stein et al. 2000. Precious Heritage: the status of biodiversity in the United State. Editors: Bruce A. Stein, Lynn S. Kutner, and Johnathan S. Adams. The Nature Conservancy and Association for Biodiversity Information.

United States Fish and Wildlife Service. 2003. Endangered and Threatened Wildlife and Plants; final designation of critical habitat for four vernal pool crustaceans and eleven vernal pool plants in California and southern Oregon, August 6, 2003.

## LETTER 95: GLEN HOLSTEIN

### Response to Comment 95-1
Please see Master Response 1.

### Response to Comment 95-2
Please see Master Response 7. The commenter incorrectly claims that the Draft EIR says the project's impact to vernal pool tadpole shrimp habitat is less than significant. On the contrary, Impact 4.4-15 (page 4.4-94) clearly states that the Proposed Project would have a significant and unavoidable impact to vernal pool habitat.

### Response to Comment 95-3
The land cover map provided on page 4.4-4 shows the HCP terrestrial land covers, as stated on the figure itself. There is no alkali playa or seasonal wetland land cover type included in the Yolo HCP because the species that inhabit such features are not covered by the Yolo HCP. A map of the aquatic resources currently present on the site (including the alkali playa and alkali wetland mapped during the aquatic resources delineation) is included on page 4.4-7. The description of the alkali prairie community on page 4.4-2 states that the "Alkali prairie land cover occurs around the large alkali playa..."

Regarding the reference to foothills, the following minor modification is made to the text on page 4.4-2 of the Draft EIR:

> The City of Davis is located within the Central Valley region of California, within southeastern Yolo County. The Central Valley is a north-south oriented valley that extends approximately 430 miles from southern Tehama County to south-central Kern County in southern California. Elevations in the Central Valley range from approximately zero to 400 feet above mean sea level (amsl). In general, the borders of the Central Valley are areas where alluvial soils grade into bedrock features. Biological communities in the Central Valley once supported vast areas of grassland, marshes, and riparian woodland. The landscape is currently dominated by ~~woodland biological communities, typically referred to as the foothills, with land uses that are predominantly~~ agricultural uses.

The foregoing revision is for clarification purposes only and does not affect the analysis nor conclusions of the Draft EIR.

Regarding the portion of the comment pertaining to golden rain tree and she-oak, the Draft EIR did not state that the riparian vegetation was completely inventoried. On the contrary, on page 4.4-56, it is stated, "Detailed tree data was collected throughout all areas outside the Channel A riparian corridor. Approximately half of the trees within the Channel A riparian corridor were also inventoried. Following discussions with City of Davis staff, the remaining trees within the riparian corridor were estimated by extrapolating the collected data to the remaining canopy area." Both the golden rain tree and the she-oak were documented during the special-status plant survey effort, and were located in the northwestern portion of the riparian corridor where the tree inventory was not completed. Therefore, these species are known to occur on-site, however they occurred within an area where tree numbers were extrapolated and are not specifically identified as individuals in Table 4.4-4.

## Response to Comment 95-4

The comment summarizes the findings of the BRA prepared for the Proposed Project. Please see Master Response 7 related to biological resources.

## Response to Comment 95-5

Consistent with the comment, heartscale, brittlescale, Heckard's pepper-grass, California alkali grass, and saline clover are acknowledged within the Draft EIR on pages 4.4-30, 4.4-31, 4.4-33, and 4.4-34. As explained therein, the species are considered absent from the project site/BRPA site consistent with the fact that none of the listed species were identified during the protocol-level surveys of the area conducted as part of the BRA.

While anecdotal evidence is not considered substantial, the Draft EIR includes Mitigation Measure 4.4-1(b), which requires development of a Special-Status Plant Mitigation Plan to be developed if any impacts to special-status plant species would occur. In addition, Mitigation Measure 4.4-1(a) requires new protocol-level special-status plant surveys to be conducted throughout the study area if project construction does not commence by the end of 2027, to ensure special-status plant species do not become established in the interim between the field surveys conducted for the project and project construction. Therefore, any impacts to the listed plant species would therefore be mitigated to a less-than-significant level.

## Response to Comment 95-6

The comment summarizes the findings of the Draft EIR. Please see Master Response 7 related to biological resources.

## Response to Comment 95-7

Please see Master Response 7.

## Response to Comment 95-8

The vast majority of the permanent impacts associated with either alternative (81% for the Proposed Project, or 88% for the BRPA) currently consist of Grain and Hay Crops and Truck Crops, both of which are regularly tilled and replanted during the course of normal agricultural practices. Although the wildlife uses the commenter suggests are accurate, the loss of foraging habitat under either alternative would be mitigated through the payment of Yolo HCP Land Cover conversion fees, which are used to preserve foraging habitat elsewhere in the HCP Plan Area, where large blocks of land can be conserved together. It is possible that wildlife construct burrows in these fields each year, but each year those burrows are destroyed during the course of normal agricultural activities. Following project construction, these are the same uses that will occur within the UATA/Northern Agricultural Area. Following excavation of material in the Northern Agricultural Area, that area will again be available for the uses that are currently available, although at a lower grade than originally.

During the aquatic resource delineation, biologists noticed and specifically inspected the aerial patterns mentioned by the commenter. Three parameter data points were collected in three of these areas, and wetlands were not identified. No hydric soil indicators were observed, and vegetation was not dominated by hydrophytic vegetation. Regardless, as a component of Mitigation Measure 4.4-15(c), the USACE will review and verify the aquatic resources delineation map. If the USACE asserts that additional aquatic resources are present (anywhere in Project area), then those areas would be added to the delineation map, and mitigation for impacts would be required for any additional impacts.



## Response to Comment 95-9
Please see Master Response 4.

## Response to Comment 95-10
Please see Master Response 3. Groundwater monitoring performed by the City of Davis for the Old Davis Landfill indicates that groundwater from the landfill flows away from the agricultural buffer area.

## Response to Comment 95-11
On the contrary, many local biologists (including Madrone biologists) annually visit Phoenix Field's Sacramento Orcutt grass population as a reference location for special-status plant surveys in the region. Although the population does fluctuate, the species continues to persist, and some years there are thousands of individuals present.

It is unclear why the commenter referenced acreages of preserved Critical Habitat for vernal pool tadpole shrimp, as the project site/BRPA site is not located within USFWS's Critical Habitat for the species (as shown on Figure 4.4-7 of the Draft EIR); however, it is acknowledged that larger preserves are generally ideal (for most biological resources) compared to smaller preserves.

With respect to the alkali playas within the project site/BRPA site, however, development has already encroached on three sides (Channel A levee to the north, Union Pacific Railroad tracks to the west, and the Cannery development to the south). To the east, the existing surrounding habitat is routinely tilled, planted, and harvested as part of normal farming practices, and connecting wetlands that contribute to the playa wetlands avoided as part of the BRPA do not exist. As a result, it is unclear how maintenance of the adjacent laser-leveled tomato field would contribute to the ability of the alkali playa wetland to support vernal pool tadpole shrimp and other vernal pool endemics. Furthermore, the 47.1-acre Natural Habitat Area would be adjacent to other open space areas that would provide habitat for a variety of wildlife species subsequent to project development. Specifically, the Natural Habitat Area would be adjacent to the proposed Channel A greenbelt to the north (which would be largely maintained as-is, with only trail improvements on one side of the channel), and to a strip of UATA to the south (between existing development and the BRPA site). The greenbelt would connect the habitat area to the broad drainage basin corridor, which would have a channel with adjacent riparian plantings meandering through patches of native grasslands and oak woodland. The drainage basin would connect up to the largely avoided Northern Agricultural Area to the north.

Overall, the contiguous areas would remain largely natural and provide wildlife habitat totaling approximately 181.7 acres, excluding the additional acreage of parks. The proposed parks would also provide some habitat and serve as a buffer to development.

## Response to Comment 95-12
Please see Master Response 1.

## Response to Comment 95-13
Please see Master Response 1.

**Letter 96**

**Dara Dungworth**

**From:** greg rowe <greglrowe51@gmail.com>
**Sent:** Saturday, February 8, 2025 10:10 PM
**To:** Dara Dungworth
**Subject:** Village Farms Timeline

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

Dara,

I have been struck by how there is so little information in the DEIR about the project phasing. One has to search in various places and piece it together. For example, the only place I saw reference to the amount of time construction will take was on Page 4.3-47 under the heading of "Construction Emissions," where it says "The Proposed Project and the BRPA would both be built out over four phases across approximately seven years."

96-1 I also saw somewhere else (can't remember where) that construction is expected to take 7 years, which explains why I kept seeing references to the year 2033 in the Air Quality chapter.

I strongly suggest 2 things:

- The Wed night presentation should include a chart or table showing when construction will ostensibly start (2026), and when each phase will start and end.
- The Introduction or Executive Summary of the EIR also needs to include this information in a very obvious location and format (again, perhaps a table or chart).

-- Greg

## LETTER 96: GREG ROWE (LETTER 1 OF 7, 02/08/25)

### Response to Comment 96-1

CEQA does not require an EIR to identify timing of phasing. The Draft EIR appropriately evaluates the potential environmental impacts associated with full buildout of the project. Furthermore, as is typical for a project involving only program-level entitlements, specific phasing details are not available, nor are they required.

**Letter 97**

Comments on Chapters of Village Farms DEIR. Chapters 1(Intro) & 2 (Exec Sum). Questions in yellow. **Comments bold underlined.**

| | Page | Effect # | Issue | Comment |
|---|---|---|---|---|
| 97-1 | 1-3 | Section 1.3 | Project Description: Project Entrance | It states that a second entrance to the development would be established from Pole Line Road in the north section of the project site, extending westward through the East Village.<br><br>Questions: How would this intersection be configured? (1) Would it be signalized or a stop sign on Pole Line? Would a left turn pocket be established for northbound vehicles on Pole Line? (2) Would a right turn pocket be established for southbound Pole Line vehicles? (3) Would turns from the project into to Pole Line be "right only" turns? |
| 97-2 | 1-9 | Section 1.9 | Biological Resources | **Comment**: A suggestion has been made to consult historical aerial photos and the wetlands discussion in the 2004 Covell Village EIR in evaluating potential wetland impacts associated with the proposed Village Farms project. I concur with this suggestion, and further suggest that prior wetland delineations of the site be consulted in determining potential wetland impacts resulting from the currently proposed project. |
| 97-3 | 1-3 And 2-2 | Section 1.3 And 2.2 | Project Description: Pedestrian/ bike undercrossing | The DEIR states on p. 1-3: "If determined feasible, the Proposed Project would also include a pedestrian/bicycle crossing through an undercrossing near the Pole Line Road/Moore Boulevard intersection." A similar statement is on page 2-2, but is more explicit in identifying that the undercrossing would be near the Pole Line Road/Moore Boulevard intersection.<br><br>**Comments:** it is critically important that an above or below grade undercrossing be established early in the project to enable the residents (especially children) in the 1,800 Village Farms dwelling units to safely access the Nugget Fields on the east side of Pole Line Road. The manner in which the undercrossing is described in Chapters 1 and 2 exhibits a disturbing lack of commitment to a critical element of the future infrastructure by the project applicant. If the ability to install the undercrossing now is missed if it were to be deemed "infeasible", it would be far too difficult, disruptive and costly to install the undercrossing in the future.<br><br>The DEIR needs to be revised to address precisely when the feasibility analysis will be conducted, and to identify the specific project phase by which the undercrossing will be completed and fully operational. In addition, the DEIR must fully examine in detail what |

**97-3 Cont.**

alternative locations may be available for such an undercrossing if it were not constructed at this location.

Moreover, the bicycle/pedestrian undercrossing of Pole Line Road absolutely MUST be included in the project's Baseline Features Agreement, and in the Baseline Features description that would be included on the Measure D ballot. A grade-separated crossing of Pole Line Road should NOT be included in the Development Agreement (DA) because a DA can be subsequently amended. Past history shows that it is simply too easy for project proponents/developers to go back to City Council, after the voters have approved a project, and obtain a DA amendment by simply asserting that one or more items in the DA would be too difficult to implement and/or are not financially feasible.

Questions: (1) When will the bike/ped undercrossing feasibility study be conducted? (2) Who conduct the study? (3) Will the study and its results and conclusions be peer-reviewed by another entity? (4) Who will pay for the study? (5) What factors will be used to determine feasibility, and how much weight will each factor have in the analysis? (5) Will "feasibility" be determined strictly by financial considerations, or will other factors such as geology, water table level, methods of relocating existing infrastructure (such as water line) also be taken into consideration?

**97-4**

COMMENT: It is also stated on page 2-2 that "The Proposed Project also provides an opportunity to explore a grade-separated crossing at F Street." This is a great idea, but the statement is nebulous as to whether, how and when such an "opportunity" will be explored. In other words, it is totally non-committal, when what is needed here is a firm commitment by the project applicant. The "who, what, where, when and how" needs to be explicitly described in the DEIR. Given that residents may wish to walk to the nearby Nugget shopping center, and more importantly that children residing in the proposed 1800 dwelling units will attend schools on the south side of Covell Boulevard, it is critically important that specific location(s) for a grade-separated crossing near the intersection of Covell and F Street be identified and evaluated in the EIR. For instance, (1) would the crossing be above ground or below grade? (2) Where would the overcrossing landings be located? (3) What would be the degree of slope for the overcrossing?

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**Letter 97 Cont.**

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| 97-5 | 1-10 | Section 1.9 | Hazardous Materials | **Comment**: The DEIR states a factor to be examined includes "Contamination impacts associated with locating the proposed groundwater recapture basins in proximity to the former landfill site." The examination must include how potential soil and groundwater contamination associated with the former landfill site could potentially impact the water quality in Channel A, and as a result, downstream habitat, wildlife, property and people. |
| 97-6 | 2-7 | | Agricultural Preserver Alternative | The 2nd paragraph on this page states: "The significant and unavoidable impacts related to VMT would increase in severity under the Agricultural Resource Preservation Alternative due to reduced residential density."<br><br>COMMENT: This sentence should be revised to clarify that the increased impacts would occur to **Per Capita** VMT; i.e., insert the words "Per Capita" before the VMT acronym. This is an important distinction. The sentence on the top of page 2-11 (which starts on page 2-10) likewise needs to be modified in the same fashion. |
| 97-7 | 4.8-4 | 2-94 | | The DEIR states: "In conjunction with submittal of the first tentative subdivision map for the Proposed Project or BRPA, a design-level drainage report shall be submitted to the City of Davis Public Works – Utilities and Operations Department for review and approval. The drainage report shall identify specific storm drainage design features to control the 200-year, 10-day increased runoff from the project site to ensure that the rate of runoff leaving the developed site does not exceed the pre-project condition."<br><br>**COMMENT:** Given the historical flooding problems in Davis, I respectfully submit that deferring submittal of a design-level drainage report until submittal of the first subdivision map is far too late in the development and approval process. The DEIR should designate that the drainage report must be completed and submitted to the City far earlier in the project development process. |
| 97-8 | 4.13-2(c) | 2-105 | Circulation System including bike and ped facilities | The DEIR states that the following mitigation measure would be implemented: "The project applicant shall construct a roundabout with pedestrian and bicycle crossings on all legs at with pedestrian and bicycle crossings on all legs at the Pole Line Road/Moore Boulevard intersection." |

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**97-8 Cont.**

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| | | | COMMENT: This proposed mitigation measure is completely unacceptable. A roundabout, in and of itself, may be fine strictly for slowing the speed of vehicle traffic, but adding pedestrian and bicycle crossings to such a roundabout would introduce a high level of complexity to an already busy roadway, with a high probability of increased potential conflicts between vehicles and pedestrians and bicyclists. It must be kept in mind that many children residing at Village Farms will on a regular basis need to cross Pole Line Road to recreate at Nugget Fields. Such a roundabout, even with crossings for pedestrians and bike riders, would simply too dangerous.<br><br>The proposed mitigation roundabout with designated crossings for pedestrians and bicyclists is also completely at odds with the previously referenced below-grade pedestrian and bicycle undercrossing at the intersection of Pole Line Road and Moore Boulevard (see pages 1-3 and 2-2). This proposed mitigation measure should be deleted and replaced with the following verbiage: "The project applicant shall construct a grade-separated bicycle and pedestrian crossing of Pole Line Road at or near the intersection of Pole Line Road and Moore Boulevard. The grade-separated crossing shall be completed and fully operational before completion of Phase II of the proposed project, and shall be fully funded by the project applicant." |
| | | | |

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**Letter 97 Cont.**

Comments on Chapter 3 – Project Description - Village Farms DEIR. Questions highlighted in yellow. **COMMENTS in bold underlining**
Submitted by Greg Rowe, City of Davis Planning Commissioner. Date: February 2, 2025.

**97-9**

| Page | Effect # | Issue | Comment |
|---|---|---|---|
| 3-2 | 3.2.3 Objectives | Objective #4 | This objective states: "Facilitate development that promotes non-vehicular travel and supports active modes of transportation."<br><br>**COMMENT:** This objective will be more difficult to achieve in the absence of a fully grade-separated crossing of Pole Line Road. The lack of a firm commitment to provide a grade-separated crossing is contradictory to Objective #4. The multiple assertions elsewhere in the DEIR that the provision of such a crossing will be determined through the outcome of a feasibility analysis makes glaringly evident that the project applicant lacks a sincere commitment to non-vehicular travel. Offering bicycle and pedestrian crossings at the intersection of Pole Line and Moore Boulevard is simply a recipe for wholly predictable negative interactions between vehicles, bikes and pedestrians.<br><br>People will be far less likely to engage in "active modes of transportation" if they believe the infrastructure for such modes of transportation is insufficient, and more important, simply dangerous. Given that many children and their parents living at Village Farms will want to use the nearby Nugget Field sports center, the project applicant needs to make Objective #4 legitimate by making a solid commitment to construct a below-grade crossing that is fully operational during the early phases of the project, preferably no later than the completion of Phase 2, and provide an environmental analysis of this facility in the DEIR.<br><br>From the same perspective, a grade separated crossing of East Covell Boulevard near its intersection with F Street would enhance the ability to attain Objective #4 by enabling students to easily access schools south of Covell. |
| 3-26 | | | Similar verbiage appears on page 3-26, as follows: "Bicycle undercrossing at Pole Line Road would be constructed during Phases 2, 3, and/or 4." Phase 4 would be way too late to provide protection to minors who are riding bikes. |

**Letter 97 Cont.**

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| 97-10 | 3-5 | 3.4.4 | Project Components | Comment: This paragraph should be amended to include, at the very least, the grade-separated crossing of Pole Line Road, plus a grade separated crossing of Covell Blvd. |
| 97-11 | 3-6 | Figure 3-4 | Drainage Basin | The General Plan exhibit shows a large drainage basin between the East Village residential area and the North Village residential area to the west.<br><br>**COMMENT:** The DEIR should address the potential for mosquitos to be attracted to the drainage basin and the measures that will be taken to lessen the potential spread of mosquito-spread illnesses. The DEIR should also explain the potential impact of hazardous substances infiltrating southward from the former City landfill into the drainage basin and the possible resulting contamination of stormwater contained in Channel A. |
| 97-12 | 3-9 | Table 3.1 | Proposed Residential Uses | **COMMENT:** This table should be expanded to provide forecasts of how many people will reside in the various types of housing units. This would then provide an understanding of how many commuters the project will attract, and the number and ages of residents likely to access the Nugget Fields athletic center on a regular basis. |
| 97-13 | 3-10 | | Residential Low Density | **COMMENT:** It is stated that the number of individual lots that could be purchased by any given individual could be restricted. This is an important issue, because it is my understanding that many individual and institutional investors bought properties at The Cannery, and then leased them (evidently in many cases to UCD students rather than families). If this project is to truly meet the anticipated needs for local housing, a mechanism definitely needs to be enacted that will prevent discrete investment entities from buying anything more than one or at most two homes. |
| 97-14 | 3-12 | | Fire Station | **COMMENT:** I am having trouble understanding how having a fire station located at the busy intersection of Covell and Pole Line will enable fire personnel and vehicles respond quickly to emergencies. It does not seem to make intuitive sense. The DEIR should analyze how response times from this location would compare to the three existing fire stations in Davis. |
| 97-15 | 3-15 | | Access & Circulation | COMMENT: The 3rd paragraph on this page states: "Additionally, if feasible, one pedestrian/bicycle crossing would be provided through an undercrossing near the Pole Line Road/Moore Boulevard intersection." As I have previously commented relative to where this statement appears elsewhere in the DEIR, this provision is completely unacceptable. |

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**Letter 97 Cont.**

**97-15 Cont.**

**97-16**

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| 3-43 | | BRPA circulation | The statement appears in the BRPA section on page 3-43, as follows:<br>"If determined feasible and upon final designs, the proposed pedestrian/bicycle undercrossing at Pole Line Road would be constructed during Phases 2, 3, and/or 4."<br><br>Questions:<br>(1) What defines "...if feasible"? Is it based on cost, constructability, depth to ground water, existence of utility infrastructure that would need to be relocated, or what? (2) Who or what entity would determine the feasibility? (3) When would a determination of infeasibility be made? (4) If such a crossing were deemed infeasible by the project applicant, by what process would alternatives be determined and analyzed?<br>(2) In what years will Phases 2, 3 and/or 4 occur, and how many dwelling units and number of residents are expected to be in existence at the beginning of each of those 3 phases? (The answer to this question will provide insights into how many residents may be exposed to high levels of negative vehicle/pedestrian interactions in the absence of a grade-separated crossing.) Figure 3.23 on page 3.44 should be amended to display this information.<br><br>**COMMENT:** The environmental analysis should evaluate the various options that may be available for a ped/bike crossing of Pole Line Road. |
| 3-17 | | Storm Drainage | The DEIR states: "The Covell Drain Channel then continues east through the central portion of the project site as Channel A, continuing to Pole Line Road where the drainage channel passes under the road in an existing box culvert and flows through the Wildhorse Golf Club course," after which it discharges to Willow Slough.<br><br>**COMMENT:** This drainage system is already overtaxed, as graphically shown in a video taken by a Wildhorse resident at the Wildhorse Golf Club during a multi-day "Atmospheric River" rainstorm in January 2024. (The video was taken by the husband of Marjorie Longo. Ms. Longo showed the video to me several months ago). It showed this drainage channel overflowing its banks and flooding several fairways at the golf course during the storm. I attended one of the Village Farms community workshops on 14 January 2025, during which I discussed this video with an engineer who is a member of the project team. He had likewise seen the video. He explained that the persistent flooding problem at the golf course has resulted from the lack of an easement or similar agreement that would have enabled |

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**97-16 Cont.**

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| | | | City of Davis personnel to enter the golf course to engage in periodic drainage channel clearing, and the golf course owner has no interest in performing the work.<br><br>The DEIR must explore this situation and explain how the current lack of periodic drainage channel clearance may or may not be exacerbated by the increased stormwater flow from the Village Farms project. (1) Would the golf course be completely inundated? (2) What measures need to be undertaken to account for this persistent lack of proper maintenance? |

**97-17**

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| 3-17 | | Storm Drainage | Question: What measures will be taken to prevent trespassing into the drainage channel during heavy rain events, particularly by children? Such facilities are naturally attractive to kids, who may want to swim or play in the moving water. |

**97-18**

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| 3-17 | | Stormwater Drainage | The DEIR states in the last paragraph on this page: "An additional channel would be constructed on the northern boundary of East Village *allowing runoff from larger storm events to flow over Pole Line Road in a northeast direction in a manner as currently occurs under existing conditions."* (Italics added for emphasis.)<br><br>**COMMENT:** The proposal to allow excess stormwater volume to flow over Pole Line Road is absolutely lunacy! Stormwater may occasionally flow over the road under existing conditions, but this is not an acceptable practice that should not be allowed to continue after the amount of impervious surface has greatly increased at the project site. (Moreover, it should not be allowed to occur even now.) Pole Line Road is a busy road that already sustains heavy traffic volumes, especially during AM and PM peaks.<br><br>Allowing water to flow over the road would cause vehicles to throw up huge "rooster tails" that would reduce driver visibility,. It would also potentially induce hydroplaning by vehicles, and make it more difficult for bike riders to ride on this road. Has anyone who wrote this section of the DEIR ever tried riding on a road with water flowing over it?!!? The proposal to allow excess stormwater to flow over Pole Line Road needs a completely new evaluation. It is highly deficient and probably one of the most ill-considered (stupid) means of dealing with stormwater that I have read during the more than 30 years that I've been involved in reading and reviewing draft EIRS.<br><br>The BRPA equal weight alternative describes similar provisions for allowing excess stormwater to flow over Pole Line Road, stated as follows: "An additional channel would be constructed on the northern |

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**Letter 97 Cont.**

**97-18 Cont.**

**97-19**

**97-20**

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| 3-41 | BRPA | Stormwater Drainage | boundary of East Village allowing larger storm events to overtop Pole Line Road and flow to the northeast, matching the existing flow conditions in a rare 100-year, 10-day storm event."<br><br>**COMMENT:** Given the evident effect of climate change on winter storms, a 100-year, 10-day storm event may not be such a rarity in the future. Designing a stormwater system to enable overflow onto a street that sustains high volumes of vehicle traffic is irresponsible. The DEIR should identify a different, safer and more comprehensive way to deal with this problem. |
| 3-23 | | Bike-Ped Crossings | The DEIR once again makes vague, uncommitted reference to potential crossings of Pole Line Road and East Covell Boulevard: "The Pole Line Road undercrossing would land in the vicinity of the Nugget Fields<br>parking lot. The Proposed Project also provides an opportunity to explore a grade-separated crossing at F Street. The study area of the EIR includes a potential landing area on the west side of F Street for a future connection."<br><br>The text goes on to say: "Ultimately, the feasibility of the crossings will depend on landing constraints, potential impacts to the surrounding area, other unforeseen challenges, and, for the F Street crossing specifically, UPRR's requirements. The exact locations of the landing areas (within the Village Farms Davis site and the off-site locations) would be determined based on the final approach alignments developed in coordination with the UPRR and the City, subsequent to approval of the currently requested entitlements."<br><br>**COMMENT:** Asserting a vague reference to a potential "landing" for a Pole Line Road undercrossing is insufficient to facilitate a robust CEQA analysis. The is either going to be such an undercrossing or there isn't. Make a definitive commitment that there in fact will be such an undercrossing, and then analyze the potential environmental impacts. Lacking such a full-fledged analysis, the environmental analysis is decidedly deficient.<br><br>Reference to a potential landing area on the west side of F Street for an East Covell Boulevard crossing dictates that an analysis of such a facility would be warranted now as part of the CEQA analysis. |
| 3-43 | | BRPA Phasing | **COMMENT:** The DEIR should identify the timing of the phasing, not in terms of a definite year, but at the very least identify the number of years after project initiation in which the respective phases would |

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**Letter 97 Cont.**

**97-20 Cont.**

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| | | | commence. Figure 3-23 on page 3-44 should be amended to include this phasing information; i.e., in what years will phases 2, 3 and 4 commence and be completed and occupied? |
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**Letter 97 Cont.**

Template – Comments on Chapter 4.3 – Air Quality, GHG Emissions and Energy - Village Farms DEIR.
Yellow highlighting denotes questions. **COMMENTS** indicated by capitalized, bold underlining.
Submitted by Greg Rowe, City of Davis planning commissioner. 8 February 2025

| | Page | Effect # | Issue | Comment |
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| 97-21 | 4.3-11 | | Odors | The last sentence under the Odors heading says: "The project site is not located near any of the aforementioned odor-generating uses."<br><br>**COMMENT:** Although CEQA does not examine the potential effect of the environment on a project, it should be noted that during recent months, comments on the local version of "Nextdoor" have mentioned strong odors in east Davis, particularly in neighborhoods abutting the south side of Covell Blvd. It appears that the odors have been emanating from the Yolo County landfill on County Road 28H. |
| 97-22 | 4.3-37 | | General Plan | **COMMENT:** The discussion of the Davis General Plan includes Transportation Element Goal #2, which addresses the local transportation system. Policy TRANS 4.4 states: "Provide pedestrian and bicycle amenities." Simply providing additional striping, crosswalks and visual cues to drivers in those segments of East Covell Blvd and Pole Line Road proximate to the proposed project does not meet the intent of this policy. Grade-separated crossings of Covell and Pole Line will be the only way to effectively comply with Policy TRANS 4.4. |
| 97-23 | 4.3-45 | | GHG Emissions | **COMMENT:** Throughout the evolution of the proposed Village Farms project, it has been asserted numerous times by local elected officials and social media commenters that approval of the project would reduce GHG emissions by enabling more people employed in Davis to also live in the city, rather than commuting from other cities such as Woodland. On the other hand, Chapter 4.13 of the DEIR and the Transportation Impact Study (Appendix R) forecast that substantial increases in trip generation and aggregate VMT would result from the project.<br><br>**Question:** Has an analysis been performed to compare the realistically potential reduction in GHG emissions that would occur as a result of more local workers being able to live at Village Farms, versus increased GHG emissions resulting from higher traffic volumes and congestion at the intersection of East Covell Boulevard and Pole Line Road, as well as other nearby intersections? By this question, I am not inferring that workers now living in Woodland's Spring Lake development, for example, would move to Davis. Rather, I am asking whether an analysis has been done that would evaluate probable GHG emissions if more **future** residents resided at |

| | Page | Effect # | Issue | Comment |
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| 97-23 Cont. | | | | Village Farms rather than commuting from outside Davis, compared to greater GHG emissions resulting from heavier traffic and vehicle idling near the project. |
| | 4.3-71 thru 73 | Measure 4.3-7(b) | | The DEIR proposes a number of mitigation measures to reduce construction related GHG emissions. Several of the measures warrant explanation of how they would actually function, because it may not be intuitively obvious to the lay reader. Examples: |
| 97-24 | | | | • Modify the construction schedule to reduce the intensity of construction to lower emissions;<br>**Question:** Modify the schedule in what manner: Starting earlier or later in the day, adjusting seasonality of construction, etc. Please explain. Also explain how this would be monitored. |
| 97-25 | | | | • Ensure that phases of development do not overlap;<br>**Question:** Explain how not overlapping development phases would reduce GHG emissions. It would seem that the same amount/volume of emissions would occur over time regardless of whether phases overlapped. Sorry, but I simply don't understand how this measure would be implemented and how it would effectively do anything meaningful to reduce GHG emissions. |
| 97-26 | | | | • Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes<br>**COMMENT:** This mitigation measure is basically a construction version of TDM. From my observation of large construction projects while working for the Sacramento Housing and Redevelopment Agency, the Sacramento County Department of Airports, and as Economic Development Manager for the Oakland Chamber of Commerce, construction workers on any particular project tend to come from widely a widely dispersed geographic area, and expecting them to organize into carpools and other types of shared rides would simply be impractical. In addition, given the shortage of qualified construction workers (especially since many could relocate to help rebuild Los Angeles), it would be imprudent to impose transportation requirements on them. |
| 97-27 | 4.3-75 | 4.3-8 | Operational GHG emissions | The DEIR says that operational GHG emissions would be reduced through a variety of mechanisms, including: "...the Proposed Project would include several bicycle and pedestrian infrastructure improvements..."<br><br>**COMMENT:** As emphasized in comments on other chapters of the Village Farms DEIR, the efficacy of the proposed bicycle and pedestrian infrastructure improvements is highly questionable. Simply installing lane markings, crosswalks, visual ques for motor vehicle drivers and the like will be unlikely to give bike riders and |

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**Letter 97 Cont.**

**97-27 Cont.**

**97-28**

**97-29**

| Page | Effect # | Issue | Comment |
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| | | | walkers a sense of confidence near one of the most high-volume traffic intersections in the City of Davis (i.e., East Covell Boulevard and Pole Line Road). I am a highly experienced bike rider (now 73 and have been riding since age 5), and I will not ride near that intersection now, let along after it has 1800 dwelling units nearby. The only truly effective mechanism for helping to avoid collisions between motor vehicles and pedestrians/cyclists will be grade-separated crossings of Covell and Pole Line Road. |
| 4.3-75 | 4.3-8 | GHG and TDM | The DEIR references using TDM to reduce GHG emissions: "...the Proposed Project would implement TDM strategies to reduce VMT..."<br><br>**COMMENT:** The DEIR once again cites TDM as a means to reduce GHG emissions, despite the fact that the uncertainties and difficulties inherent in implementing TDM strategies are well documented elsewhere in the DEIR. As noted on page 4.3-80, "...due to uncertainties related to the potential efficacy and feasibility of the GHG reductions measures, as well as the availability of off-site carbon credit programs, the full GHG reductions associated with the Proposed Project or the BRPA cannot be guaranteed at this time." Hopefully most readers of the DEIR will recognize that references to using TDM to reduce emissions is merely window dressing that has little practical meaning. |
| 4.3-78 | 4-3-8 | City of Davis CAAP | The DEIR describes alternative transportation methods that could be used to reduce GHG emissions: "The Proposed Project and the BRPA would include several improvements to the bicycle and pedestrian network within the City, such as construction of new bicycle lanes, bicycle and pedestrian crossings, and incorporation of signage and traffic-calming measures to improve mode-share safety on internal roadways used by bicyclists."<br><br>**COMMENT:** As mentioned previously, signage, traffic calming (roundabouts, speed humps), new bike lanes and pedestrian crossings will be insufficient to provide a sense of safety and security sufficient to induce walking and biking among the residents of the project's anticipated 1800 dwelling units. A genuine approach would be a commitment now by the project applicant to construct grade-separated crossings on Pole Line Road, and preferably East Covell Boulevard as well. |
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**Letter 97 Cont.**

Comments on Chapter 4.7 – Hazards and Hazardous Materials - Village Farms DEIR.
Questions denoted in yellow highlighting. **COMMENTS Denoted in Bold Underlining**
Submitted by Greg Rowe, City of Davis planning commissioner. February 5, 2025

**97-30**

| Page | Effect # | Issue | Comment |
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| 4.7-1 | 4.7.1 - Introduction | Phase II ESAs | The introduction states that the Environmental Site Assessments (ESAs) investigated "...effects to on-site soils from the former firing range site currently occupied by Davis Paintball and Blue Max Kart Club (hereafter referred to as Firing Range Phase II ESA).<br><br>**COMMENT:** Notably absent from this sentence is any discussion about operations at the former 31-acre City of Davis landfill facility located north of the project site, which was closed in 1975. According to a State Water Resources Control Board Geotracker report issued 20 January 1993, known substances released by the landfill include freon, mercury, nitrate, other chlorinated hydrocarbons, inorganic salt, vinyl chloride, and various metals. According to the Geotracker report, the former landfill was unlined and lacked a leachate collection system, which would have prevented contaminants from migrating into groundwater and local aquifers. Consequently, the Geotracker report states that the former landfill is suspected of discharging metals, volatile organic compounds (VOCs), nitrates, and Total Dissolved Solids to groundwater.<br><br>In a letter to the City of Davis Public Works Department, dated 26 July 2023, the Central Valley Regional Water Quality Control Board (RWQCB) stated that "...staff believes the landfill continues to degrade groundwater quality in the area and may also be a source of per-and-polyfluoroalkyl substances (PFAS)." The letter goes on to say that "...Staff has additional concerns about the lack of groundwater samples analyzed for PFAX chemicals because the property was previously used as a landfill and a wastewater treatment facility which are known to be sources of PFAS."<br><br>I am concerned that these contaminants could still be present in soil and groundwater in concentrations that may negatively impact stormwater quality in the project's drainage basin, and as a result, likewise potentially effect downstream water quality and habitat. I could not find any information in DEIR Chapter 4.7 indicating whether the concerns expressed by the RWQCB relative to PFAS have been addressed. The DEIR should fully examine the potential continued existence of PFAS and PFAX in soil and groundwater in the Urban Agricultural Transition Area (UATA) and in the Urban Development Area. |

| | Page | Effect # | Issue | Comment |
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| 97-31 | 4.7-25 | Phase II ESA | Soil Sampling | The following sentence appears on page 25: "…discrete surface soil samples were taken from the upper six inches of soil (beneath the vegetative layer, if present)." This sentence is relative to the Phase II ESA for the Urban Development Area, Urban Agricultural Transition Area and former City of Davis Policy Department Firing Range.<br><br>Questions: (1) Is taking soil samples from at a depth of 6 only inches sufficient to reveal potential soil contamination? (2) Was groundwater sampling conducted?<br><br>COMMENT: Given the past waste disposal activities in the project area, it would seem prudent to have obtained groundwater samples. During the time I was a redevelopment manager with the former Sacramento Housing and Redevelopment Agency (SHRA), I was responsible for commissioning Phase II ESAs in several redevelopment project areas, including Del Paso Heights and North Sacramento. Those efforts consisted of deploying drilling rigs to extract samples from depths up to 100 feet below ground surface. In one instance at a Del Paso Heights site, contaminated groundwater was discovered as much as 80 – 90 feet below the ground surface. While later serving 13 years as Senior Environmental Analyst for the Sacramento County Department of Airports, I commissioned contractors to assist with completing a number of soil and groundwater investigations and obtaining site closure decisions at four airports.[1] Based on this experience, and given the past activities at the unlined former Davis landfill, it is my opinion that it would be prudent to implement a robust protocol of groundwater sampling at the UATA and Urban Development Area. |
| 97-32 | 4.7-26 | Phase II ESA | Soil Sampling | Issue: Urban Agricultural Transition Area Phase II ESA. The following sentence explaining the sampling protocol is in this section: "The surface soil samples were taken from the upper six inches of soil (beneath the vegetative layer, if present)."<br><br>In addition, on page 26, the DEIR goes on to state the following: "Subsurface soil samples were collected from the area adjacent to the Old Davis Landfill on March 11, 2024. Two soil borings were performed at the location of the proposed Channel A realignment south of the Old Davis Landfill, and two soil borings were performed at the eastern edge of the UATA boundary, west of the Old Davis Landfill (see Figure 4.7-6). At each boring location, Geocon obtained three soil samples from depths of zero to one foot, five to six feet, and nine to 10 feet bgs, respectively." |

[1] Sacramento International, Mather, and Executive airports and Franklin Field.

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**Letter 97 Cont.**

**97-32 Cont.**

| Page | Effect # | Issue | Comment |
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| | | | Questions: (1) While it is good that sampling was conducted as far down as 10 feet bgs, is this depth sufficient to detect potential groundwater contamination? (2) Will the sampling described in this section of the DEIR be sufficient to ensure that contaminated groundwater will not seep into the realigned Channel A? |
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**Letter 97 Cont.**

Comments on Chapter 4.8 – Hydrology and Water Quality - Village Farms DEIR. Questions highlighted in Yellow. **COMMENTS** indicated in capital bold underlining.
Submitted by Greg Rowe, City of Davis Planning Commissioner, 5 February 2025

**97-33**

| Page | Effect # | Issue | Comment |
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| 4.8-2 & 3<br><br>4.8-5 | | Off-site In Flow | The following quotes appear on pages 2 and 3:<br>(1) In high flow conditions, storm water north of the project site from the North Davis Channel, overwhelms the capacity of the existing channel and spills south into the existing farm field (Flow #7).<br>(2) "The North Davis Drain channelized flow (Flow #2) also overwhelms the channel capacity west of F Street, resulting in shallow flooding of the farm fields and ultimately overtopping F Street and the Railroad (Flow #8)."<br><br>The following verbiage of concern also appears on the top of page 5: "Storm water flows from the aforementioned locations continue as shallow overland flow southerly across the farm fields and enters the project site, combining with the storm water from the Covell Drain and F Street channel. In high flow storm water events, storm water contained in the Cannery detention basin, located around the northern and eastern perimeter of the Cannery, overtops a concrete weir and flows overland eventually entering Channel A flows onsite."<br><br>**Questions:**<br>(1) How significant is the current overwhelming of the existing North Davis Channel (Flow 7)?<br>(2) (2) How frequently does flooding occur?<br>(3) The same questions pertain to overwhelming of the channel capacity west of F Street.<br>(4) Same questions (frequency and severity) apply to the quoted excerpt on the top of page 5. Simply stating that the channels are occasionally overwhelmed, that weirs are overtopped and that overland flows occur, does not provide enough context. The frequency and severity need to be articulated in greater detail.<br><br>**COMMENT:** The typical casual reader of the DEIR will no doubt be concerned as to why development is being proposed at the Village Farms site, when existing drainage channels in or near the proposed project site are already experiencing overtopping and related flooding conditions. The reader may question why development is being proposed in an area that is already compromised from the standpoint of historical stormwater flow and flooding patterns. |

**Letter 97 Cont.**

| | Page | Effect # | Issue | Comment |
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| **97-34** | 4.8-5 | | Flow Thru Project Site | The following text appears on page 5 regarding Flow Through the Project Site: "During high flow conditions, storm water overtops Channel A and spills to the north into the farm field. The overflow continues flowing overland to the northeast corner and begins ponding, eventually overtopping Pole Line Road."<br><br>**COMMENT:** As with the comments above regarding Off-Site Inflow," the quoted verbiage provides the reader with no relatable context.<br><br>**Questions:**<br>(1) How often do such high flow conditions occur?<br>(2) How severe is the ponding?<br>(3) How often is Pole Line Road overtopped?<br>(4) Is the overtopping of Pole Line Road ever severe enough to warrant closure of the road to vehicular traffic? |
| **97-35** | 4.8-5 | | Project Site Outflow | The following excerpt appears under the heading of "Project Site Outflow" (text in italics indicate great concern to this commenter): Discharge into the Willow Slough Bypass is regulated by flap gates in the culverts penetrating the levees; during peak flows in the Willow Slough Bypass, the flap gates remain shut. *During this condition, flow from the Covell Drain watershed spills east out of the channelized flow and flows overland into the East Davis watershed resulting in ponding and flooding through the eastern reaches of the watershed."*<br><br>**COMMENT:** As with the preceding comments, the quoted verbiage provides the reader with no relatable context. The analysis presented on pages 2-5 is entirely inadequate to provide the average reader with any real understanding of the current situation. More information must be added to make this chapter truly informative for decision makers and the public.<br><br>Questions:<br>(1) How often does such ponding and flooding occur in the eastern reaches of the East Davis watershed?<br>(2) How deep is the flooding typically?<br>(3) What is the worst flooding that has occurred in the East Davis watershed? |

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**Letter 97 Cont.**

97-36

| Page | Effect # | Issue | Comment |
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| 4.8-9 and 10 | | Groundwater Quality | **COMMENTS:** My comments on Chapter 4.8 (Hazardous Materials) expressed concern about the potential impact of contaminated groundwater on stormwater that will accumulate in the proposed project's detention basin, largely due to legacy pollutants released to the environment during operation of the City's unlined former landfill ("Old Davis Landfill") north of the project site.<br><br>Those concerns are substantiated by the text on page 4-9 of the Hydrology and Water Quality chapter, as follows: " As noted in Chapter 4.7, Hazards and Hazardous Materials, of this EIR, according to multiple records reviewed as part of the Urban Development Area Phase I ESA prepared for the project site, groundwater beneath the project site/BRPA site appears to have been impacted by the former landfill and is considered a potential Recognized Environmental Condition (REC)."<br><br>The following is further noted on page 4.9-9 as a result of groundwater monitoring conducted during 2024: "Eight contaminants were found to exceed the Maximum Contaminant Level (MCLs) set forth by the United States Environmental Protection Agency (USEPA) and/or State of California. MCL is defined by the USEPA as the highest level of a contaminant that is allowed in drinking water and are enforceable standards," although the measured levels of these contaminants are seemingly similar to other sites in the Central Valley.<br><br>What is most concerning, however, is the finding that detected per- and polyfluoroalkyl substances (PFAS) compounds and manganese appear to originate from the Old Davis Landfill, and that the measured levels of three PFAS compounds exceeded their respective USEPA water quality standards in monitoring wells. As stated on page 4.8-10 of the DEIR, the monitoring report concluded that *these high PFAS levels are not common in the region, so in all likelihood originated from the former City of Davis Landfill (italics added for emphasis).*<br><br>It is further stated on page 4.8-10: "Manganese was detected at concentrations ranging from 29 to 340 micrograms per liter (µg/l) in groundwater beneath the project site/BRPA site, and some of the detected concentrations exceed<br>the Secondary (aesthetic) MCL for manganese in drinking water (50 µg/l). Manganese was detected in groundwater at relatively high concentrations beneath the Old Davis Landfill, and such concentrations could be attributable to former landfill operations." |

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**Letter 97 Cont.**

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| **97-36 Cont.** | 4.8-22<br><br><br><br>4.8-23 | | | In further corroboration of my concerns about legacy PFAS and manganese contamination associated with operation of the Old Davis Landfill, the following is stated on page 4.8-22 of the DEIR (italics added for emphasis): "In addition, as discussed above in the Existing Setting section, PFAS and manganese concentrations that originate from the Old Davis Landfill have been detected in groundwater beneath the project site/BRPA site. *On-site excavation to create the project's storm water system could expose contaminated groundwater."*<br><br>Finally, page 4.8-23 of the DEIR describes recent studies indicating that PFAS and manganese could ostensibly be prevented from infiltrating into the stormwater detention and conveyance system by constructing the new drainage channel so that its bottom would be above the historical level of groundwater in the area, as follows: "Therefore, substantial evidence exists to conclude that potentially contaminated groundwater from the Old Davis Landfill would not come into contact with the Proposed Project/BRPA storm water system. As a result, substantial exists to support the conclusion that the project's runoff would not transport contaminated water into the downstream system."<br><br>**Questions/Requests:**<br>(1) Please describe the precautions that will be taken by the project applicant and the City of Davis to prevent groundwater contaminated by PFAS and manganese originating from the Old Davis Landfill from infiltrating into the stormwater that will be stored in the project's detention basin.<br>(2) Describe methods that will be used to prevent exposure of PFAS and manganese contaminated groundwater during construction of the project's stormwater system during construction of the project's detention basin.<br>(3) Please describe the measures that will be undertaken by the project applicant and the City of Davis to prevent PFAS-contaminated water from impacting downstream drainage channels, habitat and water users. |
| **97-37** | | | | (4) Given that the continued high levels of persistent PFAS compounds originating from the Old Davis Landfill exceed federal and State regulatory standards, to what degree can the City of Davis be found liable for any impacts to water quality associated with approval and construction of the proposed project? |
| **97-38** | | | | (5) Please describe what constitutes "substantial evidence" that the recommended stormwater channel depth would prevent contact between PFAS and manganese contaminated groundwater.<br>(6) What would be the potential ramifications if the historic level of groundwater were to rise over time, potentially causing contaminated groundwater to come into contact with stormwater? What precautions will be taken now to prevent such contamination if the groundwater level were to rise? |

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**Letter 97 Cont.**

| | Page | Effect # | Issue | Comment |
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| 97-39 | 4.8-34 | 4.8-4 | East Davis Ponding | The DEIR states that the proposed project's contemplated stormwater drainage system will decrease the likelihood of East Davis ponding and flooding, as follows: "As shown in Table 4.8-3, the Proposed Project is anticipated to result in approximately 0.01-foot of increase to water surface elevations in the 100- and 200-year, 10-day storm event. The increase is based on an analysis that is anticipated to be conservative for the combined hydrologic and hydraulic impacts of the Proposed Project. The Proposed Project would result in reductions in ponding depths in smaller, more frequent storm events within the watershed as shown with the net reductions in ponding depths for the 10- and 100-year, 24-hour storm events."<br><br>I have seen a video taken by a Wildhorse resident in early 2024, showing fast moving stormwater in the Covell Drain inundating several fairways at the Wildhorse golf club. The speed of the flowing water and the noise it made were impressive, indicating that a high volume of water was moving at a fast pace. I mentioned this video to a representative of the project applicant during one of the community briefings conducted by the applicant in January. He responded that he had likewise seen the video, but was of the opinion that this flooding was the result of a long-standing inability of the City of Davis to obtain an easement or other form of right-of-entry to regularly clear the portion of the drainage channel within the golf course, and that the golf course owner does not want to engage in such maintenance. The example shown in the video is apparently not an isolated situation, and may continue into the future, as indicated by the following statement on page 4.8-38: "The 100-year, 24-hour storm event does show some isolated areas with larger increases that would occur within drainage features along Covell Drain in the Wildhorse golf course."<br><br>Questions:<br>(1) Given this situation, what confidence is there that the project applicant's proposed stormwater facility improvements will in fact ameliorate and/or prevent downstream flooding and ponding in East Davis?<br>(2) I have witnessed flooding at and near Sutter Davis Hospital in the past, and in my observation that has potentially resulted from inadequate clearance of vegetation and debris from the Covell Drain by the City of Davis. To what extent can the Davis populace have confidence that the City and/or applicant will carry out proper maintenance of the contemplated new channels so as to prevent ponding and flooding in neighborhoods east of Pole Line Road? |
| 97-40 | | | | |

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**Letter 97 Cont.**

| | Page | Effect # | Issue | Comment |
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| 97-41 | | | | **COMMENT:** It is evident that storms are becoming more intense due to climate change, so one has wonder about the veracity of the assertions in the DEIR that the proposed stormwater improvements and mitigations will prevent future flooding and overwhelming of the entire drainage system.<br>Question: Did the analysis that produced the conclusion referenced on page 4.8-34 take into account the potential increase in the intensity of northern California storms associated with climate change? |
| 97-42 | 4.8-40 | 4.8-4 | Drainage Report | **COMMENT:** Design Level Drainage Report: I have concerns about waiting until the tentative subdivision map is submitted to develop this report. Given the reported inability to properly maintain the segment of the Covell Drain within the Wildhorse Golf Course, what assurance is there that fiscal and institutional constraints could prevent the City of Davis in the future from adequately maintaining all of the drainage channels serving the proposed project? As a 25-year resident of West Davis, I have witnessed numerous occasions when the drainage channel between the north side of West Covell Boulevard and Sutter Davis Hospital has overflowed during and after heavy rainstorms, as a result of inadequate vegetation and debris maintenance in the channel. This experience does not instill great faith that drainage facilities in East Davis will be adequately maintained in the future to prevent flooding and ponding. |
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Comments on Village Farms DEIR – Chapter 4.9 – Land Use and Planning
**Questions appear in yellow shading.** **COMMENTS** are in capitalized bold font with underlining
Submitted on 6 February 2025 by Greg Rowe, City of Davis planning commissioner.

**97-43**

| Page | Effect # | Issue | Comment |
|---|---|---|---|
| 4.9-20 | | LAFCO Consistency Decision | Issue: Optimum Way to Create Easements. This section of the DEIR discusses policy considerations relative to annexation of the project site by the City of Davis. #5 on page 4.9-20 addresses required agricultural mitigation as follows: "While the Proposed Project and BRPA would both result in the conversion of agricultural land to urban uses, the discussion in Chapter 4.2, Agricultural Resources, of this EIR confirms the preservation of equivalent acreage of farmland elsewhere at a 2:1 ratio through Mitigation Measures 4.2-1(a) for the Proposed Project and 4.2-1(b) for the BRPA. In addition, the proposed 118.4 acres of UATA would incorporate the minimum 150-foot agricultural buffer required by the City. The permanent agricultural easements to the north would also provide a permanent barrier to further expansion."<br><br>**COMMENT:** It is vitally important that the required agricultural easements be conveyed to a qualified non-for profit organization such as the Yolo Habitat Conservancy, which implements the HCP/NCCP for Yolo County, or alternatively the Yolo Land Trust. The ag easement should not under any circumstances be conveyed to the City of Davis, the County of Yolo, or any other governmental entity that could be subject to future political pressures to amend the easements for the purpose of enabling development of the property.<br><br>Establishing the required ag easements in favor of the City or County could potentially precipitate a future situation similar to the recent controversy regarding the proposed North Covell Creek project. When the Wildhorse Ranch project was approved, a conservation easement was placed on the golf course, with the easement conveyed to the City of Davis. Last year the golf course owner proposed that a portion of the land comprising the golf course conservation easement (CE) be split off for the purpose of building homes, contending that the City has the legal ability to amend the CE in this manner. If the easement had originally been conveyed to an entity such as the Yolo Habitat Conservancy (which did not exist at that time) or the Yolo Land Trust, the recent controversy would have been precluded from happening. The appropriate CE steps must be taken now with respect to the agricultural mitigation easements that will be required of the project applicant. |

**Letter 97 Cont.**

| | Page | Effect # | Issue | Comment |
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| 97-44 | 4.9-26<br><br>4.9-27 | Policy 2.5 - Trans | Class 1 Bike Lanes | Shared Use Class I shared-use Paths (italics added for emphasis): "The DEIR says. Construction of new Class I shared-use path connections at the existing Cannery Avenue/Cannery Loop, East Covell Boulevard/L Street, Pole Cannery Avenue/Cannery Loop, East Covell Boulevard/L Street, Pole Line Road/Picasso Avenue, Pole Line Road/Donner Avenue, and *Pole Line Road/Moore Boulevard intersections…"*<br><br>**COMMENT:** Consistent with my comments on other chapters of the DEIR, I am greatly concerned that the project description and the DEIR lack an unambiguous commitment to providing a grade-separated bicycle and pedestrian crossing at the intersection of Pole Line Road and Moore Boulevard. The verbiage used in the discussion of Policy TRANS 2.5 must be revised to make it clear that a grade-separated crossing will be installed at this intersection. It should also be made clear that this grade-separated crossing shall be required irrespective of the roundabout at this intersection that is referenced on page 4.9-27. |
| 97-45 | 4.9-28 | Policy Trans 4.2 | Trails and Bike Network | The DEIR contains the following verbiage regarding separations between bikes, pedestrians and motor vehicles: "…minimize conflicts between pedestrians, bicyclists, equestrians, and automobiles; and minimize impacts on wildlife. Greenbelts and separated bike paths on arterials should serve as the backbone of much of this network."<br><br>**COMMENT:** The reference to "separated bike paths" lends policy support for requiring the applicant to construct a grade separated bike and pedestrian crossing of Pole Line Boulevard at Moore Boulevard. |
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**Letter 97 Cont.**

Comments – Village Farms DEIR Chapter 4.11 – Population and Housing.
Submitted by Greg Rowe, Planning Commissioner

**97-46**

| Page | Effect # | Issue | Comment |
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| 4.11-2<br>4.11-7 | | People/ Unit | The DEIR states that at build out the project would have 1,800 units. Based on the current Davis average of 2.57 residents per unit, the population of the project is expected to be 4,626.<br><br>According to a Student Population Forecast report presented to the DJUSD Board of Education on 2 March 2023 and to the Davis City Council on 7 March 2023, 7,177 students lived in Davis and attended Davis schools during 2023. (This does not include 1,210 more students who lived outside Davis but who attended Davis schools.).<br><br>According to the City of Davis website, there are 25,869 housing units in Davis. Using the student enrollment data cited above, it appears that on average there are 0.277 students per Davis household. If these data were to continue to hold true, at full buildout there would be 498.6 students living at Village Farms (1800 units x 0.277).<br><br>The school district report points out that declining births are likely to result in a continued enrollment decline in Davis schools. If one were to therefore take a conservative approach and assume that the number of school age children likely to reside at Village Farms at buildout would range between 400 and 450 students, that is still a significant number of students who on a daily basis would need to cross Covell Blvd. to attend school. This is also a significant number of children who may be likely to utilize the Nugget Fields sports complex on a periodic basis (along with their parents), and would be in need of a safe way to get across busy Pole Line Road. |
| | | Need for safe under-crossing | **COMMENT:** Given that potentially 400 – 450 (or even more) students will reside in the 1800 housing units that would be built at Village Farms, it is unconscionable for the project applicant to propose nothing more than a vehicle roundabout at the intersection of Pole Line Road and Moore Boulevard. The project must be revised to include a grade-separated crossing of Pole Line no later than the completion of Phase 2 of the project. |

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**Letter 97 Cont.**

Comments on Chapter 4.13 – Transportation - Village Farms DEIR. Questions highlighted in yellow. **COMMENTS** in bold underlining.
Submitted by Greg Rowe, Davis planning commissioner. Submitted 4 February 2025.

| | Page | Effect # | Issue | Comment |
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| 97-47 | Pages 4.13-11 and 12 | Trans | Emerging Trends | The DEIR states as follows: "... combined bus and rail ridership on SacRT declined by approximately 19 percent between 2016 and 2019 (prior to the COVID-19 pandemic) and by approximately 54 percent between 2016 and 2022 (after the COVID-19 pandemic)."<br><br>**COMMENT:** State legislation (SB 375 and SB343) has aimed to reduce vehicle driving through infill development (such as the proposed project). Further, Objective 4 of the proposed project aims to "Facilitate development that promotes non-vehicular travel and supports active modes of transportation." However, the documented reduction in public transit ridership within the region, combined with the fact that only 5% of Unitrans riders are non-UCD students, makes it seriously questionable whether the proposed project would to significantly increase the likelihood that fewer people will drive their own vehicles for commuting and other trips.<br><br>In addition, the DEIR emphasizes repeatedly that it is currently uncertain how the public will adapt to and embrace new travel technologies, thereby making it more difficult for traditional transportation models to accurately predict future travel modes. |
| 97-48 | Pages 12 - 13 | VMT | Peripheral project VMT-Higher VMT in Outlying Davis Areas | The DEIR notes that per capita VMT is higher in Davis (30.1) than the SACOG region overall (21.7), and that per capita VMT in Davis is highest in the outlying, peripheral areas than in Central Davis. The exact verbiage: "Residential VMT per capita generated by existing residential uses within the project site vicinity (e.g., the Cannery, North Davis, etc.) is approximately 31 VMT per capita, three percent above the existing City average and 43 percent above the existing SACOG average. For reference, existing residential VMT per capita in more centrally located Davis neighborhoods such as Central Davis and Old East Davis measures in the range of 25 to 27 VMT per capita, while existing residential VMT per capita in more outlying areas such as Mace Ranch or South Davis measures in the range of 33 to 36 VMT per capita."<br><br>**COMMENT:** Given that residential per capita VMT is highest in outlying neighborhoods such as the nearby Mace Ranch, **it is highly predictable that residential per capita VMT for Village Farms will likewise be well above the current City average and SACOG average.** In fact, the DEIR reveals on in |

**97-48 Cont.**

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| | | | section 4.13-4 (page 4.13-40) that the project is expected to have residential VMT per capita of 31.5, and the BRPA would be even higher at 32.8. This will make it extremely difficult—if not impossible–to attain the project's objective #4, to "facilitate development that promotes non-vehicular travel and supports active modes of transportation." |
| Page 4.13-24 | | Trip Generation | The DEIR says the model produced the following trip generation estimates: "...the Proposed Project would generate an estimated 13,885 net new daily trips, 1,089 net new AM peak hour trips, and 1,471 net new PM peak hour trips during a typical weekday." The BRPA "...would generate an estimated 15,415 net new daily trips, 1,199 net new AM peak hour trips, and 1,631 net new PM peak hour trips during a typical weekday."<br><br>Questions: (1) How does the number of expected new daily trips compare to the number of new trips that were predicted for the Wildhorse project, and other similar projects that have been proposed in the area such as Palomino Place? (2) In which directions would these new trips proceed after leaving the project site? (3) The number of daily trips is 1,530 higher in the BRPA. This reason(s) for this difference may be explained elsewhere in the DEIR, but please explain it in this paragraph.<br><br>**COMMENT:** Although I realize that VMT is the criteria being used to determine impact in this DEIR, it would nonetheless be extremely helpful if the predicted number of new daily trips were placed into an easily understood context that would resonate with non-technical readers. In other words, even though LOS is not relevant to CEQA, how would these additional trips compare to the number of vehicles that currently pass through the intersection of East Covell Blvd and Pole Line Road on a daily basis, or the intersection of East Covell Blvd and L Street? More information is needed to help readers gain an understanding of the proportionality and context of 1,885 to 15,415 additional trips in a manner to which the reader can relate in everyday terms. |
| Page 4.13-24 | VMT | Centroid Connectors | **COMMENT:** Please define "centroid connectors," and explain their importance or usefulness in transportation analyses. Also define "synthetic population inputs." All too often, CEQA documents seem to assume that the lay reader understands such terms and acronyms. Please define such terms using parentheses or footnotes. |

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**97-50**

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| | Page 4.13-32 | Impact 4.13-2 | Conflict with policies, and programs. | The DEIR once again equivocates as to whether grade-separated pedestrian and bicycle crossings of Pole Line Road and Covell Boulevard will ever be constructed. The verbiage: "If feasible, construction of one pedestrian/bicycle crossing through an undercrossing near the Pole Line Road/Moore Boulevard intersection and one future grade-separated crossing at F Street. These crossings would be constructed in Phases 2, 3, or 4 of project implementation. Due to uncertainties regarding the timing and feasibility of the foregoing crossings, the TIS did not consider either as project components for the purpose of the analysis;"<br><br>**COMMENT: The decision to not include these two grade-separated crossings in the transportation analysis is a serious error in judgment that in my view should disqualify the DEIR from certification.** Without analyzing the operations of such grade-separated crossings, the public would be deprived of knowing how much pedestrian and bicycle transportation would occur if such facilities were implemented. In other words, the characteristics of bike and pedestrian travel with and without such facilities needs to be compared and thoroughly evaluated. The DEIR must evaluate these facilities, with the assumption that they would be fully operational before the conclusion of Phase 2 of the project. |
| | Pages 4.13-33-34 | Impact 4.13-2 | Conflict with existing policies, etc. | **COMMENT:** The DEIR itself clearly points out the problems likely to result from the absence of grade-separated bike and pedestrian crossings of East Covell Boulevard and Pole Line Road, as follows (*italics* added for emphasis): "While most pedestrian and bicycle desire lines would be adequately accommodated by the existing and proposed active transportation network within and surrounding the project site/BRPA site, active transportation network gaps would impede pedestrian and bicycle access to and from the site at several locations. *Additionally, at several locations, inadequate bicycle and pedestrian facilities and/or crossing amenities, coupled with project-related increases to vehicle traffic, would exacerbate bicyclist and pedestrian exposure to conflicting vehicular traffic in a manner that could increase the potential for collisions".* The DEIR concludes this would be a significant impact.<br><br>Later in Chapter 4.13, on page 51, the DEIR admits the inherent potential difficulties for bike and pedestrian travel that would accompany the proposed project (*italics* added for emphasis): "*Additional physical mixing between bicyclists, pedestrians, and vehicles at the specific locations described in Impact 4.13-2 [pages 4.13, 31-36] would increase the potential for conflicts involving people walking and biking that are attributable to the Proposed Project/BRPA.)* |

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**97-53**

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| | | Measure 4.13-2-c | Vehicular conflicts with bikes and pedestrians | Because the DEIR explicitly admits that the project would exacerbate bicycle and pedestrian exposure to conflicts and collisions with vehicular traffic, the environmental analysis will be deficient in the absence of exploring and defining the degree to which grade-separated ped and bike crossings would ameliorate this problem. Roundabouts and signalized intersections alone will not properly protect bicycle riders and pedestrians. The mitigation measures described on pages 33 – 36 of this chapter will not be sufficient to provide legitimate protection to pedestrians and bicyclists.<br><br>In particular, the measures described in section 4.13-2(c) are totally inadequate to protect bike riders. They simply won't induce sufficient confidence in the safety of the referenced roadway segments to encourage biking. The identified measures are: " The project applicant shall construct a roundabout with pedestrian and bicycle crossings on all legs at the Pole Line Road/Moore Boulevard intersection. Bicycle and pedestrian crossings shall be placed through the splitter islands for each roundabout approach to minimize the number of multi-lane crossings, and shall be designed to the satisfaction of the City Engineer. In addition, the project applicant shall install traffic signals and pedestrian crossings on all legs at the Pole<br>Line Road/Donner Avenue and Pole Line Road/Picasso Avenue intersections."<br><br>The text of the DEIR goes on to say the following on the bottom of page 34: "Implementation of the foregoing improvements, or a set of improvements of equal effectiveness as determined by the City Engineer, would reduce the potential for conflicts involving bicyclists or pedestrians that would otherwise be caused by the project and *promote bicycle and pedestrian travel to and from the project site/BRPA site."*<br><br>As an experienced cyclist (now 73 years of age with 68 years of riding), I dispute that the proposed improvements would adequately reduce the potential for conflicts between vehicle traffic and bicyclists and pedestrians.<br><br>Question: The above text does not describe the degree or percentage to which conflict potential would be reduced. What is it? Please define, and provide empirical proof based on real-world studies or experience to justify this assertion. . |

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| **97-54** | 4.13, page 35 | 4.13-2(d) | Bike and Ped Safety – Birch Lane | In terms of the intersection of East Covell Blvd and Birch Lane, the DEIR says that the following improvements will be implemented to improve bicyclist and pedestrian safety and reduce conflicts with vehicular traffic: "The improvements shall include: installation of high visibility bike lane conflict markings in the northbound and southbound direction across both East Covell Boulevard and Denison Drive; high visibility marked crosswalks across the east leg of the East Covell Boulevard/Birch Lane intersection and across the east and south legs of the Birch Lane/Denison Drive intersection; and installation of a bike lane with conflict markings at the northbound approach of the East Covell Boulevard/Birch Lane intersection.<br><br>**COMMENT:** The DEIR needs to provide empirical proof (performance data and other information) that such so-called improvements would in fact reduce conflicts between vehicular traffic and pedestrians and people riding bikes. Please cite relevant empirical studies or documents to substantiate these assertions. |
| **97-55** | 4.13, page 35 | 4.132(f) | Bike-Ped Safety at Oak Tree Plaza | Issue: In terms of the 3 entrances/exits for Oak Tree Plaza on East Covell Blvd, the DEIR states that potential bicyclist and pedestrian conflicts with vehicular traffic would be decreased through the following: "Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA, the project applicant shall install high visibility bicycle and pedestrian crossing markings and accompanying signage at the three Oak Tree Plaza driveway intersections with the East Covell Boulevard shared-use path, consistent with the ECCP, to the satisfaction of the City Engineer."<br><br>**COMMENT**: As a frequent shopper at Oak Tree Plaza[1], I can attest that it is currently very difficult for drivers to see bike riders on the multi-use path, and to accurately gauge whether there is sufficient time to execute a turn into or out of the parking lot in order to avoid colliding with a bike rider. Visibility is hampered by the trees in the grass strip between the multi-use path and the parking lot. No amount of high visibility striping and markings will resolve the current problem, let alone address the safety problems that will result from higher traffic volumes after implementation of the proposed project. |
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[1] I typically drive for shopping a Nugget, but often ride my bike from west Davis to the Oak Tree Plaza CVS store, crossing town on 8th Street to J Street, and entering the shopping center from the south side.

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**Letter 97 Cont.**

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**Letter 97 Cont.**

Comments – Chapter 4.14 – Utilities and Service Systems - Village Farms DEIR.
Questions in yellow shading. **COMMENTS** in Bold Underlining
Submitted by Greg Rowe, City of Davis planning commissioner. Submitted 6 February 2025

| Page | Effect # | Issue | Comment |
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| 4.14-4 | | Changes in depth to Groundwater | The DEIR discusses seasonal fluctuations in depth to groundwater as follows: "Seasonal variations show the shallowest depth to water levels occurs in the spring (March/April) with greatest depths in summer (July/August), when groundwater levels are at their lowest. The City tracks groundwater levels in the intermediate and deep wells, which generally decline during dry conditions due to continued reliance on groundwater for agricultural and municipal demands. However, groundwater levels substantially recover during wet years."<br><br>The DEIR also mentions that the City of Davis began receiving surface water in 2016 from the Woodland-Davis Clean Water Agency (WDCWA), of which the City is a member. It has been documented that since 2016, the City is able to rely on the WDCWA to meet most of its needs annually from autumn through spring, but must augment water supplies during the summer with groundwater supplied from City wells.<br><br>**COMMENT:** This discussion does not sufficiently discuss how the average depth to groundwater has changed in Davis since the City began receiving water from the WDCWA. It would seem logical to assume that the water table has been increasing (rising closer to the surface) because less water has been pumped from City wells to meet municipal demand. If that is indeed the case, then it would seem to increase the likelihood that leachates from the Old Davis Landfill could infiltrate into the stormwater detention system and drainage channels contemplated for the proposed Village Farms project because the water table would be closer to the bottom of the detention basin and channels.<br><br>Please see my related comments on Chapters 4.7 (hazardous materials) and 4.8 (hydrology) regarding potential impacts from the Old Davis Landfill relative to hazardous substances and stormwater quality.<br><br>The DEIR therefore needs to be amended to:<br>(1) address whether the average depth to groundwater has indeed been decreasing since 2016, and |
| 4-20 | | Water Conveyance | |

**97-56**

**97-57**

**97-57 Cont.**

| Page | Effect # | Issue | Comment |
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| | | | (2) evaluate the extent to which a decreasing depth to groundwater has been or will increase the likelihood that PFAS and manganese (along with other hazardous substances) will mix with stormwater and therefore cause downstream negative impacts to habitat, wildlife and other water users.<br>This page discusses the water conveyance infrastructure, particularly sections of the existing water lines that would need to be replaced with larger diameter pipe beneath East Covell Boulevard, Fifth Street, Sycamore Lane and near the intersection of Anderson Road and Alvarado Avenue.<br><br>Question: Which entity would pay for installing the larger diameter water supply lines; the project applicant, the City of Davis, or a combination of the two? The DEIR should be amended to provide this information. |
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Comments on Chapter 7 – Alternatives Analysis - Village Farms DEIR.
Bold yellow font indicates **QUESTIONS.** Bold underlined font indicates COMMENTS.
Submitted by Greg Rowe, City of Davis planning commissioner. 9 February 2025

| | Page | Effect # | Issue | Comment |
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| 97-58 | 7.19 | | Land Use Plan | **COMMENT:** Exhibit 7.2 has an error. The legend for Ag preservation and roads is reversed. It incorrectly shows the red crosshatching as being major roads, but it should be Agricultural. The legend shows a brown dotted line, but mistakenly labeled it Agricultural. |
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| 97-59 | 7.26<br><br>7-32 | | Higher # of Units Alternative<br><br>Negative impact on population growth and active transportation | **COMMENT:** This alternative exceeds the bounds of credulity. I have been involved in evaluating EIRs since the mid-1980s, and don't recall ever reading a DEIR that included an alternative that had an intensity increase of this magnitude above the proposed project. It would escalate the number of units by 50%, which is an enormous difference compared to the proposed project and the Biological Preservation Resource Alternative (BRPA). I also question the validity of choosing this alternative, given that the DEIR make the point on pages 1-2 of this chapter that alternatives are supposed to encompass fewer impacts, as follows (underlining added for emphasis):<br><br>Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code [PRC] Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly (CEQA Guidelines Section 15126.6[b]).<br><br>If for some reason it was deemed necessary to examine a higher density alternative, I assert it would have been more productive to choose a high density alternative in which the increased number of units was far less than 50% more than the proposed project. Doing so would have produced a more believable analysis. Using the city's average of 2.57 residents per household, this alternative would add 6,939 residents to Davis (compared to 4,626 for the Project and BRPA), which would be equivalent to an approximate 10% uptick in the total Davis population within just 7 years.<br><br>Given that this alternative would increase the number of residents at build out by more than 2,300 (see page 7-30), it is easily foreseeable that vehicle congestion would make the bicycle mode of transportation |

**Letter 97 Cont.**

**97-59 Cont.**

| Page | Effect # | Issue | Comment |
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| | | Magnitude of DU increase | unacceptably dangerous and impractical. The potentially deleterious effect on biking and pedestrian use of the nearby area is verified by the following statement on page 7-32: "Therefore, the severity of impacts related to conflicts between vehicles and pedestrians/bicyclists could be increased as compared to what is anticipated to occur under the Proposed Project." This leads to the logical question of why any reasonable person would be willing to trade the possibility of lower emissions for a greater number of conflicts between vehicles and people using active modes of transportation (including serious injuries and deaths). |
| 7.31 | | VMT analysis | Choosing an alternative in the range of 10 – 20% higher, rather than 50%, would have provided the typical DEIR reader and Davis resident with a better understanding of how a relatively modest and more realistic increase in density would look like. It seems like this alternative was selected without any detailed thought about what could have constituted a reasonably scaled increase. A 10 or 20 percent increase above 1,800 units would have been preferable, which would have yielded a total of 1,980 and 2,160 units respectively. Using the City's average number of 2.57 residents per household, the result would have been either 5,089 or 5,551 new residents added to the City during the projected 7-year construction period, compared to 4,626 new residents for the Proposed Project and the equal weight BRPA. |
| 7.28 | | Analhysis Bias | It appears that the only justification for assuming a 50% increase in the total number of units alternative entails was to achieve a "better" VMT per capital result from the standpoint of the CAPCOA handbook, as conceded by the following statement on page 7-31: "The 2,700-unit count was selected for the Alternative in order to reduce per capita VMT below both City and regional average VMT thresholds of 30.1 and 21.7 VMT per capita, respectively. The residential VMT per capita associated with the Proposed Project was calculated to be 31.5." The rationale for selecting this alternative is in fact admitted in the DEIR on page 7-33, as follows: "This Alternative's analysis places primary importance on the elimination of the Proposed Project's significant and unavoidable (project-level and cumulative) VMT impacts."<br><br>**In other words, predetermined bias was the primary rationale for examining this alternative. It was chosen to obtain a preferred result, perhaps in the hope that it will be the alternative City Council decides to place on the ballot.** |

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**97-59 Cont.**

**97-60**

| Page | Effect # | Issue | Comment |
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| | | | Although such an enhanced VMT per capita result would seemingly improve GHG emission considerations, it would cause negative impacts readily observable to Davis residents, including LOS and commuter travel times. Given that the use of per capita VMT as a measurement tool is essentially an artificial construct resulting from AB743, I can find no justification for introducing this many more units and residents at one of the busiest intersections in Davis. A more nuanced assumption for greater density would have likely produced results more acceptable to a greater number of current Davis residents.<br><br>The DEIR offers an explanation of why the VMT metric would supposedly improve with substantially higher residential density, as follows: "...most CAPCOA VMT reduction strategies also reduce GHG emissions and criteria pollutants, considered co-benefits, by reducing the source metric of VMT (i.e., vehicle ownership, number of vehicle trips, and trip distance)." This statement overlooks the fact that a sizeable number of people live in Davis because of the perceived quality of life, and commute out of town daily to jobs elsewhere in the Sacramento region and even the Bay Area. This factor alone may well render inaccurate the assumption of fewer owned vehicles, fewer vehicle trips and shorter trip distance.<br><br>QUESTION: The DEIR states on page 7-28 that: "Overall, the Higher Number of Units – Same Footprint Alternative would result in fewer impacts related to Air Quality, GHG Emissions, and Energy as compared to the Proposed Project." Therefore, what is the rationale for selecting an alternative that increases the density of the project by half but would only reduce three impacts? |
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| 7-31 and 7-32 | | Residential Self Selection | **COMMENT:** The DEIR attempts to justify the focus on VMT per capita by using the following scenario, which I find uncompelling: "A hypothetical example of this in the context of the currently proposed project is an existing employee of the University of California, Davis (UC Davis) who prefers to live close to work in the City of Davis, but instead must live in other communities such as Woodland, Elk Grove, and Roseville, due to a lack of viable housing opportunities in the City."<br><br>This statement overlooks the fact that in many two-wage earner households, it is impossible for both workers to live close to their jobs. In this case, a spouse of the UCD employee may work in Woodland, Roseville or Elk Grove, and so the decision was made to live near that person's job. People may also choose to live in locales midway between each partner's jobs. For example, I once had a colleague at a job in downtown Sacramento. |

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**Letter 97 Cont.**

**97-60 Cont.**

| Page | Effect # | Issue | Comment |
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| | | | He lived in Vacaville and drove daily from there to his job in Sacramento because his wife worked in downtown San Francisco. They lived in Vacaville because it was a logical mid-way point between their two jobs. |
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| 7-32 | | Unitrans Impact | **COMMENT:** The DEIR points out that the increased population resulting from the proposed project could result in more Unitrans riders, but could also have the effect of overstressing a portion of the bus system that already experiences on-time performance below established goals. The increased density alternative could further exacerbate this problem, as the DEIR concedes on page 7-32: "The increase in transit ridership associated with the Proposed Project was determined to have the potential to exacerbate currently deficient Unitrans performance with respect to on-time performance targets; the even greater increase in transit ridership associated with the Higher Number of Units – Same Footprint Alternative could exacerbate currently deficient Unitrans performance to a greater level."<br><br>A sentiment has been expressed by some members of the community and on social media that increased transit ridership will be a key to reducing VMT. However, as noted in the DEIR, only 5 percent of Unitrans riders are non-students, and this statistic is unlikely to change in the future. Plus, it has been my experience that many of those who most aggressively promote transit have seldom used this transportation mode. I can say from many years of experience that there is nothing pleasant or enjoyable about waiting at a cold, windy and rainy bus stop or BART platform for a late-running bus or train (and likewise when it is 100 degrees). |
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| 7-41 | | Env Superior Alternative | COMMENT: The "Higher Number of Units – Same Footprint" alternative was identified as the Environmentally Superior Alternative, but the primary reason is almost solely based on achieving a desirable VMT per capita result. Any other considerations related to what most Davis residents would equate to quality of life (such as traffic congestion and commuting delay) are not taken into consideration. And, given how difficult VMT per capita is to understand by most lay people, it is difficult to see how this alternative would gain much traction with the electorate if selected to be the project that appears on the ballot. |
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**97-61**

**97-62**

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Comments - Village Farms (VF) DEIR Transportation Impact Study (TIS), Appendix R. Submitted by Greg Rowe, Planning Commissioner
MM = Mitigation Measure
Questions highlighted in yellow. **Most comments are in Bold font.**

| | Page | Impact or Measure | Issue | Comment or Question |
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| 97-63 | 21 | | Per Capita VMT | Per Cap VMT is higher in outlying parts of Davis (33-36 compared to Davis average of 30.1), so how would adding 1800 units at an outlying area like VF impact VMT? It would seem that VF Per Cap VMT would be similar to other current high areas like Mace Ranch or South Davis. |
| 97-64 | 70, 71 | 7 | | DEIR says: "Under Existing Plus Project conditions, the proposed project would cause a significant impact to VMT by virtue of resulting in project-generated residential VMT per capita measuring above the applicable significance thresholds relative to existing local and regional residential VMT per capita averages." This relates to question above regarding per capita VMT. In terms of cumulative impacts, it also states on p. 71 that cumulative impacts associated with the project on VMT would be **significant and unavoidable.** |
| 97-65 | 25 | | Grade Separated Crossings | Davis is requiring new grade separated bike and ped crossings for new developments north of Covell Blvd. **Comment: If that is the case, then the applicant should be required to construct a grade separated crossing of Pole Line Road at Moore Avenue, to be operational no later than completion of Phase 2 of the proposed project.** |
| 97-66 | 33-34 & 54 | | Same | It says that new proposed grade separated crossings (if feasible as determined through engineering analyses) would not be constructed until Phases 2, 3 or 4. Who or how would determine feasibility? |
| 97-67 | 39 | | | Project would generate 13,885 new daily trips. The project would generate 1,089 net new AM peak hour trips and 1,471 net new PM peak hour trips during a typical weekday.<br><br>**The BRPA would generate even more net new trips: 15,415 daily, 1,999 weekday AM peak hour and 1,631 PM peak hour.** |
| 97-68 | 46 | | VMT analysis | The DEIR states: "Proposed project and BRPA land uses were incorporated by updating the parcel, household, and synthetic population inputs in the SACSIM19 model". Question: what are "synthetic population inputs"? |
| 97-69 | 51-52 | MM 1.1 | TDM | It is mentioned that the CAPCOA manual includes increased residential density as a possible means to reduce per capita VMT, but the analysis for this particular project indicated that would |

**97-69 Cont.**

**97-70**

**97-71**

**97-72**

**97-73**

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| | | | | be impractical for the City and/or the applicant. **Comment: This is a very interesting observation because thus far it appears the City Council desires increased density for this project as a means for providing more housing, yet doing so would not yield positive TDM usage.** |
| | 53 | | TDM | Evidence suggests that TDM is not capable of reducing trips in suburban settings like VF. Excerpt: "Available evidence suggests that conventional TDM strategies are not capable of achieving such trip reduction outcomes in suburban settings such as that of the project site." As a result, VMT impacts associated with the project would be significant and unavoidable. |
| | 54 | Impact 2 | Grade Separated Crossings | DEIR states: "If determined feasible through **engineering analyses at a later date**, construction of two new grade separated bicycle and pedestrian crossings, one between the project site and the North Davis Upland Habitat Area across F Street and the UPRR tracks (between Anderson Road and Grande Avenue) and a second across Pole Line Road between the project site and Nugget Fields (immediately south of Moore Boulevard). These crossings would be constructed in Phases II, III, or IV of project implementation. **Due to uncertainties regarding the timing and feasibility of these grade-separated bicycle and pedestrian crossings, neither are considered components of the project for the purposes of this analysis.**"<br>Question: What is meant by "engineering analyses at a later date? By what date, and which entity would prepare the analyses? I strongly suggest that a separate analysis be conducted now that would assume these grade-separated bike/ped crossings are part of the project, and that they would be completed no later than Phase II of the project. |
| | 56 | 2 | Bike-Ped facilities | The DEIR states the following about the Pole Line Road/Moore Boulevard, Pole Line Road/Donner Avenue, and Pole Line Road/Picasso Avenue intersections: "... that while the project proposes to construct a roundabout at Pole Line Road/Moore Boulevard and install traffic signals at Pole Line Road/Donner Avenue and Pole Line Road/Picasso Avenue, design details regarding bicycle and pedestrian crossing amenities are not available at this time."<br><br>**Comment: Pole Line Road already has high traffic volume, especially during AM and MP peak hours, and many drivers exceed the speed limit because they are in a hurry. Therefore, a roundabout at the intersection of Pole Line and Moore Boulevard is completely unacceptable. I suggest that an analysis of the interaction among vehicles, bike riders and pedestrians is incomplete in the absence of reasonable assumptions about the design and amenities associated with bike/ped crossings.** |
| | 55-56 | | Bike Network | The bike network will degrade. |

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| 97-74 | 58 | 2.4 | Measures | Other alternative measures that might be "determined by City Engineer." What could such measures entail or include? |
| 97-75 | 59 | 2.6 | Bike Route Pavement Markings | Bike Route Pavement Markings: It refers to green-backed sharrows. In my experience the green paint quickly degrades/fades. How often would the green pavement and sharrows be repainted in such busy bike commute corridors? Should the applicant be required to contribute to a permanent City fund dedicated to maintaining/repainting such markings? |
| 97-76 | 60-61, 74 | Impact 9 | Bus usage | There is very little bus usage now in Davis and in the area near VF. There is only a very small projected increase, so it should not be assumed that transit will help resolve traffic, air quality or GHG emission concerns to an appreciable degree. This observation is borne out by the following quote on p. 74 regarding cumulative impacts: "Under cumulative conditions, substantial increases in background vehicle travel activity would occur on study area roadways due to reasonably foreseeable land use development elsewhere in and around Davis. Together with the increase in vehicle travel activity caused by the project, this would cause adverse effects to transit operations by increasing transit service delay and running times in a manner inconsistent with Unitrans performance standards". |
| 97-77 | 61 | | Bus usage | The Unitrans P and Q lines already have big delays during AM and PM commutes, particularly related to traffic on Mace, so why would anyone living at VF want to use them?<br><br>The inability of the transit system to significantly alleviate travel patterns and time is reflected by the fact that currently only about 5% of **Unitrans passengers are non-UCD students (p. 27); hence such transit service has little appeal or usefulness to commuters going to/from locations other than UCD.** |
| 97-78 | 53, 64, 71 | 3.2, 7.1 | TDM | DEIR admits that the effectiveness of the identified TDM strategies is unknown, and in turn, subsequent trip reduction effects, so the impacts would remain significant and unavoidable. It is pointed out on page 53 and 71 that success of TDMs also depend on level of adoption by private entities and agencies; i.e., the extent to which people carpool and whether transit agencies increase service, which are out of the control of the applicant or city. As a result, it states on p. 70 that cumulative impacts associated with the project on VMT would be significant and unavoidable. |
| 97-79 | 65 | 4 | Emergency vehicles | DEIR says that the applicant will install traffic signals at the intersections of Pole Line Road and Picasso and Donner. The DEIR admits on this page that the project will increase peak hour vehicle volume and delays. These 2 intersections are close to each other. Wouldn't having signalized |

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**Letter 97 Cont.**

**97-79 Cont.**

**97-80**

**97-81**

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| | | | | intersections this close to each other cause large traffic backups (and idling emissions), especially during AM and PM commutes? |
| | 72 | 9.2 | Transit Service | Specific plans and funding for improved transit service are unknown at this time. Comment: It is therefore not prudent to assume that transit service could significantly reduce impacts associated with the project. |
| | 79-81 | MM 11.7 | Intersection Improvements | The project would impact traffic congestion at intersections such as Covell/Mace and I-80 and Mace/Chiles Road. The DEIR says that "...since the remaining fair share contributions needed for the construction of these improvements have not been identified by the relevant lead agency, fair share payment by the project applicant would not ensure construction. Therefore, the implementation and effectiveness of Mitigation Measure 11.7 cannot be guaranteed and this impact would be considered significant and unavoidable." **This means that if projects such as Shriners and "At the Curve" do not get Measure D voter approval, the proposed mitigation measures would most likely never occur.** |
| | | | | |

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4

## LETTER 97: GREG ROWE (LETTER 2 OF 7, 02/08/25)

### Response to Comment 97-1
The future intersection of Pole Line Road/Village Farms Road North would be side street stop controlled on the Village Farms Road North eastbound approach, which would have a separate left turn lane and right turn lane. A left turn pocket would be provided for northbound vehicles on Pole Line Road. A right turn pocket would not be provided for southbound vehicles on Pole Line Road. All movements would be allowed at the intersection.

### Response to Comment 97-2
The wetland analysis contained in the Draft EIR was prepared by Madrone Ecological Consulting using current site conditions. Pursuant to CEQA Guidelines Section 15125(a), CEQA defines the environmental baseline, upon which to assess project impacts, on the physical conditions of the site at the time of release of the Notice of Preparation (NOP). The NOP for the Village Farms project was released by the City of Davis on October 24, 2023.

Madrone prepared an Aquatic Resource Delineation (ARD) in accordance with the USACE Wetlands Delineation Manual (1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0) (2008), A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States (2008), and the USACE Sacramento District's Minimum Standards for Acceptance of Preliminary Wetlands Delineations (2016).

The wetland analysis contained in the 2004 Covell Village EIR is based on outdated information that is over 20 years old. Therefore, there is no requirement, nor would it be reasonable to consult the Covell Village EIR in an effort to inform the wetland analysis for the Village Farms EIR.

### Response to Comment 97-3
Please see Master Response 6 – Grade-Separated Crossings.

### Response to Comment 97-4
Please see Master Response 6 – Grade-Separated Crossings.

### Response to Comment 97-5
The commenter is quoting a statement in the section of the Introduction chapter where NOP comments are summarized. The referenced "groundwater recapture basins" were an initial project concept feature at the time the NOP was released, but these features have since been removed from the project description, and thus, are not evaluated in the Draft EIR.

Regarding soil and groundwater contamination concerns, please see Master Response 3.

### Response to Comment 97-6
The entirety of the vehicle miles traveled (VMT) discussion in the EIR is focused on VMT per capita, thus, there it is not necessary to make the requested text revision. For example, page 4.13-12 of the Draft EIR states:

> The key VMT metric used for the following analysis is residential VMT per capita, which is defined as all automobile (i.e., passenger cars and light-duty trucks) vehicle-trips that start

> or end at the home, but non-home-based trips made by residents elsewhere on the network are excluded.

In addition, the discussion of the Agricultural Resource Preservation Alternative (Draft EIR, page 7-25), states:

> The reduced density under this Alternative would result in increased VMT per capita as compared to the Proposed Project, as follows: 42.7 VMT per capita (Alternative) vs. 31.5 VMT per capita (Proposed Project). Therefore, even with implementation of Mitigation Measures 4.13-4 and 4.13-9, the Alternative would result in a greater impact related to VMT (i.e., conflicting with CEQA Guidelines Section 15064.3, subdivision (b)), and the impact would remain significant and unavoidable and cumulatively considerable and significant and unavoidable.

As demonstrated, the context is more than sufficient for the reader to understand that the focus of the analysis is per capita VMT.

## Response to Comment 97-7

First, it is important to emphasize that drainage reports have already been prepared for the Proposed Project and the BRPA.[1] Mitigation Measure 4.8-4 pertains to the preparation of a design-level drainage report, which cannot be prepared at this time given the fact that the applicant is only seeking program-level entitlements for the project (e.g., annexation, General Plan land use and zoning changes, etc.). As such, the appropriate time for a design-level drainage report will be when a tentative subdivision map has been prepared. The tentative subdivision map will include street, lotting, and utilities layouts, finished grades, etc., all of which will be needed to refine the programmatic drainage analysis that has been prepared for the Draft EIR.

Under CEQA, a lead agency may rely on future studies to devise the specific design of a mitigation measure when the results of later studies are used to tailor mitigation measures to fit on-the-ground environmental conditions.[2]

Mitigation Measure 4.8-4 includes sufficient performance standards, as follows:

> *The drainage report shall identify specific storm drainage design features to control the 200-year, 10-day increased runoff from the project site to ensure that the rate of runoff leaving the developed site does not exceed the pre-project condition. This may be achieved through: on-site conveyance and detention facilities, storage within the on-site UATA, or equally effective measures to control the rate and volume of runoff.*
>
> *The design-level drainage report shall perform an updated net impact evaluation of downstream East Davis Ponding, taking into consideration the final onsite storm water system design, when the downstream flow is blocked by high water levels in the Willow Slough Bypass. The final amount of runoff volume to be detained would be determined*

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

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

*with the design-level drainage report. This could result in detaining run-off volume for an extended time period.*

In summary, Mitigation Measure 4.8-4 includes sufficient performance standards and is appropriately timed to when sufficient project-level design information is available to refine, as needed, the programmatic drainage reports prepared for the Draft EIR.

## Response to Comment 97-8

The commenter states that a roundabout at the intersection of Pole Line Road and Moore Boulevard would be dangerous for pedestrians and bike riders, and that a grade-separated bicycle and pedestrian crossing of Pole Line Road should replace the roundabout. Roundabouts are designed with horizontal and vertical features to reduce vehicle speeds on all approaches and through the roundabout to 15 to 20 miles per hour. Reducing vehicle speeds is a key element of improving travel safety for all travelers, particularly pedestrians and bicyclists. The City of Davis 2023 Local Road Safety Plan (LRSP) identifies roundabouts, advanced warning signs, retroreflective back plates, blank-out signs, and grade-separated bicycle crossings as safety countermeasures for broadside collisions, unsafe speed, and traffic signals and signs violations.

Please see Master Response 6.

## Response to Comment 97-9

Please see Master Response 6.

## Response to Comment 97-10

Please see Master Response 1. In addition, an existing crossing of Covell Boulevard can be accessed through Cannery Loop.

## Response to Comment 97-11

The on-site stormwater system incorporates detention, which, unlike a retention system, does not hold water for extended periods of time. Applicable state and local stormwater standards require detention basin systems to release stormwater runoff into the downstream system such that mosquitoes do not have sufficient time to breed.

Regarding the contamination concerns, please see Master Response 3.

## Response to Comment 97-12

The commenter's request for how many people will reside in the various housing units is not necessary to ensure an adequate environmental analysis. The Draft EIR includes a population estimate in Chapter 4.11, Population and Housing, for the project based on information contained in the City's planning documents.

## Response to Comment 97-13

Please see Master Response 1.

## Response to Comment 97-14

The fire station response time comparison requested by the commenter is not necessary. The on-site location of the fire station was selected in coordination with the Davis Fire Department. In addition, the Draft EIR includes Figure 4.12-1 within Chapter 4.12, Public Services and Recreation, which shows the Davis Fire Department Four-Minute Drive Time Zones.



## Response to Comment 97-15
Please see Master Response 6.

## Response to Comment 97-16
Please see Master Response 4.

## Response to Comment 97-17
Please see Master Response 1.

## Response to Comment 97-18
Please see Master Response 4.

## Response to Comment 97-19
Please see Master Response 6.

## Response to Comment 97-20
Please see Response to Comment 96-1.

## Response to Comment 97-21
Please see Master Response 1.

## Response to Comment 97-22
Please see Master Response 6. In addition, determination of General Plan policy consistent is ultimately within the purview of the City Council. The comment has been forwarded to the decision-makers for their consideration.

## Response to Comment 97-23
Please see Master Response 5, section entitled “Project Effect on Region-Wide VMT”.

## Response to Comment 97-24
Mitigation Measure 4.3-7(b) refers to modifying the construction schedule to reduce the intensity of construction. This could be accomplished by lengthening the period of construction so that a smaller construction fleet would be necessary to carry out construction on a daily basis. A smaller fleet would equate to fewer construction-related emissions. The mitigation measure specifies the monitoring entity, which would be the City of Davis, as follows:

> *Prior to the initiation of construction of Phase 1 the BRPA, the project applicant shall demonstrate that construction-related GHG emissions would be reduced to 1,100 $MTCO_2e/yr$ and shall submit proof to the City of Davis Community Development Department.*

As can be seen, prior to initiating construction, the applicant shall demonstrate to the City of Davis, the means by which they will satisfy Mitigation Measure 4.3-7(b). If the applicant proposes a modified construction schedule, the City of Davis will be able to field-verify that construction is being carried out in compliance with the modified construction schedule. This is part of the normal mitigation monitoring and reporting that lead agencies are required to carry out to ensure that a project applicant is satisfying the mitigation obligations placed on their project.

## Response to Comment 97-25

The portion of Mitigation Measure 4.3-7(b) referred to by the commenter pertains to overlapping of construction phases. The applicable threshold for construction GHG emissions is metric tons $CO_2$ equivalent per year. The intent of this requirement is to limit the overlapping of construction phases within any given year.

## Response to Comment 97-26

The portion of Mitigation Measure 4.3-7(b) referenced by the commenter is only one of the available means of complying with the mitigation measure. Thus, even if the applicant does not select the carpool/shuttle van/etc. component of the measure, there are other satisfactory measures that can be successfully implemented to reduce the project's construction GHG impact to a less-than-significant level.

## Response to Comment 97-27

Please see Master Response 5.

## Response to Comment 97-28

Comment noted. The TDM measures referenced in Mitigation Measure 4.3-8 are not relied upon to reach a less-than-significant conclusion concerning the project's operational GHG emissions impact. The impact is determined to be significant and unavoidable for the reasons set forth in the Draft EIR.

## Response to Comment 97-29

Please see Master Response 5.

## Response to Comment 97-30

Chapter 4.7, Hazards and Hazardous Materials, of the Draft EIR, clearly discusses the Old Davis Landfill at length (see for example, pg. 4.7-1, 4.7-26, 4.7-30).

The commenter notes that they "…could not find any information in Draft EIR Chapter 4.7 indicating whether the concerns expressed by the RWQCB relative to PFAS have been addressed." PFAS are clearly addressed in Chapter, 4.8, Hydrology and Water Quality, of the Draft EIR (e.g., pg. 4.8-9, 4.8-22).

Please also see Master Response 3.

## Response to Comment 97-31

The Standard of Practice for environmental investigations such as these is to follow relevant and applicable regulatory guidance, which was done for the Proposed Project. Sampling of the upper six inches of soil is appropriate to evaluate residual pesticide compounds in soil that may be present as a result of surface application, according to the California Department of Toxic Substances Control (DTSC) *Interim Guidance for Sampling Agricultural Properties (Third Revision)* dated August 7, 2008. Multiple groundwater monitoring samples at various depths have been conducted to characterize potential Old City Landfill effects, as discussed in Sections 2.2.5, 4.2.1, and 8.2.5 of Geocon's *Phase I ESA* (Appendix F to the Draft EIR) for the proposed development area (February 14, 2024), and in Geocon's *Drainage Channel Evaluation* (July 23, 2024, Appendix O to the Draft EIR) and in Chapter 4.8, Hydrology and Water Quality, of the Draft EIR.

## Response to Comment 97-32
Soil sampling was conducted to evaluate soil conditions, and groundwater monitoring was conducted to characterize the groundwater quality and flow direction. The results of groundwater monitoring demonstrate that contaminated groundwater from the landfill flows beneath the proposed development area and the adjacent Wildhorse residential subdivision, but does not flow beneath the agricultural buffer area. Please see Master Response 3 related to hazards.

## Response to Comment 97-33
Please see Master Response 4, which provides an overview of the Draft EIR's drainage analysis and demonstrates that the project's drainage system would accommodate project runoff and not induce off-site flooding that could adversely affect existing structures.

## Response to Comment 97-34
Please see Response to Comment 97-33.

## Response to Comment 97-35
Please see Response to Comment 97-33.

## Response to Comment 97-36
Please see Master Response 3.

## Response to Comment 97-37
Please see Master Response 3.

## Response to Comment 97-38
Please see Master Response 3.

## Response to Comment 97-39
Please see Master Response 4.

## Response to Comment 97-40
While the City has experienced some flooding in the past along West Covell Boulevard during extreme rain events, this was mostly due to runoff coming into the City from areas outside the City's boundaries. Although the entire length of the Covell Channel is not 100 percent City maintained, areas within the City's responsibility are maintained regularly to ensure continued stormwater flow. Caltrans maintains the channel from John Jones Road to State Route 113, then north and under the highway, where the City takes back maintenance responsibilities when the channel is back in city limits. In addition to standard City practice in maintaining drainage channels within City responsibility, action has been taken to remedy the situation at West Covell Boulevard and design changes were incorporated into the Bretton Woods project to help eliminate those issues. There is an overflow weir on the Covell Channel that will allow water to flow into the Bretton Woods perimeter channel before it reaches flood levels.

## Response to Comment 97-41
Please see Master Response 4.

## Response to Comment 97-42
Please see Response to Comment 97-40.

The City's stormwater program is operated as a self-supporting enterprise fund. Revenues are derived primarily from service charges, and fund the stormwater operating and capital programs. In 2022, a rate adjustment for the stormwater utility was implemented to ensure that rates were commensurate with service level expectations and operational needs. Enterprise funds can only be used for the program supported by the rates, there is no competition for these funds as can be the case for programs supported by the City's general fund. The rate adjustment included additional funding necessary to support the City's channel maintenance activities.

## Response to Comment 97-43

Please see Master Response 1 as farmland conservation easement details are not required to be included in an EIR. The easements will comply with applicable local regulations.

## Response to Comment 97-44

Please see Master Response 6.

## Response to Comment 97-45

Please see Master Response 6.

## Response to Comment 97-46

The comment primarily pertains to the grade-separated crossing of Pole Line Road, which is addressed in Master Response 6.

Regarding the commenter's estimated student population for the project, Chapter 4.12, Public Services and Recreation, includes an estimated student population for the project based on the generation rates included in Table 5C-6 of the City's General Plan EIR. The total student population for the project is estimated at 1,040 for the Proposed Project and 1,153 for the BRPA. It is noted that at the DJUSD's November 7, 2024 Board Study Session on Boundary/Enrollment, the project's student population was estimated to be 701 students. While the Draft EIR's estimate is considerably higher, it amounts to a more conservative analysis, which is permissible under CEQA.

## Response to Comment 97-47

Please see Response to Comment 52-6.

## Response to Comment 97-48

Please see Master Responses 1 and 5.

## Response to Comment 97-49

The trip comparison request is beyond the scope of what is required for an EIR. The requested trip distribution information is related to assigning traffic volumes on the roadway network, which relates to congestion and intersection level of service, which is no longer a requirement pursuant to CEQA. Please see Master Response 5 for further discussion on this point. Trip distribution information is provided in the non-CEQA Local Transportation Analysis (LTA) that was prepared for the project and available on the City's website at:

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

## Response to Comment 97-50

The description of the VMT analysis references centroid connectors and synthetic population inputs. The VMT forecasts in the Draft EIR were derived from forecasts prepared using the regional travel demand model developed by the Sacramento Area Council of Governments (SACOG). The SACOG model is known as SACSIM, which predicts how people in the six-county region travel on a typical weekday, including where they go, when they make trips, why they make trips, what modes they use, and more. SACSIM19 is the current version of the regional model that was used for the VMT forecasts. SACSIM is an activity-based model that estimates the interrelated travel behavior of a synthetic population of individuals for every individual household. The modeling process creates synthetic or artificial population data by expanding on a representative sample of persons with attributes such as gender, age, ethnicity, etc.

The six-county SACSIM model area is disaggregated into zones that are geocoded and include the land use details for the defined area of each zone. The model also has a geocoded transportation network. Centroids are the center of the zones, and each zone has one or more "centroid connectors" that load trips generated by the zone's land uses onto the model's transportation network.

## Response to Comment 97-51

Please see Master Response 6.

## Response to Comment 97-52

Please see Master Response 5.

## Response to Comment 97-53

The mitigation measures that include installation of high visibility crosswalk markings are all for locations outside the project boundary at existing intersections or driveways. They are consistent with improvements identified in the East Covell Corridor Plan.

The Federal Highway Administration (FHWA) Proven Safety Countermeasure Initiative (PSCi) is a collection of 28 countermeasures and strategies effective in reducing roadway fatalities and serious injuries.[3] The safety countermeasures include a number of signal, sign and pavement striping measures including crosswalk visibility enhancements.

## Response to Comment 97-54

The FHWA indicates that installation of crosswalk visibility enhancements has safety benefits.[4] Studies have indicated that high-visibility crosswalks can reduce pedestrian injury crashes up to 40 percent, intersection lighting can reduce pedestrian crashes up to 42 percent, and advance yield or stop markings and signs can reduce pedestrian crashes up to 25 percent.

The Oregon Department of Transportation Crash Reduction Factor Manual (January 2023 edition)[5] and Crash Modification Factors Clearinghouse[6] indicates that installing green bike lanes at conflict points in urban areas can reduce bicycle crashes at all severities up to 39 percent.

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3 https://highways.dot.gov/safety/proven-safety-countermeasures
4 https://highways.dot.gov/safety/proven-safety-countermeasures/crosswalk-visibility-enhancements
5 www.oregon.gov/odot/Engineering/ARTS/CRF-Manual.pdf
6 https://cmfclearinghouse.fhwa.dot.gov/results.php

## Response to Comment 97-55

The existing Class I path crossings at each of the three driveways for Oak Tree Plaza on East Covell Boulevard have a warning sign for the Class I path for right turn entering vehicles, a stop sign and stop bar prior to the Class I path for exiting vehicles, and nearby lighting.

The trees located between the path and parking lot do not obscure the visibility of vehicles entering the parking lot as they are located between the path and the parking lot. A row of trees is located just west of the easternmost driveway, but not in proximity to the central and westernmost driveway. It is possible that the trees may obscure the view of exiting motorists at the easternmost driveway of eastbound cyclists on the path. There is a stop sign and stop bar, though, for exiting vehicles just before the path at the easternmost driveway, where exiting vehicles can only make a right turn onto eastbound East Covell Boulevard.

The East Covell Corridor Plan recommends the installation of high visibility markings at the three path crossings and those measures are incorporated into the mitigation measure. FHWA has indicated that studies have shown that high-visibility crosswalks can reduce pedestrian injury crashes up to 40 percent.

## Response to Comment 97-56

Please see Master Response 3. In addition, shallowest depth to water levels in this area are always winter (December/January/February) with greatest depths in summer (June/July/August) when groundwater levels are at their lowest. Groundwater levels are tracked in intermediate and deep wells and during dry conditions there is a general decline in groundwater levels. However, groundwater levels do not substantially recover during wet years. It is important to note that there are a lot of variables in how/when groundwater levels in an aquifer recover, especially when that aquifer is utilized by many wells and groups, such as agriculture/farming, City, UC Davis, and private domestic well owners. To “recover” means to reach the same groundwater levels (depth to water) that was achieved prior to the dry years/drought. Most wells in the area eventually do recover; however, there have been significantly more dry years than wet years in this region and recovery normally takes years for a single dry year. The City of Davis Public Works Department reviewed Yolo Subbasin Groundwater Agency (YSGA) data, which illustrates that average depth to water does fluctuate but has not risen to levels that typically infiltrate stormwater basins.

## Response to Comment 97-57

Regarding PFAS, please see Master Response 3. The applicant would be responsible for all necessary water infrastructure to serve the project.

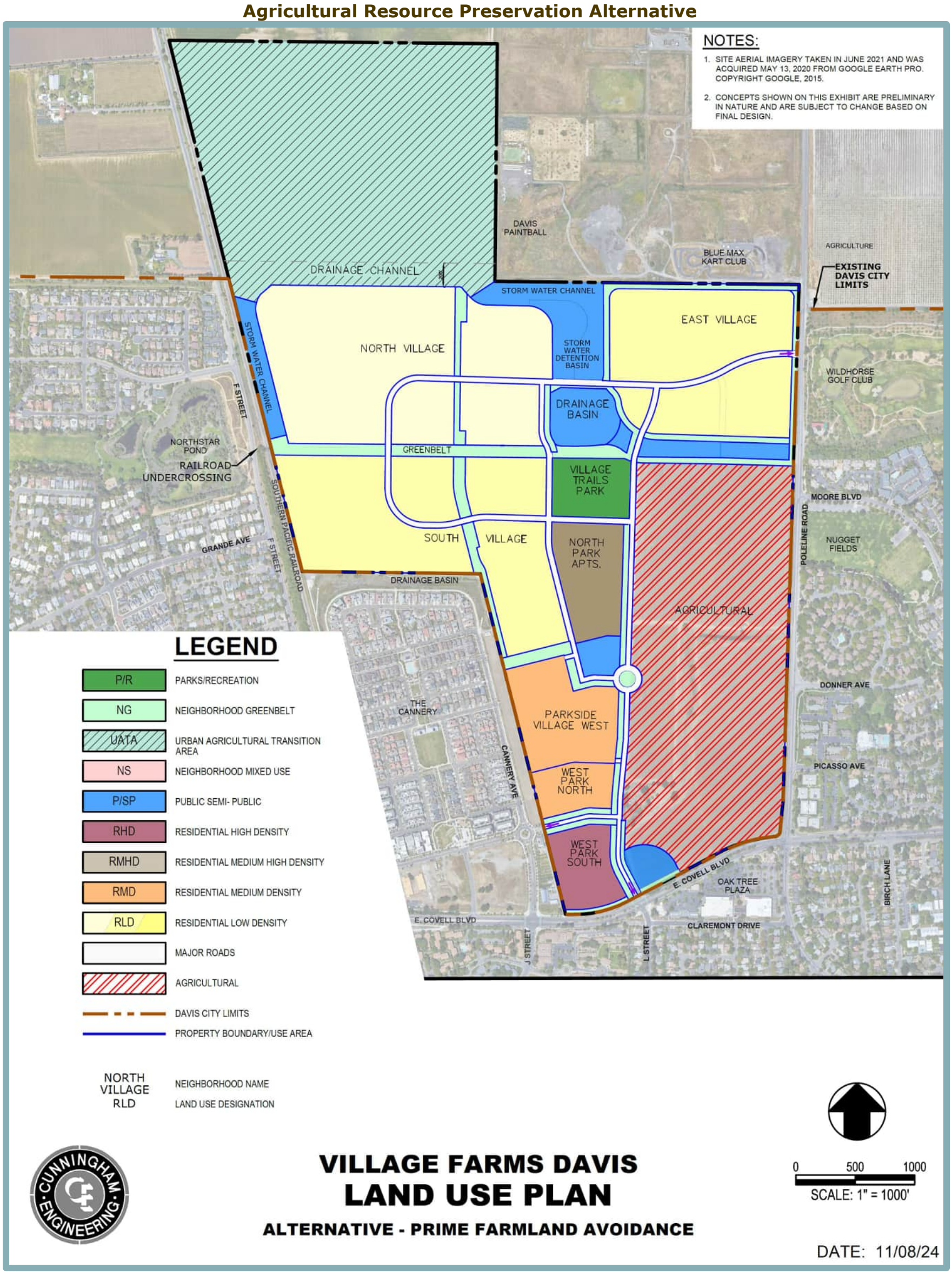
## Response to Comment 97-58

The legend in Figure 7-2 within Chapter 7, Alternatives Analysis, of the Draft EIR inadvertently labeled the agricultural preserve area as “Major Roads.” The figure has been revised to correct the label to “Agriculture.” Please see Figure 2-3 below for the revised Figure 7-2. The revision is for clarification purposes only and does not affect the analysis nor conclusions of the Draft EIR.

## Response to Comment 97-59

Please see Master Response 2. As discussed therein, the 2004 Covell Village EIR included an equal-weight analysis of a High Density Alternative, which included a total of 1,990 residential units, in comparison to the 1,515-unit total for the Covell Village project. As noted correctly in the comment, the Higher Number of Units – Same Footprint Alternative was intended to reduce per capita VMT below both City and regional average VMT thresholds.

**Figure 2-3 (Revised Figure 7-2)**
**Agricultural Resource Preservation Alternative**



## Response to Comment 97-60
The VMT forecasts in the Draft EIR were derived from forecasts prepared using the regional travel demand model developed by SACOG. The SACOG model is known as SACSIM, which predicts how people in the six-county region travel on a typical weekday, including where they go, when they make trips, why they make trips, what modes they use, and more. SACSIM19 is the current version of the regional model that was used for the VMT forecasts. SACSIM is an activity-based model that estimates the interrelated travel behavior of a synthetic population of individuals for every individual household. The modeling process creates synthetic or artificial population data by expanding on a representative sample of persons with attributes such as gender, age, ethnicity, etc. The model includes a range of household types including two-worker households and accounts for the vehicle travel characteristics of different household types (ranging from retirees, single-worker households, and multiple worker households) in the development of VMT forecasts.

## Response to Comment 97-61
Please see Response to Comment 52-6.

## Response to Comment 97-62
Comment noted. In addition, as noted in Master Response 1, quality of life concerns, while important, are not CEQA considerations.

## Response to Comment 97-63
Please see Master Response 5.

## Response to Comment 97-64
The comment reiterates statements from the Draft EIR. Please see Master Response 1.

## Response to Comment 97-65
Please see Master Response 6.

## Response to Comment 97-66
Please see Master Response 6.

## Response to Comment 97-67
Please see Master Response 1.

## Response to Comment 97-68
Please see Response to Comment 97-60.

## Response to Comment 97-69
The Proposed Project/BRPA has been increased in density from 1,395 to 1,800 dwelling units in response to early feedback from the City Council, as discussed on page 7-12 of the Draft EIR. Such increased density does have a beneficial effect of reducing the project's VMT per capita. Further densification beyond Council's request was considered in the Higher Number of Units – Same Footprint Alternative to reduce the project's VMT impact.

## Response to Comment 97-70

Please see Master Response 1.

## Response to Comment 97-71

Please see Master Response 6.

## Response to Comment 97-72

The Proposed Project/BRPA includes a roundabout at the Pole Line Road/Moore Boulevard intersection. Mitigation Measure 4.13-2(c) includes the following description of the associated requirements:

> *The project applicant shall construct a roundabout with pedestrian and bicycle crossings on all legs at the Pole Line Road/Moore Boulevard intersection. Bicycle and pedestrian crossings shall be placed through the splitter islands for each roundabout approach to minimize the number of multi-lane crossings, and shall be designed to the satisfaction of the City Engineer. In addition, the project applicant shall install traffic signals and pedestrian crossings on all legs at the Pole Line Road/Donner Avenue and Pole Line Road/Picasso Avenue intersections.*

Roundabouts are identified in the City of Davis 2023 LRSP and the US Department of Transportation (DOT) as a safety countermeasure for intersections and uncontrolled crossings.

> *Roundabouts can be implemented in urban areas under a wide range of traffic conditions. They can replace signals, two-way stop controls, and all-way stop controls. Roundabouts are an effective option for managing speed and transitioning traffic from high-speed to low-speed environments, such as along high-speed roads.*[7]
>
> *Roundabouts provide substantial safety and operational benefits compared to other intersection types, most notably a reduction in severe crashes.*

The US DOT provides guidance on roundabout design in *Roundabouts: An Informational Guide*[8]. The guide notes that key roundabout features include yield control of entering traffic, channelized approaches, and appropriate geometric curvature to slow speeds. This includes a raised central island, splitter islands to separate entering from exiting traffic, yield lines at the point of entry to the circulatory roadway, and accessible pedestrian crosswalks that are set back from the yield line. The recommended maximum entry design speed for urban single lane roundabouts is 20 miles per hour. Pursuant to the Guide, "The process of designing roundabouts, more so than other forms of intersections, requires a considerable amount of iteration among geometric layout, operational analysis, and safety evaluation." Detailed design plans are not available for the proposed roundabout, or for other proposed intersection mitigations, and will be reviewed by the City Traffic Engineer when submitted as noted in the mitigation measure to confirm that they meet appropriate standards.

## Response to Comment 97-73

Please see Master Response 1.

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7 https://highways.dot.gov/safety/proven-safety-countermeasures/roundabouts#:~:text=They%20can%20replace%20signals%2C%20two,intersections%20along%20high%2Dspeed%20roads.

8 www.fhwa.dot.gov/publications/research/safety/00067/00067.pdf

## Response to Comment 97-74

The mitigation measure identifies specific improvements "or a set of improvements of equal effectiveness as determined by the City Engineer". This language is an acknowledgement that new measures, materials, or technologies may be developed during the course of the build-out of the project, as build-out is likely to occur over several phases, and provides the flexibility to implement different measures that are equally or more effective as determined by the City Engineer.

## Response to Comment 97-75

The development will pay roadway impact fees, which goes towards roadway improvements. The green pavement and sharrows will be methyl methacrylate which may darken due to tire degradation, but should still last for many years. The exact time it would take for the pavement markings to fade is estimated to be five to 10 years.

## Response to Comment 97-76

Please see Master Response 1.

## Response to Comment 97-77

Please see Master Response 1.

## Response to Comment 97-78

Please see Master Response 1.

## Response to Comment 97-79

Please see Master Response 5. The operations analysis in the LTA is not related to CEQA impacts or mitigations. The evaluation concludes that the project's proposed roundabouts would contribute to extensive queuing given the close spacing of the two adjacent intersections on Pole Line Road at Picasso and Donner. Signalization of these intersections would improve the progression and management of traffic on northbound and southbound Pole Line Road. Vehicle queues/delay would be more evenly distributed across each intersection and queue spillbacks and associated upstream intersection blockages would be reduced with the installation of traffic signals. The analysis was based on application of the SimTraffic micro-simulation model and the traffic signals on Pole Line Road are assumed to be interconnected.

## Response to Comment 97-80

The Draft EIR does not assume that transit service could significantly reduce impacts associated with the project. As previously discussed, External Walk, Bike, and Transit reductions applied in the project's trip generation estimate (Table 4.13-5) were kept considerably low.

## Response to Comment 97-81

The project's fair share contribution toward the cumulative impact (see Impact 4.13-11 of the Draft EIR) would be collected by the City, but the ability to construct the improvements remains uncertain, which is clearly acknowledged in the Draft EIR. For this reason, the impact is conservatively determined to be significant and unavoidable in the Draft EIR.

**Letter 98**

**MEMO**

TO: Dara Dungworth, Principal Planner – City of Davis
FROM: Greg Rowe, Planning Commissioner
DATE: **REVISED** February 12, 2025
SUBJECT: CONCERNS ABOUT ALTERNATIVES ANALYSIS – VILLAGE FARMS DEIR AND THE ALTERNATIVE THAT SHOULD HAVE BEEN CONSIDERED

This memo conveys concerns about the adequacy , veracity and integrity of the Alternatives Analysis presented in Chapter 7 of the Draft Environmental Impact Report (DEIR) for the proposed Village Farms project ("Project"). As such, please consider this memo as an objection to the manner in which the Alternatives Analysis was conducted, particularly the alternatives selected for evaluation.

As explained below, I contend that the DEIR for the Project should have evaluated a "Reduced Acreage Alternative" similar to alternative that was identified as the Environmentally Superior Alternative in the December 2004 DEIR for the Covell Village project that had been proposed for the same site. As pointed out in the comments I have submitted thus far on the Project, significant concerns are evident with regard to potential contamination associated with the former Davis Landfill, along with other factors.

98-1

Evaluation of a Reduced Acreage alternative, similar to what appears in Chapter 5 of the 2004 Covell Village DEIR, would have produced illuminating results, and probably a far lower number of potential impacts, for consideration by the Planning Commission and City Council. Instead, it appears that a predetermined alternative was selected because its results for just one criteria-- VMT per capita-- provides a justification for a denser project even if it excludes other important considerations.

1. **CEQA REQUIREMENTS**
   a. The California Environmental Quality Act (CEQA) requires that a DEIR examine the potential impacts of "...a range of reasonable alternatives to the project, or to the location of the project" and "...evaluate the comparative merits of the alternatives."[1] The range of alternatives must include alternatives that are potentially feasible, would meet most or all of the project objectives, and that would "...avoid or substantially lessen" one or more of the project's significant impacts."[2]

98-2

2. **ALTERNATIVES CONSIDERED AND EVALUATED IN THE PROJECT DEIR:**
   a. Biological Resources Preservation Alternative (BRPA), which is the equal weight alternative.
   b. No Project.
   c. Lower Number of Units – Same Footprint
   d. Agricultural Resource Preservation Alternative

[1] CEQA Guidelines 15126.6.
[2] Antero Rivasplata and Greta Brownlow. *Practical CEQA – A Stepwise Guide to CEQA Compliance*. Solano Press Books, 2020. Page 100.

98-2 Cont.

ALTERNATIVES ANALYSIS MEMO 2

e. Higher Number of Units – Same Footprint
f. Of-Site Project

3. **ENVIRONMENTALLY SUPERIOR ALTERNATIVE (ESA)**: The "Higher Number of Units – Same Footprint Alternative" was determined to be the ESA.
   a. Concerns About This Alternative: I have been involved in evaluating, commenting on, writing and editing EIRs since the mid-1980s, when I served on and chaired the Resource Conservation Commission in the City of Chula Vista, CA. In the decades since then, I have never encountered a DEIR in which an alternative encompassed an intensity of development 50% greater than the proposed project. Yet, that is the case with the "Higher Number of Units – Same Footprint" alternative. It increases the number of units from 1800 to 2700.

98-3

Alternatives are traditionally selected to see if fewer impacts could be attained. However, due to the peculiarities associated with VMT per capita analysis, selecting an alternative with dramatically more intense development can counter-intuitively produce a "better result" for at least one impact, in this case emissions of GHG and criteria pollutants. I believe this skews the analysis in an unintended fashion.

If it was felt that a higher intensity alternative was needed for comparative purposes, I respectfully submit that a more reasonable range would have been between 10 and 20% more residential units than the Project. A jump of 50% is beyond the realm of reason.

   b. Population Increase: Using the average household size in Davis, the Project and the BRPA would have 4,626 residents, whereas the ESA would have 6,939 residents, an increase of 2,313 residents along with the attendant increase in the number of vehicles accommodated on the site, plus the other impacts associated with a population escalation of this magnitude.

   c. Rationale for Selection of the "Higher Number of Units – Same Footprint Alternative." The primary (and perhaps sole) environmental benefit of this alternative is that it would produce fewer impacts related to Air Quality, GHG Emissions and Energy compared to the Project (DEIR, page 7.28). In other words, an outside objective observer could reasonably conclude that the sole justification for assuming a 50% increase in the number of units was to achieve an enhanced VMT result, which is essentially conceded on page 7-31 of the DEIR. See footnote 3, which is an excerpt from my comments on Chapter 7, dated 9 February 2025.[3]

98-4

[3] It appears that the only justification for assuming a 50% increase in the total number of units alternative entails was to achieve a "better" VMT per capital result from the standpoint of the CAPCOA handbook, as conceded by the following statement on page 7-31: "The 2,700-unit count was selected for the Alternative in order to reduce per capita VMT below both City and regional average VMT thresholds of 30.1 and 21.7 VMT per capita, respectively. The residential VMT per capita associated with the Proposed Project was calculated to be 31.5." The rationale for selecting this alternative is in fact

**Letter 98 Cont.**

ALTERNATIVES ANALYSIS MEMO 3

From this perspective, it appears that the range of alternatives selected for analysis intentionally sacrificed consideration of other legitimate alternatives strictly to enable attainment of VMT goals that would justify a massive increase in the project's intensity. This meant that other potential impacts were placed in a subordinate role.

**98-4 Cont.**

d. Based on the above, a knowledgeable and objective observer could find it reasonable to conclude that the number of units selected for this alternative was based primarily on a desire to achieve a pre-determined outcome; i.e., providing a rationale for dramatically increasing the density of the project. (In other words, "just keep arbitrarily increasing the number of units until VMT per capita reaches a level that justifies density we want.")
   i. Based on my years of working professionally with CEQA, I don't think this is the way the process is supposed to work. I won't go so far as to say the process has been corrupted, but I do believe it has been unduly influenced and compromised by considerations outside the realm of conducting an impartial environmental analysis.

4. **THE MISSING ALTERNATIVE THAT SHOULD HAVE BEEN INCLUDED**:
   a. The Former Environmentally Superior Alternative: I contend that a vitally important alternative should have been included, and that the Project DEIR falls short of the standard of practice because of its failure to include this alternative. That is, the DEIR should have considered an alternative essentially identical to the Environmentally Superior Alternative identified in the DEIR for the Covell Village Project that was prepared by Raney Planning and Management in December 2004.[4] Unlike any of the alternatives considered in the Project DEIR, this alternative would have taken into account: (1) the presence of soil and groundwater contamination associated with the former Davis Landfill; (2) jurisdictional wetlands; (3) potential flooding associated with Channel A.

**98-5**

   b. Reduced Acreage Alternative: The ESA identified in the 2004 DEIR was "Alternative 8: Reduced Acreage Alternative."[5] As stated in the DEIR, this alternative would have resulted in development of 1,515 single family units on the portion of the project site south of Channel "A". As stated on page 5-11, "The Reduced Alternative would not result in land use incompatibility impacts regarding the Davis Landfill because the Alternative would not result in development north of Channel". "Overall, the Reduced Acreage Alternative would have fewer land use impacts compared to the Proposed Project."

admitted in the DEIR on page 7-33, as follows: *"This Alternative's analysis places primary importance on the elimination of the Proposed Project's significant and unavoidable (project-level and cumulative) VMT impacts. (Italics added for emphasis.)*

[4] Draft Program Level Environmental Impact Report, Covell Village. City of Davis. SCH#2004062089.
[5] Covell Village DEIR, pages 5-10 through 5-15.

**Letter 98 Cont.**

98-5 Cont.

98-6



c. In addition, "...because the Reduced Acreage Alternative would develop a smaller area compared to the Proposed Project, fewer impacts would occur, such as impacts to existing trees and seasonal wetlands."[6]

d. The discussion of the Environmentally Superior Alternative at the end of Chapter 5 in the 2004 DEIR includes the following important observations (pages 5-32 through 5-33).
   i. The Reduced Acreage Alternative would result in fewer environmental impacts than the Proposed Project while still providing a mix of housing types consistent with the goals of the applicant.
   ii. In addition, the Reduced Acreage Alternative would not involve the placement of residences directly south of the decommissioned Davis Landfill. Therefore, impacts associated with the Davis landfill would be reduced should the Reduced Acreage Alternative be approved.
   iii. Biological impacts would also be reduced should the Reduced Acreage Alternative be approved, because seasonal wetland habitat located north of Channel "A" would not be developed.
   iv. Similarly, due to the decreased number of vehicle trips, which would be generated by the Reduced Acreage Alternative, traffic impacts would be expected to be less intense than with implementation of the Proposed Project. Utilizing trip generation information provided in the Traffic Impact Analysis prepared by Fehr & Peers for the Proposed Project, the Reduced Acreage Alternative would generate approximately 17,506 average daily trips (ADT), while the Proposed Project would generate approximately 27,627 ADT." [This would be a reduction of 10,121 ADT, or 36.66 percent.]

e. Recent Agency Communications to the City of Davis Regarding the Former Landfill: Concerns about potential contamination associated with the former Davis Landfill remain and valid, as reflected in the NOP comment letter submitted by the Yolo County Environmental Health Division on 8 December 2023, which appears in appendix F of the DEIR. That letter specifically cited concerns about landfill gas migration. A separate letter on the same date from the Yolo County Department of Community Services cited potential problems associated with respect to groundwater. Finally, a letter from the Central Valley Regional Water Quality Control Board on 26 July 2023 expressed similar concerns and requested that the closed water supply well for the closed sewage treatment plant near the proposed project site be sampled for polyfluoroalkyl substances (PFAS).



[6] Covell Village DEIR, December 2004, page 5-13.

## LETTER 98: GREG ROWE (LETTER 3 OF 7, 02/12/25)

### Response to Comment 98-1
Please see Master Response 2.

### Response to Comment 98-2
Please see Master Response 2.

### Response to Comment 98-3
Please see Master Response 2.

### Response to Comment 98-4
Please see Master Response 2.

### Response to Comment 98-5
Please see Master Response 2. As discussed therein, contrary to the commenter's assertion, the Reduced Acreage Alternative included in the Covell Village Draft EIR did not avoid the on-site alkali playa and alkali wetlands, and thus, it does not meaningfully take into account the on-site wetlands. Rather, it only focused on avoiding the seasonal wetland north of Channel A, which is a much smaller aquatic feature. This comment also mentions the reduction in traffic trips that would result from the Reduced Acreage Alternative in the Covell Village Draft EIR. As noted in Master Response 2, the Agricultural Resource Preservation Alternative, a form of a reduced acreage alternative, would similarly reduce traffic trips due to the elimination of 470 units.

### Response to Comment 98-6
Please see Master Response 3.

**Letter 99**

**MEMO**

TO: Dara Dungworth, Principal Planner
FROM: Greg Rowe, Planning Commissioner
DATE: 20 February 2025
SUBJECT: Comments on Construction Phase Air Quality Analysis – Village Farms DEIR

This memo comments on the analysis of Construction Emissions for the Proposed Project and the BRPA, contained in Chapter 4.3[1] of the Draft Environmental Impact Report, specifically pages 4.3-47 through page 4.3-52. The chapter emphasizes that most of the significant earth movement would occur during Phase 1 of the project[2], related to grading and site preparation, including installation of backbone infrastructure (water, sewer and storm-drain infrastructure), plus moving soil from the Urban Agricultural Transition Area (UATA) to the proposed development area.[3]

I am concerned that this section of Chapter 4.3 provides no information on what assumptions were made in performing the projected emission calculations. Neither this chapter nor Appendix C provide this information.[4] Without these details, the reader doesn't how the emissions were calculated, whether all relevant factors were taken into consideration, and whether the information presented is indeed accurate and reliable. It's a matter of "showing your work," and this DEIR fails to do that.

99-1

1. **Proposed Project and BRPA Assumptions**: The assumptions listed on page 4.3-9 include:
    a. Approximately 11,261.3 cubic yards (CY) of grading material would be exported off-site;
    b. The number of anticipated pieces of construction equipment was increased during the grading phase to account for the amount of on-site material movement from the UATA to the proposed development area, estimated to be approximately 1,000,000 CY.

2. **Magnitude of Material Movement:** The DEIR provides no information on the types of construction equipment that would be used for earth movement and transport. This information must be provided in the Final EIR. To gain a better understanding of how much material will be moved, it is helpful to relate cubic yards to the capacity of a standard dump truck, which can carry between ten and 16 CY of dirt.[5] The number of truck loads needed for the Project would be as follows:
    a. Exporting 11,261 CY off-site:
        i. 10 CY capacity trucks: 1,126 truck loads.
        ii. 16 CY capacity trucks: 704 truck loads.
    b. Moving 1 million CY:
        i. 10 CY capacity trucks: 100,000 truck loads
        ii. 16 CY capacity trucks: 62,500 truck loads

99-2

[1] The Chapter is titled Air Quality, Greenhouse Gases, and Energy.
[2] Page 4.3-48.
[3] Page 4.3-49.
[4] AA.GHG Modeling Results
[5] Source: Dustin Hawley. J.D. Power, 4 February 2021.

3. **Questions That the EIR Must Address About Material To Be Exported Off-Site**
   a. What is the location of the intended deposit site (or sites if more than one site is to be used)? **99-3**
      i. How many miles is the deposit site (or sites) from the Project?
      ii. Will the material to be exported be tested prior to export for potential soil contaminants related to operation of the former Davis landfill?
   b. What is the assumed volume capacity of the trucks that would be used for the export activity? Will it be 10 CY, 16 CY or something else? **99-4**
   c. How many round-trip miles will be driven by the trucks carrying the exported material? **99-5**
   d. Although unrelated to air quality, will the applicant be responsible for repairing any public roadway damage resulting from travel by up to 1,126 dump truck round trips? **99-6**
   e. **COMMENT:** The DEIR should provide information about the material movement activity in a manner that can be easily understood by the casual reader of the DEIR. For example, a speaker at the public hearing on 12 February 2025 said that 1,000,000 CY of dirt could fill a certain number of typical Super Bowl stadiums (I forget the number he mentioned but it was very large). Providing this information would give the reader a better understanding of the magnitude of earth movement necessary to carry out the project as proposed. **99-7**

4. **Questions That the EIR Must Address About Material Movement From the UATA to the Proposed Development Area:** **99-8**
   a. What types of equipment will be used in addition to dump trucks?
   b. What is the anticipated number of trips the equipment (dump trucks, earth movers, etc.) will make between the UATA and the proposed development area? **99-9**
   c. How many cumulative miles will be traveled by this equipment in the course of moving 1 million cubic yards of material? **99-10**
   d. How many hours per day will the equipment operate? **99-11**

5. **Questions About Table 4.3-9 – Maximum Unmitigated Construction-Related Emissions – Phase 1** **99-12**
   a. Why are only three pollutants listed (ROG, Nox and PM-10?).
   b. Why does the table not include other components of construction exhaust, particularly diesel fine particulates (DPM); i.e., diesel exhaust particulates having a diameter of 2.5 microns or less)? **99-13**

6. **Missing Activity – Grade Separated Crossings:** In order to provide a complete air quality analysis, the DEIR should include information about the amount of material that would need to be excavated, moved and then replaced for construction of the grade-separated pedestrian and bicycle crossing of Pole Line Road near its intersection with Moore Avenue. It also must include similar information for the grade-separated crossing of F Street and the railroad tracks. As I have pointed out in previous comments on the Village Farms project, the City should not allow this project to move forward without provisions in the Baseline Features for these grade-separated crossings to be completed and operational before Phase 2 of the project is completed. **99-14**

In the absence of the information requested in this memo, I contend that Chapter 4.3 is inadequate and incomplete. **99-15**

/Users/gregrowe/Documents/Planning Commission/Village Farms/EIR/DEIR Chapters/Comments_DEIR/Construction AQ Comments(2)02-20-2025.docx

## LETTER 99: GREG ROWE GREG ROWE (LETTER 4 OF 7, 02/20/25)

### Response to Comment 99-1

Page 4.3-47 through page 4.3-52 of the Draft EIR provide a sufficient description of the methodology and assumptions used for the Proposed Project's and BRPA's construction-related air quality and GHG impact analysis. Specifically, the Draft EIR includes a list of development that would occur as part of Phase 1 construction, as well as the project-specific data that was input into the modeling. Appendix C of the Draft EIR includes the technical results of the modeling conducted for Phase 1 of the Proposed Project and the BRPA. The reports included in Appendix C present a summary of emissions associated with the Proposed Project/BRPA, as well as details regarding the project-specific information, and the default data, that was assumed in the modeling to calculate such emissions. Section 8 of the CalEEMod reports includes a summary of the "User Changes to Default Data" which provides a description of the project-specific data that was updated in the modeling, and the justification as to why the default data was updated. The approach of putting most of the technical details regarding modeling assumptions and outputs in an Appendix is consistent with CEQA Guidelines Section 15147, Technical Detail:

> The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

### Response to Comment 99-2

The hauling trip assumptions included within the construction modeling prepared for the Proposed Project/BRPA are presented in Section 5.3.1 of the CalEEMod results report (see Appendix C to the Draft EIR). As shown therein, a total of 8.8 one-way hauling trips per day were anticipated to occur along the off-site street network during grading activities associated with Phase 1 of the Proposed Project/BRPA. CalEEMod assumes a haul truck capacity of 16 cubic yards (CY) per truck, with half of the one-way truck trips (4.4 trips) assumed to be hauling soil, and the other half of the truck trips assumed to be associated with empty trucks returning to the site. The grading phase was anticipated to occur over 160 days (i.e., eight months), based on project-specific information provided by Cunningham Engineering (see Section 5.1 of the CalEEMod results report). Accordingly, the modeling assumed a total of 1,408 hauling trips would occur along the surrounding street network during the grading phase associated with the 11,261 CY of soils that would be exported from the site during the grading phase.

Additionally, the off-road equipment anticipated to be used during construction of the Proposed Project/BRPA is presented in Section 5.2.1 of the CalEEMod Results Report (Appendix C to the Draft EIR). As shown therein, the modeling assumed that a total of one grader, three excavators, two tractors/loaders/backhoes, two scrapers, two rubber tired dozers, and two dumpers/tenders would be used on-site during grading activities. The construction equipment was assumed to operate on-site for eight hours a day over the eight-month grading phase. According to

Cunningham Engineering,[9] two scrapers operating for eight hours per day over eight months would result in about 3,200 hours of operation. A typical scraper moves approximately 72 CY per cycle and estimating six cycles per hour (10 minutes per cycle), the two scrapers would be able to move approximately 1.4 million CY of soil on-site. As such, the two scrapers would provide the major on-site earth movement from the Northern Agricultural Area to the proposed development area, with the additional equipment to be used in support of the earth moving activities and for finishing the rough grading at the site.

## Response to Comment 99-3

The actual receiving location of the soils anticipated to be exported off-site is currently unknown. This level of specificity is not typical in EIRs and CEQA only requires a reasonable estimate. The CalEEMod modeling assumes each one-way hauling trip would be 20 miles, which is a reasonable, conservative assumption.

With regard to soil testing, the on-site soil sampling results do not support the need for testing on-site soils before off-haul, with the exception of the limited area around the existing on-site former barn/shed area, where toxaphene was identified. Please see Master Response 3 for further discussion of toxaphene and the related mitigation measure requirements in the Draft EIR.

## Response to Comment 99-4

Please see Response to Comment 99-2.

## Response to Comment 99-5

As discussed in Response to Comment 99-3, the CalEEMod modeling assumes each one-way hauling trip would be 20 miles. Thus, each hauling truck would drive a total of 40 miles round-trip.

## Response to Comment 99-6

Phase 1 construction would include a total of approximately nine one-way haul trips per day over a total of 160 days. The 1,408 total hauling trips that would occur during Phase 1 construction (the most intensive phase) would represent a relatively minor temporary increase in truck traffic travelling along local roadways, particularly when considering the regular use of Pole Line Road by heavy trucks transporting solid waste to the Yolo County Central Landfill, located approximately 2.5 miles northeast of the project site/BRPA site.

## Response to Comment 99-7

Super Bowl stadiums are not an accurate unit of measurement. The industry standard unit of measurement for soil is CYs, which is the unit of measurement used within the Draft EIR and the modeling prepared for the Proposed Project. Thus, the Draft EIR is adequate.

## Response to Comment 99-8

Please see Response to Comment 99-2.

[9] Brian Foster, Associate Principal/Engineering Department Manager, Cunningham Engineering Corporation. Personal communication [email] with Rod Stinson, Vice President, Raney Planning & Management, Inc. November 12, 2024.

## Response to Comment 99-9

On-site movement of soils using off-road equipment is not measured in number or length of trips, but rather in cycles and hours of operation. For further detail, please see Response to Comment 99-2.

## Response to Comment 99-10

Please see Response to Comment 99-9.

## Response to Comment 99-11

Please see Response to Comment 99-2.

## Response to Comment 99-12

As described within Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR, YSAQMD has established significance thresholds specifically for emissions of ROG, $NO_X$, and $PM_{10}$ within their Handbook for Assessing and Mitigating Air Quality Impacts. Thus, the analysis included in the Draft EIR was based on a comparison of the Proposed Project's/BRPA's emissions to the YSAQMD-established pollutant thresholds for ROG, $NO_X$, and $PM_{10}$.

## Response to Comment 99-13

$PM_{2.5}$ is a subset of $PM_{10}$. Thus, emissions of $PM_{2.5}$ are captured within the emissions of $PM_{10}$ presented in the Draft EIR. In addition, as discussed above, the YSAQMD has established significance thresholds specifically for emissions of ROG, $NO_X$, and $PM_{10}$ within their Handbook for Assessing and Mitigating Air Quality Impacts. The YSAQMD does not currently have an adopted $PM_{2.5}$ threshold of significance. Nonetheless, $PM_{2.5}$ emissions are presented in the CalEEMod results report included as Appendix C to the Draft EIR for informational purposes.

## Response to Comment 99-14

As described on page 4.3-47 and 4.3-48 of the Draft EIR, in order to provide a more realistic evaluation of potential impacts associated with project construction, while also remaining conservative, the modeling conducted for construction of both the Proposed Project and the BRPA is for the most intensive construction phase, which would be Phase 1. As discussed in Master Response 6, and further presented in Chapter 3 of this Final EIR, since release of the Draft EIR, the construction emissions analyses for the BRPA have been updated to reflect overlapping construction of Phase 1 and the Pole Line Road undercrossing, in light of ongoing Development Agreement negotiations.

## Response to Comment 99-15

Please see Responses to Comments 99-1 through 99-14. As detailed therein, the analyses and conclusions of Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR are adequate.

**MEMO**

TO: Dara Dungworth, Principal Planner – City of Davis
FROM: Greg Rowe, Planning Commissioner
SUBJECT: Additional Comments – Village Farms Draft Environmental Impact Report (DEIR)
DATE: February 20, 2025 (REVISED)

This memo conveys additional comments, questions and suggestions on numerous aspects of the Draft Environmental Impact Report (DEIR) for the proposed Village Farms project ("Project"). Many of the comments refer to the DEIR published in December 2004 for the previously proposed Covell Village project[1] (2004 DEIR) on the same site, because I have found that document to be informative and illuminating relative to the January 2025 DEIR for the currently proposed Project. As discussed in this memo, the December 2004 DEIR for the Covell Village Project identified substantive transportation mitigation measures compared to the weak transportation measures mentioned in the January 2025 Covell Farms DEIR.

100-1

**Summary of 2004 Covell Village Project**: The proposed Covell Village project would have encompassed 422 acres with 1515 dwelling units, of which 1078 would have been single family homes (59%). The project also included a fire station, a 10-acre school site for 600 students[2], a 1-acre pre-school, a 5-acre senior care facility, 113.7 acres of open space[3], and a 15.8-acre "Covell Village Center" with live-work units at the northwest corner of the intersection of East Covell Boulevard and Pole Line Road (southeast portion of the site; 2004 DEIR Figure 3-4).[4] The project was expected to generate 20,479 daily vehicle trips (2004 DEIR, page 4.4-26)[5]

Residential uses would have comprised slightly more than 232 acres (2004 DEIR, Table 3-1, page 3-5). The 2004 Project would have been served by a new Unitrans bus route that would have turned around at an internal roundabout, and would have been subsidized by the project applicant for about seven years through implementation of a Covell Village Transportation Assessment District.[6]

a) The 2004 DEIR considered 13 project alternatives, including:

[1] *Covell Village Draft Program Environmental Impact Report*, SCH 2004062089. Prepared for the City of Davis. Raney Planning & Management, Inc. December 2004.
[2] 2004 DEIR, page 3-10.
[3] 2004 DEIR, page 3-5.
[4] The 15-8-acre Village Center would have consisted of retail, offices, live/work, a church, health club, day care, hotel, restaurant, and gas station/market, along with 60 apartments, and vehicle parking. See 2004 DEIR, pages3.5 and 3-8.
[5] It must be noted that as explained in the January 2025 DEIR for the proposed Village Farms project, newer and more accurate transportation models predict 13,885 new weekday daily trips for the Village Farms project, and 15,415 for the BRPA (2025 Village Farms DEIR, page 4.13-24).
[6] 2004 DEIR, pages 3-15 and 4.4-64.

- High Density Alternative (2004 DEIR, page 2-10). It assumed 1990 units, or 31.35% more than the proposed project, with an increase of 1100 residents.[7] (In contrast, the "Higher Number of Units – Same Footprint" alternative examined in the January 2025 Village Farms DEIR has 50% more units than the proposed Project.) The 2004 High Density Alternative would have generated 25,733 new daily vehicle trips (5250 more than the proposed project, an increase of 25.63%).[8]
- Reduced Acreage Alternative, which would build the same 1515 housing units on the portion of the project site south of Channel A (on 147 acres). The northern portion of the proposed site would not have been included in the project.[9] This alternative was selected as the Environmentally Superior Alternative (2004 DEIR, pages 5-32 and 5-33). Attributes of the Reduced Acreage Alternative included fewer impacts related to the former Davis Landfill and to biological resources (2004 DEIR, pages 5-11 and 5-13).

100-1 Cont.

**Supplemental Analysis and Comments on the January 2025 Village Farms DEIR**

1. **Additional Transportation Impact Analysis Should Be Performed:** During the public hearing of 12 February 2025 on the Village Farms project, Raney Vice President Nick Pappani stated it had been estimated that 700 K-12 students would reside in the 1800 dwelling units (DUs) upon final buildout. Because the Environmentally Superior Alternative (ESA) cited in the January 2025 DEIR would encompass 50% more dwelling units, I asked Pappani whether it would be logical to assume there would potentially be an additional 350 students residing at the project if the ESA alternative were constructed (total of 1050 students), to which he responded affirmatively.

100-2

   a. **SUGGESTION:** The DEIR did not identify how many K-12 students could be expected to live at Village Farms upon completion of the project. The information provided by Pappani (i.e., 700 students for the project and 1050 students for the ESA) should be added to the text of the DEIR.

   b. The January 2025 Village Farms DEIR repeatedly states that the project applicant intends to accommodate the needs of pedestrians and bicycle riders by installing crosswalks, bike lanes, bike lane conflict markings, bike/ped crossing markings, bike intersection crossing markings, driver visual ques and other methods such as elimination of channelized right-turn lanes to reduce collisions between vehicles and people using active means of transport (i.e., biking, walking). It is articulated on multiple pages that grade separated

100-3

[7] 2004 DEIR, page 4.11-29.
[8] 2004 DEIR, page 4.4-39. However, it is stated on page 4.4-48 that the number of "Higher Density" daily trips would be 25,690, an immaterial difference of 83 daily trips.
[9] 2004 DEIR, pages 2-8 and 2-11).

pedestrian/bicycle (ped/bike) crossings may be provided if analyses shows construction of such infrastructure would be feasible.[10]

In contrast, the 2004 DEIR for the previously proposed Covell Village project at the same site did not equivocate on this issue, stating on a number of pages that "Grade-Separated crossings...would be constructed as part of the project..."[11] (underlining added for emphasis) including at:

i. Pole Line Road, connecting to the Nugget Field site,
ii. Crossing F Street and railroad tracks, and
iii. A Pedestrian Underpass, "...which would connect the Village area with the existing Oak Tree Plaza..." accommodating bicycle and pedestrian traffic.[12] It would be open at a couplet island to break the crossing into two shorter tunnels.

**100-3 Cont.**

c. **COMMENT: Responsibility for Grade-Separated Crossings:** The recently released Village Farms DEIR also asserts that if grade-separated crossings are constructed, the cost would be shared with other nearby developments, including Palomino Place and the proposed Shriners project. This proposed cost-sharing arrangement should be rejected by the City of Davis for the following reasons:

i. The Palomino Place project has been approved and moving forward, but it should not be expected to contribute funds toward an infrastructure improvement tied to another unrelated project that has yet to be approved.
ii. The Shriners project may not be approved by the electorate, so it would be impossible at the time the governing documents[13] for the Village Farms project are prepared to make another as yet unapproved project responsible for future costs.
iii. The grade-separated ped/bike crossing of Covell Boulevard east of Monarch Lane, contemplated in the City's Major Projects Facilities Plan (described on page 3-11 of the 2004 DEIR), has been completed and in use. The bike undercrossing is essentially on the shared borders of the Palomino Place and Shriners projects, which will facilitate safe and efficient movement by pedestrians and bicycle riders. Moreover, it will enable safe access by K-12 students to the local schools, all of which are located south of East Covell Blvd. It is therefore completely unnecessary for both of those projects to partially fund grade-separated crossings that are not needed by their residents.

[10] 2025 Village Farms DEIR, fifth bullet on page 4.13-32.
[11] Such statements about grade separated ped/bike crossings can be found on these pages of the 2004 DEIR: 3-11, 3-14, 3-15, 4.4-67, Figure 3-6 on page 3-14, Figure 3-10 on page 3-21, and on page 4.4-67 under the heading "Pedestrian/Bicycle Facilities."
[12] 2004 DEIR, page 3-15.
[13] Ballot Baseline Features, Development Agreement, Conditions of Approval, etc.

iv. The Village Farms Applicant Must Be Required to Pay for Grade-Separated Crossings: The proposed Covell Farms project will be the sole generator of the trips taken by the 700 – 1050 K-12 students, so the project applicant should logically be required to pay the entire cost of the grade-separated crossings necessary to provide safe, non-motorized transportation for those young residents.

1. Responsibility for Grade-Separated Crossings Must Be a Measure D Baseline Feature: The project applicant's responsibility to pay for grade-separated bike/ped crossings must be included in the project's Baseline Features, and NOT in the Development Agreement (DA). Past experience has shown, particularly with respect to The Cannery project, that it is all too easy for applicants to convince City Council to relieve them of DA obligations after a project has been approved and under construction.

**100-3 Cont.**

d. **Request:** 700 K-12 students will need to reach elementary, junior high and senior high schools south of Covell Blvd/Mace Boulevard (or 1050 students in the Environmentally Superior Alternative). The proposed project, as currently envisioned, would require students to navigate two busy arterials using crosswalks and bike lanes, whereas grade-separated crossings would keep students isolated from vehicle traffic. Frequently occupied crosswalks on Covell Boulevard and Pole Line Road near the project area would undoubtedly cause traffic delays, especially during peak AM travel. VMT could even increase if drivers were to seek alternative routes in order to avoid traveling on streets with busy crosswalks.

**100-4**

It is easy to foresee that most parents would drive their children to school rather than expose them to the dangers inherent in traversing busy arterials in crosswalks or on bicycles. Therefore, a revised traffic analysis must be performed that will compare and contrast the potential impact on Vehicle Miles Traveled (VMT), Level of Service (LOS) and other transportation measures under the following two scenarios:

i. Grade-separated ped/bike crossings of Pole Line Road and F Street/Railroad tracks, which would allow students to travel to and from school by walking or biking; versus

ii. The absence of grade-separated ped/bike crossings as contemplated in the Village Farms project description, which would undoubtedly compel parents to drive their children to and from school because of understandable safety concerns (thereby increasing VMT and the number of daily trips).

**100-5**

2. **Transportation Mitigation Measures Cited for the 2004 Covell Village High Density Alternative Are Superior to the Mitigation Measures Identified in the Environmentally Superior Alternative for the January 2025 Village Farms DEIR:** Again, the high density alternative assessed in 2004

would have increased the number of dwelling units from 1515 to 1900, with a corresponding increase in new daily trips from 20,479 for the proposed project to 25,733 trips. Keep in mind that the 1990 dwelling units for the High Density Alternative is only 190 more units than the currently proposed Village Farms project (1800 units), but 710 dwelling units less than the 2700 units contemplated in the Environmentally Superior Alternative in the January 2025 Village Farms DEIR.

Mitigation measures cited as necessary for the High Density Alternative in the 2004 DEIR included:

a. Install a traffic signal at the Pole Line/Picasso Avenue intersection, paid for by the applicant (2004 DEIR, p. 4.4-49).

b. Widen Pole Line Road north of Covell Blvd. from two lanes to four lanes to the northern boundary of the project site, to be completed prior to occupancy of a commercial or residential unit (2004 DEIR, p. 4.4-52). Note that this mitigation requirement applied to BOTH the proposed project of 1515 dwelling units and to the 1990-unit High Density Alternative.

**100-5 Cont.**

c. Modify the Covell/Pole Line Intersection to include an additional eastbound left-turn pocket from Covell Blvd. onto northbound Pole Line Road, with the intersection modifications to be completed prior to initial occupancy of a commercial building or residential unit (2004 DEIR, page 4.4-59).

d. **COMMENT:** In contrast, the January 2025 DEIR for the proposed Village Farms project does not include any of the substantive mitigation measures summarized above for the project proposed in 2004. Instead, it identifies the following transportation mitigation measures (Village Farms DEIR page 4.13-32), which the DEIR admits would merely "...reduce the potential for conflicts between bicyclists or pedestrians that would otherwise be caused by the project...":

   i. Pole Line Road/Picasso Avenue – New west leg and traffic signal.
   ii. Pole Line Road/Donner Avenue – New west leg and traffic signal
   iii. Pole Line Road/Moore Boulevard – New west leg and roundabout.
   iv. Improve the East Covell Boulevard/Pole Line intersection with marked crosswalks and pedestrian crossing signals, eliminate channelized right-turn lanes, and install high visibility bike lane conflict markings (page 4.13-34).
   v. Construct a roundabout with ped and bike crossings at the Pole Line Road/Moore Boulevard intersection.

**100-6**

e. **COMMENT:** In addition, the January 2025 Village Farms DEIR concedes that "...active transportation network gaps would impede pedestrian and bicycle access to and from the site at several locations (page 4.13-32), and that "...design details regarding bicycle and pedestrian crossing amenities have not yet been determined" (page 4.13-33), and "The

adverse effects on pedestrian and bicycle safety would be inconsistent with City plans and policies that promote pedestrian and bicycle travel" (page 4.13-33).

f. **COMMENT:** The January 2025 DEIR likewise concedes that the "Higher Number of Units – Same Footprint Alternative (i.e., the 'Environmentally Superior Alternative') would increase "...the severity of impacts related to conflicts between vehicles and pedestrians/bicyclists...compared to what is anticipated to occur under the Proposed Project" (page 7-32).

**100-6 Cont.**

i. **COMMENT:** These admissions demonstrate that the Village Farms project is not yet ready for consideration by Davis voters, and reinforce the absolute necessity for the applicant to provide grade-separated pedestrian and bicycle crossings at Pole Line Road/Moore Avenue and at F Street north of Covell Boulevard. The ballot measure Baseline Features should specify that these facilities must be constructed and fully ready for use before completion of Phase 2 of the proposed Village Farms project, and that the cost of providing these facilities should be solely the responsibility of the project applicant.

3. **Relocate Park**: The Heritage Oak Park Proposed at the Southeast Corner of the Site Should be Moved and Replaced with High Density Housing.

**100-7**

a. As the 2004 DEIR explains, clustering the highest density housing near the intersection of Covell Blvd and Pole Line Road would reduce vehicle travel by the residents of those dwelling units (2004 DEIR, page 3-18 and Figure 3-4 on page 3-9). The park should be moved further into the interior of the proposed project.

## LETTER 100: GREG ROWE (LETTER 5 OF 7, 02/20/25)

### Response to Comment 100-1
Please see Master Response 1. In addition, between the preparation of the 2004 Covell Village Project EIR and the Village Farms Davis Project EIR, the law related to transportation analysis changed from LOS to VMT. Please see Master Response 5 for a more detailed explanation.

### Response to Comment 100-2
Please see Response to Comment 97-46.

### Response to Comment 100-3
Please see Master Response 6.

### Response to Comment 100-4
Please see Master Response 5. As noted, LOS is no longer a metric used to analyze transportation impacts for CEQA.

Fehr & Peers is not aware of any research or data on the VMT benefits of grade-separated bicycle/pedestrian crossing projects. CAPCOA indicates that constructing or improving a Class I, II or IV bike facility that connects to a larger existing bikeway network can yield a 0.8 percent reduction in VMT.

### Response to Comment 100-5
Please see Master Response 1. In addition, LOS is no longer a metric used to analyze transportation impacts for CEQA.

### Response to Comment 100-6
Please see Master Response 6.

### Response to Comment 100-7
The high-density housing proposed for Village Farms is located in areas designated as West Park South and West Park North, in the southwest corner of the project site, that are located immediately northeast of the intersection of East Covell Boulevard/F Street. The high-density housing units would be located within 0.5-mile of bus stops on East Covell Boulevard at F Street, served by the Unitrans P and Q Lines and Yolobus Route 43. The Unitrans L Line and T Line have two stops on Pole Line Road north of East Covell Boulevard, along the project frontage. The Unitrans E Line has a stop on J Street, south of the East Covell Boulevard/Cannery Avenue-J Street intersection. The Unitrans F Line runs along F Street, north of West 14th Street with the nearest stop at West Covell Boulevard. Relocating the high-density housing from the southwest corner of the site to the southeast corner of the site, near the intersection of East Covell Boulevard/Pole Line Road would move it closer to bus stops for the Unitrans L Line and T Line, but farther away from stops for the Unitrans E Line and F Line. It is not likely that this change would have a substantive effect on VMT generated by the Proposed Project.

**Letter 101**

**Dara Dungworth**

**From:** Greg Rowe <gregrowe50@comcast.net>
**Sent:** Friday, February 21, 2025 12:25 PM
**To:** Dara Dungworth
**Cc:** Michelle Weiss Old
**Subject:** Comments - Village Farms Drainage Study - Appendix K

**Importance:** High

**Categories:** VFD Comment

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

Hi Dara,

I reviewed the Drainage System and Flood Control Analysis prepared by Cunningham Engineering for the proposed Village Farms project. There are several aspects of the report that are troubling, in particular several references to the fact that final plans will not be finalized until a later date. Examples:

**101-1**

- Page 12 includes a discussion of the "Depressed Agricultural Buffer," which will be excavated approximately 9 - 10 feet to a bottom elevation of 28 feet. The paragraph states that " Specific programming of plantings, low flow channels, and/or habitat island regions has not yet been established with the City staff. The project applicant will initiate discussions with the appropriate City Departments...", and that "...These detailed design activities for the ag buffer will be refined at the time of development of the improvement plans and subdivision maps." **COMMENT**: This is completely unacceptable. Because the Davis electorate will be asked to approve this project on the November 2025 ballot, these details about the "Depressed Ag Buffer" must be completely finalized and made known to the public before the proposed project election occurs.

**101-2**

- Page 12, under the same heading, it is also stated: "The appropriate support and maintenance for the naturalized area will be discussed with City Staff." **COMMENT:** This statement is too nebulous. When will such discussions occur? When will they be completed? Will the "appropriate and maintenance" measures be memorialized in a publicly available document? Who will bear final responsibility for approving the document?

**101-3**

- Page 12, Conclusion: It is reiterated that: "The design details presented within this report will continue to be finalized with the City Staff through the subdivision map and detailed improvement plans." **COMMENT**: Again, this provision falls short of what is needed for such a massive project. These details must be finalized before the project is presented to the voters.

**101-4**

Perhaps most important, the analysis that comprises Appendix K only examines the basic project proposal consisting of 1800 dwelling units. The Environmentally Superior Alternative (ESA) identified in the DEIR includes a 50% increase in the number of units (a total of 2700 dwellings). It is logical to assume that a project alternative that would increase the residential density by this magnitude will likewise increase the amount of impervious surface by a substantial degree of magnitude, if not in a directly proportional manner. Therefore, a separate drainage system and flood control analysis is warranted that incorporates the 2700 units. The DEIR must be revised to incorporate this separate analysis for the high

1

**101-4 Cont.**

density alternative that has been identified as the ESA. The environmental analysis in the DEIR will be insufficient if such an analysis is not performed.

Thank you for considering these comments.

Regards,

Greg Rowe
City of Davis Planning Commissioner
Comment Submitted 21 February 2025

## LETTER 101: GREG ROWE (LETTER 6 OF 7, 02/21/25)

### Response to Comment 101-1
Please see Master Response 1.

### Response to Comment 101-2
Please see Master Response 1.

### Response to Comment 101-3
Please see Master Response 1.

### Response to Comment 101-4
The Higher Number of Units – Same Footprint Alternative is not evaluated at a level equal to that of the Proposed Project, nor is there a requirement under CEQA to do so. As such, a separate drainage and flood control analysis, comparable to the Proposed Project, is not required.

**MEMO**

TO: Dara Dungworth, Principal Planner – City of Davis
FROM: Greg Rowe, Planning Commissioner
DATE: 23 February 2025
SUBJECT: Village Farms DEIR Comments - Information Needed for Construction Analysis

**102-1**

This memo provides comments and recommendations for improving the project description and related environmental analysis in the Draft Environmental Impact Report for the proposed Village Farms project (Project). In particular, the DEIR lacks a detailed description of how more than 11,261 cubic yards (CY) of material would be exported off-site during grading, and more important, how over one million (CY) of material would be moved from the Urban Agricultural Transition Area (UATA) to the proposed development area under both the Project and Biological Resource Preservation Area (BRPA) scenarios. I have previously commented on the air quality aspects of the construction phase of the Project and BRPA, whereas this memo addresses related shortcomings of the project description as it relates to the most intense phase of construction.

**102-2**

The methodology of excavation, the transport of soil and other material, and the raising of the base elevation of the development area must be described in detail in order to facilitate a robust environmental review.

The DEIR states on pages 4.3-48 and 49 the most intensive construction work would occur during Phase 1 for both the Project and the BRPA. This work would include relocation and expansion of Channel A and the detention basin, in addition to mass grading of the development area and installation of backbone infrastructure.

**102-3**

**Background**

During a 13-year period (2002-2015, I worked as Senior Environmental Analyst for the Sacramento County Department of Airports, which operates four airports[1]. Among my key duties was development of detailed construction information to enable preparation of robust environmental documents pursuant to the California Environmental Quality Act.[2] Virtually all airport improvement projects entail excavation, movement, transport and temporary storage of soil and other material. Therefore, the project description for every project included exhibits and detailed narratives for the following aspects of construction:

- Haul routes
- Laydown areas
- Soil deposition and storage areas
- Equipment and construction worker parking

[1] Sacramento International Airport, Mather Airport, Executive Airport and Franklin Field.
[2] These documents included Categorical Exemptions, Negative Declarations, Mitigated Negative Declarations, and Environmental Impact Reports (EIRs).

**Letter 102 Cont.**



**102-3 Cont.**

The provision of this information was vitally important, particularly so an accurate and detailed analysis could be performed to address the project's potential impact on hydrology, air quality, vegetation, species classified as threatened or engendered under the federal and California Endangered Species Acts, and other important impact subjects. Our guiding principle in developing construction methodology information for each project was: "It's not what you build that matters; it's the means and methods by which you build the project."

**Information Needed for Robust Project and BRPA EIR**

The DEIR for the proposed Project and BRPA does not adhere to this guiding principle. That is not necessarily the fault of the EIR preparers, who can only analyze the information which has been provided to them. Missing information that should be an integral part of the project description, and therefore subject to the environmental evaluation, includes but is not limited to the following:

**102-4**

- How will material be transported south from the UATA to the development area?
  - Will a temporary bridge be constructed over Channel A? If so, will the bridge remain in place after completion of construction?
  - Or, will construction equipment (dump trucks, excavators, etc.) alternatively move the material eastward to Pole Line Road, then south on Pole Line Road to re-enter the project area?

**102-5**

- Equipment laydown area(s)
- Soil deposition areas
- Haul routes

**102-6**

- Destinations of the exported material, and the methods by which the material will be deposited at that destination site or sites.

**102-7**

This information must be provided by the applicant to the environmental consultant so that it can be analyzed for the EIR. Absent this detailed construction information, the environmental analysis will be neither adequate or complete.

/Users/gregrowe/Documents/Planning Commission/Village Farms/EIR/DEIR Chapters/Comments_DEIR/Construction Memo(1)23 Feb 2025.docx

## LETTER 102: GREG ROWE (LETTER 7 OF 7, 02/23/25)

### Response to Comment 102-1
Please see the responses to Letter 99.

### Response to Comment 102-2
Please see the responses to Letter 99.

### Response to Comment 102-3
Please see the responses to Letter 99.

### Response to Comment 102-4
Grading activities would be restricted to the project area and would avoid the public roadways. Earthwork moving activities transporting the fill materials from the Northern Agricultural Area to the urban development sites would be accomplished on-site without using County or City roads for access. Grading activities associated with the project include modifications to Channel A in the eastern portion of the project. The haul road for fill materials is anticipated to route through the areas proposed for disturbance in this eastern area and/or would implement temporary bridging across the drainage channel, as required by the contractor for the haul route.

### Response to Comment 102-5
Identifying construction equipment lay down and deposition areas on the project site/BRPA site is not required. First, the EIR appropriately includes a programmatic analysis of the Proposed Project due to the program-level entitlements being requested at this time. As noted in Practice Under the California Environmental Quality Act:[10]

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

The level of specificity required in an EIR is related to the discretionary entitlements being sought by the project applicant. In other words, the level of specificity required in an EIR generally depends on the degree of specificity involved in the proposed activity reviewed in the EIR. There is no requirement for EIRs only to evaluate detailed projects. The currently requested entitlements for the Proposed Project are noted on page 3-45 of Chapter 3 of the Draft EIR, as follows:

1. SOI Amendment. Because the 114.88-acre portion of the BRPA site is outside the City's SOI, the BRPA would require an SOI Amendment to include that portion of APN 042-110-029 within the City's SOI.
2. Annexation. The BRPA would require the annexation of the 497.6-acre BRPA site into the City of Davis.
3. General Plan Amendment. The BRPA would require a General Plan Amendment to redesignate the 497.6-acre BRPA site from Yolo County General Plan land use designations of S-P (382.72 acres) and Agricultural (114.88 acres) to the following City of Davis land use designations:

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

- 61.4 acres of RLD;
- 135.9 acres of RMD;
- 12.2 acres of RHD;
- 29.1 acres of P-SP
- 2.9 acres of Neighborhood Mixed-Use;
- 27.1 acres of Park/Recreation;
- 40.8 acres of Neighborhood Greenbelt;
- 47.1 acres of Natural Habitat Area; and
- 118.4 acres of UATA.[11]

4. Pre-zoning. The BRPA would require Pre-zoning of the BRPA site from the Yolo County zoning designations of S-P (382.72 acres) and Agricultural (114.88 acres) to the City of Davis zoning of P-D.
5. Development Agreement.

The Proposed Project and the BRPA cannot proceed with construction should the above-listed entitlements be approved by the Davis City Council and ultimately the voters. For that to occur, the project applicant would need to receive approval of additional discretionary entitlements from the City of Davis, thereby enabling on-site construction. These entitlements would include, at a minimum, City of Davis approval of a final PD and Tentative Subdivision Map(s). At such time that tentative map and final PD applications be submitted to the City of Davis, design-level detail will be available for subsequent City review for a determination as to whether the Proposed Project details are within the scope of activities evaluated within the program EIR, pursuant to CEQA Guidelines Section 15168.

## Response to Comment 102-6

Please see Response to Comment 99-3.

## Response to Comment 102-7

The comment is conclusory. Please see the previous responses to comments.

[11] Note that this has been revised to 11.3 acres of UATA and 107.1 acres of Agricultural as reflected in Appendix E to this Final EIR.

**Letter 103**

**Dara Dungworth**

**From:** Heather Schrader <hschrader@hsvma.org>
**Sent:** Monday, February 10, 2025 5:43 PM
**To:** Planning Commission
**Subject:** Village Farms project

**Categories:** VFD Comment

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

To the Davis Planning Commission,

**103-1** As a homeowner in the La Buena Vida condos, I am extremely concerned about the impact of the Village Farms construction proposal. Our insurance rates at La Buena Vida have skyrocketed the past several years and building on a flood plain right across Pole Line/County Road 102 is a terrible and, frankly, insane idea. Without the flood plain to protect our area from heavy rains (climate change is definitely causing this already) our property will be in jeopardy and the city of Davis will not be able to rely on State funds to help. This project will seemingly protect people who live in the proposed area by raising the land level, but this will place current homeowners surrounding the land at high risk of losing their homes. If approved, Davis would be guilty of giving in to developers in order to attract high income homeowners at the expenses of long time Davis residents in one of the very few affordable housing opportunities left in the city.

**103-2** There are numerous other reasons not to allow this development such as toxic runoff from the previous Davis landfill, traffic concerns, etc. but the city should first and foremost be protecting its current residents and itself from the dangers of flooding and climate change.

Please DO NOT allow the Village Farms proposal to move forward!

Thank you,

Heather Schrader

**Heather Schrader, RVT, MCJ**
she/hers (What is this?)
Program Manager, Student Outreach
hschrader@hsvma.org
**t** 530.759.8106
**hsvma.org**

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## LETTER 103: HEATHER SCHRADER (LETTER 1 OF 2, 02/10/25)

### Response to Comment 103-1

Please see Master Response 1 related to financial concerns and Master Response 4 related to flooding concerns.

### Response to Comment 103-2

Please see Master Responses 3, 4, and 5.

**Letter 104**

**Dara Dungworth**

**From:** Heather Schrader <heather.schrader@att.net>
**Sent:** Monday, February 24, 2025 10:05 AM
**To:** Dara Dungworth
**Subject:** DEIR comment for proposed Village Farms development

**Categories:** VFD Comment

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Dara Dungworth and the City of Davis Planning Commission,

**104-1** As a homeowner in the La Buena Vida condos, I am extremely concerned about the impact of the Village Farms construction proposal. Our insurance rates at La Buena Vida have skyrocketed the past several years and building on a flood plain right across Pole Line/County Road 102 is a terrible and, frankly, insane idea. Without the flood plain to protect our area from heavy rains (climate change is definitely causing atmospheric rivers already) our property will be in jeopardy and the city of Davis will not be able to rely on State funds to help. This project will seemingly protect people who live in the proposed development area by raising the land level, but this will place current homeowners surrounding the proposed development at high risk of losing their homes. If approved, Davis would be guilty of giving in to developers in order to attract high income homeowners at the expenses of long time Davis residents in one of the very few affordable housing opportunities left in the city.

**104-2** There are numerous other reasons not to allow this development as proposed such as toxic runoff from the previous Davis landfill, traffic concerns, etc. but the city should first and foremost be protecting its current residents and itself from the dangers of flooding and climate change.

Please DO NOT allow the current Village Farms proposal to move forward!

Thank you,
Heather Schrader
2719 Bidwell St. #4
Davis, CA 95618
916-747-5912

1

## LETTER 104: HEATHER SCHRADER (LETTER 2 OF 2, 02/24/25)

### Response to Comment 104-1
Please see Response to Comment 103-1.

### Response to Comment 104-2
Please see Response to Comment 103-2.

**Letter 105**

**Dara Dungworth**

**From:** tinkymoto@aol.com
**Sent:** Tuesday, February 25, 2025 11:20 AM
**To:** Dara Dungworth
**Subject:** COMMENTS ON THE DRAFT EIR OF THE PROPOSED VILLAGE FARMS PROJECT

**Categories:** VFD Comment

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

To the City of Davis,

I have multiple concerns about the Draft EIR for the proposed Village Farms project. Below is a list of some of the Draft EIR deficiencies. But first permit me to note:

My perspective is one of a longtime Davis resident who raised his family here, as well as one of a physician who has been involved with the continually evolving health and environmental concerns of the population.

Working over two decades on a busting Labor and Delivery Service, I appreciate many of the specific medical, well-being, environmental, and social concerns of families, as new family members enter this World. On the other end of Life's Path, I unfortunately witnessed people of all ages depart from this World, as I spent five years helping establish and personally staff a Level II Trauma Center. From the experience gained on a Trauma Service, it became evident how many deaths and disastrous injuries could have been avoided.

105-1 Now to my concerns with the Draft EIR:

(1) FLOOD PLAIN

Approximately half of the land to be developed at the location of the proposed Village Farms project is in a FEMA Zone A Special Flood Hazard Area. CEQA's "rule of reason" dictates that there should be consideration of at least one Alternative Project on the proposed development location that is situated outside this flood plain. The DEIR is deficient in that NONE of the Alternative Projects at this location are outside the Flood Plain.

Concerning the "rule of reason", the State of California's voice is loud and clear that the State will no longer financially help cities who make the bad planning decision to build on huge flood plains like this project has. In case of flooding on the proposed Village Farms location, the City of Davis will face the financial fallout which will then be transferred to Davis residents.

(2) ABANDONED LANDFILL AND SEWAGE TREATMENT PLANT

105-2 The Old Davis Landfill burned unsorted garbage for many years. It was unlined and without a leachate collection system. For the sake of human safety (and other reasons), the proposed Village Farms project should have a minimum of a 1,000 foot buffer zone from the Old Landfill. The DEIR fails to adequately

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**105-2 Cont.**

address this preventative human safety measure. It also fails to consider any alternative project on the proposed Village Farms location that is at least 1000 feet from the Old Landfill. Having an exclusionary area around such an abandoned landfill should not even be an issue for debate.

(3) UNACCEPTABLY HIGH LEVELS OF MULTIPLE SOIL TOXICS GENERATED RISKS

**105-3**

Arsenic levels more than 50 times higher than the normal ground level are found in the proposed 118 acre UATA "dig pit." One estimate is that the proposed Village Farms project will require that 100,000 truck loads of arsenic laden soil be removed from the UATA. A crater will remain. Certainly arsenic will be aerosolized from this massive geologic disruption. The DEIR fails to adequately address the generated health risks to those on the proposed Village Farms location and to those in the surrounding neighborhoods where some of the arsenic will be transported by air flow.

Toxaphene levels of 1.2 million mg/kg and lead levels up to 93 mg/kg (both exceeding DTSC levels) have been found in the proposed Heritage Oak Park. The DEIR fails to clearly identify the resultant health risks to those who recreate in the Park.

PFAS "forever chemicals" and manganese exceeding maximum concentration levels have been discovered in the groundwater under the location of the proposed Village Farms project. With the inevitable changes in the level of the Village Farms water table, massive digging, and possible mixing with runoff water and potential flooding, I do not see any discussion in the DEIR where the contaminated water might be headed and the consequential health and environmental risks.

(4) AIR POLLUTION AND GREENHOUSE GASES

With access to the west blocked by railroad tracks and access to the north blocked by the Old Davis Landfill and Sewage Plant, the proposed Village Farms project is left with access only on Pole Line Rd and Covell Blvd. Of this south and east border, Pole Line Rd constitutes 71% of the boundary and Covell Blvd 29%.

**105-4**

Hence, the intersection of Pole Line Rd and Covell Blvd will remain ground zero for the generation of air pollution and greenhouse gases. With the proposed Village Farms project, the generation of air pollution and greenhouse gases will certainly intensify, as well as the consequent human health and environmental risks. I fail to see in the DEIR a clear projection of the increased health risks which will certainly burden the residents in this area. The DEIR says nothing about the risks to kids playing at the proposed Heritage Oak Park which is located at this intersection.

I can find no indication in the DEIR concerning any guarantee by the City of Davis to upgrade its Third World public transportation system to lessen the increased health risks generated by proposed Village Farms project in the proximity of Pole Line Rd and Covell Blvd.

(5) LACK OF A REDUCED FOOTPRINT ALTERNATIVE

**105-5**

A glaring deficiency in the DEIR is the lack of a Reduced Footprint Alternative. In the NOP Comments found in Appendix B of the DEIR is a letter (dated December 8, 2023) from the County of Yolo Department

of Community Services ( which includes Planning, Building, and Public Works) to the City of Davis that states, " The Draft EIR should consider a reduced footprint alternative that defines the northern project boundary south of the existing Davis Drain." (Note that the Davis Drain is also known as Channel A.)

At midnight on December 12, 2023 began the sole public meeting heard by the Davis City Council to discuss alternatives to the proposed Village Farms project. In person, I and other citizens suggested a Reduced Footprint Alternative. The footprint would be entirely south of Channel A and avoid the Flood Plain. It would provide up to 900-1000 units. The City Council responded with silence and promptly moved on.

**105-5 Cont.**

This proposed Reduced Footprint Project would be over 1000 feet from the Old Davis Landfill where garbage was burned for years. The Old Landfill was unlined without a leachate collection system.

Avoiding the Flood Plain, the Reduced Footprint Plan would obviate the need to dig out a 100+ acre crater next to the Old Landfill.

Being located south of Channel A means that hundreds of trees, plants, and critters that call Channel A home are left in peace.

Reducing the number of units from 1800 to up to 900-1000 would be beneficial to the health of the tens of thousands of us who daily pass through the intersection of Pole Line Rd and Covell Blvd or reside in adjacent neighborhoods.

Recall that CEQA [15126.6(a)] requires that an EIR include a discussion of reasonable project alternatives that would "feasibly attain most of the basic objectives of the project, but would avoid or lessen any significant effects of the project..."

Possibly, not considering a Reduced Footprint Alternative could be an invitation for lengthy and costly litigation.

(6) SAFETY OF PEDESTRIANS AND BiCYCLISTS

**105-6**

The DEIR fails to establish the feasibility of either an undercrossing or overcrossing for the proposed Village Farms project on Pole Line Rd. Nor does it establish the feasibility of such infrastructure on Covell Blvd.

Pedestrians and bicyclists coming and going from the proposed 1800 unit Village Farms project will need to resort to crosswalk usage. The increased traffic on Pole Line Rd and Covell Blvd will assure an increased risk to pedestrians and bicyclists. I do not see in the DEIR any indication of the projected number of resultant increased injuries.

**105-7**

The DEIR fails to address the need to leave intact the Memorial Monument to "Ellie." It is a WHITE BICYCLE mounted at the intersection of Pole Line Rd and Covell Blvd at the south east edge of the proposed Heritage Oak Park. This is a safety issue, as the Memorial Bicycle is a WARNING LABEL. It discloses the history and danger of this location to those who venture across the intersection on the way to the Park.

**105-8**

(7) CUT-THOUGH TRAFFIC

**Letter 105 Cont.**

**105-8 Cont.**

Unquestionably, the proposed Village Farms project will increase traffic on Pole Line Rd and Covell Blvd. Some of this burden will be placed upon the intersection of Pole Line Rd and Covell Blvd. Based on recent experience in congested California cities, one should anticipate that local streets in the surrounding neighborhoods will be burdened with diverted or "cut-through" traffic, such as Picasso Ave, Renoir Ave, Matisse St, and Moore Blvd.

Note that the Davis General Plan (Table 6, page 123, Section IV: Community Form, Chapter 2: Mobility) states that local streets are for "providing access to abutting property and designed not to accommodate or encourage through trips."

The cut-through traffic on local streets will be detrimental to the well-being and safety of the residents of the local streets. This needs to be addressed in the DEIR.

(8). GAS PIPELINE

**105-9**

A PG&E gas pipeline passes directly through the proposed Village Farms Project. The DEIR fails to indicate any recent inspection or status update on the pipeline condition. The DEIR fails to indicate whether the pipeline will tolerate extensive digging, being paved over, redirection/diversion of water drainage, and building construction.

(9) NEW FIRE STATION

**105-10**

The proposed new fire station on the proposed Village Farms project will be located 1.2 miles from the existing Davis Fire Station 31 (City of Davis Fire Headquarters). Staffing is the biggest expense in operating a fire station. Will staffing the proposed new fire station diminish the staffing or service abilities of the existing three Davis fire stations? If so, this would diminish the safety and well-being of the Davis residents who are serviced by the existing three fire stations. The DEIR is deficient in failing to study this staffing and service issue.

Furthermore, the proposed Village Farms project does not need a costly new Fire Station which would provide mostly medical assistance. The DEIR fails to discuss the establishment of a dedicated Emergency Medical System in the proposed Village Farms project area as an alternative to a Fire Station. A dedicated EMS could provide superior medical service at much less cost than a new Fire Station.

Thank you for considering my concerns about the Draft EIR for the proposed Village Farms project..

James Flanigan MD PhD
email: tinkymoto@aol.com
phone: (530) 757 6477

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## LETTER 105: JAMES FLANIGAN

### Response to Comment 105-1
Please see Master Responses 1, 2, and 4.

### Response to Comment 105-2
Please see Master Response 3.

### Response to Comment 105-3
Please see Master Response 3.

### Response to Comment 105-4
A detailed discussion regarding air quality and GHGs can be found in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy in the Draft EIR. As discussed therein, mobile emissions were accounted for within the emissions modeling conducted for the Proposed Project/BRPA. Project-specific trip generation and VMT data provided by Fehr & Peers for full buildout of the Proposed Project and full buildout of the BRPA was applied to the project modeling. In addition, please see Response to Comment 47-1.

With respect to intersection safety, please see Master Response 5.

### Response to Comment 105-5
Please see Master Response 2.

### Response to Comment 105-6
Please see Master Response 5 with respect to traffic safety and Master Response 6 related to grade-separated crossings.

### Response to Comment 105-7
Please see Master Response 5 with respect to traffic safety.

### Response to Comment 105-8
Please see Response to Comment 191-3.

### Response to Comment 105-9
On page 4.7-31, the Draft EIR notes that a significant hazard to the public or environment could be created without proper avoidance of the buried gas pipeline during construction. Mitigation Measure 4.7-2(f) requires preparation of site-specific safety guidelines for construction that occurs near the natural gas pipeline. The guidelines would be reviewed and approved by the City's Public Works Department. In addition, the gas pipeline was documented as part of the Phase I and II ESAs prepared for the Proposed Project.

### Response to Comment 105-10
Staffing is not under the scope of CEQA; please see Response to Comment 75-51.

**Letter 106**

**Dara Dungworth**

**From:** Jamie Martin <jme.c.martin@gmail.com>
**Sent:** Monday, February 24, 2025 5:07 PM
**To:** Dara Dungworth
**Subject:** Cannery impact of proposed Village Farms development
**Attachments:** Cannery Letter to City re Village Farms 2-19-25.pdf

**Categories:** VFD Comment

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

To Whom it May Concern,

106-1

I am writing to voice my strongest objection to the current proposal for the Village Farms development, specifically to its inclusion of routing traffic from the Village Farms through the Cannery. As a current Cannery resident, I can assure you, despite whatever the Environmental Impact Report might say, this will SIGNIFICANTLY negatively impact the day-to-day needs of the Cannery residents, especially at peak travel times. The Cannery has exactly 2 ways in and out, and neither was in actuality designed for the flow of traffic the Cannery alone needs.

Attempting to enter the Cannery from Covell traveling from the West is already plenty challenging, as there is literally only one way to do so, with a very short turn lane. Attempting to leave the Cannery heading South or East is also equally challenging during peak hours as there is only that same 1 option and similarly short turn lane. The idea that the City thinks it is somehow beneficial to be funneling MORE traffic through this incredibly small intersection not built for high traffic flow is preposterous. It is estimated that there will be an increase of 200%-400% in traffic along the Cannery Loop entrance/exit should this be approved in its current proposal. Considering the recent addition of a designated light at L Street along Covell, which would have direct access into and out of the Village Farms, it would make far more sense to design access there specifically to meet the needs of such a large proposed development.

Not only would the traffic within the Cannery suffer, but safety would as well. I understand the Cannery HOA has already sent you a detailed letter regarding some of the safety issues related to this proposed vehicular intrusion into our development, so I will refer you to that letter, attached to this email.

Please, please, please reconsider making life even more challenging for your fellow residents by increasing traffic and safety hazards in our community.

Thank you for your consideration.

Jamie Martin, Cannery Resident

## LETTER 106: JAMIE MARTIN

### Response to Comment 106-1

Please see Master Response 5 and responses to Letter 17.

**Letter 107**

**Dara Dungworth**

**From:** Janet Zwahlen <jz1613@gmail.com>
**Sent:** Monday, March 3, 2025 5:34 AM
**To:** Dara Dungworth
**Subject:** NO on this Village homes

**Categories:** VFD Comment

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**107-1** Hello Dara. , Here is one more NO vote on this building project, It has so many reasons NOT to build it and here is one more reason, It will totally block my vision of the countryside , I have most of my view East blocked and this would finish it, Oh yes a flood plain would not be a good thing either,
That's all
Hoping that the majority vote it down too.
Janet Zwahlen

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## LETTER 107: JANET ZWAHLEN

### Response to Comment 107-1

Please see Master Responses 1 and 4. In addition, potential impacts related to aesthetics were addressed in Chapter 4.1, Aesthetics, of the Draft EIR.

**Letter 108**

**Dara Dungworth**

**From:** Jay Feldman <jfeldman@omsoft.com>
**Sent:** Monday, January 13, 2025 3:31 PM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** Yellow Category

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

Dear Dara,

**108-1** I'm writing to express my opposition to the proposed development Village Farms. There are a number of reasons why this project is ill-concieved:

**108-2** 1. It is way too large in scope.
**108-3** 2. Building on a flood plain is foolhardy.
**108-4** 3. Contaminants from the former city landfill and sewage treatment plant just north of the site.
**108-5** 4. Severe adverse impact on traffic for Covell Blvd. and Pole Line Rd., which are already overcrowded during rush hours.
**108-6** 5. Devastating habitat impacts.

**108-7** This is just a warmed-over version of Covell Village, which was defeated by Davis voters in 2000. I hope the planning department and City Council will have the good sense to reject this proposal.

Sincerely,

Jay Feldman
1506 Claremont Dr.
530-848-1211

## LETTER 108: JAY FELDMAN

**Response to Comment 108-1**
Please see Master Response 1.

**Response to Comment 108-2**
Please see Master Response 1.

**Response to Comment 108-3**
Please see Master Response 4.

**Response to Comment 108-4**
Please see Master Response 3.

**Response to Comment 108-5**
Please see Master Response 5.

**Response to Comment 108-6**
Please see Master Response 7.

**Response to Comment 108-7**
Please see Master Response 1.

**Letter 109**

**Dara Dungworth**

**From:** Jaysun Pine <jaysunpine@gmail.com>
**Sent:** Monday, February 24, 2025 2:19 PM
**To:** Dara Dungworth
**Subject:** Village Farms Draft EIR

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

To Whom It May Concern:

**109-1** As a homeowner in Davis I would like to voice my concerns and opposition to this new proposed development. Being the largest development to have ever been built in Davis it comes with many concerns. First, the added impact of traffic on Covell and Pole Line, already a notorious problem spot, is too much of a burden on our community. Why would we willingly make a known problem even worse? Second, additional housing is not needed in Davis at this time as more housing has been built over the last several years (and continues to increase). Third, tearing up farmland to build a subdivision is just poor use of land and is short sighted. The number of trees proposed to be torn down for re-routing of a water channel is ridiculous and a waste of our natural resources. The additional air pollution from all of the added cars stuck in traffic trying to get in and out of the development, the increased traffic into the Cannery (elevating an already dangerous situation due to poor street design in the Cannery) , and the destruction of natural habitat used by wildlife in this area are all reasons to reject this project.

**109-2**

**109-3**

**109-4**

**109-5** Lastly, this is on a well-known flood plain AND right next to a toxic site (former dump) that contains toxins in the ground and water (such as PCBs). Disturbing this soil will only release more toxins into our environment and should be left alone. The open space of the current farm, flood plain and northern portion of this parcel provides an aesthetic buffer and wildlife corridor that will be destroyed by this unneeded subdivision. We all know the saying, "No Farms, No Food." Let's preserve the farmland we have left around Davis instead of making shortsighted decisions to please one developer trying to make money at the expense of our environment.

**109-6**

Thank you for your time,
Jaysun Pine
1065 Dolcini Ln
530-562-5100

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## LETTER 109: JAYSUN PINE

### Response to Comment 109-1
Please see Master Response 5.

### Response to Comment 109-2
Please see Master Response 1.

### Response to Comment 109-3
Potential impacts to farmland were addressed in Chapter 4.2, Agricultural Resources, of the Draft EIR. With respect to trees and biological resources, please see Master Response 7.

### Response to Comment 109-4
Please see Response to Comment 47-1, as well as Master Responses 5 and 7.

### Response to Comment 109-5
Please see Master Responses 3 and 4.

### Response to Comment 109-6
Potential impacts to farmland were addressed in Chapter 4.2, Agricultural Resources, of the Draft EIR. In addition, please see Master Response 1.

**Letter 110**

**Dara Dungworth**

**From:** Jean Jackman <jeanjackman@gmail.com>
**Sent:** Wednesday, February 12, 2025 4:44 PM
**To:** Planning Commission
**Subject:** Public comment on Village Farms DEIR for 2/12/25 meeting

**Categories:** VFD Comment

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2/12/2025

Dear Planning Commission,

**110-1** Thank you for your work, for being on the planning commission. I know it involves lots of work, preparation for meetings, and using your brain. I'm sorry my comments won't be better organized but what I wrote, got trashed by accident and now I have to rush something to meet the 5 pm deadline.

**110-2** My comment is on Village Farms DEIR. First, why are we looking at such a large development when we have reached our fair share. I think most Davisites like a smallish town. I think this is a poor development for many reasons:

**110-3** 1. Traffic would be horrible since there can only be an entrance on Pole Line Road. If any of this get built, it should have an underpass, paid for by the developers.

**110-4** 2. Vernal pools have been disced which is a shame and are reforming with the rains. That they were disced shows bad faith by the developers. They know better.

**110-5** 3. There is the flood plain of 200 acres. Today, I biked over the bridge on Stephenson Road. The Putah Creek today looks like a wide river, 8-10 times wider than usual. Our climate crisis is just going to get worse. Building on a flood plain should be ruled out as flooding will cost the city. Also, for some years, I taught in Winters for a couple of years. During the rainy season, County Road 31 would sometimes be flooded with a current. I would have to drive I80 and then 505 to avoid the flooded area by DQU.

**110-6** 4. There are known landfill toxics The plans are to build close to the Old City Landfill and Sewage Treatment Plant. Toxics and flooding would make a horrible stew.

**110-7** 5. The plan is for the park at Pole Line and Covell. There already is lots of traffic backup at times and with 1800 more dwellings, there would be LOTS of traffic. I wouldn't want my grandchildren and great grandchildren playing soccer surrounded by traffic fumes. The park should be in the center of the development.

**110-8** 6. The average home would be $700,000 to $800,000 plus many high end homes. The average price is more than many can afford. We need highly affordable housing so that our teachers and others can afford to live in this town.

**110-9** 7. Why is there not an alternative with fewer housing units with a different layout, avoiding the flood plain?

**110-10** 8. It is my understanding, that a new development brings a lot of new money into the city, but in about ten years, it will cost the city money. Developments don't pay for themselves.

**110-11** 9. This project would mean the destruction of 952 trees which will have habitat impacts. Birds are down by 30%. Extinction is happening with our climate crisis and loss of habitat. 952 trees is a lot of habitat.

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**Letter 110 Cont.**

**110-12**

10. I went to grad school at Stanford and we lived in married student housing. We had a 2 bedroom, 2 story. The row houses surrounded an oval of green. It was common to have latchkey children there as kids would look out from their homes onto the shared green, see other kids, and kids of different ages played together. Parents could see the kids. My daughter climbed a tree with roller skates on. The tree broke. Adult eyes were immediately on her since we all had windows onto the oval of green. Cars were parked in back of the houses. Each house had a small patio. It was such efficient living. It's a sadness that we can't build efficient, small houses like that. Pets were not allowed in that density and that made sense.

Please let's get creative with our housing and grow modestly and as slowly as possible. I think these developers need to start over.

Jean Jackman
306 Del Oro Ave.
Davis, CA 95616
530 756 3484

## LETTER 110: JEAN JACKMAN (LETTER 1 OF 2, 02/12/25)

**Response to Comment 110-1**
Please see Master Response 1.

**Response to Comment 110-2**
Please see Master Response 1.

**Response to Comment 110-3**
Please see Master Response 5.

**Response to Comment 110-4**
Please see Master Response 7.

**Response to Comment 110-5**
Please see Master Response 4.

**Response to Comment 110-6**
Please see Master Response 3.

**Response to Comment 110-7**
Please see Master Response 5 and Response to Comment 47-1.

**Response to Comment 110-8**
Please see Master Response 1.

**Response to Comment 110-9**
Please see Master Response 2.

**Response to Comment 110-10**
Please see Master Response 1.

**Response to Comment 110-11**
Please see Master Response 7.

**Response to Comment 110-12**
Please see Master Response 1.

**Letter 111**

**Dara Dungworth**

**From:** Jean Jackman <jeanjackman@gmail.com>
**Sent:** Tuesday, February 25, 2025 11:43 AM
**To:** Dara Dungworth
**Subject:** Comments on Village Farms EIR

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Dear Council,

**111-1** Village Farms is way to big with many problems.

Traffic and gridlock at Covell Blvd. and Pole LIne Road with greenhouse gasses and air pollution health suffering.

**111-2** Where is a good alternative with lesser impacts?

**111-3** This is being planned over a 200-acre flood plain next to the old unlined City Landfill and Sewage Treatment Plant.

**111-4** There is no protection of vernal pools.

**111-5** No bike/pedestrian safe access guaranteed.

**111-6** This is mostly unaffordable housing when they could create housing like Stanford Married Student Housing, efficient and with high density.

This seems uncreatively and poorly planned and too big.

Jean Jackman

306 Del Oro Ave

Davis, CA 95616

JeanJackman@gmail.com

530 756 3484

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## LETTER 111: JEAN JACKMAN (LETTER 2 OF 2, 02/25/25)

### Response to Comment 111-1
Please see Master Responses 1 and 5, as well as Response to Comment 47-1.

### Response to Comment 111-2
Please see Master Response 2.

### Response to Comment 111-3
Please see Master Responses 3 and 4.

### Response to Comment 111-4
Please see Master Response 7.

### Response to Comment 111-5
Please see Master Response 5.

### Response to Comment 111-6
Please see Master Response 1.

**Letter 112**

**Dara Dungworth**

**From:** Meith/Garrett <meithgarrett@comcast.net>
**Sent:** Monday, February 24, 2025 12:09 PM
**To:** Dara Dungworth
**Subject:** Comments on DEIR-Village Farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

**112-1** My name is Jeffrey Meith. My wife is Yvonne Garrett. We reside at 940 Pierce Lane, in The Cannery. We are submitting our comments on the Village Farms DEIR.

We support and fully endorse the comments of The Cannery HOA, of which we are members.

**112-2** The DEIR is woefully silent, as best we've observed, as to the timing of buildout of the project. Given the scope of this project, that constitutes and inadequacy of the DEIR. That information is important in analyzing there accuracy and adequacy of the EIR. Projects with a development timeline exceeding 5 years cannot adequately be assessed in a single EIR. The EIR should specify a timeline to which it applies, and the project should not be entitled for a period exceeding the reasonable timeline specified in the EIR.

**112-3** The DEIR is misleading in asking the reader to assume that the road extension of the project, into The Cannery, connecting to Cannery Loop at the traffic circle, is no more that an "extension" of Cannery Loop. It suggests that Cannery Loop is already "stubbed" to accommodate the project. The DEIR errors. Such connection is not an extension of Cannery Loop. Cannery Loop is already complete. It extends around the exterior (except for Pierce Lane) of The Cannery. The "loop" is closed. Moreover, the referenced traffic circle is narrow (consistent with the narrow surface streets in The Cannery) with a tight circle, and could not reasonably be expected to accommodate traffic from the proposed development. It does not safely accommodate traffic today. There is no stub out to the proposed project. The circle is dangerous at the existing level of usage, and the addition of morning and late afternoon traffic from the project cannot be safely accommodated.

**112-4** Access via F Street should be included in the project, not mere study of that alternative. The project should be conditioned on providing vehicle access to F Street. Given the levels of traffic on East Covell, and Pole Line, and the clear inadequacy off Cannery Loop to accommodate more traffic at the roundabout, coupled with the large number of dwelling units to the north, an outlet to F Street is clearly required.

Respectfully submitted,

Jeffrey A Meith
Yvonne M Garrett
940 Pierce Lane
Davis, CA 95616

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## LETTER 112: JEFFREY MEITH AND YVONNE GARRETT

### Response to Comment 112-1
Please see Master Response 1 and responses to Letter 17.

### Response to Comment 112-2
Contrary to the comment, the Draft EIR discusses project timing on page 4.3-47 within Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy. As discussed therein, the Proposed Project or the BRPA would be built out over four phases across approximately seven years. However, a requirement related to EIRs evaluating projects that would exceed five years does not exist under CEQA. EIRs are only required to address the "whole of the action with the potential for either a direct physical change in the environment, or a reasonably foreseeable indirect physical change." Therefore, the Draft EIR is adequate.

### Response to Comment 112-3
Please see Master Response 5.

### Response to Comment 112-4
Please see Master Response 5.

**Letter 113**

**Dara Dungworth**

**From:** jennifer culp <jendyc@gmail.com>
**Sent:** Sunday, February 9, 2025 12:43 PM
**To:** Dara Dungworth
**Subject:** Comments on village homes project

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hello,

**113-1** As a north Davis resident I have a number of concerns about the proposed village homes project.
1) size of project is too large at 1800 units that would have a huge impact on infrastructure and environment and quality of life for current residents.

**113-2** 2) who is going to pay for infrastructure?traffic is already a mess on pole line and covell.... Would need to build another road in and out.
The argument that people would use public transit is folly. As someone who has traveled extensively in Europe without a car. Davis has practically non existent public transit system.

**113-3** 3) not exactly affordable housing we currently rent as could not afford to buy here

**113-4** 4) it's a flood plain and as recent climate change events have demonstrated its only a matter of time....

**113-5** I recognize Davis needs more housing but this project as it currently stands isn't the solution. What about 1/2 the units, more dense and require developer to build another road or subsidize better public transit in Davis. Also mitigation measures for floods.

Thank you in advance.
Jennifer Culp
Sent from my iPhone

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## LETTER 113: JENNIFER CULP

### Response to Comment 113-1
Please see Master Response 1.

### Response to Comment 113-2
Please see Master Responses 1 and 5.

### Response to Comment 113-3
Please see Master Response 1.

### Response to Comment 113-4
Please see Master Response 4.

### Response to Comment 113-5
Please see Master Response 2 related to alternative developments. In addition, Chapter 4.8, Hydrology and Water Quality, includes Mitigation Measures 4.8-4 and 4.8-5 to address potentially significant impacts related to flooding. Regarding transit, Mitigation Measure 4.13-3(b) within Chapter 4.13, Transportation, of the Draft EIR requires the project applicant to fund a Transit Services and Facilities Plan to identify transit service and facility improvements related to unmet transit needs and fund identified improvements, subject to applicable agency approval (e.g., City, Unitrans, and Yolobus approval).

**Letter 114**

**Dara Dungworth**

**From:** tinkymoto@aol.com
**Sent:** Tuesday, February 11, 2025 10:28 PM
**To:** Planning Commission
**Subject:** Village Farms DEIR Deficiency

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

To the City of Davis Planning Commission,

**114-1** A glaring deficiency in the DEIR is the lack of a Reduced Footprint Alternative. In the NOP Comments found in Appendix B of the DEIR is a letter from the County of Yolo Department of Community Services (includes Planning, Building and Public Works) to the City of Davis that states, " The Draft EIR should consider a reduced footprint alternative that defines the northern project boundary south of the existing Davis Drain."

On December 12, 2023, in person at the sole public meeting heard by the City Council to discuss alternatives to the proposed Village Farms Project, I suggested such a Reduced Footprint Project more specifically. It had a 200 acre footprint which was south of Channel A (the Davis Drain) and completely avoided the Flood Plain. There would be 900-1000 units.

**114-2** As such, my proposed project was over a 1000 feet from the old Davis Dump where garbage was burned for years. This dump was unlined and without a leachate collection system.

Not being in the Flood Plain, my plan would obviate the need to dig out a 100+ acre crater adjacent to the old Dump.

**114-3** Being located south of Channel A means that the hundreds of trees, plants, and critters that call Channel A home are left in peace.

**114-4** Reducing the number of units from 1800 to 900-1000 would be beneficial to the health of the tens of thousands of us who daily pass through the intersection of Covell and Pole Line.

**114-5** Recall that CEQA [15126.6(a)] requires that an EIR include a discussion of reasonable project alternatives that would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lesson any significant effects of the project..."

In summary, work on the DEIR needs to continue and consider a Reduced Footprint Alternative.

Jim Flanigan MD PhD
Davis resident

## LETTER 114: JIM FLANIGAN (LETTER 1 OF 2, 02/11/25)

### Response to Comment 114-1
Please see Master Response 2.

### Response to Comment 114-2
Please see Master Responses 2 related to alternatives and 3 related to hazards.

### Response to Comment 114-3
Please see Master Response 7.

### Response to Comment 114-4
Please see Master Response 2.

### Response to Comment 114-5
Please see Master Response 2.

**Letter 115**

**Dara Dungworth**

**From:** Carolyn Flanigan <carolynjoflanigan@gmail.com>
**Sent:** Tuesday, February 11, 2025 11:14 PM
**To:** Planning Commission
**Subject:** Fwd: Fw: Village Farms DEIR Deficiency

**Categories:** VFD Comment

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--------- Forwarded message ---------
From: **tinkymoto@aol.com** <tinkymoto@aol.com>
Date: Tue, Feb 11, 2025 at 11:10 PM
Subject: Fw: Village Farms DEIR Deficiency
To: carolynjoflanigan@gmail.com <carolynjoflanigan@gmail.com>

----- Forwarded Message -----
**From:** tinkymoto@aol.com <tinkymoto@aol.com>
**To:** PlanningCommission@cityofdavis.org <planningcommission@cityofdavis.org>
**Sent:** Tuesday, February 11, 2025 at 10:27:46 PM PST
**Subject:** Village Farms DEIR Deficiency

To the City of Davis Planning Commission,

A glaring deficiency in the DEIR is the lack of a Reduced Footprint Alternative. In the NOP Comments found in Appendix B of the DEIR is a letter from the County of Yolo Department of Community Services (includes Planning, Building and Public Works) to the City of Davis that states, " The Draft EIR should consider a reduced footprint alternative that defines the northern project boundary south of the existing Davis Drain."

115-1

On December 12, 2023, in person at the sole public meeting heard by the City Council to discuss alternatives to the proposed Village Farms Project, I suggested such a Reduced Footprint Project more specifically. It had a 200 acre footprint which was south of Channel A (the Davis Drain) and completely avoided the Flood Plain. There would be 900-1000 units.

As such, my proposed project was over a 1000 feet from the old Davis Dump where garbage was burned for years. This dump was unlined and without a leachate collection system.

Not being in the Flood Plain, my plan would obviate the need to dig out a 100+ acre crater adjacent to the old Dump.

Being located south of Channel A means that the hundreds of trees, plants, and critters that call Channel A home are left in peace.

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**Letter 115 Cont.**

**115-1 Cont.**

Reducing the number of units from 1800 to 900-1000 would be beneficial to the health of the tens of thousands of us who daily pass through the intersection of Covell and Pole Line.

Recall that CEQA [15126.6(a)] requires that an EIR include a discussion of reasonable project alternatives that would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lesson any significant effects of the project..."

In summary, work on the DEIR needs to continue and consider a Reduced Footprint Alternative.

Jim Flanigan MD PhD
Davis resident

## LETTER 115: JIM FLANIGAN (LETTER 2 OF 2, 02/11/25)

### Response to Comment 115-1

Please see Responses to Comments 114-1 through 114-5.

**Letter 116**

**Dara Dungworth**

**From:** Joan Martinez <joanmartinez5@sbcglobal.net>
**Sent:** Monday, February 24, 2025 8:36 AM
**To:** Dara Dungworth
**Subject:** Village Farms Project

**Categories:** VFD Comment

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I am in agreement with the following statement opposing the development of Village Farms written by Eileen Samitz:

116-1 " **Overview: Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has a lot of problems primarily because it is a handicapped site with a 200-acre flood plain, and it is adjacent to the unlined Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including carcinogenic PFAS "forever chemicals"). The Covell Blvd. and Pole Line Rd. area already has enormous traffic and adding 1,800 housing units would exacerbate it. There would be no bicycle/pedestrian safe access via an undercrossing or overcrossing from the west, north or south, and now the DEIR is questioning the "feasibility" of a Pole Line Undercrossing to the east. Additionally, there would be all the costs imposed by the enormous amount of infrastructure needed, as well as the massive impacts on the native plants, wildlife and habitat from re-routing Channel A and tearing out 952 trees. Beyond all that, the housing would be unaffordable to local workers and young families with average incomes since the homes would be at least $700,000-$800,000 with a major number of them being $1 million and over. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, and Village Farms is *outside* the City limits in Yolo County.**

116-2 **- Building hundreds of housing units on the 200 acres of a FEMA Zone A Flood Hazard flood plain makes no sense** and would bring flooding problems. A fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change. Will north Davis resident need to buy flood insurance due to Village Farms?

116-3 **-The toxics and other chemical contaminants leaking into the groundwater from the Old City Landfill and Sewage Treatment Plant located immediately adjacent to Village Farms**. This includes carcinogenic PFAS "forever chemicals" and manganese exceeding maximum concentration levels recently found from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals like PFAS's that cause cancer? There are also solid toxics exceeding MCL's including lead, arsenic, and toxaphene which is a neurotoxin and potential carcinogen.

116-4 **-Traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and Pole Line Road** which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City

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**Letter 116 Cont.**

**116-4 Cont.** has no plan to significantly improve its currently minimal, inconvenient and inadequate public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

**116-5** **- Massive infrastructure costs including an un-needed new Fire Station because 90% of the fire department calls are medical, NOT fire related issues**. Instead, what is needed, and has been advocated for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go east) when the traffic is backed up most of the time?

**116-6** **-Uncertain "feasibility" of the only bicycle/pedestrian grade-separated crossing for safe access particularly for children. The Pole Line bike/pedestrian undercrossing is now *uncertain* since the DEIR says it has not yet determined its "feasibility".** This is likely due to existing infrastructure such as underground utilities and the land needed for its construction, particularly on the east side of Pole Line Roa near Moore Ave.Furthermore, even *if* it is feasible, the developer is *not* committing to covering all the costs for the undercrossing. How many Davis residents are willing to subsidize the millions of dollars for that project? This is a major access component of the project however; the DEIR admits that it is not even sure if the undercrossing is feasible due to other existing infrastructure. Why don't they have an answer yet? When? After the vote?

**116-7** **-Unaffordable housing where the vast majority of the homes will be McMansion's**, Market homes will not be cheaper thn $700,000 - $800,00 but the majority of them will be well over $1 million. This does not help our average workers or particularly families with young kids, so this project will *not* help bring a lot of kids to the schools contrary to the developer's claims. This housing would *not* help workers and young families with average incomes since they will not be able to afford these homes.

**116-8** **- Habitat impacts including tearing out 952 trees to dig up to expand and re-route Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

**116-9** **In summary, Village Farms is proposing 1,800 units on roughly 400-acres is the largest residential project ever proposed in the City of Davis, on a site with a plethora of problems, impacts and costs.** It is located at one of the most highly impacted area of traffic in the City at Covell Blvd. and Pole Line Road which would be massively worse . There are toxics issues, flooding risks, access issues, public safety issues, and enormous costs that would be imposed on Davis residents. Therefore, this project needs to be rejected just as Covell Village was for the same reasons and more."

Joan Martinez
1233 Auburn Dr
Davis
Sent from my iPad





## LETTER 116: JOAN MARTINEZ

### Response to Comment 116-1
Please see Response to Comment 75-1.

### Response to Comment 116-2
Please see Response to Comment 75-2.

### Response to Comment 116-3
Please see Master Response 3.

### Response to Comment 116-4
Please see Master Response 5. In addition, potential impacts to transit were evaluated under Impact 4.13-3 of the Draft EIR.

### Response to Comment 116-5
Please see Responses to Comments 75-51 and 75-52.

### Response to Comment 116-6
Please see Master Responses 6 related to the grade-separated crossings.

### Response to Comment 116-7
Please see Master Response 1.

### Response to Comment 116-8
Please see Master Response 4 related to flooding and 7 related to trees and habitat.

### Response to Comment 116-9
The comment is a summary of the foregoing comments. See Responses to Comments 116-2 through 116-8 above for specific responses.

**Letter 117**

**Dara Dungworth**

**From:** John Hingtgen <johnalum@uwalumni.com>
**Sent:** Tuesday, February 11, 2025 11:21 AM
**To:** Planning Commission
**Subject:** Village Farms Project

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Dear Members of the Planning Commission,

**117-1** I live in Yolo County a few miles from the proposed project. I have noted a steep decline in native plants and animals in our area, and I am opposed to further development which may impact these species. This proposed project has many impacts, but the impacts to plants and animals and their habitat are sufficient reasons for the City to turn down the project. Please reject the project. Thank you.

John Hingtgen
Yolo County resident

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## LETTER 117: JOHN HINGTGEN

### Response to Comment 117-1

Please see Master Response 7.

**Letter 118**

**Dara Dungworth**

**From:** John Hurst <john.hurst77@gmail.com>
**Sent:** Tuesday, February 25, 2025 2:53 PM
**To:** Dara Dungworth
**Subject:** Objections to the Village Farms development proposal

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara,

My name is John Hurst. My wife, Julie, and I recently moved to Davis from Palo Alto, CA in the spring of 2023. We live at 2306 Cezanne Court in close proximity to the proposed Village Farms development.

In the interest of time, I am going to be direct and pointed in my opposition of this development:

118-1

1. The Northwest border of this development abuts the old Davis Dump. I am not a scientist, but my guess is there are Forever Chemicals embedded in the soil of that dump. If approved, the environmental impact of containment due directly to construction of this development could lead to a serious problem. Given the recent election, it would be folly to expect any white horses arriving from the Federal Government via the EPA in helping with cleanup efforts. And even if there were, what a mess.

118-2

2. Over half the development sits on a flood plain. It is absurd to think this is a good idea given the scientific facts around Climate Change. Strong winter storms bringing Atmospheric Rivers of rain is not an anomaly any longer. Per my earlier point, we can not expect any help from the Feds in the foreseeable future should this development take place and homes impacted by being on a *flood plain*.

118-3

3. Traffic on Poleline Road is already a thing. With the developments popping up in 'North Davis' aka Woodland, current traffic should increase on its own. Can you imagine adding 1,800 homes with the only way in is from Poleline as best I can tell?

118-4

4. The farm land currently there is a natural fire break. While Davis is flat, we have seen over the recent days and years devastating wildfires in all parts of California. Especially where there is wind patterns. With FEMA's budget getting slashed by DOGE once again don't expect the Feds to be in a position to help should a wild fire break out for any reason and fueled by the winds that frequent this neighborhood.

118-5

You add all this up and the size, scope, and scale of this project is just too big. The challenges of environmental cleanup, 1/2 the land resting on a flood plain, the increase in traffic on Poleline etc make this project a terrible idea.

Thank you for your time and consideration of my input.

Sincerely,

John Hurst
2306 Cezanne Court
Palo Alto, CA 95618

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John Hurst
john.hurst77@gmail.com | 650.380.6889

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## LETTER 118: JOHN HURST

### Response to Comment 118-1
Please see Master Response 3.

### Response to Comment 118-2
Please see Master Response 4.

### Response to Comment 118-3
Please see Master Response 5.

### Response to Comment 118-4
While the comment does not address the adequacy of the Draft EIR, potential impacts related to wildfire are discussed in Chapter 4.15 of the Draft EIR. As noted on page 4.15-5 and according to CAL FIRE, larger fires (defined as 10 acres or greater) did not occur in Yolo County in 2023 and 2024.

In addition, as discussed under Impact 4.15-2 on page 4.15-14 of the Draft EIR, development of the site with the proposed uses would reduce the risk of wildland fire to surrounding areas because site improvements would reduce the amount of readily combustible vegetation currently on-site, thereby acting as a true fuel break.

### Response to Comment 118-5
Please see Master Response 1.

**Comments on Village Farms EIR**

2/25/2025

From: John Johnston, PhD, PE

Transportation and GHG mitigation through improving transit access

119-1

General Plan policies TRANS 3.1 and 3.3 call for convenient, reliable, safe, and attractive fixed route, commuter transit to meet public transportation needs and that new development should be designed to *maximize* transit potential. In addition, the CAAP contains Action TR.6 Expand Public Transit. In its existing form, the project does not adequately address these aspirations. Transit skirts the project site now and after construction, will still skirt the site. Adding a single bus stop on Covell Blvd will not change this and does not make the project a transit-oriented neighborhood.

This can be remedied by designing the interior roadways so that buses can traverse the central spine of the neighborhood. Figure 1 shows existing transit routes with 1200' radius circles drawn around bus stops (including the new one proposed in the project). These circles approximate a 0.25 mi walking distance which, according to the FHWA, is the outer limit of what pedestrians consider convenient. (Ref: https://safety.fhwa.dot.gov/ped_bike/ped_transit/ped_transguide/ch4.cfm). Accordingly, the area inside the circles represents the area conveniently served by that stop. If buses are allowed to traverse the interior of the project, along the yellow line in Figure 2, the area of convenient coverage expands. In particular, coverage would extend to all of the RMD, RMHD, and affordable housing areas. These neighborhoods are likely the ones where convenient transit will be most desired by residents. As a bonus, routing transit through the project serves some areas of the adjacent Cannery neighborhood. The effort needed to accommodate this change in the project is little more than adjusting clearances on the interior roads to accommodate buses, not major redesign.

119-2

The buses routed through the project by the means described above will likely be Unitrans vehicles. To use Yolobus, residents of the project would have to travel a considerable distance to Covell Blvd and may want to use bikes or scooters rather than walk. A bus stop that accommodates secure bicycle and scooter storage constructed on Covell would encourage use of Yolobus. I recommend its addition to the project as part of the overall "maximizing transit" strategy.

Making transit more accessible increases its attractiveness and use. Increased transit use reduces VMT impacts, air pollutant emissions (ROG, NOX, and PM10), and GHG emissions. As such, this proposal represents a potential mitigation measure across three impact areas. It would be appropriate for the final EIR to include an analysis of the potential mitigation effects of this notion (i.e. maximizing bus access inside the project) so that the project proponents and city officials can decide whether to include this feature in the final project.

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**119-2 Cont.**

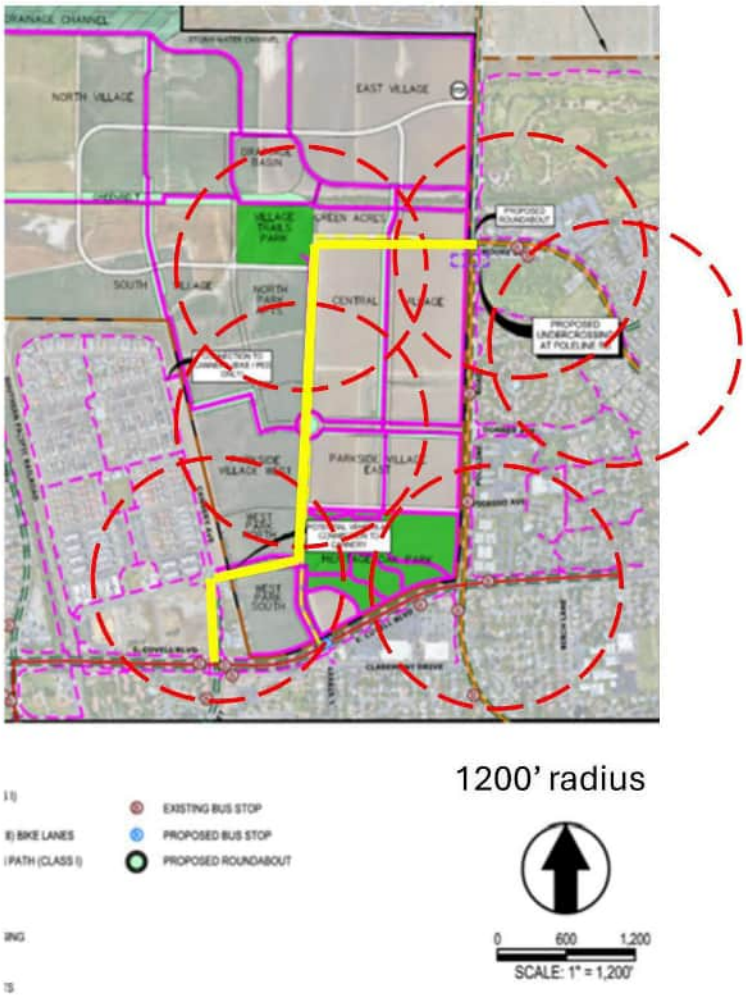



Figure 2 Transit routed through the project interior (yellow line) on proposed streets. Same 1200' radius circles drawn around likely bus stops. These circles show much more of the project and the adjacent Cannery project would be convenient to transit. In particular, the RMD, RMHD, and affordable housing neighborhoods are better covered.

3

**119-3**

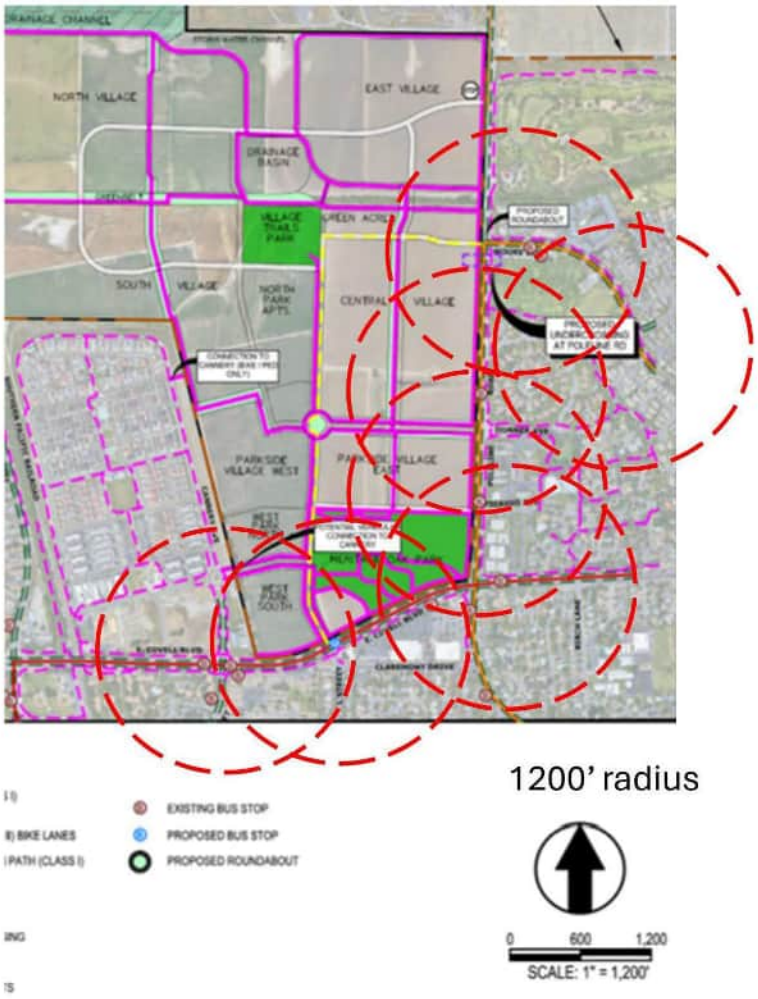



Figure 1 Existing transit route with 1200' radius circles drawn around bus stops. This would approximate a convenient 0.25 mi walking distance and thus represents the area "covered" by that stop. The proposed transit stops are less convenient for the dense and affordable neighborhoods than the alternative shown in Figure 2.

**Greenhouse Gas Mitigation Comments**

Utilizing the benefits of the UATA

**119-4** The UATA represents 118 acres of open land that could be used by the city for nature-based carbon removal in accordance with CAAP actions CR.1 Carbon Sequestration and Removal and CR.2 Carbon Farm Plans. Part of it could be considered as a community solar site as per CAAP action BE.5 Community Solar Energy. To the extent that these side-projects could be developed, they would represent GHG mitigation actions.

VMT efficiency, CAAP actions, and the Environmentally Superior Alternative

**119-5** On page 4.3-78 the text points out that CAAP Action TR.11 includes no explicit reference to new housing having to be at or below the City's VMT per capita thresholds and that therefore the fact that the proposed project would result in an increased per capita VMT does not in itself render the project inconsistent with Action TR.11. While this is technically correct, it ignores the larger city goal in the CAAP – carbon neutrality by 2040. Permitting new development that is less VMT efficient (VMT/cap) than the existing population certainly leads the city away from its stated goal. Just as you cannot reduce the gasoline consumption of a vehicle fleet by adding less efficient vehicles, you cannot reduce overall city GHGs if each person added to the Davis population emits more GHGs than the existing populace.

**119-6** Accordingly, Mitigation Measure 4.3-8 should be implemented to the extent needed to bring the per capita GHG rate to the level of or below the city average *at the outset of the project*, not later. Some measures listed there, like adopting energy star appliances and rooftop solar are already cost effective. The intent is to produce the best project possible now and *not* kick the GHG can down the road as suggested by Measure 4.3-8.

**119-7** An even more effective approach would be adopting the environmentally superior alternative (Higher Number of Units – Same Footprint Alternative). As pointed out in Chapter 7, the VMT efficiency is surprisingly good (18.4 VMT/cap vs. the city average or 30.1), and since transportation makes up almost 90% of the annual GHG emissions (16,262 out of 18,160 MT/y, Table 4.3-19), maximizing transportation efficiency is a very effective strategy for reducing overall emissions, not to mention that the environmentally superior alternative generates the most housing units, which is a current policy goal of the city.

Although this is perhaps not a comment on the EIR itself, the EIR process is intended to generate information on which to base good decisions. Based on the information in this document, I urge the project proponents and city officials to seriously consider adopting the Higher Number of Units – Same Footprint Alternative or some version between the current proposal and the environmentally superior alternative.

## LETTER 119: JOHN JOHNSTON

### Response to Comment 119-1

As discussed under Impact 4.13-3 in Chapter 4.13, Transportation, of the Draft EIR, the project site/BRPA site is located in close proximity to five existing bus stops, which would be increased to a total of six with the construction of a new bus stop on East Covell Boulevard at L Street. Furthermore, Mitigation Measure 4.13-3(b) would require the completion of a Transit Service and Facilities Plan for the area encompassing the project site/BRPA site and other development along the north side of the Covell Boulevard and Mace Boulevard corridor between the westerly city limits and the I-80 interchange. The Transit Service and Facilities Plan would provide funding for future transit facilities improvements. Overall, the Proposed Project/BRPA would not conflict with General Plan Policy TRANS 3.1 or TRANS 3.3. However, the determination of the project's consistency with the City's General Plan policies is ultimately the decision of the Davis City Council.

As noted on page 4.3-77 within Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR, Action TR.6 of the CAAP does not apply to the Proposed Project/BRPA because the action relates to a program that has not yet been developed within the City.

### Response to Comment 119-2

Figure 3.8 of the Draft EIR Chapter 3 identifies the onsite mobility and circulation plan including a proposed bus route through Moore Boulevard and L Street, with a bus stop at L Street and Covell Boulevard, including sufficient street width to accommodate busses. The project design is supportive of a bus route through the spine of the development and envisions bus stops near the Pre-K Learning Center and multifamily housing, as well as stops at the north portion of the project.

The applicant has had meetings with the regional transit providers and is working with DJUSD to advocate for the formal addition of these bus stops by Unitrans. In addition, the project is committed to working with a regional micro-transit provider to support multiple locations throughout the development to achieve the .25 walking distance metric to mass transit.

### Response to Comment 119-3

Please see Response to Comment 119-2.

### Response to Comment 119-4

As noted on page 4.3-77 of the Draft EIR, Actions CR.1 and CR.2 of the CAAP do not apply to the Proposed Project/BRPA because the actions relate to programs that have not yet been developed within the City.

As discussed under Impact 4.3-8 on page 4.3-78 of the Draft EIR, all on-site residents would also have the opportunity to opt into receiving energy from VCE, ensuring that the Proposed Project/BRPA would be consistent with Action BE.5, which also encourages all subscribers to enroll in the VCE UltraGreen option.

### Response to Comment 119-5

As noted by the comment, the analysis within the Draft EIR is accurate. The City's goal of carbon neutrality by 2040 is addressed through Mitigation Measure 4.3-8 of the Draft EIR.

## Response to Comment 119-6

As noted on page 4.3-80 of the Draft EIR, implementation of Mitigation Measure 4.3-8 would achieve a downward trajectory of operational GHG emissions and ensure that development of the Proposed Project/BRPA would not result in long-term operational impacts related to GHG emissions or the creation of conflicts with an applicable regulation. In addition, as specified in Mitigation Measure 4.3-8, the project proponent shall indicate how to complete and implement each of the specified steps prior to the approval by the City of the entitlement for each phase of the Proposed Project or the BRPA. Please also see Response to Comment 32-8.

## Response to Comment 119-7

Please see Master Response 2.

**Letter 120**

**Dara Dungworth**

**From:** JohnK <cjbuyer2@comcast.net>
**Sent:** Wednesday, February 12, 2025 4:59 PM
**To:** Planning Commission
**Subject:** Comments on Agenda item 5a - Village Farms Davis Draft Environmental Impact Report

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Good afternoon Planning Commission members,

**120-1** The proposed project will add a substantial number of residents to the City of Davis. This increasing population will generate significant air quality emissions, resulting in health and safety impacts.

**120-2** I object to increasing our health risks without real mitigation measures. Real mitigation, to me, results in a net zero impact. Lots of tricks get projects approved with a cumulative negative impact on us.

I oppose the Village Farms project.

This needs to stop.

John Keller
1411 Cornell Dr
Davis

## LETTER 120: JOHN KELLER (LETTER 1 OF 2, 02/12/25)

### Response to Comment 120-1

Please see Master Response 1. Potential impacts related to air quality are discussed in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR.

### Response to Comment 120-2

Please see Master Response 1. In addition, under CEQA, a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. Mitigation measures must be implemented as part of the Proposed Project, but only to the extent that the measures reduce potential adverse impacts to a less-than-significant level. Contrary to the assertion made by the comment, less-than-significant levels related to air quality and GHG emissions do not necessarily equate to a net-zero impact, but are related to quantitative thresholds established by various agencies.

Nonetheless, Mitigation Measure 4.3-8 requires the project proponent to prepare and implement a GHG Reduction Plan to demonstrate a downward trajectory in GHG emissions towards the goal of zero net GHG emissions by the year 2040.

2/24/2025

Dara Dungworth, Staff coordinator for public comments
Proposed Village Farms project
City of Davis
Davis, CA

Good morning, Dara Dungworth.

I am writing to urge the City to *reject* the Draft Environmental Impact Report for the proposed Village Farms project. CEQA requirements are minimum standards and the developer shows us their bag of tricks to deal with minimums. Minimums? Whatever happened to the City's pursuit of excellence?

**121-1** Instead of working towards an excellent project, the City championed a sales tax increase; chose to defer road maintenance; and looked the other way while the Cannery developers walked away from their promises to the Farms neighbors. And this was in favor of a huge project on landfill runoff? With increased greenhouse gases and more air pollution, this project makes a mockery of the City's "commitment" to environmental goals.

Don't cynically sully the name of Village Homes. Reject the DEIR and this project.

Sincerely,
John C Keller
John Keller
1411 Cornell Drive
Davis, CA 95616

## LETTER 121: JOHN KELLER (LETTER 2 OF 2, 02/24/25)

### Response to Comment 121-1

Please see Master Response 1.

**Letter 122**

**Dara Dungworth**

**From:** John Zeller <zeller.jp@gmail.com>
**Sent:** Tuesday, February 11, 2025 8:40 PM
**To:** Dara Dungworth
**Subject:** Village Farms - DEIR: fresh lipstick, same old pig

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Greetings Dara,

**122-1** I am not trying to be offensive but reviewing the history on this parcel of land and the new Village Farms development proposal, it invokes my mental image of the old reference about "lipstick on a pig". What has changed at this site since the first proposal in 1992 when enormous problems were identified and development abandoned (i.e. toxics, an enormous flood plan, traffic congestion, access issues and infrastructure needs)? This site still has all the old limitations and defects, made worse by a proposal that is going in the wrong direction! At 1,800 homes, to say the massive scale and scope of this project is overwhelmingly adverse for our neighborhood, is an understatement!

**122-2** The 1,800-unit Village Farms project is just way too big and has far too many negative impacts and costs. The DEIR cites far too many impacts that remain "Significant and Unavoidable" even after mitigation. This project would present potential city liability issues regarding toxics, flooding and public safety issues.

**122-3** Davis needs housing and needs affordable housing, but it is grossly inequitable to pile the burden of building affordable housing on the few hundred market rate homes in the project. This pushes the price of the market rate homes to a level out of reach for many of those that might need these homes the most. Providing affordable housing is a citywide responsibility. These costs should be shared equitably by everyone in Davis, not just the few in this development.

**122-4** Furthermore, Chapter 4.11 indicates the Village Farms project together with several other residential subdivisions currently proposed (including Palomino Place with 175 residential units and Shriners Property with 1,200 residential units), would result in a total of 4,345 new residential units within the City of Davis which far exceeds the City of Davis RHNA Allocation and exceeds the requirements for the expected population growth of the City. Some or possibly all of these projects could be scaled back dramatically and still meet the City's housing needs.

**122-5** **Traffic:** Traffic impacts are a major concern! To assume Village Farm residents are going to make significant use of public transit is a joke (a false assumption), just like in the Cannery. It's not happening and there is nothing in the proposal that might change this. This will be another automobile centric neighborhood that will result in further gridlock on Covell Blvd, Pole Line Rd and beyond. Increasing traffic will exacerbate environmental impacts with more greenhouse gases and air quality deterioration that can't be mitigated.

**122-6** **Access issues:** As a Cannery resident, I am especially concerned about the potential ingress/egress, to/from Village Farms through the Cannery roundabout via Cannery Avenue to Covell Blvd. This will be a natural path for Village Farms residents that will turn an already unsafe traffic circle into a nightmare (children on bicycles and cars don't mix well). Other serious access issues

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**Letter 122 Cont.**

**122-6 Cont.** include no bicycle/pedestrian access via F Street because of the railroad tracks and the questionable "feasibility" of a Pole Line Road undercrossing due to existing infrastructure issues, so there may not be a Pole Line bicycle/pedestrian undercrossing either.

**122-7** This is not a good, viable project as proposed.

Thanks for your consideration,
John Zeller
1000 Berryessa Lane, #414
Davis, CA 95616

2

## LETTER 122: JOHN ZELLER

### Response to Comment 122-1
Please see Master Response 1.

### Response to Comment 122-2
Please see Master Responses 1, 3, 4, and 5.

### Response to Comment 122-3
Please see Master Response 1.

### Response to Comment 123-4
Please see Master Response 1.

### Response to Comment 122-5
Please see Master Response 5 and Response to Comment 47-1.

### Response to Comment 122-6
Please see Master Responses 5 and 6.

### Response to Comment 122-7
Please see Master Response 1.

**Letter 123**

**Dara Dungworth**

**From:** John Zhang <dlzhang1974@gmail.com>
**Sent:** Monday, February 24, 2025 1:37 PM
**To:** Dara Dungworth
**Subject:** OPPOSE Village Farms DEIR Project

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara,

**123-1** I really have a concern about this project. I am living in Wildhorse. The Covell Blvd. and Pole Line Rd. area already has enormous traffic and adding 1,800 housing units would exacerbate it. There would be no bicycle/pedestrian safe access via an undercrossing or overcrossing from the west, north or south. Please review this plan based on these concerns.

Best regards,

Jenny Zhao
3039 Audubon Cir
Davis, CA95618

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## LETTER 123: JOHN ZHANG

### Response to Comment 123-1

Please see Master Response 5.

**Letter 124**

**Dara Dungworth**

**From:** Jonathan Martin <jonathan.p.martin@gmail.com>
**Sent:** Monday, February 24, 2025 6:23 PM
**To:** Dara Dungworth
**Subject:** Feedback regarding proposed Village Farms Davis Development
**Attachments:** 2025-02-24 - Cannery Letter to City re Village Farms 2-19-25.pdf

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

I gather that you have already received a letter from the Cannery HOA board (attached for again for your reference).

I am a current resident of the Cannery and full-throatedly agree with their concerns about the impact of the proposed development of Village Farms Davis.

As a resident and current father of young children, I have serious concerns about how the proposed development would impact traffic patterns within the Cannery, particularly at the south end of the development.

124-1 There are currently only two ways to leave the Cannery heading west onto Covell, and only a single way to leave the development toward points east along Covell or south along J St. At peak traffic times, there are already long lines at the light at J St. and Covell to turn left/east, and many cars waiting at the stop sign at Market St and Covell to turn right/west onto Covell, as Covell is a heavily trafficked arterial road during commute times. The proposed development of Village Farms Davis would increase traffic along Cannery roads by 200-400% and the lack of adequate connection to arterial roadways would dramatically increase traffic congestion during commute times, adversely affect the environment of the Cannery, and increase the risk of traffic accidents to children like my own who walk and bike to our local schools and our elderly residents who frequently walk in the neighborhood.

While I appreciate the need to comply with state-mandated increases in housing supply, under no circumstances do I support such a massive residential development in this location where there is already heavy traffic congestion. To do so without major reworking and expansion of traffic capacity (which would be nearly impossible due to the surrounding area already being developed) would be a short-sighted solution that creates more problems for the surrounding community.

Sincerely,

Jonathan Martin
1027 Dolcini Ln.
Davis, CA 95616

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## LETTER 124: JONATHAN MARTIN

### Response to Comment 124-1

Please see Master Response 5 and the responses to Letter 17.

**Letter 125**

**Dara Dungworth**

**From:** Judy and Doug <hitchfeld@sbcglobal.net>
**Sent:** Sunday, February 23, 2025 5:27 PM
**To:** Dara Dungworth
**Subject:** Comments on Draft EIR for proposed Village Farms Development

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

*From: Judith Feldman and Doug Hitchcock 2213 OKEEFE PLACE DAVIS, CA 95618*

*Our comments concerning the EIR for the proposed Village Farms Development:*

**125-1** *As we understand it the EIR for the proposed Village Farms project which is located outside the Davis City limits and would include 1800 housing units does not adequately address serious impacts and consequences should the project be approved. The proposed development raises the same serious issues which resulted in the rejection of prior versions of this proposed project.*

**125-2** *Traffic impacts at Covell Blvd and Pole Line Road would result in even more serious congestion than we are now experiencing and that was cited for previously proposed projects envisioned for this land as almost twice as many units are proposed and more farm land will be converted to housing.*

**125-3** *There is, in addition, concern regarding the moving of the drainage ditch and adding land north of its current location that borders the hazardous waste site of the old Davis landfill to increase the acreage included in this development over that of previous proposals. This would seriously impact the wildlife and trees in that area and possibly cause toxic wastes to infiltrate water neither of which have been adequately addressed. Adding this additional land may also encroach on the 5-mile agricultural buffer that has been in place between Davis and Woodland until now.*

**125-4** *Regarding access for pedestrians, bicycles, and emergency vehicles, where exactly will these be, especially if a new fire station is not built, which will only be needed because of the lack of access created by the project for those housed in it? As we understand the proposal, the developers will not be paying for the fire station so will it become the responsibility of the Davis taxpayers?*

**125-5** *It is important to adequately address these issues and additional ones that may be raised by other residents of Davis before approving the EIR. Please pay attention to the concerns of neighborhood residents who will be directly adversely impacted by the proposed development in its current form.*

*Sincerely,*

*Judith Feldman and Doug Hitchcock*

## LETTER 125: JUDITH FELDMAN AND DOUG HITCHCOCK (LETTER 1 OF 2, 02/23/25)

### Response to Comment 125-1
Please see Master Response 1.

### Response to Comment 125-2
Please see Master Response 5.

### Response to Comment 125-3
Please see Master Responses 3 and 7.

### Response to Comment 125-4
The portion of the comment about access is unclear. Access points are clearly shown on Figure 3-8 of the Draft EIR. Funding is not a CEQA issue; please see Master Response 1.

### Response to Comment 125-5
Please see Master Response 1.

**Letter 126**

RECEIVED
FEB 2 5 2025
City of Davis
Community Development

*Judith Feldman Doug Hitchcock 2213 OKEEFE PLACE DAVIS, CA 95618*

*Our comments concerning the EIR for the proposed Village Farms Development:*

*As we understand it the EIR for the proposed Village Farms project which is located outside the Davis City limits and would include 1800 housing units does not adequately address serious impacts and consequences should the project be approved. The proposed development raises the same serious issues which resulted in the rejection of prior versions of this proposed project.*

*Traffic impacts at Covell Blvd and Pole Line Road would result in even more serious congestion than we are now experiencing and that was cited for previously proposed projects envisioned for this land as almost twice as many units are proposed and more farm land will be converted to housing.*

**126-1**

*There is, in addition, concern regarding the moving of the drainage ditch and adding land north of its current location that borders the hazardous waste site of the old Davis landfill to increase the acreage included in this development over that of previous proposals. This would seriously impact the wildlife and trees in that area and possibly cause toxic wastes to infiltrate water neither of which have been adequately addressed. Adding this additional land may also encroach on the 5-mile agricultural buffer that has been in place between Davis and Woodland until now.*

*Regarding access for pedestrians, bicycles, and emergency vehicles, where exactly will these be, especially if a new fire station is not built, which will only be needed because of the lack of access created by the project for those housed in it? As we understand the proposal, the developers will not be paying for the fire station so will it become the responsibility of the Davis tax payers?*

*It is important to adequately address these issues and additional ones that may be raised by other residents of Davis before approving the EIR. Please pay attention to the concerns of neighborhood residents who will be directly adversely impacted by the proposed development in its current form.*

*Sincerely,*

J. Feldman, Doug Hitchcock

*Judith Feldman and Doug Hitchcock*

## LETTER 126: JUDITH FELDMAN AND DOUG HITCHCOCK (LETTER 2 OF 2, 02/25/25)

### Response to Comment 126-1

Please see Response to Comments 125-1 through 125-5.

**Letter 127**

**Dara Dungworth**

**From:** Judy Ennis <ennisjudith06@gmail.com>
**Sent:** Tuesday, February 25, 2025 5:30 PM
**To:** Dara Dungworth
**Cc:** Rochelle Swanson
**Subject:** DCAN comments on the DEIR

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara,

Thank you for this opportunity to submit a comment on behalf of the Davis Community Action Network (DCAN) about the draft EIR for the Village Farms project. As a community organization, we support expanding access to climate smart, affordable housing that centers community. We believe the best way to reach our goal of more climate-smart development is through higher density projects with fewer single family homes and a greater share of smaller, attached units configured for social connection. We also support projects that demonstrate a high level of energy resilience through innovative uses of available technology and through climate-smart building design.

We see the potential benefits of both the Biological Resource Preservation alternative and the alternative 4, which includes a higher number of units within the same footprint. If there is a possibility to maintain the same number of units in a smaller footprint, we would welcome that analysis. We also see a number of drawbacks to these potential designs as they stand today that could be mitigated through additional design choices. Some of these benefits and drawbacks are explained in the following comments.

**127-1**

1.
2.
3. In the BRPA, the VMT and resulting Greenhouse Gas emissions are too high. To lower the negative impact,
4. we strongly support expanding the transit options by increasing the housing density of the project, especially along transit corridors, and planning roadways to prioritize future bikes and buses. We also strongly support the necessary protected crossings (either
5. over or under) for bicycles and pedestrians to connect to other bike paths and ensure safety from car traffic.
6.

**127-2**

2.
3.
4. To mitigate the overall emissions, we strongly support the addition of a microgrid or community energy
5. system, with full electrification using renewables. We suggest a feasibility study be completed as soon as possible to determine the impact of a microgrid on lowering the emissions of the project overall and therefore aligning with our climate goals (as outlined
6. in the CAAP) without lowering the number of new potential housing units for the City of Davis.
7.

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**Letter 127 Cont.**

**127-3**

We are pleased with the focus on the missing middle with smaller units and we would suggest a further increase in the number of attached units to increase the density overall, potentially increase affordability, and lower energy consumption.

**127-4**

We are pleased with the indicated inclusionary housing set aside at 20%, which is 5% above the minimum requirement. Considering the housing crisis across our state and the high levels of housing insecurity right here in Davis, we want to ensure more affordable homes are built as soon as possible. We want the promised 20% affordable housing with a separate downpayment assistance program to hold through all future configurations of the project, even if the density is altered in response to the DEIR comments from the community.

Lastly, We would like to note that we are excited that the wetlands identified on the site are set aside in the BRPA proposal.

Thank you,
Judy Ennis
Davis Community Action Network

## LETTER 127: JUDY ENNIS

### Response to Comment 127-1
Please see Master Responses 1, 2, and 5.

### Response to Comment 127-2
Please see Response to Comment 29-22.

### Response to Comment 127-3
Please see Master Response 1.

### Response to Comment 127-4
Please see Master Response 1.

**Letter 128**

**Dara Dungworth**

**From:** Julia Sherman <juliasherman27@gmail.com>
**Sent:** Tuesday, February 25, 2025 10:13 PM
**To:** Dara Dungworth
**Subject:** Public Comment on Village Farms Project

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Good evening Principal Planner Dungworth,

I am emailing today to submit a public comment in opposition to the proposed Village Farms Project. Below you will find a list of reasons why I am opposed to this project:

**128-1**

- Given that the tract of land in question is considered a flood plain, I consider it irresponsible to develop the land.

**128-2**

- A development of this size cannot feasibly be supported by the existing infrastructure in North Davis. Traffic is already impacted on Pole Line Road and Covell Blvd, which will be further exacerbated by developing 1800 units on this parcel of land. We do not have sufficiently accessible public transit on the North side of town to accommodate these additional residents.

**128-3**

- Where will the money come from to build required infrastructure to support the increased population in this part of town?

**128-4**

- As an agricultural worker, I see great value in the agricultural land that is currently being utilized on the flood plain. Not only is this land used to produce food, it provides a natural habitat for wildlife in the neighborhood, including trees currently growing on the plot of land in question.

Thank you for taking my concerns into consideration.

Sincerely,
Julia Sherman

## LETTER 128: JULIA SHERMAN

### Response to Comment 128-1
Please see Master Response 4.

### Response to Comment 128-2
Please see Master Response 5.

### Response to Comment 128-3
Please see Master Response 1.

### Response to Comment 128-4
Please see Master Responses 1 and 7. Potential impacts to agricultural resources are discussed in Chapter 4.2, Agricultural Resources, of the Draft EIR.

**Letter 129**

**Dara Dungworth**

**From:** Julie Schmidt <jschmidt2boys@gmail.com>
**Sent:** Thursday, February 13, 2025 3:08 PM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

**129-1**

As a Davis resident, I want to voice my strong concerns about the Village Farms development !
Please vote against this project. I hate what's happening to what used to be a charming town.
We are already overwhelmed with building without the infrastructure to support it. The condition of our city streets are a great example of what needs your attention!
And as someone who lives near the university- WHERE ARE THE POLICE ON THE CORNERS WHERE STUDENTS NEVER-NEVER STOP 🛑! Now that electric scooters and bikes are everywhere-I'm surprised their hasn't been a serious accident or worse on Sycamore Avenue!!!
PLEASE, please vote no on this project. Farmland is a part of what makes Davis a town I love!
Respectfully,
Julie Schmidt
Sent from my iPhone

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## LETTER 129: JULIE SCHMIDT

### Response to Comment 129-1

Please see Master Response 1.

**Letter 130**

**Dara Dungworth**

**From:** Julie Stone <dancingjewel3@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:29 PM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

To Dara Dungworth:

I am one of many Davis children that has grown up here and have fond memories of my childhood. Enough so that I have chosen to come back and raise my own children here. When raising a family there are really a few big considerations:

**Safety:** I grew up riding my bike all over town. As there were many bike paths, fewer cars, and no speeding e-bikes, or e-scooters, I was able to be quite independent and my school and after school activities transit was always on bike, rollerblades, or by foot.

130-1 The Village Farms proposal is for 1,800 to 2,700 homes. With the current limited public transportation options, the need for most every family to have a car to access work, family, schools, competitive sporting events with our children, shopping... and the reality that not every person is able-bodied enough to walk/ride a bus, must be assumed. This reality causes a strain on the very air we breathe. The roads along this development plan already suffer from car congestion and the greenhouse gases associated with driving and especially idling. This amount of air toxicity (including neurotoxins) is especially dangerous for our children and their developing brains riding their bikes through exhaust fumes.

Without safe options for children to transport themselves from this development, parents hold a responsibility to be certain their children remain healthy. Thus, driving the children to school, sports events, friends homes.... This, of course adds to the amount of congestion and greenhouse gases.

While CEQA does not include traffic impacts in the DEIR, there are enough environmental concerns to rethink this project.

130-2 **Housing:** My siblings and I grew up in a modest home and I am fortunate to have my own home near my childhood house. It has always been a large expense to buy a house - especially in California. Davis homes are no exception. Maintaining a home is an additional expense that seems to never end. The Village Farms project is planned on a known flood plain. As we experience climate change, this is dooming the proposed residents to a myriad of expenses - water damage, including to their house foundations, increasing insurance premiums (that's happening to us without living on a flood plain!!) The current DEIR seems to be planning to channel the water through Wildhorse. That's ethically inappropriate. When coupled with the well- known toxins existing in the Village Farms project area from the old city landfill, this becomes a liability to residents' health and the financial well-being of the City. Think Slide Hill Park trees...

130-3 **Education:** My family struggled financially to move to Davis to give me and my siblings a good education. This was before the School Board discarded the residency requirement. I only bring this up because decisions have consequences. And I am asking the Commission to truly consider the consequences of this ill-planned project. Consequences that will be apparent quickly (increased greenhouse gases) and less obvious consequences that make take time to reveal themselves. I am aware this project is being touted as the panacea to declining school

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**130-3 Cont.**

enrollment. Without safe and direct access to schools there is not a realistic assumption that vehicle miles traveled will not be by car. The current DEIR does not have a remedy for how pedestrians and bike riders (not e-bike) can access Birch Lane, Koramatsu, or Harper Lee. As over 1400 school children are currently being transported to school from other districts by car, any further additions to the schools without pedestrian and bike safe routes will only add to the fumes from idling cars during travel, drop off, and pick up. Resulting in more environmental degradation from exhaust vapor, particulate pollution from tire wear, and roadway disintegration.

**130-4**

**Heath:** As a nurse I am especially aware of the limited services in our small hospital. No mental health care or inpatient pediatric care. Sutter Davis is not a trauma hospital. Patients in serious health crisis must be transported to Sacramento. Large housing projects like Village Farms will put additional strain on an already limited system. While this does not directly fall under the purview of CEQA, the environmental impacts of unresolved mental health problems and the need to transport patients to Sacramento should not be ignored. Additional air and water pollution is not in keeping with a community's good health. We all need to breathe.

**130-5**

As an aside, KCRA News just reported today that Cal Fire released the new "Fire Hazard Severity Zones." Yolo County has more than 35,000 acres at High or Very High tiers. The environmental impacts of house fires - less containable when homes are built close together - are only becoming more and more known. Sadly.

Please reconsider the Village Farms DEIR - what it says as well as what it is conveniently leaving out or understating. I am opposed to housing on this site.

Julie Stone
914 Plum Lane
Sent from my iPhone

## LETTER 130: JULIE STONE

### Response to Comment 130-1
Please see Master Response 5 and Response to Comment 47-1.

### Response to Comment 130-2
Please see Master Responses 1, 3, and 4.

### Response to Comment 130-3
Please see Master Responses 1 and 5.

### Response to Comment 130-4
Please see Master Response 1.

### Response to Comment 130-5
Potential impacts related to wildfire are evaluated in Chapter 4.15 of the Draft EIR. As discussed therein, significant impacts related to wildfire were not identified for the Proposed Project or the BRPA.

**Letter 131**

**Dara Dungworth**

**From:** Juliette Beck <juliettebuxtonbeck@gmail.com>
**Sent:** Tuesday, January 14, 2025 4:30 AM
**To:** Dara Dungworth
**Subject:** Tiny home communities in Davis?

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Hello Dara,

**131-1** I have been raising my family along the F street corridor for the past 16 years. I have been active in the local climate movement advocating for a just transition to an equitable, ecologically regenerative Yolo bioregion.

**131-2** I am concerned that the Village Farms development is missing an opportunity to advance more just and truly sustainable, environmentally and socially responsible ways of living. This sprawling proposed development, despite the sustainability efforts, is still not doing nearly enough to lower the ecological footprint of the average homeowner.

I am planning on attending the Village Farms community meeting this evening to ask the developers if there is still space and room for a tiny home community in this development. Will you be in attendance? It would be nice to meet you!

**131-3** I am also concerned about the impact of this development on people living with a tiny carbon footprint adjacent to the property. **What outreach has been done to the houseless community living along the railroad right of way?** What is the plan for houseless people (I'm concerned for one elderly couple in particular that have been living in this area for over 20 years)? **Will they be displaced by this project?** A tiny home community could address this critical need for housing.

**131-4** **I'd also like to discuss the possibility of creating a tiny home community on the city-owned ag buffer land on the east side of the Cannery.** This area was supposed to be farmed to grow food for Cannery residents but the soil is too impoverished and compacted by heavy trucks. Lots of money and effort has been spent on this strip of land. It will need extensive and costly rehabilitation to be fertile again. **It's an ideal site for a tiny home community, no?**

**131-5** If Village Farms is approved, then there will no longer be a need to buffer against agriculture so this land could be better put to use as a model tiny home community organized as a land trust. **Who should I meet with to discuss this possibility?**

I can be reached at 530-902-8407 and welcome the opportunity to discuss these issues with you.

Thank you,
Juliette Beck

--
**********
Mother, eco-justice advocate, writer
co-founder, YoloSol Collective

*"California faces a water and climate crisis that will only be solved by foregrounding Indigenous management practices. Our restorative environmental management and tribal place-based knowledge are best practices for climate resiliency. If we teach the next generation how to better manage and live with the land, they will become the leaders that can solve our challenges."* --Dr. Cutcha Risling Baldy, Chair, Humboldt State Native American Studies Department

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## LETTER 131: JULIETTE BECK (LETTER 1 OF 2, 01/14/25)

### Response to Comment 131-1
Please see Master Response 1.

### Response to Comment 131-2
Please see Master Response 1.

### Response to Comment 131-3
Please see Master Response 1.

### Response to Comment 131-4
Please see Master Response 1.

### Response to Comment 131-5
Please see Master Response 1.

**Letter 132**

February 22, 2025

Dara Dungworth, Principal Planner
City of Davis Department of Community Development
23 Russell Boulevard
Davis, CA 95616
ddungworth@cityofdavis.org

Re: Comments on the Draft EIR for the Village Farms Davis Project (SCH #2023110006)

To Whom it May Concern,

132-1 Thank you for the opportunity to comment on the draft EIR for the Village Homes project. Given the nearly 500 acres size, its location and natural features, this site provides unique opportunities and challenges. I offer these recommendations as a climate just transition specialist, co-founder of a Yolo bioregional arts and ecology collective, parent, nearby resident and renter for the past 16 years.

1. **ALTERNATIVES**

a) **Include Model Sustainable Cooperative Housing Options in Each Planned Neighborhood**

132-2 The City of Davis has underserved residents, including our family, that would like to live in cooperative housing. Both Dos Pinos and Muir Commons, built over 30 years ago, have extensive wait lists. We are fortunate to have in Davis the Center for Cooperative Development. Their recent report: California Cooperatives: Today's Landscape of Housing Cooperatives lays out the benefits of Limited Equity Housing Cooperatives (LEHCs) as stable, time-tested, affordable housing. Each neighborhood in the Village Homes should include a LEHC similar to Dos Pinos with a minimum of 60 units. LEHCs will provide homes for households that are priced out of traditional single-family homeownership including housing that is deemed affordable. In California the LEHC maintains affordability in perpetuity through a mandated cap on appreciation when shares are sold from one member to the next. It also prevents speculation by directing that any sale, or profits from a sale, of the entire development go to a nonprofit and not members.

The energy for these Housing Cooperatives should be supplied by on-site, solar-powered micro energy grids. They should be built with greywater systems, composting systems, green space and gardens to grow food. Each neighborhood coop should have a community center with a kitchen and common eating area, high quality HVAC system and backup battery storage so that these buildings can serve as community resilience-centers during extreme weather events such as heat waves and windstorms.

Community swimming pools or water play area and playgrounds made of natural materials with shade structures should also be incorporated into the design of each neighborhood.

b) Include 'Tiny Home' Community

The project should include at least one 'tiny home' community for people that want to minimize their ecological footprint. A tiny home is a small dwelling typically under 500 square feet, designed for efficient use of space and often promoting a minimalist lifestyle. A number of people now live along the Southern Pacific Railroad Right Away and the F Street Corridor who will be significantly impacted by the project. Some of these community members have expressed interest in living in a tiny home. Tiny homes could be a humane and dignified solution to minimize the impacts of the project on this population and should be constructed in the early phases of the project.

**132-2 Cont.**

Tiny homes should not be limited to houseless people as there are a number of young professionals and couples and people of all socio-economic backgrounds that would choose to live in a tiny home as a way of minimizing their impact on the environment. A study of the market demand for tiny homes should be conducted and analyzed as an environmentally superior, high density housing option.

**2. TRANSPORTATION**

a) Reduce VMT by Prioritizing Workforce Housing

**132-3**

Affordable housing is a key factor in reducing the number of commuters into Davis on a daily basis. People who work in Davis including teachers, City of Davis employees, and UC Davis employees should be prioritized in the allocation of new housing.

b) Improve connectivity between adjacent neighborhoods

**132-4**

Pedestrian/bike/scooter overpasses or underpasses across Covell to the North, Pole Line to the East and F Street to the West should be required in the development agreement.

The neighborhoods should be connected by public transit routes.

c) Prioritize Public Transit

**132-5**

The cumulative traffic impact of new developments in Woodland and Davis should be mitigated by working with public transit providers to greatly increase bus and shuttle service, especially along Pole Line and Covell. Bee-line micro-transit stops should be integrated into each neighborhood.

**132-6**

d) Incentivize car-free living

**132-6 Cont.**

Dedicate space in each neighborhood for a community car-share fleet that includes a mini van and truck. Prioritize housing for residents that choose to live without a personal automobile. Incentivize car-free living by limiting the space dedicated to garages and parking.

Create commercial property to provide basic services within a fifteen minute walk of all residents. This should include Village Stores, created in partnership with the Davis Food Co-op.

**3. CULTURAL RESOURCES**

**132-7**

Please include the Cultural Resources Study in its entirety in the Appendix (Tom Origer & Associates. *Cultural Resources Study for the Village Farms Davis Project, Davis, Yolo County, California*. March 20, 2024.)

The field survey conducted by Tom Origer & Associates found two obsidian isolates on-site, consisting of a biface fragment and a flake. A map displaying exactly where the obsidian flakes were found on this site should be included in this section.

**132-8**

On Pages 4.5 - 3 and 4.5-4, the location of Yocha Dehe Wintun Tribal Lands should be **western** not eastern Yolo County.

**132-9**

Please describe and add to the table on page 4.5-13 any obsidian flakes or other cultural artifacts that have been identified in any of the six previous cultural resource studies conducted at this site and the four studies conducted within a .25-mile of the project area.

**132-10**

Please add that a burial site was recently uncovered in the summer of 2023 within one mile of the project site, at the location of the Davis High School, during recent construction of the new STEM building.

**132-11**

The Highly Sensitive Resource Area (Figure 4.5-3) in the southern portion of the site that includes a seasonal creek bed should be considered a cultural resource. The proposed Heritage Oak Park should center the heritage of this land as a place that was tended to by Patwin-Wintun people, and efforts should be made to design the park in partnership with Patwin-Wintun cultural experts to provide opportunities for restoring traditional ecological stewardship. This could be a proactive mitigation measure given the significant impacts to cultural resources. An example of such a park was recently established in Solano County:
https://yochadehe.gov/2024/08/25/newest-open-space-park-tied-to-patwin-heritage/

Instead of a "Demonstration Farm," work with Davis High School students trained in TEK (traditional ecological knowledge) to create a space for teaching and demonstrating Wintun Homeland Ecological Stewardship. Consider creating a wildlife rehabilitation center where residents can bring heat-stressed wildlife to receive care during heat waves. Instead of a fire station, create a center for teaching culturally prescribed burning and the critical role that fire plays in healing the land.

**Letter 132 Cont.**

**4. HAZARDOUS MATERIALS**

**132-12**

The Heritage Oak Park is planned to be located on land where the old farmhouse was which has very high levels of toxaphene (pg. 4.7-6) present in the soil at 1,000 - 1,200,000 mg/kg. The DTSC maximum acceptable level is 450 mg.kg. Lead is present in levels 6.6 - 93 mg/kg and the DTSC and CA Ecological Risk Office maximum level is 80 mg/kg. Asbestos has not been evaluated inside of the water tank house but could be present. The site should be remediated of all toxins prior to use as a park.

A 1,000 foot wide no-build zone should be established around the unlined Old Davis Landfill and the sewage treatment plant. Ongoing monitoring and disclosure of manganese and PFAS should be conducted to determine if higher concentrations are present in the soil and water. More extensive groundwater testing should be conducted to determine the possible flow of contaminants in the aquifer. Stormwater runoff should also be tested to ensure that contaminants are not spreading into the stormwater channels and poisoning wildlife.

Respectfully submitted,

Juliette Beck

juliettebuxtonbeck@gmail.com

530-902-8407

## LETTER 132: JULIETTE BECK (LETTER 2 OF 2, 02/22/25)

### Response to Comment 132-1
See Master Response 1.

### Response to Comment 132-2
See Master Response 2.

### Response to Comment 132-3
Please see Master Response 1.

### Response to Comment 132-4
Please see Master Response 6.

### Response to Comment 132-5
Please see Response to Comment 113-5.

### Response to Comment 132-6
Please see Master Response 1.

### Response to Comment 132-7
Based on the sensitive nature of cultural and tribal cultural resources, cultural resource studies and the exact location of any identified resources are kept confidential.

### Response to Comment 132-8
Referring to the tribe as located within eastern Yolo County is consistent with the descriptions provided by Tom Origer and Associates, who also prepared the Cultural Resources Study for the Proposed Project. Revisions to the Draft EIR are not required.

### Response to Comment 132-9
Any previously identified cultural resources were discussed on page 4.5-6 and 4.5-8. As noted on page 4.5-8, the field survey conducted as part of the Cultural Resources Study prepared for the Proposed Project found two obsidian isolates on-site: a biface fragment and a flake made of Napa Valley obsidian with wear from water tumbling. As such, the cultural resources previously identified on-site are described in the chapter. Table 4.5-1 on page 4.5-13 describes the previous studies, authors, dates, and study numbers for all previous studies within the study area and a 0.25-mile buffer. Therefore, providing such information in the table is unnecessary.

### Response to Comment 132-10
Based on recent discoveries during construction, the City consulted extensively with the Yocha Dehe Wintun Nation. As a result, mitigation measures, including on-site monitoring by the Tribe, were included as part of the Draft EIR.

### Response to Comment 132-11
As described on page 4.5-1 of the Draft EIR, Precontact resources are those sites and artifacts of or related to a time period, generally prior to contact with people of European descent. The bed of a seasonal creek is not inherently considered a cultural resource site; as explained on page 4.5-16 of the Draft EIR, the references to the area as “highly sensitive” are intended to convey

the area's higher likelihood of containing buried archaeological site indicators. In addition, please see Response to Comment 132-10 above.

## Response to Comment 132-12

Please see Master Response 3.

**Letter 133**

**Dara Dungworth**

**From:** Karen Larssen <klarssenkl@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:24 PM
**To:** Dara Dungworth
**Subject:** Opposition to the proposed Village Farms housing development

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

To: Dara Dungworth
From: Karen Larssen, North Davis Homeowner

Hello Dara,

I am writing in opposition to the proposed Village Farms housing development.

133-1

I think it is dangerous to build this development in a flood plain because of possible flooding.
Building homes in this location would include tree-removal and destruction of wildlife habitats.
It is dangerous to build housing adjacent to the old, unlined, previous City Landfill and the old, previous Sewage Treatment Plant. At risk would be seepage of carcinogenic PFAS/"forever chemicals" which would endanger residents' health.
This development would significantly increase traffic which would increase greenhouse gasses and air pollution from vehicle emissions.
This project is not "infill" housing because it is not within the Davis City limits. It is in Yolo County, outside the Davis City Limits.
Projected prices of $700,000 to $800,000 and higher would not be "affordable" to most first-time homebuyers or to workers of average income, particularly families with young children. This development would not help to increase our local school population.

The negative impacts, including significant costs to the City of Davis, make this project ill advised and undesirable to our City and our residents.

Respectfully submitted,

Karen Larssen, North Davis Homeowner
134 Luz Place
Davis

## LETTER 133: KAREN LARSSEN

### Response to Comment 133-1

Please see Master Responses 1, 3, 4, 5, and 7, as well as Response to Comment 47-1.

**Letter 134**

**Dara Dungworth**

**From:** Kathleen Curry <kcurry652@gmail.com>
**Sent:** Friday, February 21, 2025 7:07 AM
**To:** Dara Dungworth
**Subject:** Village Farms Project

**Categories:** VFD Comment

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134-1

After viewing the February 12 City Planning meeting online, I have many concerns about the Village Farms project:
toxic water
toxic soil
flooding
motor traffic flow
safety for cyclists and pedestrians.
In fact, what is right about this project? The site itself precludes any expectation that housing should be built.
It's amazing to me that it's being considered.
Kathleen Curry
Davis resident of 40 years who would like to see affordable housing built in Davis

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## LETTER 134: KATHLEEN CURRY

### Response to Comment 134-1

Please see Master Responses 1, 3, 4, and 5.

**Letter 135**

**Dara Dungworth**

**From:** kltimmons6@gmail.com
**Sent:** Wednesday, February 12, 2025 2:06 PM
**To:** Planning Commission
**Cc:** Will Chao
**Subject:** Comment on Village Farms project

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Planning Commission,

As a Cannery resident, my primary concerns with the proposed Village Farms project are below:

1. Disruption/damage to The Cannery Urban Farm. The EIR proposes paving a high-traffic road through the middle of our urban farm in order to connect the highest-density portion of the proposed development to our Cannery traffic circle. As imagined, designed, and built, The Cannery was sold to us as having an urban farm, and it is an essential portion of our community. Allowing such blatant disruption of the farm would run contrary to the concept of the The Cannery homes that our residents bought in to.

**135-1** 2. Traffic safety concerns related to our already unsafe narrow roads. The EIR study by GHD indicates that the relevant portion of Cannery Loop currently carries 970 average daily trips, and the study expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farm, this would create unacceptable safety hazards, especially to our vulnerable elderly and child residents.

**135-2** 3. Disproportionate noise impacts to The Cannery neighborhood. From a review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

**135-3** 4. Potential flooding impacts to other areas of North Davis by developing and paving over a flood plain. As reported in the Davis Enterprise, this could significantly increase insurance costs for Davis families and also impact potential state assistance should a flooding event occur.

**135-4** For the reasons above, I urge our City leaders to rethink the proposal and to incorporate the wellbeing and safety of The Cannery community into any analysis on the topic.

Thank you,
Kayla Timmons Chao

Sent from my iPhone

1

## LETTER 135: KAYLA TIMMONS CHAO

### Response to Comment 135-1
Please see Master Response 5 and Response to Comment 17-6.

### Response to Comment 135-2
Please see Response to Comment 17-8.

### Response to Comment 135-3
Please see Master Response 4.

### Response to Comment 135-4
Please see Master Response 1.

**Letter 136**

**Dear City of Davis**

I applaud the Developer's apparent intent to pursue the biological resource alternative, preserving the rare alkali vernal pool habitat for future generations and creating a unique green space for the people of Davis to enjoy. However, preservation is just the first step to ensuring this preserve can be a beautiful green space village farms and Davis residents can enjoy and a place where biodiversity is preserved into the future.

**(1). Preserve Design - Maximize public viewing opportunities while minimizing disturbance**

**136-1**

An ideal nature preserve protects natural areas while also allowing the public to appreciate and learn from them. The playa pool area attracts significant bird life in the winter months when it fills with water, providing great viewing opportunities for birdwatchers. Unlike other urban ponds in Davis, the lack of trees in the alkali area allows it to support species that prefer open habitats like black-necked stilt, American avocets, western meadowlarks, and Swainson's hawks. However, unrestricted access to the pool area by humans or pet dogs could pose a risk to these birds. Therefore, the preserve should follow the example of West Davis and Julia Partansky ponds, creating bird viewing areas along the fringes of the site but preventing access to the pond area during winter.Limited, guided educational access can be provided to view rare species on specific days and after the pool dries down, as addressed in point **(3)**

**(2). Stewardship**

**136-2**

Preservation alone is not enough to protect these fragile landscapes. To preserve the biodiversity at the site, funding and other resources should be committed to a long-term management plan, and a defined organization should be tasked with maintaining long-term management. Many urban vernal pools have been left to languish, ignored and unmanaged, behind a chain link fence as the biodiversity that makes them special slowly blinks out. Sacramento Valley habitats, including this one, suffer from a myriad of invasive species and anthropogenic nitrogen deposition from exhaust, which allows plants like Italian ryegrass (*Festuca perennis*) to crowd out native vegetation. Without disturbance, this invader will choke out the rare plants at this site and create fire risk as thatch(dead dry matter) builds up. Its ability to utilize large amounts of water may reduce water availability for waterfowl as well.

Thankfully, preserve managers in ecologically similar landscapes to the north Davis pool have performed extensive research on how to manage these landscapes. Managers who have worked at Woodland Regional Park, Sacramento National Wildlife Refuge, or the Yolo Bypass are good resources for coming up with management information. At this site, disturbance and invasive species control can be achieved through well-timed mowing, or if the infrastructure allows it, cattle grazing. Preserve design should ensure a vehicle access area to allow management tools like mowers or livestock to be unloaded and offloaded. Finally, responsibility for management should be clearly assigned, and a group capable of conducting long term management should be sought out. Until this occurs, which should be a high priority for the city, the property owner should maintain any mowing regimes they have been doing, making sure to avoid the April-July flowering period for taller alkali species like *Extriplex joaquiniana*.

**(3). Educational Opportunities**

136-3

The preserved alkali vernal pool would represent the most accessible representation of this habitat type in the area for Davis residents, and therefore an incredible resource to learn about the natural communities that once covered our area prior to agricultural conversion. Guided tours of these sites by knowledgeable individuals would maximize educational value and minimize unintentional disturbance of the site by visitors. Similar programs can be found at Jepson Prairie south of Dixon. The preserve could also serve as a hub for research. There are many researchers who study California grasslands and vernal pools at UC Davis, and having a local example to study would be a great accessible research site. Undergraduate ecology, botany, or land management courses could also visit the site for field trips. ENH 160, Restoration Ecology, an undergraduate course, visits a different restoration site every spring, and students learn surveying methods and write up a comprehensive restoration management plan at the end of course. Collaborating with this course may be a great opportunity to collaborate with the university and educate students about their local ecology, and create an initial management plan for the site. The course visited the nearby Grasslands Regional Park in spring 2010, and produced a report that I have linked below:

https://eviner.faculty.ucdavis.edu/wp-content/uploads/sites/503/2018/05/2010_vernal-pools.pdf

**(4) Conclusions**

136-4

Pursuing the biological resources alternative, and preserving the 47.1 acre alkali vernal pool, represents the best option for rare Sacramento valley species and for the people of Davis. The preserve would be a green space to learn about and appreciate what makes the valley an ecologically unique landscape, and represent a great birdwatching location. To ensure this site maintains its biodiversity and lives up to its potential - careful preserve design and a stewardship plan are necessary. Finally, collaboration with educational institutions and a public education program will ensure this space is one that brings the community together to learn about the rare habitats that once covered Davis and the western Central Valley only a few generations ago.

Best,

Kees Hood
Former UC Davis student

## LETTER 136: KEES HOOD

### Response to Comment 136-1
Please see Master Responses 1 and 7.

### Response to Comment 136-2
Please see Master Response 7.

### Response to Comment 136-3
Please see Master Response 1.

### Response to Comment 136-4
Please see Master Response 1.

**Letter 137**

**Dara Dungworth**

**From:** Keirsten Taillon <keirtaillon@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:42 PM
**To:** Dara Dungworth
**Subject:** Village Farms Public Comment / Feedback

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

137-1 I am writing as a concerned homeowner in The Cannery neighborhood to express my strong opposition to the Village Farms development proposal as outlined in the Draft Environmental Impact Report (DEIR). After reviewing the DEIR and related discussions, I believe this project presents significant and unacceptable challenges that will negatively impact my quality of life and that of my neighbors.
The Village Farms development, as currently proposed, will create serious and disproportionate burdens on The Cannery, including:

1. Material and Adverse Alteration to The Cannery Urban Farm
The DEIR claims that the Village Farms project "would not result in modifications to the existing Urban Agriculture Transition Area (UATA)." However, the proposal includes constructing a paved road through the UATA and the Cannery Urban Farm, fundamentally altering and disrupting this space.

137-2 The Cannery Urban Farm was designed and advertised as an essential feature of our neighborhood—a cornerstone of the farm-to-fork concept that attracted many of us to purchase homes here. Both the City of Davis and the original Cannery developers promoted the farm as a key amenity, intended to provide open space, educational opportunities, and a direct connection to sustainable urban agriculture. Now, rather than expanding or integrating The Cannery Farm with the proposed Village Farms educational farm concept, this plan would instead pave over part of it. This directly contradicts the values and promises that shaped The Cannery's original vision.

2. Unacceptable Traffic Safety Impacts
The Cannery community will suffer disproportionate traffic safety impacts from the planned Village Farms development and the planned linkage of Village Farms with the Cannery via the unacceptable, material, and adverse alteration of the Cannery UATA and Cannery Urban Farm. While traffic congestion and level of service is outside the scope of the EIR process, it is nonetheless obvious to any astute local observer that the current and anticipated future design geometry

137-3 of the intersection of East Covell Boulevard and L Street is, and would in all likelihood remain, inadequate to handle the volume of vehicle trips exiting Village Farms during peak morning hours and returning to Village Farms during peak afternoon and evening hours. If a road is built through The Cannery Urban Farm, I expect that a substantial majority of vehicle trips between Village Farms and destinations to the west (including U.C. Davis, and destinations accessible via Highway 113 and I-80 West) will instead travel through Cannery neighborhood streets, creating significant and unacceptable traffic safety impacts for Cannery residents, notably for the many children and elderly residents of the neighborhood.

137-4 Unfortunately, the traffic study conducted by Fehr & Peers for Raney does little to reflect the truly grossly disproportionate traffic safety impacts which would be suffered by The Cannery due to a linkage to Village Farms. For insight here, I must instead turn to the noise study conducted by Saxelby Acoustics, which is in turn informed by a study made by the project traffic engineer, GHD Group. Unfortunately, GHD's detailed estimates of traffic volumes have not been made public as part of the EIR process.

1

**Letter 137 Cont.**

**137-4 Cont.**

Per Saxelby, GHD estimates that the portion of Cannery Loop west of Cannery Avenue currently carries 970 average daily trips, and expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farms development plan and Fehr's estimates of total trip volumes from Village Farms, I believe that total trips exiting the Cannery during peak morning and afternoon/evening periods via Market Street and Cannery Avenue could increase by anywhere from 200% to 400% immediately following the development of Village Farms, without consideration of further cumulative development impacts over time. Additionally, I note that while Raney concluded that "Higher Number of Units - Same Footprint" (HNU) alternative would result in lower VMT per capita, Raney appears not to have subjected the HNU alternative to a rigorous analysis of total VMT or vehicle trips. While automobile modal share would likely decline under the HNU alternative, I believe that traffic safety impacts to the Cannery could be even greater under this alternative.

**137-5**

My concern is not solely with potential increases in traffic congestion of potential changes in the level of service. Instead, our concern is that the introduction of a step change increase in commuter traffic volumes to neighborhood streets presents an unacceptable
risk to resident safety. Our concerns are heightened by the already significant traffic safety issues presented by the design of the Cannery, including inadequate traffic calming infrastructure and the very serious risks presented by the southwest Cannery Loop elbow. While I applaud the proposed mitigation at the southwest Cannery Loop elbow, I believe this crossing will remain intrinsically dangerous for bicyclists and pedestrians, and that Village Farms bicyclists should be encouraged to utilize safer routes, including the path immediately north of East Covell Boulevard, and the proposed linkage to the Cannery bike path at the northeast corner of The Cannery.

**137-6**

3. Disproportionate Noise Impacts
From the review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.
While I defer to the expertise of Saxelby Acoustics, I note that their analysis relies heavily on estimates produced by the project's traffic engineer, GHD Group. In the interests of transparency, the City should seek to include any traffic plan, study or analysis created by GHD as part of the public EIR process.

**137-7**

4. Flooding Risks and Environmental Concerns
The Village Farms site encompasses a substantial 200-acre floodplain, posing significant flooding risks. Developing in such an area not only endangers future residents but also raises concerns about water management and environmental sustainability. The DEIR does not adequately address these risks or propose sufficient mitigation measures.
Moreover, the site has a history of toxic contamination, which could pose health hazards to both construction workers and future inhabitants. The DEIR lacks a comprehensive plan for site remediation, leaving the community vulnerable to potential exposure.

**137-8**

As outlined above, I believe there are significant flaws in the Village Farms development proposal, and for that reason oppose it in its current state.

Sincerely,
Keirsten Taillon
keirtaillon@gmail.com
Heirloom Street
Davis, CA 95616

## LETTER 137: KEIRSTEN TAILLON

### Response to Comment 137-1
Please see Master Response 1.

### Response to Comment 137-2
Please see Response to Comment 17-3.

### Response to Comment 137-3
Please see Response to Comment 17-4.

### Response to Comment 137-4
Please see Responses to Comments 17-5 and 17-6.

### Response to Comment 137-5
Please see Response to Comment 17-7.

### Response to Comment 137-6
Please see Responses to Comments 17-8 and 17-9.

### Response to Comment 137-7
Please see Master Responses 3 and 4.

### Response to Comment 137-8
Please see Master Response 1.

**Letter 138**

**Dara Dungworth**

**From:** Ken Holt <nevadaken@hotmail.com>
**Sent:** Tuesday, February 25, 2025 4:37 AM
**To:** Dara Dungworth
**Subject:** Village Farms.

**Categories:** VFD Comment

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**138-1** I wasn't able to make it to the meeting about Village Farms so I don't know about all the possible impacts. But I know that I'm already stuck in traffic when I drive through town and we have not updated our infrastructure enough for the number of residents we already have. Each time we over expand, the quality of life for those of us who live here already goes down a little. I moved to Davis in 1982 and have seen a lot of change. I don't think I like this change.

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

1

## LETTER 138: KEN HOLT

### Response to Comment 138-1

Please see Master Responses 1 and 5.

**Letter 139**

**Dara Dungworth**

**From:** Kirstin Adams-Bimson <adams.kirstin@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:15 PM
**To:** Dara Dungworth
**Subject:** Comments and concerns regarding "Village Farms" development

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

I am a resident of Davis residing in the La Buena Vida condo complex in the Wildhorse area and am *staunchly* against the Village Farms development. I became aware of and began looking into the development late last year. The more I have learned about it, the more I have uncovered its staggering flaws and compounding issues. I am blown away by the self-interested audacity of this plan, the countless harms it could cause, and the manner in which so many of its problems are, by design, foisted upon neighboring communities, the City, and the taxpayer. I am all for more accessible, well-designed housing--*especially* affordable housing. But the Village Farms plan, in its current form, is nothing short of a disaster for everyone involved.

139-1

I have outlined my concerns and the numerous problems as I see them below. I could foresee an alternate development plan for that area, significantly smaller in scale and scope and utilizing only the southern 1/4 of the land currently allocated for Village Farms, perhaps working well--with thoughtful design, careful planning, and significant environmental considerations. However that is not what Village Farms seeks to create, nor is it my understanding that is a compromise the developer seems willing to make. I am happy to speak with you or anyone else regarding my concerns, and sincerely hope the city council exercises its full authority to see that each of these problems is appropriately addressed with the developer before the project is permitted to proceed (if at all).

**SEVERE TRAFFIC CONGESTION ON COVELL AND POLELINE**

**Existing traffic congestion:** As a resident in the La Buena Vida community, I see the traffic impacts along Covell and Poleline on a daily basis. As it stands currently the congestion along these two major city thoroughfares during the after-work crush is significant and, at times, dangerous. Turning out of Oak Tree Plaza onto Covell between 3pm-6pm on weekdays can take several minutes, with a line 5 or more cards behind me in the parking lot, further congesting traffic in the plaza itself. The same is true of turning out of Donner onto Poleline. It has in the past taken me upwards of five minutes to safely turn left onto Poleline. These are exacting numbers, not exaggerations--I have timed the delay, and been late to work on multiple occasions due not only to the heavy flow of vehicle traffic, but the addition of multiple street lights within close proximity of each other along Covell Blvd over the years (J street, L street) which, while improving the safety of intersections, serves to further delay vehicle traffic traveling along the road.

139-2

**Flaws of VMT:** Using Vehicle Miles Traveled (VMT) as the sole measure of roadway usage to determine traffic in this area is not simply misleading but blatantly disingenuous. VMT provides only one piece of a larger picture of roadway usage which, in this particular situation, provides a very small part of the picture. As any resident in the area can tell you, this intersection sees regular, predictable daily spikes in traffic, due not only to the time-of-day and arterial nature of these roads, but due to the nature of the businesses present at Oak Tree Plaza. Nugget Market, CVS, Travis Credit Union, and Pink Dozen Donuts are staples and anchor stores of this plaza, and are all common before and after work stop-offs, which encourages increased traffic at specific periods of the day. It is not simply the volume of vehicles utilizing the road in total, but the how and when that creates the clearest picture of traffic impacts, congestion, and pedestrian safety. These roads are, as they now stand, at capacity--they cannot take any significant increases in use and maintain safe and effective function.

139-3

139-4 **Few roadway alternatives:** Covell Blvd and Poleline road are essential arterial roadways for both the City of Davis and the City of Woodland. There exists no other east-west roadway in Davis which can serve as a reasonable alternative to Covell Blvd for drivers: 2nd Street provides only one lane each way, with limited expedient access to other parts of the city through which it passes, serving primarily as a conduit for travel between Covell Blvd near Interstate 80, and Downtown Davis. 5th Street/Russell has frequent stops and experiences regular congestion as it passes through Downtown and Central Davis toward the west, and narrows into one lane each way once it crosses Poleline to the east, with lower speeds and additional frequent stops as it passes through residential neighborhoods. It also sees limited expedient access to other parts of the city through which it passes, relying on its crossing with Poleline, F St, Anderson, and Lake Blvd to connect it to the more efficient thoroughfare of Covell Blvd.

139-5 **Insufficient public transit alternatives:** The existing public transit options (Unitrans and Yolo Bus) available in the city are insufficient to serve community needs, inefficient, and slow as a mode of transport. The most widely available public transit option, Unitrans--a service run by the ASUCD, is structured to primarily serve the student population and not permanent residents of the city. The service's transit hub is based not on city property but on the UC Davis Campus, and routed destinations focused on serving student apartment hubs and other essential services and businesses used heavily by students. That Unitrans can provide some utility to permanent residents and families is incidental, not by design; and that is precisely the population Village Farms aims to target--permanent residents and families, the groups least likely to make use of Unitrans. Yolo Bus, by contrast, provides only a few stops within City limits, largely aimed at providing intercity transit and not transit within the city itself.

139-6 **Unsafe transit alternatives:** Facing congested vehicle traffic and a lack of public transit options, and with so many greenbelt and walking path options throughout the city, it is reasonable to assume pedestrian and cyclist traffic will increase in the area. Without the inclusion of a grade-separated crossing--noted as likely 'infeasible' across both Poleline and Covell due to existing infrastructural limitations, an increase in pedestrian injury and fatality is statistically likely. Per CDC research, among 60 roads that had the most pedestrian deaths during 2001-2016, all were roads with adjacent commercial retail space, nearly all were multilane roads, and more than three-quarters had speed limits of 30 miles per hour or higher--all factors which pertain to the stretch of Covell Blvd along the proposed development site. Increasing housing here--especially housing catering to families with children, will bring more people to dangerous roads poorly catered to safety and transit needs.

139-7 **Environmental risks:** Vehicle congestion poses many hazards, including increased carbon emissions and particulate matter released into the air, and deteriorating air quality. This is a particular concern considering the proximity of a proposed public park and child care center to the source of vehicle emissions, as well as the proximity of homes targeted at young families. Moreover, the longer a vehicle idles or sits in traffic, the longer it is on the road overall, and the more emissions are released into the air in aggregate. The matter of traffic and roadway usage is a compounding problem.

**SIGNIFICANT ENVIRONMENTAL RISKS AND DAMAGES**

139-8 **Severe flooding risks:** Over half of the proposed site of development is an established 200-acre flood plain categorized as a FEMA Zone A High Risk Special Flood Hazard Area (SFHA). This designation, already a tremendous risk on its own, is based on the existing history of regional flooding and historical data sets. It does not reflect the projected risk increases anticipated by experts due to climate change, one of which is the increasing desertification of the Central Valley. Oscillations between long periods of drought and periods of intensive rain have been and are expected to grow increasingly severe. Such weather patterns create the most dangerous conditions for flooding and mudslides, decreasing soil permeability and subsequently its ability to absorb rainfall. That is to say nothing of the impact development--sidewalks, roadways, buildings, and other soild barriers--has on the land's ability to absorb rainfall.

139-9 Additionally, throughout the Central valley over the past decade we have seen aquifers drain and collapse, causing significant sinking and settling within the valley such that it has made national headlines. Without those aquifers, there is yet further reduced capacity for rainfall to be absorbed by the environment throughout the region, increasing flooding risk and the need for additional and more advanced water management systems. Davis cannot simply narrow its

**139-9 Cont.** assessment to the immediate region of development, it must also consider the broader impact of climate change on the surrounding area and how changes to the proposed development site fits into that picture.

**139-10** **Destruction of nearly 1,000 mature trees:** The project proposes to remove 952 existing mature trees throughout the development site. These trees currently provide important environmental benefits, and it will take many years--as much as decades--for new trees planted as part of Village Farms to grow to a maturity and attain the same environmental impact and benefit the present trees provide: air purification, erosion protection, and flood risk reduction, among others. In the interim, the floodplain will be left without vital protections, and the habitats of dozens of animal species will be destroyed, including endangered species and species of special concern native to the region which utilize the fields and Channel A wildlife area as a habitat.

**139-11** **Sensitive ecological areas inadequately protected:** Vernal pools exist on the development site - an ecologically vital and incredibly sensitive endangered wetland habitat protected by both state and federal laws. The state is taking active efforts to revitalize California's vernal pools, as we have lost the vast majority of vernal pools over centuries due to agricultural and urban expansion. Per California Fish and Game: "Estimates suggest that close to 90 percent or more of the vernal pool habitat in the Central Valley and in other parts of the state has been lost. Recent studies have documented continuing vernal pool habitat loss in recent decades, with over 13 percent of the remaining Central Valley vernal pool habitat (137,100 acres) being lost from baseline conditions in 1976-1995 to the conditions in 2005. Agriculture and development have also altered the hydrology of land surrounding vernal pools, increasing erosion and runoff and contributing harmful pesticides and fertilizers."

Vernal pools are home to dozens of species of animal and plant life endemic to vernal pools, also protected by state and federal laws, including the vernal pool tadpole shrimp (a species home to the Sacramento Valley specifically--the location of this site constitutes "ground zero" for this species' eroding habitat), and rare native plant species including the alkali milk metch (Astragalus tener var. tener) and the San Joaquin spearscale (Extriplex joaquinana). Vernal pools are wetland habitats, and wetland habitats are defined by their delicate relationship with the water table and runoff--all things proposed to be significantly altered by Village Farms. Alteration to nearby hydrology is one of the top three factors responsible for the destruction of vernal pools. Scientific understanding and historical examples both indicate that development on this site and alterations to its existing hydrology--even if the immediate area surrounding the vernal pools is left untouched--is likely to significantly endanger if not outright destroy those vernal pools. It will take a far more involved effort in hydrological and environmental study than the developer has thus far engaged in to determine whether development on this site can adhere to existing protections to preserve this sensitive habitat.

**139-12** **Dangerous toxins present at development site:** The potential for adverse health effects caused by toxins present at the proposed development site is nothing short of staggering. Toxins present and recorded in excess of safe limits, many seeping from the unlined old city landfill to the north, include:

- Arsenic

  *Chronic exposure can lead to heart disease and cancer.*

- PFAs or "forever chemicals"

  *Chronic exposure can lead to high cholesterol, ulcerative colitis, thyroid disease, testicular cancer, liver damage, kidney cancer, male infertility and low sperm count, developmental effects in unborn children, reduced response to vaccines, low birth weight, breast cancer, obesity, and increased miscarriage risk.*

- Toxaphene

  *Exposure can lead to damage to the kidneys, lungs, and central nervous sytem, can cause seizures and respiratory failure as a result of seizures, and cause cancer.*

- High lead levels

139-13 *Research has shown there to be no safe level of lead exposure. Lead can cross the blood-brain barrier and casue extensive damage to all systems of the body and internal organs, with particularly significant impacts on the physiological and cognitive development in children.*

139-14 Moreover, the developer seeks to utilize on-site soil contaminated with these toxins to level and develop Village Farms as far south as the proposed placement of Heritage Park along Covell, placing those toxins within immediate reach and effect of countless individuals, including many vulnerable groups: children, pregnant women, the elderly. Additionally, endangered and at-risk bird species which travel the flyway are likely to be drawn to the plan's ponds, parks, nature preserves, and drainage channels, which are estimated to become further toxified by the proposal to deepen the drainage channels (to accommodate increased rainwater and runoff necessitated by developing on a floodplain) which may draw those toxins from the groundwater into the surface water. This poses yet another risk in carrying those toxins along drainage channels throughout the surrounding area, affecting Wildhorse, La Buena Vida, and ultimately posing a risk to the nearby wetlands and the countless sensitive habitats present there, a mere 6.5 miles away.

**FINANCIAL RISKS AND COMMUNITY BURDENS**

139-15 **City liability for flooding:** It does not take exceptionally severe flooding to cause extensive and costly damage to structures and property. The existing flood risks alone, should the worst come to fruition, would be more than sufficient to cause extensive damage and provide ample grounds for a lawsuit against the city (which has been informed of the presence of the floodplain and its potential risks with regard to this development). That is to say nothing of larger risks posed by historically unprecedented climate disasters caused by climate change.

**It's happened before:** I have personal experience with the type of waterflow mitigation this development seeks to employ, and can attest that the measures proposed by this project are dramatically insufficient. I grew up in Bianchi Estates in Roseville between 2001-2009, a small rural community along Baseline Road with a natural creek running through half of the properties, meeting with the Dry Creek Walerga Road Tributary several miles to the west. Across Baseline, a housing development (Junction West, part of the Woodcreek Oaks development) was built in 2002, and to accommodate the water runoff caused by the development a drainage basin was built along Baseline Road. The runoff would accumulate there before passing through a drainage tunnel under the road into the creek running through Bianchi Estates. Every winter, without fail, the drainage basin would fill completely and the runoff sent through the Bianchi Estates creek would flood every property it passed through. The degree of flooding and the property damage done was significant. Every winter I and my family spent long nights out in the pouring rain paling and sandbagging to keep water from reaching the house--and this was with the addition of three foot tall berms separating the creek from the home, and a gravel drainage trough behind it with automatic water pumps to reroute water away from the house.

139-16 Problems often compounded: Storms caused power outages which made the pumps inoperable, causing rainwater buildup behind the berms. When sections up-creek accumulated debris, or if debris accumulated within the drainage basin across Baseline, it would often cause blockages on properties worsening the flooding. The floodwaters--often extending 20-60 feet beyond the bounds of the creek bed--would damage lawn and landscaping, cause rotting at the base of fence posts, and weaken the soil around tree roots making them more susceptible to uprooting in seasonal winter winds. On several occasions both young and mature trees were uprooted due to soggy soil and strong winds, amounting to thousands of dollars in damages and losses. While my parents did not actively pursue a lawsuit against the City of Roseville, it was common conversation among residents within the neighborhood angry at the development choices of Junction West which offloaded its problems onto existing adjacent properties, ultimately solving none of them.

It is important to note that Bianchi Estates and Junction West are not developments positioned on any kind of floodplain. The land upon which these neighborhoods were built was otherwise prime development land. Moreover, these floods and flood-related problems occurred a decade before significant changes to weather patterns due to climate change were recorded in the area. Like Village Farms, Junction West did the bare minimum required to assess

**139-16 Cont.** environmental risk factors and suitability, and like Village Farms, Junction West significantly underestimated the impacts of the development on local hydrology. However, unlike Junction West, Village Farms seeks to develop on land far, far riskier, at a time when environmental factors are dramatically more extreme and significantly less predictable.

**City liability for toxins:** The city may also find itself liable for copious toxins that will be present on the development site, and the countless ways those toxins could affect both the permanent residents of Village Farms and visitors to the many public spaces the development seeks to add to the city. The ways in which these toxins may reach people, despite any mitigation efforts taken, number in the dozens: absorbed through direct contact with contaminated water or soil; inhaled when, in the summer months, dry soil becomes airborne dust; absorbed by vegetable gardens or fruit trees homeowners seeks to grow either for personal enjoyment or to combat rising food prices, and ingested directly.

**139-17** The toxins present are among some of the most dangerous to the healthy and functional development children, both physically and cognitively. The illnesses these toxins can cause are the kind that bankrupt families when they do not instead simply cause devastating cancers or untimely deaths. Knowingly building on such toxic ground is more than sufficient cause for a lawsuit against the city when those toxins inevitably affect families--and is a type of lawsuit well within historical precedent for litigants to win.

**Increased costs to homebuyers:** Due to the presence of a Zone A floodplain, flood insurance mandates by mortgage companies will increase the cost of purchasing and maintaining properties on the proposed development site significantly. It is well established both within the city and the state of California that we are experiencing not simply a housing crisis but an affordable housing crisis. **139-18**

**Needless and large-scale risks:** Under the second Trump administration the US economy has suffered massive blows in only a few short weeks: the firing of 200,000+ federal employees, staggering cuts to federal expenditures, and a level of political instability the likes of which our country has never before seen and which further threatens the fiscal security of the nation. That is to say nothing of the private sector in the past six months alone: 20,000+ jobs lost among nationwide employers, stagnating wages, and the permanent replacement of workers with AI and other automated technologies. These are blows which will and already are reverberating throughout the nation, throughout California, and throughout Davis. Good jobs grow scarcer, the cost of living is skyrocketing, resources are diminishing, and more and more people find themselves without work. These are large, complex, foundational problems that will not be solved anytime in the near future. This is the absolute last time the City of Davis should be considering large-scale projects with so many unadulterated risks and needless costs, not only to the city but the prospective home buyer the project is allegedly intended to help. **139-19**

--
Kirstin Adams-Bimson
adams.kirstin@gmail.com
(530) 574-7754

## LETTER 139: KIRSTIN ADAMS-BIMSON

**Response to Comment 139-1**
Please see Master Response 1.

**Response to Comment 139-2**
Please see Master Response 5.

**Response to Comment 139-3**
Please see Master Response 5.

**Response to Comment 139-4**
Please see Master Response 1.

**Response to Comment 139-5**
Please see Master Response 1. Potential impacts related to transit facilities are discussed under Impact 4.13-3 within the Draft EIR.

**Response to Comment 139-6**
Please see Master Responses 5 and 6.

**Response to Comment 139-7**
Please see Response to Comment 47-1.

**Response to Comment 139-8**
Please see Master Response 4.

**Response to Comment 139-9**
Please see Master Response 1. The Draft EIR evaluated potential impacts related to groundwater recharge under Impact 4.8-3 within Chapter 4.8, Hydrology and Water Quality, of the Draft EIR.

**Response to Comment 139-10**
Please see Master Response 7.

**Response to Comment 139-11**
Please see Master Response 7.

**Response to Comment 139-12**
Please see Master Response 3.

**Response to Comment 139-13**
Please see Master Response 3.

**Response to Comment 139-14**
Please see Master Response 3.

**Response to Comment 139-15**
Please see Master Response 4.

**Response to Comment 139-16**
Please see Master Responses 1 and 4.

**Response to Comment 139-17**
Please see Master Response 3.

**Response to Comment 139-18**
Please see Master Response 1.

**Response to Comment 139-19**
Please see Master Response 1.

**Letter 140**

Kyle Elshoff, Junior Specialist
861 Lake Terrace Circle
Davis, CA 95616
(661) 877-5671
kcelshoff@ucdavis.edu

Dara Dungworth, Principal Planner
City of Davis Department of Community Development
23 Russell Boulevard, Suite 2
Davis, CA 95616
ddungworth@cityofdavis.org

Re: Comment in Support of BRPA for Village Farms Davis Project Based on DEIR (SCH #2023110006)

To Dara Dungworth,

My name is Kyle Elshoff, and I live in West Davis and work at UC Davis in the Department of Evolution and Ecology. I strongly support the proposed Biological Resource Preservation Alternative (BRPA) over the original Village Farms Davis Proposed Project because it will provide 1,800 homes to supplement the City's housing supply (equal to the original Proposed Project) and at the same time conserve 47.1 acres of rare Alkali Playa and Alkali Wetland habitat, protect a federally-listed endangered and other threatened species, and provide environmental stewardship and engagement opportunities to the local community.

140-1

Chapter 4.4 (Biological Resources) of the Village Farms Davis Project DEIR makes it clear that the BRPA is the best development option. It will explicitly conserve 47.1 acres of Alkali Playa and Wetland habitat and avoid or diminish many of the significant and unavoidable biological impacts of the original Proposed Project. Under the BRPA, the federally endangered Vernal Pool Tadpole Shrimp (*Lepidurus packardi*), rare plants like Alkali Milkvetch (*Astragalus tener* var. *tener*) and San Joaquin Spearscale (*Extriplex joaquinana*), and the state-listed Swainson's Hawk (*Buteo swainsoni*) will continue to thrive and provide valuable biological services to the ecosystem and to City residents. Lastly and though not explicitly addressed in the BRPA Project Description, it is my hope that the conserved habitat will be **stewarded with scientifically sound grassland management practices such as grazing or mowing** and will be **accessible to the local community through wildlife viewing areas**. Stewardship and wildlife viewing areas will enhance and showcase the area's biological resources (Marty, 2015) and actively engage the local community with their environment. Clearly, the BRPA meets the needs of Davis's human population and those of our non-human neighbors and is the ideal outcome of the Village Farms Davis Project.

Lastly, it is notable that the BRPA's conserved natural habitat area contains unique and threatened wetland systems known as vernal pools, 90% of which have been lost in recent history due to human habitat alteration (Gordon et al., 2012). In my view, the Village Farms Davis Project presents an opportunity to buck this unfortunate historical trend, and the BRPA is the clear way to achieve it. I strongly support implementing the Biological Resource Preservation Alternative for the Village Farms Davis Project.

Sincerely,

Kyle Elshoff
B.A. Evolution, Ecology, and Biodiversity, UC Davis
Junior Specialist, Department of Evolution and Ecology, UC Davis
Certified UC California Naturalist

**Letter 140 Cont.**

References:

Gordon, S.P., Sloop, C.M., Davis, H.G. et al. (2012). Population genetic diversity and structure of two rare vernal pool grasses in central California. *Conserv. Genet. 13*, 117–130. https://doi.org/10.1007/s10592-011-0269-y

Marty, J.T. (2015), Loss of biodiversity and hydrologic function in seasonal wetlands persists over 10 years of livestock grazing removal. *Restor. Ecol., 23*: 548-554. https://doi.org/10.1111/rec.12226

## LETTER 140: KYLE ELSHOFF

### Response to Comment 140-1

Please see Master Response 1.

**Letter 141**

**Dara Dungworth**

**From:** Larry Dicke <lawrence.dicke@sbcglobal.net>
**Sent:** Monday, January 13, 2025 10:57 AM
**To:** Dara Dungworth
**Cc:** City Council Members
**Subject:** Village Farms Davis Project

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara,

**141-1** I will review the Draft EIR in detail and provide comments. That said, the City of Davis should be focused on timely maintenance of the current greenbelt and parks, not adding parcels that will not be maintained in the future.

Regards,

Larry Dicke

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## LETTER 141: LARRY DICKE

### Response to Comment 141-1

Please see Master Response 1.

**Letter 142**

**Dara Dungworth**

**From:** Larry Strozyk <larrystrozyk@alohabroadband.com>
**Sent:** Monday, February 24, 2025 9:18 PM
**To:** Dara Dungworth
**Subject:** Opposition to Village Farms Project

**Categories:** VFD Comment

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Hello,

**142-1** I am writing to you today to express my deep concern over the Village Farms Development being built on a flood plain and on land that is poisoned with pfafs and other chemicals. It is a terrible idea that a housing development this size on land that will make people sick would even be considered. Keep in mind the greenhouse emissions that would be caused from all of the traffic that a development of this size would create. The Village Farms Development should not be allowed.

Larry Strozyk
Sent from my iPhone

## LETTER 142: LARRY STROZYK

### Response to Comment 142-1

Please see Master Responses 1, 3 and 4, as well as Response to Comment 47-1.

**Letter 143**

February 23, 2025

To whom it may concern:

I am writing to express some of my concerns about the proposed Village Farms housing project. I understand that there is a need for more housing in Davis, but I would like to urge the Commission and Council to consider alternative visions for this project that would lessen some of the serious issues associated with the proposed plan.

**143-1** **How much new housing do we actually need?** One reason that has been given for voters to support new housing in Davis is that since the city is apparently not in compliance with state law regarding the number of new housing units that are needed, the state will make the decisions for us. Yet, according to the 2021-2029 Housing Element update* the city of Davis has a "Regional Housing Needs Allocation" of 2075 housing units for the 2021-2029 cycle, of which over half must be low to moderate income units. However, the current list of proposed Davis housing projects, which includes Village Farms, along with recently approved developments, would provide much more than what the state seems to require. This suggests that we do not really need over 1800 new units in Village Farms.

**143-2** **Flood plain**:At least some of the area under consideration for Village Farms is part of the floodplain that protects much of north Davis from major flooding. Water that would now be absorbed by the open land, would have to go elsewhere, and it is not clear where that would be. Climate change is increasing the probability that there will be major flooding in our area in the future, and we need to plan ahead in order to mitigate the risk of such an event. Paving over much of the existing floodplain would exacerbate, rather than mitigate, this problem.

**143-3** **Traffic**:There is little doubt that building over 1800 new homes on the proposed site will have major impacts on traffic. Since many of the homes in Village Farms would be relatively far from campus, downtown, shopping etc. there is little doubt that automobile traffic will increase dramatically. The presence of the railroad tracks on the west side of the property means that all traffic must enter and exit via Covell or Pole Line Roads, and the traffic impact on these streets would be significant. We also need to consider how this additional traffic will impact the safety of cyclists who use these routes to get to campus, school, and downtown. The proposed Shriners project would also add automobile and bicycle traffic along the Covell corridor, which makes this matter even more urgent.

**143-4** **Transit:** Despite the obvious impact of this project on traffic, there seems to be no attempt to encourage the use of public transit, (In contrast, one of the objectives of the Shriners project is to facilitate the use of public transit by residents and visitors.) This is not a climate friendly proposal.

**143-5** **Vernal Pools:** I was pleased to see that the developers submitted a modified plan that would avoid disturbing the existing vernal pools. According to the California Fish and Wildlife Department, over 90% of the vernal pool wetlands in California have been lost due to agriculture and urban development. These areas support unique plant and animal species and are now protected by state law. At times, the vernal pools in the proposed Village Farms area have hosted hundreds of water birds, including a variety of species. I strongly support the modified plan.

**143-6** In sum, it seems that going ahead with the full Village Farms project at this time is ill advised, and instead I think that it would make more sense for the city to approve a much more limited project to see what the impact is on the environment and on traffic.

Thank you for your consideration

Laura Eisen,
1013 Pierce Lane, Davis
eisenlaurap@gmail.com

* https://www.cityofdavis.org/city-hall/community-development-and-sustainability/planning-and-zoning/housing-element-rezone-sites

## LETTER 143: LAURA EISEN

### Response to Comment 143-1
Please see Master Response 1.

### Response to Comment 143-2
Please see Master Response 4.

### Response to Comment 143-3
Please see Master Response 5.

### Response to Comment 143-4
Please see Response to Comment 113-5.

### Response to Comment 143-5
The comment expresses support of the BRPA. Please see Master Response 1.

### Response to Comment 143-6
Please see Master Response 1.

**Letter 144**

**Dara Dungworth**

**From:** Lawrence Shweky <lshweky@yahoo.com>
**Sent:** Thursday, February 20, 2025 8:09 AM
**To:** Dara Dungworth
**Cc:** hoa@boschkenproperties.com; Maria DeSousa; Val Sheehan
**Subject:** Village Homes and Cannery

**Categories:** VFD Comment

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144-1 I am generally happy that the City is looking at the Village Homes development as a way of increasing housing in Davis without adding sprawl. However, I am highly upset at the proposal to link the two developments with a road that runs through the Cannery Urban Farm. I am an original homeowner in the Cannery and it was sold to us as a Farm to Fork development with many features that are still unfulfilled. The farm itself never developed in the way that it was supposed to and the Marketplace sits there as an urban eyesore of overgrown weeds. I understand the challenges in developing these spaces, but these are significant aspects of what was supposed to make the

144-2 Cannery a special place. While we have waited patiently for almost a decade for movement on these areas, you now propose to put a road through the farm and use the Cannery as a throughway to J Street. It is wrong on so many levels I can hardly begin to capture it in this email. The Village Homes development is large enough that it can figure out its own problems without encroaching on the Cannery, which has obvious problems of its own. Honestly, it is appalling that you are considering this instead of making good on the promises that were made to Cannery owners many years ago.

Lawrence Shweky
927 Woodbury Lane

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## LETTER 144: LAWRENCE SHWEKY

### Response to Comment 144-1
Please see Master Response 1.

### Response to Comment 144-2
Please see Master Response 5.

**Letter 145**

**Dara Dungworth**

**From:** Leng Caine <lcaine@msn.com>
**Sent:** Wednesday, February 12, 2025 10:35 AM
**To:** Planning Commission
**Subject:** About village farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Planning Commission,

As a Cannery resident, my three primary concerns with the proposed Village Farms project are below:

**145-1** 1. Disruption/damage to The Cannery Urban Farm. The EIR proposes paving a high-traffic road through the middle of our urban farm in order to connect the highest-density portion of the proposed development to our Cannery traffic circle. As imagined, designed, and built, The Cannery was sold to us as having an urban farm, and it is an essential portion of our community. Allowing such blatant disruption of the farm would run contrary to the concept of the The Cannery homes that our residents bought in to.

**145-2** 2. Traffic safety concerns related to our already unsafe narrow roads. The EIR study by GHD indicates that the relevant portion of Cannery Loop currently carries 970 average daily trips, and the study expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farm, this would create unacceptable safety hazards, especially to our vulnerable elderly and child residents.

**145-3** 3. Disproportionate noise impacts to The Cannery neighborhood. From a review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

For the reasons above, I urge our City leaders to rethink the proposal and to incorporate the wellbeing and safety of The Cannery community into any analysis on the topic.

Leng Caine
a Cannery resident

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## LETTER 145: LENG CAINE

### Response to Comment 145-1
Please see Responses to Comments 17-2 and 17-3.

### Response to Comment 145-2
Please see Response to Comment 17-6.

### Response to Comment 145-3
Please see Response to Comment 17-8.

**Letter 146**

**Dara Dungworth**

**From:** LES PORTELLO <lpalmond@aol.com>
**Sent:** Monday, February 24, 2025 12:37 PM
**To:** Dara Dungworth
**Subject:** Village farms DEIR

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Sent from my iPhone

I am concerned about the failure of the Village Farms DEIR to consider several issues that are relevant to the health and welfare and financial future of the city and its citizens.

**146-1** First is the potential underground hazard from the old Davis dump. This hazard could exhibit as both underground water pollution and surfacing toxic emissions.

**146-2** Second is the failure to address the potential of future flooding in the area designated as flood plain.

**146-3** Third is the violation of the City's climate change plans and goals for clean air as a result of more vehicle emissions as more vehicles back up on Covell and on Road 102, which already are congested much of the day.

**146-4** My forth concern with the DEIR is the failure to consider how the increase in the need for City services will be paid for and the how the projected cost of that demand will affect delivery of heath and welfare services to the rest of the town. Continued growth has impacted the City's urban forest and greenbelt work and road maintenance. Failure to prune city trees has already subjected the City to a multi-million dollar liability from a tree limb fatality at a city park.

Any expansion plans such as Village Farms should include a means of paying for adequate funding of costs associated with that expansion based on a sound analysis of future revenue and costs. I don't see that in the DEIR. History and the present fiscal status of the City indicates this has not been done properly in the past and the DEIR for Village Farms appears to suffer from the same deficiency.

Thank you.

Les Portello
2721 Anza Ave
530-756-0842

## LETTER 146: LES PORTELLO

### Response to Comment 146-1
Please see Master Response 3.

### Response to Comment 146-2
Please see Master Response 4.

### Response to Comment 146-3
Please see Response to Comment 47-1 and 11-21.

### Response to Comment 146-4
Please see Master Response 1.

**Letter 147**

**Dara Dungworth**

**From:** Leslyn Skog <lesjskog@gmail.com>
**Sent:** Monday, February 24, 2025 8:25 AM
**To:** Dara Dungworth
**Subject:** Village Farms DEIR comments

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

To whom it may concern (Planning Commision and others);

147-1 I do not believe that the site proposed for 1800 units called "Village Farms" is appropriate for more development. I particularly object to the units north of the Cannery which border the railroad tracks. There will be for those units no vehicle access to the South where homes stand in the way, to the North due to toxics issues, and particularly to the West where the railroad tracks are in the way. Putting more homes in this boxed-in location is just asking for bottlenecked traffic. I do not believe that bus access (poor in Davis unless you want to go to the University) will draw enough of the daily vehicle trips to make a difference. It is simply wishful thinking to believe that many people will travel by bus. The vehicle traffic will add to the already difficult Pole Line/Covell Blvd. intersection's problems. This development is too large for the access problems, and vehicle, bicycle and pedestrian movement will be severely impacted. The developer has not proposed to pay for any access over the railroad tracks, so to me this idea of building more homes bordering the tracks is dead on arrival.

147-2 A second problem is that the houses are too large and expensive for Davis's needs. We are having trouble finding enough children to fill our schools, and already are allowing children to come in from outside of the area that is covered by extra school taxes. We need young families! Smaller and less expensive homes, as well as multi-family units, would be what we need in any development that is approved. My understanding is that we are not currently in need of more housing to fulfill regional requirements. We can afford to take our time and build what we truly need.

147-3 I would like to draw the attention of all city officials to a recent New York Times article that illustrates the difficulty of promising fire engines for the proposed new fire department.

Here is the link:
https://www.nytimes.com/2025/02/17/us/fire-engines-shortage-private-equity.html?smid=url-share

Obviously, the increased costs and years-long wait times for fire engines right now makes this Village Farms Fire Station proposal unlikely to come to fruition. What is far more practical and cost-effective would be for Davis to have an EMT station for medical emergencies. When an elderly woman at my church felt faint and needed to lie down, was a fire truck needed? No, just medical personnel to check her out. Fire trucks should be used only for fires, not for medical emergencies.

Thank you for your attention to these comments.

- Leslyn Skog, 1247 Menlo Drive, Davis, CA 95616

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## LETTER 147: LESLYN SKOG

### Response to Comment 147-1
Please see Master Response 5.

### Response to Comment 147-2
Please see Master Response 1.

### Response to Comment 147-3
Please see Response to Comment 75-51.

**Letter 148**

**Dara Dungworth**

**From:** Liqin Liu <sunshinewater8@gmail.com>
**Sent:** Saturday, February 22, 2025 4:00 PM
**To:** Dara Dungworth
**Subject:** Concerns Regarding Village Farms Development

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

I am writing to express concerns about the potential impacts of the Village Farms development on our community. Specifically, I am worried about the following:

148-1

1. Significant changes to The Cannery Urban Farm that could alter its character and function.

148-2

2. Traffic safety concerns for residents of The Cannery neighborhood.

148-3

3. Increased noise levels during and after construction that may disproportionately affect our community.

148-4

As our review of the project continues, we reserve the right to raise additional concerns. I appreciate your time and consideration and look forward to further discussions on this matter.

Sincerely,
Liqin Liu

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## LETTER 148: LIQIN LIU

### Response to Comment 148-1
Please see Master Response 5.

### Response to Comment 148-2
Please see Master Response 5.

### Response to Comment 148-3
Noise increases during project construction and operation are addressed in Chapter 4.10, Noise. Please see Master Response 1.

### Response to Comment 148-3
Please see Master Response 1.

**Letter 149**

**Dara Dungworth**

**From:** Elizabeth Reay <ereay58@outlook.com>
**Sent:** Monday, February 10, 2025 4:43 PM
**To:** Planning Commission
**Subject:** Comments on DRAFT EIR for Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Planning Commission Members;

Below are my comments on the DEIR for Village Farms:

1. This project, a rehash of the Covell Village project, received a resounding "No!" vote from this group in 2005.

1. This project is being built on 200 acres of flood plain. FEMA rates this flood Zone A, which has a 25% chance of flooding within a 30 year mortgage. The odds will not be in your favor for Re-engineering a 400 acre farm land, that is currently absorbing excess rainwater, and few engineers have experience with potential catastrophic flooding. And California is now experiencing extreme drought and extreme atmospheric rivers that have caused catastrophic flooding in the central valley (Natomas, Mace Ranch [poorly designed flood control resulting in City of Davis being sued and having to buy 700 acre Howat Ranch to use as flood control], Tulare). With our federal government being dismantled as we speak, we can predict that there will be no funds for levee or dam maintenance or repair so any projects that build on flood plains will be vulnerable and possibly not be able to be insured. Further, all the homes may require additional flood insurance, adding to the costs for new homeowners. Where will the developer be when this happens??

149-1

1. 2. This project has no confirmed overpass or underpass for school children travelling on bikes to and from schools at F St, Covell or Pole Line road. It is very unlikely that there will be an overcrossing at F st due to the railroad tracks. However the EIR still presents no answer about a Pole line undercrossing. Why not?? The developer should have the answer by now as the developer has had 20 years to address this problem. This EIR is seriously inadequate by not providing this critical information. The amount of additional traffic that this development will create from parents getting their kids to and from schools each day will be staggering as there are zero schools or daycare centers planned within the site. This creates very unsafe conditions for young children to travel by bike across Pole Line or Covell. The developer claims that the Cannery railroad underpass can be used, but this is not remotely adequate and that underpass is over a mile away, as the crow flies, from the northern part of the development. There has already been a death at the corner of Covell and Pole Line. Ellie Gerhardy died while riding her bicycle on July 16, 1997.

149-2

**Letter 149 Cont.**

**149-3**

1. 3. This current version of Covell Village is demanding that 952 mature trees be removed from the site to make room for a reworked ditch. Virtually 77% of the mature trees on the property are being felled for this project. This is a LOT of nesting habitat for hawks (Swainson's, Redtail and Kites) that is being ruthlessly eliminated from this site for a superfluous reasons. Swainson's hawks are a state endangered species that favor lone trees in agricultural pastures. Pairs build nests in tall, older trees, near the top of the tree. This will be a massive loss of mature trees and will have immense effects on habitat and environment. This is unacceptable.

**149-4**

1. 4. They are proposing to remove dirt from the UATA land which has very high levels of arsenic to try and fill in the flood plain. This UATA (urban ag transition area) site is directly adjacent to the unlined old city landfill that has toxics issues as well. After 10 ft of soil (from the UATA area) is removed, there will be a huge pit in the ground where runoff from the old landfill will collect, soak in the ground, and potentially further contaminate the groundwater. It is a terrible idea to use arsenic contaminated soil to fill in a flood plain.

**149-5**

1. 5. The old unlined city landfill monitoring wells have been tested and have high levels of PFASs "forever chemicals" , and manganese, coming from the landfill exceeding maximum concentration levels allowed. Would the Village Farms residents be informed about the potential dangers?? Will they have to sign NDAs and promise never to sue the developers, his heirs or the city? What happens if the City has to take on the liability of this site...you guessed it...everyone ELSE pays for this and never the developer. We need to require that the developers, and all heirs, assume all legal liability for the foreseeable future regarding the Village Farms project.

**149-6**

1. 6. The proposed fire station is not necessary because the vast majority of fire station calls are medical related, not fire related. Instead, what makes much more sense, is an emergency medical station which could be located almost anywhere in East Davis. The costs of a new fire station and it's long term expenses, is enormous. It is a huge expense to build, equip, staff and operate long term. A fire station is a long term and very expensive cost for everyone in Davis. The emergency medical concept has been advocated by the general public for years.

**149-7**

1. 7. Additionally, the proposed Heritage Oak Park will be located at the corner of Pole line and Covell where there will be the most amount of air exhaust exposure for children and their family members. This will severely affect children's lung health. Also, there are high levels of Lead and Toxaphene in the soil at this site.

**149-8**

1. 8. This DEIR is woefully deficient in many details and information such as the feasibility of the Pole Line Road undercrossing and how it could be paid for. Why has this not been determined after 20 years? This is a critical component needed by the project. Further, the developer has not committed to paying for it, if feasible. The developer needs to pay for all the infrastructure that will be required to mitigate the effects of this gargantuan project.

**149-9**

1. 9. CEQA requires that the alternatives have lesser impacts, yet all of the alternatives are 1,800 units or more, except the "No project" alternative and the original 1,395-unit project which had

2

**Letter 149 Cont.**

**149-9 Cont.**

a very similar layout to the 1,800 unit Proposed Project that the developer had the DEIR analyze first.

1. 10. There is absolutely no consideration of the proposed alternative to developing the entire parcel: build only below Channel A, an alternative that has been ignored. The DEIR should have included analyzing building only below Channel A, preserving the vernal pools and reducing the housing units to a reasonable number. This design avoids the bulk of the flood plain, and moves housing much further away from the Old City Landfill and Sewage Treatment Plant toxics leakage.

**149-10**

**149-11**

1. 11. Finally, Davis voters have completely rejected this massive project in 2005 at the ballot box.

1.

Thank you for your time;

Liz Reay, M.S., RBP (retired)
ereay58@outlook.com
530-902-3248

## LETTER 149: LIZ REAY (LETTER 1 OF 2, 02/10/25)

**Response to Comment 149-1**
Please see Master Responses 1 and 4.

**Response to Comment 149-2**
Please see Master Response 6.

**Response to Comment 149-3**
Please see Master Response 7.

**Response to Comment 149-4**
Please see Master Response 3.

**Response to Comment 149-5**
Please see Master Response 3.

**Response to Comment 149-6**
Please see Response to Comment 75-51.

**Response to Comment 149-7**
Please see Master Response 3, as well as Response to Comment 47-1.

**Response to Comment 149-8**
Please see Master Response 6.

**Response to Comment 149-9**
Please see Master Response 2.

**Response to Comment 149-10**
Please see Master Response 2.

**Response to Comment 149-11**
Please see Master Response 1.

**Letter 150**

**Dara Dungworth**

**From:** Elizabeth Reay <ereay58@outlook.com>
**Sent:** Saturday, February 22, 2025 3:13 PM
**To:** Dara Dungworth
**Subject:** DEIR for Village Farms Development Project
**Attachments:** Village Farms Planning Commission DEIR COmments E Reay 2-22-2025.docx

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Please find attached my comments and objections concerning the DEIR for Village Farms: This project WAS VOTED down by Davis voters in 2005. After 20 years of opportunity to fix issues the project returns with few changes .

150-1

1. This project is being built on over 200 acres of flood plain. Let's remember: Mace Ranch had poorly designed flood control resulting in City of Davis being sued and having to buy 700 acre Howat Ranch to use as flood control. All the homes may require additional flood insurance, adding to the costs for new homeowners.

150-2

2. This project has no confirmed overpass or underpass at F St, Covell or Pole Line road for school children travelling on bikes to and from schools. The EIR still presents no answer about a Pole line undercrossing. Why not?? The developer should have the answer by now as the developer has had 20 years to address this problem.

150-3

3. The developer will be removing 77% of the mature trees. This is nesting habitat for Swainson's Hawks, Redtails and Kites. Swainson's hawks are a state endangered species that favor trees in agricultural pastures. This will be a massive loss of mature trees and will have immense effects on habitat and environment. This is unacceptable.

150-4

4. They are removing massive amounts of dirt from the urban ag transition area, which has very high levels of arsenic, to fill in the flood plain. This area is directly adjacent to the unlined old city landfill that has toxics issues as well. It is a terrible idea to use arsenic contaminated soil to fill in a flood plain and create potential for leeching more toxics into the water table.

150-5

5. The old unlined city landfill has leaked high levels of "forever chemicals" exceeding maximum concentration levels allowed. Would the Village Farms residents be informed about the potential dangers?? Sign NDAs?? What happens if the City has to take on the liability of this site...you guessed it...everyone ELSE pays but not the developer. Require that the developers, and all heirs, assume all legal liability for the foreseeable future regarding the Village Farms project.

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**Letter 150 Cont.**

**150-6**

6. The proposed fire station is not necessary. The vast majority of fire station calls are medical calls, NOT fire related. An emergency medical station is more useful and could be located almost anywhere in East Davis.

**150-7**

7. The proposed Heritage Oak Park will be located at the corner of Pole line and Covell where there will be the most amount of traffic and air exhaust exposure for children. There are also high levels of Lead and Toxaphene in the soil at this site where kids will be playing in the dirt.

**150-8**

8. The DEIR needs to include analyzing building only below Channel A, preserving the vernal pools and reducing the housing units to a reasonable number. This design avoids the bulk of the flood plain, and moves housing much further away from the Old City Landfill and Sewage Treatment Plant toxics leakage.

**150-9**

9. Lastly, the "affordable housing" will NOT be affordable for UC workers. Small houses priced at over $700K or $800K is not very affordable for staff workers. If the developers are targeting UC staff, they will need to have units that are much more affordable.

Liz Reay, M.S., RBP (retired)
ereay58@outlook.com
530-902-3248

## LETTER 150: LIZ REAY (LETTER 2 OF 2, 02/22/25)

**Response to Comment 150-1**
Please see Response to Comment 149-1.

**Response to Comment 150-2**
Please see Response to Comment 149-2.

**Response to Comment 150-3**
Please see Response to Comment 149-3.

**Response to Comment 150-4**
Please see Response to Comment 149-4.

**Response to Comment 150-5**
Please see Response to Comment 149-5.

**Response to Comment 150-6**
Please see Response to Comment 149-6.

**Response to Comment 150-7**
Please see Response to Comment 149-7.

**Response to Comment 150-8**
Please see Response to Comment 149-10.

**Response to Comment 150-9**
Please see Master Response 1.

**Letter 151**

**Dara Dungworth**

**From:** Lorena Akerman <lorena.akerman@gmail.com>
**Sent:** Friday, February 21, 2025 9:17 AM
**To:** Dara Dungworth
**Subject:** Village Farms - Negative Impact

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Good morning Dara,

**151-1** I hope this email finds you well. As a mother of two young children, a Cannery Resident and Registered Dietitian I have summarized my concerns for the construction of Village Farms below.

**Traffic** - I am very concerned about the traffic impacts both on Pole Line & CoveW and the connecting street to Cannery Loop. A considerable percentage of drivers (residents, amazon trucks, Lyft and Uber drivers, door dash, etc.) will choose to cut through the cannery to get on to westbound covell from Village Farms. This puts undue traffic pressure on an existing smaller, dense neighborhood and puts lives at risk since the proposed roadway crosses a bike/walk path kids use to ride to school.

**151-2** There are countless pedestrians including children who use the Cannery Loop for recreation and transportation to school and work. Daily, I see young children (as young as 5 years old) riding their bikes/scooters and crossing streets (many without looking for traffic).

Linking Village Farms to The Cannery will drastically increase congestion and the number of drivers through the Cannery community. An increased number of vehicles will increase the likelihood of **injury and fatal accidents** in the children, elderly and overall residents of the Cannery.

**151-3** **Soil Toxics** - There are known toxins PFAS/forever chemicals in the soil near the old landfill and throughout the project. Digging for this construction will send contaminated dirt onto neighborhoods, soccer fields, preschools, etc. Montessori Country Day Preschool is steps away from the project and was not considered in the Draft EIR.

Please feel free to reach out if you have any questions.

Thank you,
Lorena

Lorena Akerman MS, RD, CDN, CDCES
(530) 341-7412

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## LETTER 151: LORENA AKERMAN

### Response to Comment 151-1
Please see Master Response 1.

### Response to Comment 151-2
Please see Master Response 5.

### Response to Comment 151-3
Please see Master Response 3.

**Letter 152**

**Dara Dungworth**

**From:** Berman Family <bermfam@gmail.com>
**Sent:** Tuesday, February 25, 2025 1:07 PM
**To:** Dara Dungworth
**Subject:** Serious concerns about Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

February 25, 2025

Dear Ms. Dungworth,

We are writing to express our strong disapproval of the Village Farms project. Researching the details of the project, we are amazed by the sheer number of serious problems that this initiative presents.

**152-1** The following are the most concerning for us and many Davisites:

1) The proposed site abuts an unlined landfill and sewage treatment plant that has a long history of leakage of PFAs (forever chemicals) and other toxins into the groundwater, posing a danger to people who will live in Village Farms.

**152-2** 2) Inadequate response to the City of Davis's affordable housing needs. The majority of planned housing will be over 1 million dollars, instead of the $700k-800k range, leaving working families behind. Even teachers and city workers could not afford those prices.

**152-3** 3) Building 1,800 units on 200 acres of FEMA Zone A Flood Hazard flood plain will inevitably result in enormous flooding complications in the future and probably require VF homeowners to buy flood insurance.

**152-4** 4) The addition of 1,800 units brings traffic issues to an already heavily traveled area. Lacking a viable public transit plan or bicycle/pedestrian access via under or over crossings, the area would be unbearably congested, leading to greater pollution.

**152-5** 5) There will be environmental damage to native plants, wildlife, and habitat and require the removal of 952 trees, further enlarging our carbon footprint.

**152-6** These are the most egregious complications we see with the Village Farms project, but many other questions remain. As residents of Davis for three decades, we recognize the need for more housing in Davis, but the expensive, problematic Davis Farms units are not the answer. Instead, the project will only lead to more problems for the City of Davis and its residents. Please reject the Village Farms plan.

Sincerely,

Lorna Enero Berman and Daniel Berman
1103 Maple Lane
Davis, CA

## LETTER 152: LORNA ENERO BERMAN AND DANIEL BERMAN

**Response to Comment 152-1**
Please see Master Responses 1 and 3.

**Response to Comment 152-2**
Please see Master Response 1.

**Response to Comment 152-3**
Please see Master Response 4.

**Response to Comment 152-4**
Please see Master Responses 5 and 6.

**Response to Comment 152-5**
Please see Master Response 7.

**Response to Comment 152-6**
Please see Master Response 1.

**Letter 153**

**Dara Dungworth**

**From:** Luke W. Reynolds <lwr202@gmail.com>
**Sent:** Thursday, February 20, 2025 8:06 AM
**To:** Dara Dungworth
**Subject:** Comment on Village Farms proposal

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Good morning Dara,

I am a homeowner in the Cannery, 2038 Cannery Loop, Davis, CA 95616.

153-1 I support development of the undeveloped lands. After all, when housing development was first proposed at the Cannery in 2013, there were letters to the editor of the Davis Enterprise with headings such as "The Cannery isnt a Great Fit" -- traffic and noise. Or "Concerns about the Cannery" - traffic, loss of trees/nature. One news site summed it up as "The Cannery project has been controversial from the beginning for many reasons. " We wouldn't be here had policy makers not been willing to say yes in our backyard, as distasteful as it was to many.

The housing will be more helpful than harmful to the local economy.

153-2 That said, many neighbors have raised serious concerns, most concerning to me around traffic safety. I do not feel the EIR adequately plans for the influx of traffic the proposed development would bring. Kids on bikes or otherwise playing and people walking dogs are plentiful in the community.

153-3 If the developer wants to take away the urban farm, given how attached some people are to it, they should propose a new space of equal or greater size to accomplish its purpose.

153-4 I strongly oppose the project being greenlighted until these concerns are worked through. Perhaps a different traffic consultant could be retained to offer ideas. This isn't the first time a community has confronted these challenges and we should do a better job of learning from others.

I hope we can find a way forward that everyone can live with.

Thanks
Luke

## LETTER 153: LUKE REYNOLDS

### Response to Comment 153-1
The comment is noted and does not address the adequacy of the Draft EIR.

### Response to Comment 153-2
Please see Master Response 5.

### Response to Comment 153-3
Please see Master Response 1.

### Response to Comment 153-4
Please see Master Response 1.

**Letter 154**

**Some comments regarding the Village Farms DEIR as it relates to Covell Drain**

154-1

It should be disclosed in the DEIR that there is **no signed maintenance** agreement or tasks in existence for the Wildhorse segment of Covell Drain. The reason this is important is because the **storm water from Village Farms will be emptying into the Wildhorse segment of Covell Drain**. Specifically, there is **no signed copy** of the **perpetual** 2000 Environmental Compliance and Management Plan (ECMP) for Wildhorse Golf Course which assigned maintenance and inspection tasks and responsibilities. That plan, if signed, would have assigned maintenance to the golf course staff and inspection to the staff and city. Eric Spann, deputy public works director, is aware of this **unsigned** ECMP and the **lack of specific assignments for maintenance and inspection of Covell Drain at Wildhorse**.

See the pictures below of the heavily wooded Covell Drain section near Pole Line Road that is of most concern in the ECMP (1 and 2). There is also a picture of the 60 inch drainage pipes from East Davis to draw attention to the importance of maintenance and inspection of Covell Drain at Wildhorse to all of Davis (3). I also include the signature page of the agreement showing that it has not been signed, and the current policy of inspection and maintenance of Channels in Davis from a 2017 Stormwater Evaluation Report of the City of Davis.

The **unsigned** 2000 ECMP for Wildhorse Golf Course contains the following language. Note, EAGL was a former owner, however, this unsigned agreement was meant to be into perpetuity (see picture of signature page below).

Page 1 of ECMP "on an ongoing basis, in perpetuity, ....

Page C-18 of ECMP "**Task F - Remove Accumulated Trash**

Obligation: Remove the accumulated trash in and around the Covell Creek Corridor after upstream agricultural interests have minimized the discharge of water to the drain. This action should be performed annually.

Implementation Action: Wildhorse LLC staff removed trash from Covell Creek in September 1999.
EAGL will frequently monitor Covell Creek and remove accumulated trash.

**Task G - Remove Debris that Poses Flood Risk**

Obligation: **Remove large woody debris** that may significantly constrict the flow of the Covell Creek Corridor and cause flooding on an annual basis. A specific area to monitor includes the outfalls of **two culverts that discharge into the channel on the southern side in the western portion of the project [presumably at Pole Line Road]. These culverts appear to risk becoming obstructed by plant material at the outfalls.** Note: flood improvements to the Covell Creek Corridor were designed to allow for a densely wooded riparian corridor by significantly expanding the flood plain. Additionally, downed woody vegetation is an important component of the developing habitat within the drain. Therefore, this material should be removed only if it

**Letter 154 Cont.**

**154-1 Cont.**

poses a flood threat. **Annual inspection should be conducted each year by EAGL in coordination with the City Flood Control staff and preferably the design engineer (Psomas)**

Implementation Action: Wildhorse LLC staff removed debris that posed a flood risk from Covell Creek in September 1999. EAGL will remove large woody debris that significantly constricts the flow of Covell Creek, consistent with environmental permit requirements. Annual inspections will be coordinated with the City and, preferably, the design engineer."

**In addition to providing responses to the points above, the EIR should also:**

**154-2**

Require that the city successfully enter into a perpetual maintenance agreement with the owner of Wildhorse Golf Course to specify tasks, responsibilities, and frequencies of maintenance. The inspection agreement should also be perpetual (i.e. runs with the land).



**Letter 154 Cont.**

## Stormwater Evaluation Report

**Table 9. Recommended Preventative Maintenance Schedules**

| Activity | Existing Frequency Goal | Recommended Frequency |
|---|---|---|
| Channels | | |
| Clear Debris and Trash | Annually | Biennially (every two years) |
| Visual Inspection | Annually | Biannually (twice a year) |
| Herbicide Treatment (Pre-emergent) | *None* | Annually |
| Herbicide Treatment (Post-emergent) | Annually | Biannually |
| Rodent Control | *None* | Quarterly |
| Clear Outlets and Inlets | Annually | *No change* |
| Regrade Slopes | Annually | Biennially |

**CONSENT TO AND APPROVAL OF THE WILDHORSE GOLF COURSE ENVIRONMENTAL COMPLIANCE AND MANAGEMENT PLAN AND INTEGRATED PEST MANAGEMENT PLAN**

It is the intent of the Evergreen Alliance Golf Limited, L.P. ("EAGL") and the City of Davis ("the City"), as evidenced by their signatures herein, to fully implement the measures outlined in the Wildhorse Golf Course Environmental Compliance and Management Plan and accompanying Integrated Pest Management Plan ("Plans"), on an ongoing basis, in perpetuity, pursuant to the terms and conditions of the Wildhorse project and golf course approval. It is acknowledged that failure to implement these requirements is subject to code enforcement action by the City.

I acknowledge that I have read the Plans and hereby approve and agree to comply with all matters set forth in the Plans.

**Evergreen Alliance Golf Limited, L.P.:** _____ (Signature) _____ (Date)

_____ (Printed Name, Title) _____ (City/State Where Executed)

**Current Wildhorse Golf Course Supervisor:** _____ (Printed Name) _____ (Signature) _____ (Date)

_____ (Printed Name) _____ (Signature) _____ (Date)

_____ (Printed Name) _____ (Signature) _____ (Date)

_____ (Printed Name) _____ (Signature) _____ (Date)

_____ (Printed Name) _____ (Signature) _____ (Date)

_____ (Printed Name) _____ (Signature) _____ (Date)

I acknowledge that, on behalf of the City of Davis, I hereby approve the matters set forth in the Plans.

**City of Davis:** _____ (Signature) _____ (Date)

_____ (Printed Name, Title)

*Evergreen Alliance Golf Limited, L.P.*
*Environmental Compliance and Management Plan*

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*Consent/Approval*
*December 2010*

## LETTER 154: MICHAEL MADDOX

### Response to Comment 154-1
Please see Master Responses 1 and 4.

### Response to Comment 154-2
Please see Master Responses 1 and 4.

**Letter 155**

**Dara Dungworth**

**From:** Maggie Che <maggie7che@gmail.com>
**Sent:** Wednesday, February 19, 2025 1:56 PM
**To:** Dara Dungworth
**Subject:** Please do not approve the Village Farms development proposal as is

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

155-1

I have been a Davis resident for over 45 years and I oppose the Village Farms development proposal. I am a senior citizen and own a property in the Gala building of the Cannery very close to the urban farm.

Part of the attraction in buying a property in the Gala/Cannery was to take advantage of the urban farm which we were told would grow and not be decreased/abolished in lieu of a roadway. I am also concerned with increased traffic congestion at the traffic circle and in the Cannery in general. Many older citizens live in the Gala one story condominiums adjacent to the traffic circle and increasing traffic can only have detrimental safety implications for us as we navigate our way to the supermarket and stores nearby.

Thank you for hearing this concern; I urge you and the City Council to please request that the developers plan a different traffic route for the Village Farms development that does not impact the Gala/Cannery residents so significantly.

Sincerely,
Maggie Che

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## LETTER 155: MAGGIE CHE

### Response to Comment 155-1

Please see Master Response 5.

**Letter 156**

**Dara Dungworth**

**From:** Margo Surovik <mesurovik@gmail.com>
**Sent:** Friday, February 21, 2025 8:31 AM
**To:** Dara Dungworth
**Subject:** Village farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

# Comments on The Village Farms

156-1 Concern #1 -do not build huge housing complexes on a flood plane. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change.

156-2 Concern #2 traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and pole Line Road which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City has no plan to significantly improve its currently minimal, inadequate and inconvenient public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

156-3 Other thoughts
-infrastructure costs including a hugely expensive Pole Line bike/ped overcrossing which the developer is not committing to cover all the costs for. How many Davis residents are willing to subsidize the millions for that project?
-what about the additional fire station that is being proposed that is not needed because 90% of the fire department calls are medical, NOT fire related issues. What instead is needed has been advocate for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go East) when the traffic is backed up most of the time?
-
habitat impacts including the tearing out of a significant number of trees to dig up group to expand and reroute Channel A which will have significant impacts on the habitat and raises major concerns about potential flooding issues.
This is just a few of the many problems with the Village Farms project but fortunately Davis residents were not fooled last time and voted it down, so we need to not be fooled this time since this project has the same problems and more.

Village Farms is proposing 1,800 units on over 400-acres is the largest residential project ever proposed in the City if Davis on a site with a plethora of problems impacts. The Village Farms land site has many innate problems, plus it is located is at one of the most highly impacted areas of traffic in the City at Covell Blvd. this project is too big, has far too many impacts and costs, and is simply bad planning. Most people will not be able to afford these houses anyway. We need affordable housing, not more overpriced houses.
Margo

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## LETTER 156: MARGO SUROVIK

### Response to Comment 156-1
See Master Response 4.

### Response to Comment 156-2
See Master Response 5.

### Response to Comment 156-3
See Master Responses 1, 5, 6, and 7, as well as Responses to Comments 30-4 and 75-51.

**Letter 157**

**DATE:** February 24, 2025

**RE:** Village Farms Project

**TO:** Dara Dungworth, ddungworth@cityofdavis.org

**FROM:** Marianne Hernandez, La Vida Buena Homeowner Association Resident-Across Street from proposed project

I urge the council to disapprove of the he ungodly large, non-resident-approved Village Farm project.

Here are several reasons for my grave concerns about the project:

**157-1** It will cause an enormous backup of traffic on Pole Line which would be almost impenetrable during peak commute hours. More cars will be a hazard to those who walk and ride on Pole Line.

**157-2** It will be built on a flood plane where there is toxic leakage.

**157-3** The undercrossing proposed will be an enormous infrastructure and destruction of native wildlife. The developer is *not* committing to covering all the costs for the undercrossing. Will Davis residents be expected to pay for this undercrossing?

**157-4** Davis is in dire need of affordable housing, not single family dwellings @ a cost of $800K or higher.

**157-5** It does not conform to Davis City Plan of resident swelling be infill since it is on the outskirts of the city.

Marianne Hernandez

2800 Bidwell Street #1

## LETTER 157: MARIANNE HERNANDEZ

### Response to Comment 157-1
Please see Master Response 5.

### Response to Comment 157-2
Please see Master Responses 3 and 4.

### Response to Comment 157-3
Please see Master Responses 1, 6, and 7.

### Response to Comment 157-4
Please see Master Response 1.

### Response to Comment 157-5
Please see Master Response 1.

**Letter 158**

Village Farms DEIR Comments from Marjorie Longo, Wildhorse Neighborhood resident.

**Downstream Flooding Troubles in Wildhorse with the Village Farms Biological Resources Preservation Alternative**

**158-1** 1. The DEIR section 4.8 analysis does not take into account and it does not disclose that the **development's storm water will drain into** an ***un-inspected*** and ***heavily tree-impeded*** 1-mile long segment of Covel Drain on the Wildhorse Golf Course. The Wildhorse segment of Covell Drain is on private land that has ***not been*** inspected or ***formally maintained for almost 30 years*** because the city never established any agreement for maintenance or inspection of Covell Drain at Wildhorse Golf Course. The deputy director of public works, Eric Spann, has acknowledged this unfortunate situation. Below is an email correspondence verifying that the city will not inspect Covell Drain at Wildhorse because it is on private land. Therefore, importantly, the ***future maintenance condition of Covell Drain in Wildhorse is unknown*** and so is it's current maintenance condition.

**158-2** 2. The DEIR section 4.8 **does not sufficiently take into consideration or disclose in writing** the **distance of homes in the Wildhorse neighborhood** to all **predicted increases in stormwater** in the Wildhorse Neighborhood. Page 4.8-38 states "The 100-year, 24-hour storm event does show some isolated areas with larger increases that would occur within drainage features along Covell Drain in the Wildhorse golf course." Apartments, condominiums, and dozens of houses in Wildhorse are in close proximity to Covell Drain. Below is a photograph from 2014 that shows Covell Drain backing up through a low area on the golf course that extends toward houses at the end of Rockwell Court in Davis during a large storm event. **The increases in storm water near homes in Wildhorse due to this project is unacceptable!**

**158-3** 3. The DEIR section 4.8 **does not take into account or disclose the amount of damage** by erosion and other means **that could result on the Wildhorse golf course** from these increases in water in the 100-year flood events. The golf course serves as a wildlife corridor in addition to being a source of recreation for 1,000s of people every year. There are plenty of instances of large sections of golf courses being washed away by large storm events, that in this case **could disrupt a stable wildlife corridor and the viability of the golf course.** Please take a look at this video of high storm water flow from January 5, 2023 in Covell Drain on the Wildhorse golf course when it has exceeded maximum capacity to demonstrate how overloaded this system already is.

https://drive.google.com/file/d/15d34P48s716qfa4GgUOi_wI1UJPwaWsL/view?usp=sharing

Page 4.8-38 states, "The largest increase shown is approximately 0.4-foot to 0.5-foot, directly over the pond in the northeast corner of the golf course, which would not impact structures." The pond that the DEIR refers to is large but very shallow, therefore, 0.5 feet of increase could be significant and cause significant flooding on the golf course. **The increases in storm water on the Wildhorse golf course due to this project is unacceptable!**

**158-4** 4. The **Mitigation Measures** to these **significant impacts** that start on page 4.8-38 are **very vague and will be introduced much to late in the review process, at the first tentative subdivision map**. In addition, **they do not specify that they will be aimed to eliminate the increase in flooding in Wildhorse.**

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**Letter 158 Cont.**

**In addition to providing responses to each one of the 4 points above, the EIR should do the following in response to these concerns :**

**158-5** A. **Provide a "build only below the current channel " alternative** which would avoid increasing the storm-water level in Wildhorse, among many other environmental benefits.

**158-6** B. Require that the city successfully enter into an agreement with the owner of Wildhorse Golf Course for annual inspection of Covell Drain on Wildhorse Golf Course to monitor its state of maintenance and erosion, and residential flood risk.

**158-7** C. Provide proof that all past and future hydraulic modeling takes into account a maximum tree-impeded and silted condition of Wildhorse Drain, because the fact is that the city has no control of the maintenance condition of the mile-long section of Covell Drain on Wildhorse Golf Course. See point 1 in the previous page.

**158-8** D. In Appendix L page 5, include the entire Wildhorse neighborhood in the image, so that the current stormwater situation in a 100-year flood can be gauged against the increases shown in Appendix N. Also, for Appendix L page 5, please include the 100-year 24 hour and 100-year 10 day maps that show exact water depth.

**158-9** E. In Appendix 1 of Appendix N, provide the proximity of homes in feet to the closest edges of increased flooding in the 100 year ad 200 year storm event maps in the Wildhorse neighborhood.

**158-10** F. Appendix 2 of Appendix N needs scales on the heat maps. It should be possible to determine the depth (in feet or inches) or velocity (e.g. in ft/s) represented by the color maps. That information is currently not provided!

-------- Forwarded Message --------

**Subject:** RE: Easement Map from Title Report: Wildhorse Channel

**Date:** Wed, 20 Nov 2024 23:49:38 +0000

**From:** Eric Spann <ESpann@cityofdavis.org>

**To:** 'Marjorie Longo' <mllongo@ucdavis.edu>

Marjorie,

We are aware of the easements. The north-south easements are for storm drain mains, and we do have maintenance responsibilities on those. We have 5 mainline connections in total. I believe the 1957 conveyance of easement document was executed during construction of drainage culverts, and storm main installation under Pole Line Road. The City had and has the responsibility to maintain those culverts. At the time, the City's responsibility ended at the east outfall, and the remainder was the County's. **It was during the development and annexation of the Wildhorse sub-division where things get convoluted. This is the focus of our efforts. We, in the absence of a final signed and recorded agreement to inspect the channel, do not have legal right to do so.** Once we get something in place, I will let you know.

## LETTER 158: MARJORIE LONGO (LETTER 1 OF 2)

### Response to Comment 158-1
Please see Master Response 4.

### Response to Comment 158-2
Please see Master Response 4. In addition, it should be noted that, following the sentence quoted by the commenter, the Draft EIR continues to state that "[T]he largest increase shown is approximately 0.4-foot to 0.5-foot, directly over the pond in the northeast corner of the golf course, which would not impact structures."

### Response to Comment 158-3
Please see Master Response 4.

### Response to Comment 158-4
Please see Master Response 4 and Response to Comment 97-7.

### Response to Comment 158-5
Please see Master Response 2.

### Response to Comment 158-6
Please see Master Responses 1 and 4.

### Response to Comment 158-7
Please see Master Response 4.

### Response to Comment 158-8
The uncropped image including the Wildhorse Subdivision is included in Appendix N of the Draft EIR, page 29 (existing conditions) and page 41 (proposed conditions).

### Response to Comment 158-9
The exhibits in Appendix 1 (of Appendix N) include a scale in the bottom center of the exhibit that can be used for distance measurements.

### Response to Comment 158-10
RICK Engineering (report author) has reviewed and confirmed that the exhibits in Appendix N Sub Appendix 2 include a legend and scale in the lower right-hand corner.

**Letter 159**

**Continued Village Farm Comments on the BRPA DEIR: Marjorie Longo, Wildhorse Resident and Professor Emeritus of Chemical Engineering, UC Davis**

159-1

1. Do not annex the UATA area in the development area, and if it is annexed, zone it as agriculture. Similarly, do not annex any area above the current channel that is not developed, and if it is annexed, zone it as agriculture. The reason for this is than it will mitigate for unplanned population growth which is one of the impacts addressed in this DEIR. Any area that is not developed above the current channel needs to come up for a measure J/R/D vote.

159-2

2. Apparently, 1 million cubic yards of dirt will be moved from the UATA. The environmental impacts from this are completely unacceptable and can't possibly be mitigated for.

3. The history of the Old Land Fill adjacent to proposed Village Farms site is not properly disclosed in the DEIR. The Dames and Moore 1997 Evaluation contains a history that minimally needs to be included and can be found in Davis public records request 23-130. The Dames and Moore report says that **300,000 tons** (about 20 garbage trucks a day) of residential, commercial, industrial, and demolition **waste** was deposited between 1969 and 1975. Before then, it was an open burn pit since the 1940s or 1950s. It consists of 5 cells of decomposing trash. It should be disclosed that the city has **no records**, except for a well drilling report, from the Old Land Fill between the 1940s and 1976 (see Davis public records request 25-40 and 25-41). Below is an excerpt from the Dames and Moore report with content that should be included in the EIR:

159-3

1.3 SITE DESCRIPTION

The Old Davis Landfill is located on Pole Line Road (County Road 102) approximately one mile north of Covell Boulevard (County Road 31) in Davis, California, Section 34, T9N, R2E Mount Diablo Base and Meridian (MDBM) (Figure 1). The landfill consists of five inactive disposal cells occupying approximately 31 acres of a City of Davis (COD)-owned parcel that also contains the former COD sewage treatment plant.

According to the COD Public Works Department, the landfill began operations in 1969 and was used until 1975 when disposal operations were transferred to the new Yolo County Central Landfill. Prior to 1969, the landfill operated as a burn dump. Open-pit burning at the site reportedly began in the 1940s or '50s.

According to the COD Public Works Department, materials disposed of in the landfill included residential, commercial, industrial, and demolition-type wastes. No records were kept on waste quantities; however, loads were counted and tabulated on a yearly basis. Based on load counts, the quantity of wastes disposed of in all cells combined is estimated to be approximately 300,000 tons.

The landfill was constructed on predominantly flat-lying land at approximately 35 to 36 feet above mean sea level (MSL). The landfill is still mostly flat-lying except for Cell No. 2 which has vertical relief of approximately 24 feet above the rest of the landfill. According to COD Public Works Department drawings, the greatest depth of excavation attained at the landfill was in Disposal Cell Nos. 3 and 4, which were excavated up to 21 feet below original grade, or approximately 15 feet above MSL. Disposal Cell No. 1 was excavated to elevation 29.0 feet above MSL, and Disposal Cell Nos. 2 and 5 were both excavated to elevation 23.0 feet above MSL. All excavations were unlined and no leachate collection systems were installed. Currently,

**Letter 159 Cont.**

**159-4**

4. Because the Old City Landfill was completely un-lined and probably unregulated in that era, it would be reasonable to put in place a 1,000 ft buffer zone around it. It is commonly known that toxic plume directions in soil can be unpredictable, particularly with a large amount of earth movement as planned in this project. I believe that the City of Davis was faced with this situation in Mace Ranch at the Frontier fertilizer factory, when the toxic plume moved toward homes.

**159-5**

5. No maintenance easement, maintenance agreement, or inspection agreement exists on the majority of Covell Drain in Wildhorse. This poses a flooding risk to both the Village Farms neighborhood, Wildhorse, and East Davis as the Channel may become blocked and back up into any or all of those neighborhoods. It should be disclosed in the EIR that there is no maintenance easement in Wildhorse in the EIR. A possible mitigation by the Village Farms developer would be purchase of City of Davis maintenance easement the entire length of Covell Drain at Wildhorse. There is precedent for this because a channel maintenance easement exists currently at Village Farms and East of Wildhorse. See below for an email excerpt from Eric Spann, City of Davis Public Works Deputy Director. Also see below for a 1997 county parcel map showing No Easement on Record on Covell Drain in Wildhorse.

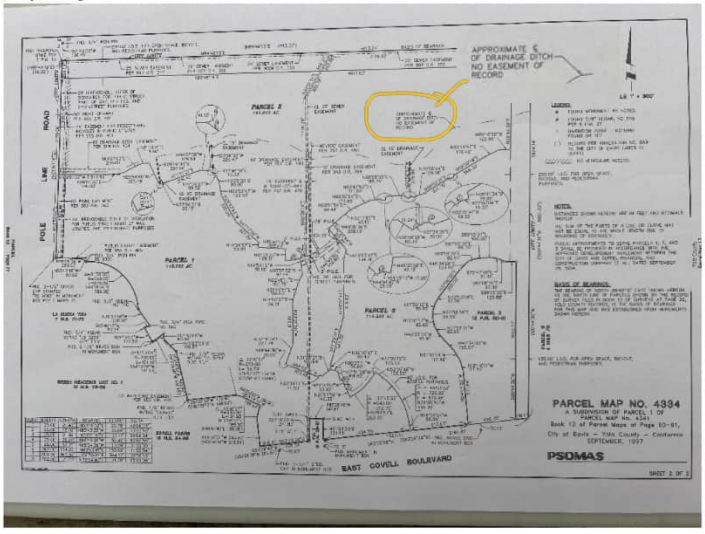
**Subject:** RE: Wildhorse Channel
**From:** Eric Spann <ESpann@cityofdavis.org>
**Date:** 9/13/2024, 7:20 AM
**To:** 'Marjorie Longo' <mllongo@ucdavis.edu>

Good Morning Marjorie,
The City actually maintains the section of Channel A between F St. and Pole Line Road (Village Farms). The City has a drainage and maintenance easement with the property owners. I am unsure of whose responsibility it becomes once the channel leaves the golf course as the agencies have changed multiple times. It was Yolo County, then Yolo County Flood Control, then Sacramento Area Flood Control, and I believe at one time it was the Army Core of Engineers. We most likely will take over responsibility for the channel on the Shriners property if the development is approved.

Salutations,
Eric

**From:** Marjorie Longo <mllongo@ucdavis.edu>
**Sent:** Thursday, September 12, 2024 7:13 PM
**To:** Eric Spann <ESpann@cityofdavis.org>
**Subject:** Re: Wildhorse Channel

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**
Hi Eric
Thanks for the update and info. Just out of curiosity, does the county inspect the channel at locations where it runs through private land in YOLO county such as Village Farms and Shriners properties?
Best wishes,
Marjorie Longo



**Letter 159 Cont.**

6. It is not disclosed in the DEIR that Covell Drain is an active wildlife corridor which would be severely impacted by this project. The impact on the Covell Drain wildlife corridor would be significant because the animals that travel on the corridor would be severly boxed-in by the East side of the Village Farms neighborhood (between East Villages and Central Villages). This boxed-in area is in the middle of a 2 mile span to the west and 2 mile span to the east where animals are not boxed-in. Conflict between animals and humans in this boxed-in span of Covell Drain will be inevitable and may lead to the destruction of this active and stable wildlife corridor! The Center for Large Landscape Preservation states this on their website which is really just common sense "Fragmented habitat isolates and weakens animal populations and puts them at greater risk of extinction. It is more essential now than ever that we preserve or restore corridors—or connections between natural areas—before it's too late." Mitigation options should include, a "build below the channel, smaller footprint alternative or widening of Covell Drain, beyond what is proposed, between East Villages and Central Villages, while providing a shallower side. An example of how to widen the channel for animals can be found on Wildhorse Golf Course – where the channel has a deeper side and shallower side. During the majority of the rainy season, animals can easily travel on the shallower side as it stays above water. In addition, culverts near Pole Line Road were treated to allow animal passage. This should be duplicated in the Village Farms plans. See below for the Planning Commission's orders to the developer to provide passage of wildlife on Covell Drain in Wildhorse. In addition, see below for a Feb 2025 picture of a coyote (circled) using the Covell Drain wildlife corridor in Wildhorse near Pole Line Road.

159-6

*Letter of Planning Commission Action on Wildhorse Golf Course FPD & DR*
*Wildhorse Development Project Golf Course*
*Page 7*

11. Culvert shoulders' treatment shall be provided to allow passage of wildlife during high water periods under Pole Line Road.

If you have questions regarding the Planning Commission action, contact me at (530) 757-5610.

Sincerely,

Ike M. Njoku
Associate Planner
Planning and Building Department



**Letter 159 Cont.**

159-7

7. Finally, it should be noted that the EIR for the Wildhorse neighborhood included an alternative that had construction of condominiums north of the Channel. However, wisely, that alternative was not chosen. One of the reasons was because of delayed response times of emergency vehicles since "above the channel" would be outside of the 5-minute emergency response time zone. Therefore, the EIR should evaluate emergency response times assuming no emergency facility of any sort may end up being built in Village farms. This is definitely a possibility!

Overall, it was the right decision for no residential to be built north of the Channel in Wildhorse and for the Channel in Wildhorse not to be rerouted to the northern border of the current golf course location (a serious plan at the time). For one thing, the Channel, which empties into the Yolo wetlands, would have come very close to the Old Landfill and Sewage Treatment Plant if it was rerouted, similar to the BRPA.

Wildhorse Golf Course and the agricultural buffer has served as a model buffer between a residential area and its agricultural surroundings, encouraging wildlife, recreation, and discouraging residential sprawl. I hope our city leaders take the shining example of Wildhorse to heart and decide not to reroute the Channel and not build homes in Village farms north of the Channel!

## LETTER 159: MARJORIE LONGO (LETTER 2 OF 2)

### Response to Comment 159-1
Please see Master Response 1.

### Response to Comment 159-2
Please see Master Response 1.

### Response to Comment 159-3
Please see Master Response 3.

### Response to Comment 159-4
Please see Master Response 3.

### Response to Comment 159-5
Please see Master Response 4.

### Response to Comment 159-6
Please see Master Response 7. In addition, contrary to the assertion of the commenter, the Draft EIR stated under Impact 4.4-16 that the Valley Foothill Riparian land cover corridor under Channel A could serve as a wildlife corridor. As discussed therein, impacts related to wildlife movement would be less than significant.

### Response to Comment 159-7
Please see Master Response 1.

**From:** Mark Huising <mark.o.huising@gmail.com>

**Sent:** Tuesday, February 25, 2025 4:05 PM

**Letter 160**

**To:** Dara Dungworth

**Subject:** comments draft EIR Village Farms

Dear Dara,

Please find below my comments on the draft EIR for the Village Farms project. Thanks for taking the time to collect these comments, and for your response in advance.

**160-1** The Davis city Council has articulated a series of 4 Council Goals for this DEIR, the second of which is 'strengthening climate resilience'. By far the largest source of GHG emissions we incur are from transportation. This means that the only path for our city to meet our GHG emissions goals is to reduce car dependency. Make it easier for people to choose to take a bike or an ebike for the 52% or so of trips Americans take that are under 3 miles. Yet, the VF DEIR makes it clear that we are looking at a large increase in VMT. There is currently no plan to unlock access of the VF neighborhood (along with the Cannery) across the railroad to North Davis/Covell Park, from where new residents - including children have easy and safe access to Davis High, and North Davis and Birch Lane Elementary and the down-town and campus areas via the existing North/South overpass spanning Covell. Currently cyclists have to bike close to 2 miles to cross a distance of 200 ft as the crow flies - which involves the E. Covell overpass, which is very steep and not accessible to use for many people on bikes.

**160-2** With these goals in mind: I write in support of a denser alternative - either alternative 4 (higher number of units in same footprint) or a version where the currently proposed number of units is concentrated in portion of the development closes to Covell Road by building a better mix of SF and attached or appartment buildings. Such a denser alternative - with appropriate mitigations for physically protected bike infrastructure and grade-separated crossings would result in a more favourable VMT analysis than the current proposal.

**160-3** There are two grade-separated crossings listed on page 54 as future additions 'contingent on feasibility and engineering analysis'. One underneath the railroad on the West, and one underneath Pole Line on the East. We plan to build an entire large neighborhood, lay out a network of streets for cars – and hope that we can add safe ways for people to connect via safe-convenient bikeways later. It is vital that the VF neighborhood is safely and conveniently connected to the rest of Davis not just for drivers of cars, but for people on bikes and on foot. Doing so would be required to remain responsive to our stated climate goals, and in keeping with

**Letter 160 Cont.**

**160-3 Cont.** our reputation as a bike friendly city. I encourage the City to work in partnership with the development team and external stakeholders to ensure that we do before this goes to ballot. To exact location of these grade-separated crossing needs to be optimized to ensure the shortest path to nearby destinations for the largest number of VF and Cannery residents.

**160-4** The inclusion of 'Heritage Oak Park most proximal to E. Covell is poor land use – with undesirable effects on VMT. That section should be planned for densest unit development – to generate the shortest travel distance to nearby shopping, schools, downtown and campus – for the largest number of residents. There should be 3 story appartment units for a mix of demographics and a mix of rental and owned built in the section closest to Covell Road to balance the lower density of SF homes.

**160-5** There is no grade-separated crossing of West Covell, either at J or L street – which would connect the Cannery and the VF neighborhoods to nearby shopping and beyond using safe and convenient infrastructure.

**160-6** The section concerning the 'Beyond Platinum – City of Davis Bicycle Action Plan' is deeply problematic. It starts by articulating the goal to ' Provide separated bike paths adjacent to arterial and collector streets only where justified, with full consideration of the potential safety problems this type of facility can create'. This suggests that the creation of better bike infrastructure would create safety problems instead of resolving the enormous safety problems posed by making cyclists share asphalt with drivers of vehicles. While the city's BP action plan dates from well over a decade ago, more recent academic research (Marshall and Ferenchak, 2019) has demonstrated a.o. that the addition of protected bike lanes make streets safer for cyclists, pedestrians and people in vehicles. The same study demonstrated that painted infrastructure does nothing to prevent cyclists injury, affirming a separate study (Ferenchak and Marshall, 2019) that demonstrated that it was safer to not have sharrows. Yet, the consultant rapport by Fehr and Peers on p15 shortlists a series of proposed bicycle facilities that are paint only – some of which already realized by the City.

**160-7** Mitigation measures 2.1 – 2.5 and the associated mitagation measures 5.1-5.5 all entail 'high visibility crossing markers – there is no mention of physical protections to ensure pedestrians or cyclists have at least a modicum of protection while they wait to cross.

**160-8** Mitigation measure 2.6/5.6 details the installation of class III bike routes on Birch Lane – between East Covell and PLR. These are sharrows – which have been shown to worsen bicycle safety (Ferenchak and Marshall, 2019). This is the road directly in front of Birch Lane elementary, which is likely to be a or perhaps the zoned elementary school for the new VF neighborhood. A class II bike lane is mentioned, but quickly dismissed as it is deemed not 'feasible without the removal of existing on-street parking on Birch lane', a school site that is currently already suffering from

**Letter 160 Cont.**

**160-8 Cont.** significant safety concerns for cyclists. This is unacceptable and a position that is incompatible with the desired reputation of the City of Davis as bicycle-friendly.

**160-9** Transit routes need to be incorporate from conception – just as streets for cars are.

**160-10** Class IV physically separated bike lanes need to be standard on all major roads feeding into this new neigborhood: Cannery Ave/E. Covell, Pole Line, E. Covell, Pole Line Rd and Birch Lane south of Covell, and F. Street/W. Covell. Particularly so on the areas of the roads where cyclists stage to wait their turn.

**160-11** On page 51, it is proposed that street parking is priced – per CAPCOA Handbook recommendations. This would cause a modest reduction in vehicle ownership. However, this price is restricted to rental units. I would encourage you to advise that the cost of vehicle storage on public streets is charged not just for vehicles owned by renters. If home-owners choose to park vehicles on public streets instead of on private driveways, it would seem equitable that they pay at least the same fee as our neighbors who rent. Not automatically reserving space on public streets for the storage of private vehicles opens up potential space that we can enhance for people.

kind regards,

Mark Huising,

Patwin Elementary Bike Coordinator

## LETTER 160: MARK HUISING

### Response to Comment 160-1
Please see Master Responses 5 and 6.

### Response to Comment 160-2
Please see Master Response 1.

### Response to Comment 160-3
Please see Master Response 6.

### Response to Comment 160-4
Please see Response to Comment 100-7.

### Response to Comment 160-5
Please see Response to Comment 97-10.

### Response to Comment 160-6
The referenced text from Beyond Platinum – City of Davis Bicycle Action Plan is a discussion of separated bike paths and an acknowledgement that they may not be feasible and/or improve safety on all streets or settings.

The project proposes separated Class I bike/pedestrian paths along the East Covell Boulevard and Pole Line Road edges, at two connections to the Cannery, and within the project site/BRPA site to facilitate both east-west and north-south travel along separated paths. Class I paths are also located within the Heritage Oak Park at the southeast corner of the project to provide connectivity to the proposed Class I path on the north side of East Covell Boulevard, along the project's southern edge. The separated paths provided by the project would connect to existing separated paths along adjacent arterial streets and throughout adjacent neighborhoods.

The FHWA Proven Safety Countermeasure Initiative is a collection of 28 countermeasures and strategies effective in reducing roadway fatalities and serious injuries.[1] The safety countermeasures include a number of signal, sign and pavement striping measures including crosswalk visibility enhancements and Class II bicycle lanes. Separated bicycle lanes are noted as providing additional safety benefits.

### Response to Comment 160-7
The mitigation measures that include installation of high visibility crosswalk markings are all for locations outside the project boundary at existing intersections or driveways including the intersection of East Covell Boulevard/Pole Line Road, the three intersections along Pole Line Road north of East Covell Boulevard, the intersection of East Covell Boulevard/Birch Lane, the Cannery Loop elbow crossing, and the intersections of the Oak Tree Plaza driveways with the East Covell Boulevard shared-use path. The mitigation measure for East Covell Boulevard/Pole Line Road includes elimination of the eastbound and westbound channelized right-turn lanes. The

[1] U.S. Department of Transportation Federal Highway Administration. *Proven Safety Countermeasures*. Available at: https://highways.dot.gov/safety/proven-safety-countermeasures. Accessed March 2025.

pedestrian and cyclist crossings at these locations are all at grade. They are consistent with improvements identified in the East Covell Corridor Plan.

## Response to Comment 160-8

Please see Master Response 5.

## Response to Comment 160-9

The Proposed Project/BRPA would include the construction of a new bus stop on East Covell Boulevard at L Street. In addition, Mitigation Measure 4.13-3(b) of the Draft EIR requires the applicant to fund a Transit Service and Facilities Plan, which would identify transit service and facility improvements, for subsequent implementation as part of the project, should transit agency approval of such measures be obtained.

## Response to Comment 160-10

Please see Master Response 1. In addition, Class I paths are currently provided along the developed frontages of East Covell Boulevard and Pole Line Road at the project boundaries. The Proposed Project/BRPA would include separated Class I bike/pedestrian paths along the East Covell Boulevard and Pole Line Road edges, at two connections to the Cannery, and within the project site/BRPA site to facilitate both east-west and north-south travel along separated paths. The separated paths provided by the project would connect to existing separated paths along adjacent arterial streets and throughout adjacent neighborhoods.

## Response to Comment 160-11

Please see Master Response 1.

**Letter 161**

**Dara Dungworth**

**From:** Mark D. Spiller <markspiller@gmail.com>
**Sent:** Tuesday, February 25, 2025 10:34 AM
**To:** Dara Dungworth
**Subject:** Concerns about the plans for Village Farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear City Staff,

I wanted to write a brief note of concern about the Village Farms Development Proposal.

**161-1** I've looked through the plans, and am particularly concerned about safe transportation options (no good ways to get bikes in/out without dangerous road crossings), and the issues with the flood plain and the old dump + sewage site are very worrisome! I live in Wildhorse, and this seems like a really worry. I'm not opposed to all growth in general, I think it would be great to be able to grow the city in beneficial ways, but this does not seem to be a good/safe plan. Please hold out for something better!

Regards,

Mark Spiller

2109 Bearden St, Davis.

1

## LETTER 161: MARK SPILLER

### Response to Comment 161-1

Please see Master Responses 1, 3, 4, 5, and 6.

**Letter 162**

**Dara Dungworth**

**From:** Mary Philip <maryphilip77@gmail.com>
**Sent:** Tuesday, February 25, 2025 8:28 AM
**To:** Dara Dungworth
**Subject:** EIR comments for Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

**162-1**

1. Rerouting the slough that crosses the middle of the site is an aesthetic decision that would disrupt a long-term drainage system. It raises flood risk to try to relocate major existing drainage paths such as this one, and the amount of digging and dirt relocation alone would create a major environmental impact that is totally unnecessary to realize any of the alternatives.

**162-2**

2. Placing a major park on the corner of Pole Line and Covell simply pushes housing further away from transit access and makes it even less likely that people could walk to the shopping center that is across the street. This is purely an aesthetic decision made to attract votes. Placing dense housing in that area and moving the park north would reduce environmental impacts by encouraging walking to shopping and supporting higher transit use.

**General comment on choice of alternatives:**

**162-3**

Alternative 4 (higher number of units–same footprint) appears to be a straw man put out to illustrate a point without any chance of being taken seriously. For one, the distinction between VMT per capita and total VMT seems to be buried in this EIR. Is it somehow not true that a 2,700 unit project would add to total VMT generated in that location and therefore generate more greenhouse gasses than an 1,800 or smaller unit project regardless of how dense it is?

Obviously, the threshold reached that makes Alternative 4 the "preferred alternative" is actually VMT per capita, which is derived from density not the number of units. So why wasn't an alternative with the same or greater density and VMT per capita but the same or smaller number of units considered? Why wouldn't such an alternative even with 1,800 units (the developer's preference) be less impactful on every measure used to compare the alternatives? And what of the listed objectives would it not accomplish that the developer's preferred alternative would?

**162-4**

In summary, the developer has been allowed to come up with another alternative ("Biological Resource Preservation"), which actually has greater VMT impact than the original, in the middle of the EIR and well past the NOP phase. We believe another alternative should be added now and evaluated to measure the impact of a same number of units (1,800) /reduced area alternative with the same or greater density (resulting in same or lower VMT per capita) as the 2,700 unit option.

This alternative would cause less environmental impact than all the others save the no-build. It would lower its impact even further if a transit/transportation element were also considered in which most of the units were located within ½ mile of Covell, which would make walking to a transit system or to the shopping center across the street attractive. It would also mean moving the park at the Southeast

1

**Letter 162 Cont.**

**162-4 Cont.**

corner to the north edge of the project. Meeting or exceeding the density of the 2,700 unit alternative would also shrink the area to no more than 130 acres, still allowing a full mix of unit types, albeit many more attached and far fewer detached houses. That would also leave the major slough/drainage patterns undisturbed and avoid the many environmental pollution concerns related to building close to the old dump.

All the formulae are in place to calculate numerical impacts of an alternative described above, so it should be relatively easy to run calculations and of low cost, even if the City had to pay the consultant for an extra service.

If it is not possible to add this alternative, why not?

Mary Philip
2814 Concord Avenue
Davis, CA 95618
530-750-6462
Email: maryphilip77@gmail.com

## LETTER 162: MARY PHILIP

### Response to Comment 162-1
Please see Master Responses 1 and 4.

### Response to Comment 162-2
Please see Response to Comment 100-7.

### Response to Comment 162-3
Please see Master Responses 2 and 5.

### Response to Comment 162-4
Please see Master Response 2.

**Letter 163**

**Dara Dungworth**

**From:** Michael Reynolds <mreyno13@gmail.com>
**Sent:** Monday, February 24, 2025 7:57 PM
**To:** Dara Dungworth
**Cc:** City Council Members
**Subject:** Village Farms Projecft

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Ms. Dungworth,

I am writing you to register my objections to the proposed Village Farms project that would be located in North Davis. My objections to this project are based on the following troubling issues:

**163-1** 1. Size: the project as currently envisioned is massive and will lead to huge increases in traffic both of motor vehicles as well as bicycles, scooters, etc. The greatly increased traffic will lead to major tie ups and, in general, citizen dissatisfaction with the quality of life throughout Davis.

**163-2** 2. There are no guarantees for grade separation of over or under crossings for children going to school and people of all ages who wish to cross Covell Blvd from the proposed Village Farms project. How can the school children hope to cross Covell Blvd safely to attend those schools that at located on the other side of Covell Blvd. and the other side of F Street? All sort of potential accidents can be envisioned by the lack of safe access to educational areas. The city will by liable for permitting unsafe access for our city's children. I doubt there will be sufficient supervision of the developer's proposal to provide access to permit safe crossings of this major thoroughfare. This is a huge issue.

**163-3** 3. Increased traffic through the Cannery: As a Cannery homeowner I understand that there is a proposed direct connection from the Proposed Village Farms to the traffic roundabout in the Cannery located just south of J Street and Covell Blvd. The greatly increased traffic flow from Village Farms will create enormous safety problems for motor vehicles traveling from areas north in the Cannery and for schoolchildren who go to school schools in their bicycles and return to their homes after school. I can assure you that this will be a major issue for voting people when this is placed on the ballot.

**163-4** 4. There is mention of a Biological Reserve which will be a parcel of the proposed Village Farms that will be carved out and serve to protect, I suppose, Flora and fauna and perhaps the vernal pools located in the area to be sacrificed to build 1800 homes. There is no clarity whatsoever in how this fits into the Village Farms project. Is it a definite part of the proposal; of is it a maybe?
This lack of clarity leads one to suspect that the Biologic Reserve or Preserve is only a tactic to allow this massive and problem plagued project to move forward despite the many deficiencies associated with it.

**163-5** Thank you for your attention to this extraordinarily important matter. We understand that our city needs more housing. However this is much too big for this area with no assurances from the developer to assure safety and quality of life for the people of Davis.

Respectfully your,

Michael J. Reynolds, M.D.

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## LETTER 163: MICHAEL REYNOLDS

### Response to Comment 163-1
Please see Master Response 5.

### Response to Comment 163-2
Please see Master Response 6.

### Response to Comment 163-3
Please see Master Response 5.

### Response to Comment 163-4
Please see Master Response 7.

### Response to Comment 163-5
Please see Master Response 1.

**Letter 164**

**Dara Dungworth**

**From:** Michelle Yeh <mmyeh@ucdavis.edu>
**Sent:** Saturday, February 22, 2025 4:44 AM
**To:** Dara Dungworth
**Subject:** comment on Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara,

**164-1** As a Davis resident for 36 years, I write to strongly oppose the proposed Village Farms project. The environmental impacts and costs to Davis are too great. Davis is already overbuilt with traffic jams and bottlenecks. Building more would not bring affordable housing but would destroy the environment.

Thank you for listening.

best,
Michelle Yeh
Distinguished Professor
Department of East Asian Languages and Cultures
University of California, Davis
One Shields Avenue | Davis CA 95616
mmyeh@ucdavis.edu | (530) 848-9635

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## LETTER 164: MICHELLE YEH

### Response to Comment 164-1

Please see Master Responses 1 and 5.

**Letter 165**

**Dara Dungworth**

**From:** Misbah <husainpromo@gmail.com>
**Sent:** Tuesday, February 25, 2025 10:54 PM
**To:** Dara Dungworth
**Subject:** Village Farms Comments

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

165-1

I am writing to voice concerns which have been raised by a large number of Cannery members and residents. After reviewing the documents provided regarding the Village Farms development proposal and the various alternatives evaluated during the Environmental Impact Review (EIR) process, the Board believes there are significant, specific, glaring shortcomings which will unreasonably burden the Cannery Homeowners Association and diminish the quality of life for its members. I am particularly concerned with: 1) material and adverse alteration to The Cannery Urban Farm; 2) unacceptable traffic safety impacts to the Cannery Neighborhood; and 3) disproportionate noise impacts to The Cannery neighborhood during and after project construction, as outlined in greater detail below.

165-2

1. Unacceptable, material, and adverse alteration to The Cannery Urban Farm.

The Cannery Homeowner's Association has previously noted a lack of candor from both the Village Farms developers and City staff with respect to the Village Farms plan, particularly as to whether the Village Farms developers plan to make material, adverse alterations to the existing Cannery Urban Agriculture Transition Area (UATA) and Cannery Urban Farm. The developers' intentions have now become clear via the Draft EIR—they do indeed plan to construct a road running right through the Cannery Urban Agriculture Transition Area and Cannery Farm, to connect the planned development to the Cannery Avenue / J Street corridor.

Page 3-23 of the Raney Draft EIR erroneously states: "It should be noted that an existing UATA buffer is located adjacent to the Cannery Farm and Cannery subdivision and includes demonstration gardens, community space, and a drainage corridor along the Cannery frontage. The Proposed Project would not result in modifications to the existing UATA." Construction of a paved road through the UATA at the eastern edge of the Cannery neighborhood will clearly result in a material, adverse alteration of the UATA, thus resulting in significant, and likely ongoing disruption to the operation of the urban farm. As imagined, designed and built, The Cannery Urban Farm is an essential and integral feature of The Cannery. The Cannery Urban Farm was advertised to the original Cannery homeowners by both the City of Davis and the developer as a farm-to-fork community, with the farm as a selling point. While the development of Village Farms could have presented a unique opportunity to expand The Cannery Farm and integrate it with Village Farms' own educational farm concept, the developers of Village Farms would apparently rather pave over The Cannery Farm.

1

**Letter 165 Cont.**

2. Unacceptable traffic safety impacts to The Cannery neighborhood. The Cannery community will suffer disproportionate traffic safety impacts from the planned Village Farms development and the planned linkage of Village Farms with the Cannery via the unacceptable, material, and adverse alteration of the Cannery UATA and Cannery Urban Farm. While traffic congestion and level of service is outside the scope of the EIR process, it is nonetheless obvious to any astute local observer that the current and anticipated future design geometry of the intersection of East Covell Boulevard and L Street is, and would in all likelihood remain, inadequate to handle the volume of vehicle trips exiting Village Farms during peak morning hours and returning to Village Farms during peak afternoon and evening hours. If a road is built through The Cannery Urban Farm, we expect that a substantial majority of vehicle trips between Village Farms and destinations to the west (including U.C. Davis, and destinations accessible via Highway 113 and 1-80 West) will instead travel through Cannery neighborhood streets, creating significant and unacceptable traffic safety impacts for Cannery residents, notably for the many children and elderly residents of the neighborhood.

**165-3**

Unfortunately, the traffic study conducted by Fehr & Peers for Raney does little to reflect the truly grossly disproportionate traffic safety impacts which would be suffered by The Cannery due to a linkage to Village Farms. For insight here, we must instead turn to the noise study conducted by Saxelby Acoustics, which is in turn informed by a study made by the project traffic engineer, GHD Group. Unfortunately, GHD's detailed estimates of traffic volumes have not been made public as part of the EIR process. Per Saxelby, GHD estimates that the portion of Cannery Loop west of Cannery Avenue currently carries 970 average daily trips, and expects that the Village Farms project will more than double average daily trips to 2,000; on a cumulative plus project basis, GHD expects that average daily trips along the southern edge of Cannery Loop would approximately quadruple over time to 4,200, roughly equivalent to the level of vehicular traffic currently seen on secondary arterial roads such as L Street and J Street. Based on the sheer scale of the Village Farms development plan and Fehr's estimates of total trip volumes from Village Farms, total trips exiting the Cannery during peak morning and afternoon/evening periods via Market Street and Cannery Avenue could increase by anywhere from 200% to 400% immediately following the development of Village Farms, without consideration of further cumulative development impacts over time. Additionally, while Raney concluded that "Higher Number of Units - Same Footprint" (HNU) alternative would result in lower VMT per capita, Raney appears not to have subjected the HNU alternative to a rigorous analysis of total VMT or vehicle trips. While automobile modal share would likely decline under the HNU alternative, I believe that traffic safety impacts to the Cannery could be even greater under this alternative.

**165-4**

My concern is not solely with potential increases in traffic congestion of potential changes in the level of service. Instead, my concern is that the introduction of a step change increase in commuter traffic volumes to neighborhood streets presents an unacceptable risk to resident safety. My concerns are heightened by the already significant traffic safety issues presented by the design of the Cannery, including inadequate traffic calming infrastructure and the very serious risks presented by the southwest Cannery Loop elbow. While I applaud the proposed mitigation at the southwest Cannery Loop elbow, I believe this crossing will remain intrinsically dangerous for bicyclists and pedestrians, and that Village Farms bicyclists should be encouraged to utilize safer routes, including the path immediately north of East Covell Boulevard, and the proposed linkage to the Cannery bike path at the northeast corner of The Cannery.

**165-5**

3. Disproportionate noise impacts to The Cannery neighborhood.

Upon review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase

**Letter 165 Cont.**

**165-5 Cont.**

in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

While I defer to the expertise of Saxelby Acoustics, we note that their analysis relies heavily on estimates produced by the project's traffic engineer, GHD Group. In the interests of transparency, the City should seek to include any traffic plan, study or analysis created by GHD as part of the public EIR process.

As outlined above, I believe there are significant flaws in the Village Farms development proposal, and for that reason oppose it in its current state.

Sincerely,

Misbah Husain

Cannery Resident

## LETTER 165: MISBAH HUSAIN

### Response to Comment 165-1
Please see Response to Comment 17-1.

### Response to Comment 165-2
Please see Responses to Comments 17-2 and 17-3.

### Response to Comment 165-3
Please see Responses to Comments 17-4, 17-5, and 17-6.

### Response to Comment 165-4
Please see Response to Comment 17-7.

### Response to Comment 165-5
Please see Responses to Comments 17-8 and 17-9.

**Letter 166**

**Comments for Planning Commission**
Submitted by Nancy Price
February 12 regarding the Village Farms Project

Good evening,

For this brief comment, I focus on the significant toxic contamination that raises significant questions about surface, groundwater and soil contamination, and impacts on human health.

I am particularly concerned about the PFAS "forever chemicals" contamination.

**Universal Engineering Sciences April 19, 2024 report pg. 14 under 7.0 Recommendations:**

166-1 *The high concentrations of PFAS are not seen in the wider regional setting and UES is of the opinion that these analytes are linked to the Old Davis Landfill. Elevated levels of PFAS were not found in the source waters for the City of Davis indicating that no pathway is currently linking the aquifer and the contaminated area around the subject site. While no pathway was observed, it is likely that these analytes will migrate over time.*

*To understand the potential migration of the PFAS plume and evaluate any future impact to local water sources that are discovered, the Old Davis Landfill should continue to be monitored for any changes in the amount of contamination present.*

**1. Old Sewage Plant and unlined Old City Landfill, both north of East Village**

166-2 Contamination of groundwater. The unlined Old City Landfill and Sewage Treatment Plant area has a history of toxics and other chemical contaminants leaking into Village Farms groundwater; chemicals of most concern are: high levels of manganese and PFAS "forever chemicals" which exceed the maximum concentration levels (MCL's) allowed. Other chemical contaminants that exceed MCL concentration levels include selenium, iron, aluminum, nitrate as nitrogen may occur in the Old City landfill. There are still concentrations above MCL's of these chemicals in the ground water.

166-3 PFAS and manganese highlighted: Universal Engineering Sciences highlights PFAS contamination that exceeds MCL screening levels; recommends more monitoring and studies to define the PFAS plume and the direction of flow; and to monitor the manganese contamination that also exceeds MCL screening levels.

166-4 Health impacts of PFAS: PFAS chemicals are linked to birth defects, impacts for early childhood development, cancers including testicular and breast cancer, including increasing childhood cancers, decreased fertility, hormone and immune system disruption, thyroid, liver and kidney disease, and more.

As yet, there are no effective ways to clean up PFAS contamination.

166-5 Water Channel The water that flows west to east to the Wetlands should be tested for contamination.

**Letter 166 Cont.**

**Recommendations highlighted by Nancy Price**

166-6 1. Monitoring: continued monitoring of manganese and PFAS to determine source of higher concentrations and movement of contaminants in the aquifer.

166-7 2. Exclusionary Zone. There needs to be at a minimum a 1,000-foot zone around the unlined Old City Landfill and the Sewage Treatment Plant as recommended or required for newer landfills because there are known toxics and chemical contaminants in the leachate from these two locations.

166-8 3. Liability. The City Council and Davis residents should take seriously that by not taking recommended measures the City risks liability for any negative environmental impacts.

166-9 4. Toxic fertilizer. Treated sewage slugged, called bio-solids, has been used on agricultural, farm and garden soil have been found to contain PFAS chemicals from the wastewater that flows into the wastewater treatment facility. Several states have found use of this PFAS contaminated fertilizer has impacted local farms, the soil, dairy cattle and their milk, calves and crops. Maine has banned the use of this fertilizer from sewage sludge and some states are suing the EPA.

**2. UATA AREA**

Soil contaminants occur in very high levels exceeding allowable concentrations including arsenic in the UATA soil.

The developer plans to excavate soil to increase the level of the 200-acre flood plain. This soil has high arsenic levels. This area is susceptible to flooding and soil contaminated with arsenic and other toxic and chemical contaminants could be carried into the water channel that carries contaminants east to the wetlands.

166-10 The UATA excavated pit soil arsenic level is 6.1 -8 mg/kg. which is 56X – 76X greater than the levels for residential soil which should not exceed 0.11 mg/kg. (pg. 4.7-16). This excavated pit will also fill with runoff that can percolate down to contaminate the groundwater.

It is estimated that at least 1 MILLION CUBIC YARDS of soil are needed to try to raise the level of the 200-acre flood plain. Excavating and moving this amount of soil will decrease the air quality and with associated health impacts that need to be studied.

**3. HERITAGE OAK PARK, southeast area of Village Farms**

166-11 There is toxaphene and lead in the southern part of the project site where the large Heritage Oak Park is currently located. Children should not be exposed to these chemicals and toxics which could cause serious health problems over a child's lifetime.

The Heritage Oak Park is planned to be located on land where the old farmhouse was which has very high levels of toxaphene (pg. 4.7-6) is present in the soil at **1,000 - 1,200,000 mg/kg** where the DTSC maximum acceptable level is 450 mg.kg. Lead is present in levels **6.6 - 93 mg/kg** and the DTSC and CA Ecological Risk Office maximum level is 80 mg/kg. Asbestos has not been evaluated inside of the water tank house.

**Letter 166 Cont.**

**CONCLUSION:**
It is notable that the DEIR acknowledges the potential hazardous impacts of these toxics from the adjacent Old City landfill and Sewage Treatment Plant and high levels of contaminants in the soil including arsenic and lead below, as well as other potential hazards.

**166-12**

The Village Farms DEIR states on page 4.7-31 in the "Conclusion" section: *"Based on the above, development of the Proposed Project or BRPA could create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment related to OCPs, ACMs, LBPs and lead-affected soil, potential USTs, on site water wells and monitoring wells, and the buried natural gas pipeline.*

*Therefore, a significant impact could occur.*

**166-13**

he Draft EIR is deficient in many ways including not providing important details and the fact that CEQA requires the alternative to have lesser impacts than the project proposal. However, all of the alternatives, except a few are 1,800 housing units like the primary project proposal.

The DEIR needed to include the "Reduced Acreage Environmentally Superior Alternative" that was including in the Covell Village Draft EIR. This alternative would build only below the channel which would get the housing away from the majority of the 200-acre flood plain and away from the Landfill which is leaking high levels of PFAS "forever chemicals" and manganese into the groundwater. These PFAS' are carcinogenic so there should be no housing anywhere near this unlined Old City Landfill.

The Draft EIR is inadequate and needs to add this "Reduced Acreage Environmentally Superior Alternative" now with the modification of preserving eh vernal pools and reducing the number of housing units proportionally to 900-1,000 units.

## LETTER 166: NANCY PRICE (LETTER 1 OF 2, 2/12/25)

### Response to Comment 166-1
Please see Master Response 3.

### Response to Comment 166-2
Please see Master Response 3.

### Response to Comment 166-3
Please see Master Response 3.

### Response to Comment 166-4
Please see Master Response 3.

### Response to Comment 166-5
Please see Master Response 3.

### Response to Comment 166-6
Monitoring of groundwater associated with the Old Davis Landfill will continue to be performed by the City of Davis (the owner of the landfill) under the oversight of the RWQCB (the lead regulatory agency for the landfill).

### Response to Comment 166-7
Please see Master Response 3.

### Response to Comment 166-8
Please see Master Response 1.

### Response to Comment 166-9
Please see Master Responses 1 and 3. The applicant has reached out to the farmer actively farming the project site/BRPA site regarding the use of sewage sludge as fertilizer. The Farming Representative indicated that sewer sludge has never been used on the project site/BRPA site, nor is the use of sewer sludge a practice in farming activities. Toxic fertilizer has not been used at the project site/BRPA site.

### Response to Comment 166-10
Please see Master Response 3.

### Response to Comment 166-11
Please see Master Response 3.

### Response to Comment 166-12
Please see Master Response 3.

### Response to Comment 166-13
Please see Master Response 2.

**Letter 167**

TO: Dara Dungworth at ddungworth@cityofdavis.org
Submitted by Nancy Price
Comments on the DEIR for the Village Farms Project
February 25, 2025

In these comments, I focus on the significant and documented toxic contamination that raises questions about surface, groundwater and soil contamination, and impacts on the health of people of all ages, especially children.

**167-1** Here I raise three general considerations in regard to this project.

First: **"Due Diligence":** The obligation that "the city" take the reasonable steps necessary to satisfy the legal requirement that the city exercised "due diligence" to evaluate the assets and the liabilities of developing Village Farms in the reduced project and no project alternatives in regard to the documented toxic contamination reported in the DEIR Hydrology section and UES April 19, 2024 Groundwater Monitoring Report.

Second: **"Precautionary Principle"** from the Science & Environmental Health Network https://www.sehn.org/precautionary-principle-understanding-science-in-regulation

**167-2** That is, as clearly stated below, the city and city council bear the burden of proof to examine all the alternatives, including the "no action alternative" in order to protect the potentially affected parties, e.g. the public of all ages, especially children from harm by toxics and chemicals, especially PFAS "forever chemicals" and all others on the site that exceed allowed MCL levels.

*"When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically. In this context the proponent of an activity, rather than the public, should bear the burden of proof. The process of applying the precautionary principle must be open, informed and democratic and must include potentially affected parties. It must also involve an examination of the full range of alternatives, including no action."* - ***Wingspread Statement*** *on* the Precautionary Principle, Jan. 1998

Third: **"Guardian of Present and Future Generations"** Science & Environmental Health Network https://www.sehn.org/guardianship-of-future-generations See attached: MODEL STATE ENVIRONMENTAL QUALITY ACT OF 2007, p. 4, Section J, Cumulative Impacts that would impact the present and future generations that reside at Village Farms and including adjacent areas.

**167-3** **"Cumulative Impacts" means the total of the public health and environmental effects in a geographic area or in a population from all types of degradation and damage from all sources combined, including pollution from all emissions and discharges, whether single or multi-media, routinely, accidentally or otherwise released.**

The city needs to take into consideration liability, especially in regard to the toxics and PFAS "forever chemicals."

**Universal Engineering Sciences April 19, 2024 report pg. 14 under 7.0 Recommendations:**

**Letter 167 Cont.**

**167-3 Cont.**

*The high concentrations of PFAS are not seen in the wider regional setting and UES is of the opinion that these analytes are linked to the Old Davis Landfill. Elevated levels of PFAS were not found in the source waters for the City of Davis indicating that no pathway is currently linking the aquifer and the contaminated area around the subject site.* ***While no pathway was observed, it is likely that these analytes will migrate over time.***

***UES Recommendation****: To understand the potential migration of the PFAS plume and evaluate any future impact to local water sources that are discovered, the Old Davis Landfill should continue to be monitored for any changes in the amount of contamination present.*

This need for ongoing monitoring is important as the contents of the Old Landfill and old landfills in general continue to break down over time and the leachate can contain PFAS and other chemicals and toxics.

**OLD SEWAGE PLANT AND UNLINED OLD CITY LANDFILL,** north of the East Village Area

Contamination of groundwater. The unlined Old City Landfill and Sewage Treatment Plant area has a history of toxics and other chemical contaminants leaking into Village Farms groundwater; chemicals of most concern are: high levels of manganese and PFAS "forever chemicals" which exceed the maximum concentration levels (MCL's) allowed. Other chemical contaminants that exceed MCL concentration levels include selenium, iron, aluminum, and nitrate as nitrogen may occur in the Old City landfill. There are still concentrations above MCLs of these chemicals in the ground water.

**167-4**

It is recommended that a 1,000 foot "exclusionary zone" be created around the unlined Old City Landfill and Sewage Treatment Plant as recommended or required of new landfills because of leachate that can contaminate surface and ground water, especially with heavy rain storms that saturate these sites.

PFAS and manganese highlighted: UES highlights PFAS contamination that exceeds MCL screening levels; recommends more monitoring and studies to define the PFAS plume and the direction of flow; and to monitor the manganese contamination that also exceeds MCL screening levels.

Health impacts of PFAS: 98% or more of humans have PFAS in their blood. PFAS chemicals are found in the placenta, umbilical cord, amniotic fluid and breast milk. They are linked to fetal and birth defects, and impact early childhood development. PFAS is linked to adult testicular, breast cancer, and including increasing childhood cancers (brain and blood cancers), decreased fertility, hormone and immune system disruption, and thyroid, liver and kidney disease, and more.

**As yet, at present there are no effective ways to clean up PFAS contamination.**

**167-5**

**WATER CHANNEL** The water flows west to east to the Wetlands and should be tested according to a prescribed schedule for contamination, including for any PFAS "forever chemicals."

**Letter 167 Cont.**

**UATA AREA**

Soil contaminants occur in very high levels exceeding allowable concentrations including arsenic in the UATA soil

The developer plans to excavate soil to increase the level of the 200-acre flood plain. This soil has high arsenic levels. This area is susceptible to flooding and soil contaminated with arsenic and other toxic and chemical contaminants could be carried into the water channel that carries contaminants east to the wetlands.

167-6

The UATA excavated pit soil arsenic level is 6.1 -8 mg/kg. which is 56X – 76X greater than the levels for residential soil which should not exceed 0.11 mg/kg. (pg. 4.7-16). This excavated pit will also fill with runoff that can percolate down to contaminate the groundwater and also at times of excessive rain (atmospheric river) runoff into the Channel that flows East to the wetlands. Especially if this runoff is contaminated with PFAS chemicals there is danger to wildlife and potential contamination of crops/rice grown in the wetlands area of commercial sales and human consumption. PFAS chemicals are documented to bioaccumulate up the food chain.

It is estimated that at least 1 MILLION CUBIC YARDS of soil are needed to try to raise the level of the 200-acre flood plain. Excavating and moving-trucking around on site (or moving off-site if needed), this amount of soil will decrease the area's air quality and cause associated health impacts that must itemized and studied. Children biking to and from schools will be particularly impacted.

**HERITAGE OAK PARK, southeast area of Village Farms**

There is toxaphene and lead in the southern part of the project site where the large Heritage Oak Park is currently located to be built – a totally inappropriate location next to what will be the most congested intersection in the city with reduced air quality and increased particulate matter. Why should children be playing in this area? And they should not be exposed the toxics or chemicals which can lead to serious health problems over a child's lifetime and impact the health of other exposed persons accompanying the children or there for their own enjoyment.

167-7

The Heritage Oak Park planned to be where the old farmhouse was has very high levels of toxaphene (pg. 4.7-6) in the soil at **1,000 - 1,200,000 mg/kg** where the DTSC maximum acceptable level is 450 mg.kg. Lead is present in levels **6.6 - 93 mg/kg** and the DTSC and CA Ecological Risk Office maximum level is 80 mg/kg. Asbestos has not been evaluated inside of the water tank house; it is well documented in the medical literature that asbestos impact our lungs, including asbestosis: a chronic lung disease that causes scarring of the lungs, making it difficult to breathe; lung cancer, and mesothelioma, a rare, aggressive cancer of the lining of the lungs or abdomen. Toxaphene is a neurotoxin and potential carcinogen.

**CONCLUSION:**

167-8

It is notable that the DEIR acknowledges the potential hazardous impacts of these toxics from the adjacent Old City landfill and Sewage Treatment Plant and high levels of contaminants in the soil including arsenic and toxaphene and lead, and, as well as other potential hazards.

**Letter 167 Cont.**

**167-8 Cont.**

The Village Farms DEIR states on page 4.7-31 in the "Conclusion" section: *"Based on the above, development of the Proposed Project or BRPA could create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment related to OCPs, ACMs, LBPs and lead-affected soil, potential USTs, on site water wells and monitoring wells, and the buried natural gas pipeline. Therefore, a significant impact could occur.*

Universal Engineering Sciences April 19, 2024 report pg. 14 under 7.0 Recommendations: The high concentrations of PFAS are not seen in the wider regional setting and UES is of the opinion that these analytes are linked to the Old Davis Landfill. Elevated levels of PFAS were not found in the source waters for the City of Davis indicating that no pathway is currently linking the aquifer and the contaminated area around the subject site. While no pathway was observed, it is likely that these analytes will migrate over time.

To understand the potential migration of the PFAS plume and evaluate any future impact to local water sources that are discovered, the Old Davis Landfill should continue to be monitored for any changes in the amount of contamination present.

It has been argued that problems with contaminated well and ground water as drinking water sources for Village Farms can be "mitigated" by only using city water for every need for safe water, likely including for irrigation. The reason for careful, continued monitoring is to determine the extent of contamination, if any, of the groundwater and aquifer with toxics and PFAS chemicals and that thus pose a danger for widespread contamination of groundwater and the aquifer. Don't forget that the Frontier Fertilizer site was declared a Superfund site and the underground plume and contamination cleaned up.

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# MODEL STATE ENVIRONMENTAL QUALITY ACT OF 2007*

**Chapter 1: Statement of Policy and Intent.**

The Legislature finds and declares that it is the policy of the State to do the following:

(A) Recognize that the State holds the environment in public trust for the benefit of all the people of the State, and therefore has an obligation to develop and maintain a high quality environment for present and future generations and to take all action necessary to protect, rehabilitate, and enhance the environmental quality of the State;

(B) Take all action necessary to ensure the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of all environmental laws, regulations and policies, and to provide all of the people of the State with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise, light pollution, and threats to human health;

(C) Prevent the elimination of fish or wildlife species due to human activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities of this state;

(D) Ensure that the restoration and long-term protection of the environment and the provision of a suitable living environment for every State citizen shall be the guiding objective of public decisions;

(E) Create and maintain conditions under which humans and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations;

(F) Require public agencies at all levels of government to develop standards and procedures necessary to ensure public participation in decision-making and to restore and protect environmental quality;

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* Prepared by Joseph H. Guth, Legal Director of Science & Environmental Health Network. Contact at joe@sehn.org. This Model Act was published at SEHN Networker vol. 12(2) (March 2007) (www.sehn.org) and in Rachel's Democracy & Health News # 901 (April 5, 2007) (www.rachel.org).

*Science & Environmental Health Network (2007)*
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(G) Require public agencies at all levels of government in making decisions that affect the environment to consider qualitative as well as quantitative social, technical and economic factors; to consider fairness to people based on race, culture and income; to consider long-term as well as short-term advantages and disadvantages of proposed actions; to consider the cumulative impacts of all threats to human health and the environment; and to consider a broad range of alternatives to proposed actions affecting the environment;

(H) Require public agencies at all levels of government making decisions that affect the quality of the environment to act on early warnings of harm in order to restore the environment and to prevent environmental damage in this State;

(I) Favor projects that eliminate, remediate and reduce existing and ongoing environmental degradation and redress existing unfair treatment of people with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies; and

(J) Deny projects as proposed if there are feasible alternatives or feasible mitigation measures available, including the option of not doing the project at all, which would substantially lessen unacceptable adverse environmental effects or unfair treatment based on race, culture and income of such projects. The procedures required by this Act are intended to assist public agencies in systematically identifying the adverse effects on the environment and unfair treatment of proposed projects, as well as the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen unacceptable adverse effects on the environment and unfair treatment.

**Chapter 2: Definitions.**

(A) "Environment" means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, and objects of historic or aesthetic significance. The term contemplates that local environments are often interconnected with the broader environment of the State, the United States and the world, and that action taken in any particular local environment can have and contribute to adverse environmental effects in other areas as well.

(B) "Environment Assessment" or "EA" means an informational document that shall be prepared for proposed projects. The purpose of an Environmental Assessment is to enable public agencies, in consultation with the public, to either issue a "Finding of No Significant Adverse Effect" or determine that further assessment of the project is necessary through preparation of an Environmental Impact Statement.

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(C) "Environmental Impact Statement" or "EIS" means an informational, detailed document setting forth the matters specified in this Act, which, when its preparation is required by this Act, shall be considered by every public agency prior to its approval or disapproval of a project. The purpose of an Environmental Impact Statement is to provide public agencies and the public in general with detailed information about all significant adverse effects on the environment, benefits to the environment, unfair treatment or remediation of unfair treatment which a proposed project may cause; to identify and describe ways in which such significant adverse effects on the environment or any unfair treatment might be prevented, reduced and/or minimized; and to identify and describe alternatives, including the alternative of no action, to such a project and any significant adverse effects on the environment or unfair treatment such alternatives may have.

(D) "Finding of No Significant Adverse Effect" means a written statement by a lead agency stating in full the bases of its conclusion that an Environmental Assessment prepared by the proponent of a project establishes a reasonable certainty that the project will cause no significant adverse effect on the environment or unfair treatment.

(E) "Lead agency" means the public agency which has the responsibility for carrying out or approving a project or taking some other action requested by the proponent of a project relating to creating, developing, building or otherwise beginning or completing the project.

(F) "Person or corporation" means any human, organization, agency, corporation, or other entity.

(G) "Project" means any activity which may cause either a direct physical, chemical or biological change in the environment, or a reasonably foreseeable indirect physical, chemical or biological change in the environment, and which is any of the following:

a. An activity directly undertaken by any public agency, which is therefore the proponent of the activity;
b. An activity undertaken by a person or corporation which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies; or
c. An activity that involves the issuance to a person or corporation of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

Alternatives to a project should be identified by reference to the broad social objectives of the project, and include the alternative of not doing the project.

(H) "Public agency" means any state or local agency, board, or commission; any county, city, city and county, or regional agency; or an agency of any other political subdivision.





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(I) "Significant Adverse Effect on the Environment" means an effect on the environment that causes, or contributes to, any type of degradation of the environment or damage to public health, in view of the existing and reasonably expected cumulative impacts on the environment and public health.

(J) "Cumulative Impacts" means the total of the public health and environmental effects in a geographic area or in a population from all types of degradation and damage from all sources combined, including pollution from all emissions and discharges, whether single or multi-media, routinely, accidentally or otherwise released. The Cumulative Impacts that may be caused by a particular source of degradation of the environment or damage to public health means the total of all adverse effects to human health and the environment that the source may cause, taking into account all factors that may affect the impact of those adverse effects, including all other sources of environmental degradation or health damage, the existence of sensitive or highly exposed populations (including children and workers), and all relevant socioeconomic factors and social determinants of health including income, access to health care and health status of the affected populations.

(K) A project causes "unfair treatment" when it causes or contributes, in view of cumulative impacts, to the inequitable treatment of people of any race, culture or income with respect to the development, adoption, implementation or enforcement of any environmental law, regulation or policy.

(L) "Monetization" of effects on the environment or unfair treatment refers to the analytical practice of converting such effects to a monetary value, a practice that is distinct from an evaluation of qualitative considerations such as justice, ethics and intergenerational equity.

(M)"Evidence" means all information establishing facts and reasonable assumptions predicated on those facts, including evidence provided by individuals, community members and members of the public even if not presented in rigorous scientific form, as appropriate to the relevant social, economic or technical factor being evaluated. When a project raises a threat of harm to human health or the environment, that threat may preclude a conclusion that there is a reasonable certainty that the project will cause no significant adverse effect on the environment or unfair treatment even if all cause and effect relationships are not fully established scientifically.

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**Chapter 3: Assessment of Environmental Impacts.**

**Section 3.1: Environmental Assessments on proposed projects; significant effects; Findings of No Significant Impact.**

(A) A proponent of any proposed project may prepare an Environmental Assessment demonstrating, on the basis of substantial evidence in light of a complete record, a reasonable certainty that the proposed project will cause no significant adverse effect on the environment or unfair treatment. This evidence may not constitute solely a monetized cost-benefit analysis but must also comprise identification and analysis in non-monetized terms of all significant qualitative social, technical and economic considerations.

(B) The lead agency shall evaluate the Environmental Assessment, in consultation with the public, and shall consider information it receives from the public, as well as qualitative and quantitative social, technical and economic factors; the public trust; advantages and disadvantages in both the short term and for future generations; whether the project raises a threat of harm to human health or the environment; and cumulative impacts. If the lead agency concludes that the Environmental Assessment has established a reasonable certainty that the proposed project will cause no significant adverse effect on the environment or unfair treatment, the agency shall prepare and issue for public comment a draft Finding of No Significant Adverse Effect; otherwise the agency must decline to issue such a Finding. Once a Finding becomes final, the Agency may then take appropriate agency action.

**Section 3.2: Environmental Impact Statements on proposed projects.**

(A) The proponent of any proposed project shall prepare an Environmental Impact Statement unless the lead agency has issued a Finding of No Significant Adverse Effect. In the Environmental Impact Statement, the proponent of the project shall demonstrate, on the basis of substantial evidence in light of a complete record, a reasonable certainty that the project, in view of all the alternatives, to the maximum extent feasible avoids significant adverse effects on the environment and unfair treatment. This evidence may not constitute solely a monetized cost-benefit analysis but must also comprise identification and analysis in non-monetized terms of all significant qualitative social, technical and economic considerations.

(B) Each Environmental Impact Statement shall include a detailed statement setting forth all of the following:
   a. Identification of the project and each alternative, including the no-action alternative.
   b. A complete description of each project and alternative.
   c. For each project and alternative:





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i. Identification and description of all significant adverse effects on the environment and unfair treatment that may be caused by the project;
ii. All significant adverse effects on the environment and unfair treatment that cannot be avoided if the project or alternative is implemented;
iii. All significant adverse effects on the environment and unfair treatment that would be irreversible if the project or alternative is implemented;
iv. An evaluation of the existing cumulative impacts and unfair treatment in the relevant environment and community;
v. The cumulative impacts on cultural and historic resources of the State, and any other relevant social, technical or economic impacts, caused by the project or alternative; and
vi. Mitigation measures proposed to minimize or eliminate significant adverse effects on the environment and unfair treatment, and a description of how those measures would be implemented.

d. Identification of any and all potential adverse effects on the environment of a project that are determined to be not significant or not unfair treatment and consequently not otherwise discussed in detail in the Environmental Impact Statement, and the reasons for that determination.

**Section 3.3: Best available alternative; mitigation.**

(A) The lead agency shall evaluate the Environmental Impact Statement, in consultation with the public, and shall consider: information it receives from the public, as well as qualitative and quantitative social, technical and economic factors; the public trust; advantages and disadvantages in both the short term and for future generations; whether the project raises a threat of harm to human health or the environment; and cumulative impacts.

(B) If the lead agency determines that a feasible alternative has not been adequately discussed in the Environmental Impact Statement, the agency shall request that the proponent of the activity prepare an analysis of such additional feasible alternative for completion of the Environmental Impact Statement.

(C) After evaluation of the completed Environmental Impact Statement in consultation with the public, the lead agency may accept for approval the project proposed by the proponent of the project, it may accept an alternative, it may impose additional conditions, restrictions or requirements, or it may deny the application. In making this determination, the lead agency shall:

(i) Ensure that the proponent of the project has demonstrated a reasonable certainty that the approved project, with any additional conditions, restrictions or requirements, to the maximum extent feasible, avoids significant adverse effects on the environment and unfair treatment;

(ii) Prefer projects and alternatives that the proponent has demonstrated are reasonably certain to provide an improvement in the quality of the air, water, soil and biodiversity of the environment over those that will not





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affect such quality; and prefer projects and alternatives that the proponent has demonstrated are reasonably certain not to affect such quality over those that will diminish it;

(iii) Ensure that if a project or alternative comprises one element that remediates existing environmental damage or unfair treatment as compensation for a significant adverse effect on the environment or unfair treatment caused by another element of the project, such remediation benefits the same community as is harmed by the significant adverse effect or unfair treatment;

(iv) Require a performance bond where appropriate to ensure that the proponent of the project fulfills its commitments and obligations to ensure that significant adverse effects on the environment and unfair treatment are minimized or avoided; and

(v) With appropriate public participation, prepare and issue to the public a draft Approval of Environmental Impact Statement explaining in full the agency's bases for approving the project or alternative and any additional conditions, restrictions or requirements. Once the Approval becomes final, the agency may then take appropriate action requested by the proponent of the project.

**Section 3.4: State Environment Department; preparation and development of guidelines.**

The State Environment Department shall prepare and develop proposed regulations for the implementation of this Act by public agencies. The regulations shall include objectives and criteria for the orderly evaluation of projects and the preparation of documents in a manner consistent with this Act.

(A) The regulations shall specifically include criteria for public agencies to follow in evaluating Environmental Assessments and Environmental Impact Statements. The criteria shall require public agencies to find that the proponent of the activity has carried the burdens of proof required by this Act.

(B) The regulations shall also include criteria for a public agency to use in determining when a proposed project is of sufficient statewide, regional, or area-wide environmental significance that it should be submitted to additional appropriate state agencies for review and comment prior to completion by the agency of its evaluation of an Environmental Assessment or Environmental Impact Statement.

(C) The State Environment Department shall develop and prepare the proposed regulations as soon as practicable.





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**Section 3.5: Establishment of time limits for Environmental Assessments and Environmental Impact Statements.**

(A) Each public agency shall establish, by resolution or order, time limits that do not exceed the following:
   a. Six months for completing evaluating an Environmental Assessment and, where appropriate, preparing and publishing a final Finding of No Significant Adverse Effect.
   b. One year for evaluating an Environmental Impact Statement and, where appropriate, preparing and publishing a final Approval of Environmental Impact Statement.
   c. The time limits specified in this section shall apply only to those circumstances in which the public agency is the lead agency for a project. The resolutions or orders may establish different time limits for different types or classes of projects, but all limits shall be measured from the date on which an application requesting approval of the project is received and accepted as complete by the public agency. The resolutions or orders required by this section may provide for a reasonable extension of the time period in the event that compelling circumstances justify additional time.

(B) If an evaluation of an Environmental Assessment or Environmental Impact Statement is prepared under a contract to a public agency, the contract shall be executed within 45 days from the date on which the public agency sends a notice of preparation. The public agency may take longer to execute the contract if there is an extension of the time limit provided by this subsection.

**Section 3.6: Notice; opportunity to comment; availability to legislature and general public.**

(A) Whenever a public agency approves a project, including projects for which it is the proponent, it shall file notice of that approval with the State's Office of Planning and Research.
   a. The notice shall indicate the determination of the public agency on whether the project will, or will not, provide an improvement or significant adverse effect on the environment, or cause or remediate unfair treatment, and shall indicate whether an Environmental Assessment, Finding of No Adverse Effect, Environmental Impact Statement and Approval of Environmental Impact Statement have been prepared pursuant to this Act.
   b. All notices filed pursuant to this section shall be available for public inspection.

(B) Lead agencies shall solicit and consider comments from the public and public agencies on environmental documents, including, but not limited to, Environmental Assessments, draft Finding of No Adverse Effects, Environmental





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Impact Statements and draft Approval of Environment Impact Statements, in order to help the lead agencies identify significant adverse effects on the environment and unfair treatment that may be caused by a project, as well as alternatives, mitigation measures which would substantially reduce those adverse effects and unfair treatment, and steps that may remediate existing adverse effects on the environment and unfair treatment.

(C) The lead agency shall make available on a publicly accessible website each Environmental Assessment, Environmental Impact Statement, Finding of No Adverse Effect and Approval of Environmental Impact Statement, and drafts intended for public review, and make copies available to the following:

a. The State Legislature. It shall include the Environmental Assessment, Environmental Impact Statement, Finding of No Adverse Effect and Approval of Environmental Impact Statement, and drafts intended for public review, as a part of the regular project statement used in the existing review and budgetary process.
b. The general public. Also, any member of the general public may secure a copy thereof by requesting a copy from the lead agency.
c. The appropriate local planning agency or agencies of any city, county, or city and county which will be affected by the project.

**Chapter 4: Proceedings.**

**Section 4.1: Enforcement; commencement of actions or proceedings.**

(A) Any person or corporation may enforce the provisions of this Act.

(B) Any action or proceeding to challenge, review, set aside, void, or annul the following acts on the grounds of noncompliance with this Act shall be commenced as follows:

a. An action or proceeding alleging that a person or corporation is carrying out or has approved a project which may cause a significant adverse effect on the environment or unfair treatment without obtaining or issuing a Finding of No Adverse Effect or an Approval of Environmental Impact Statement shall be commenced within 180 days from the date the public agency notified the public of its decision to carry out or approve the project, or, if a project is undertaken without a decision by a public agency, at any time after the commencement of the project.
b. Any action or proceeding alleging that a public agency has improperly determined whether a project may cause a significant adverse effect on the environment or unfair treatment shall be commenced within 180 days from the date of the filing of the notice required by this Act.
c. Any action or proceeding alleging that an Environmental Assessment, Finding of No Adverse Effect, Environmental Impact Statement or Approval of Environmental Impact Statement does not comply with this





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Act shall be commenced within 180 days from the date of the filing of the notice required by this Act.

**Section 4.2: Settlement meetings; settlement conference.**

(A) Not later than 20 days from the date of service upon a public agency of a petition or complaint, the public agency shall file with the court a notice setting forth the time and place at which all parties shall meet and attempt to settle the litigation. The meeting shall be scheduled and held not later than 45 days from the date of service of the petition or complaint upon the public agency. The notice of the settlement meeting shall be served by mail upon the counsel for each party. If the public agency does not know the identity of counsel for any party, the notice shall be served by mail upon the party for whom counsel is not known.

(B) At the time and place specified in the notice filed with the court, the parties shall meet and confer regarding anticipated issues to be raised in the litigation and shall attempt in good faith to settle the litigation and the dispute which forms the basis of the litigation. The settlement meeting discussions shall be comprehensive in nature and shall focus on the legal issues raised by the parties concerning the project that is the subject of the litigation.

(C) The settlement meeting may be continued from time to time without postponing or otherwise delaying other applicable time limits in the litigation. The settlement meeting is intended to be conducted concurrently with any judicial proceedings.

(D) If the litigation is not settled, the court, in its discretion, may, or at the request of any party, shall, schedule a further settlement conference before a judge of the superior court. If the petition or complaint is later heard on its merits, the judge hearing the matter shall not be the same judge conducting the settlement conference, except in counties that have only one judge of the superior court.

**Section 4.3: Noncompliance with Act; court orders.**

If a court finds, as a result of a trial, hearing, or remand from an appellate court, that any determination, finding, or decision of a public agency has been made without compliance with this Act, the court shall enter an order that includes one or more of the following:

(A) A mandate that the determination, finding, or decision be voided by the public agency, in whole or in part.

(B) If the court finds that a specific project activity or activities will prejudice the consideration or implementation of particular mitigation measures or alternatives to the project, a mandate that the public agency and any real parties in interest suspend any or all specific project activity or activities, pursuant to the





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determination, finding, or decision, that could result in an adverse change or alteration to the environment, until the public agency has taken any actions that may be necessary to bring the determination, finding, or decision, into compliance with this Act.

(C) A mandate that the public agency take specific action as may be necessary to bring the determination, finding, or decision into compliance with this Act.

(D) A mandate that the public agency pay attorneys' fees and expenses to plaintiff unless the plaintiff is or acts on behalf of the proponent of the project.

In any proceeding challenging a determination, finding or decision of a public agency, if the plaintiff is or acts on behalf of the proponent of the project, the court shall enter an order that includes a mandate that the plaintiff pay attorneys' fees and expenses to the public agency.

**Chapter 5: Effective Date.**

Unless otherwise specified, this Act shall become effective six months from enactment.

**Chapter 6: Funding.**

All expenses born from implementing this Act shall be that undertaken by each agency.

**Chapter 7: Severability.**

If any provision of this Act or the application thereof to any person or corporation or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Act which can be given effect without regard to the invalid provision or application, and to this end the provision of this Act are severable.





## LETTER 167: NANCY PRICE (LETTER 2 OF 2, 2/12/25)

### Response to Comment 167-1
Please see Master Responses 1 and 3.

### Response to Comment 167-2
Please see Master Responses 1 and 3.

### Response to Comment 167-3
Please see Master Responses 1 and 3, as well as Response to Comment 166-6. The attachment to the letter does not address the adequacy of the Draft EIR.

### Response to Comment 167-4
Please see Master Responses 1 and 3.

### Response to Comment 167-5
Please see Master Responses 1 and 3.

### Response to Comment 167-6
Please see Master Responses 1, 3, and 4, as well as Response to Comment 99-2.

### Response to Comment 167-7
Please see Master Responses 1 and 3, as well as Response to Comment 47-1.

### Response to Comment 167-8
Please see Master Responses 1 and 3, as well as Response to Comment 166-6.

**Letter 168**

**Dara Dungworth**

**From:** Neelima Sinha <nrsinha@ucdavis.edu>
**Sent:** Sunday, February 9, 2025 7:35 PM
**To:** Planning Commission; Dara Dungworth
**Subject:** Village Farms project

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

I would like to respectfully submit my comments on the The Village Farms proposal which has many problems

168-1 **Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has a lot of problems primarily because it is a handicapped site with a 200 acre flood plain, it is adjacent to the unlined Old City Landfill and Sewage treatment Plat with a long history of leakage into the ground water of toxics and other chemical contaminants (now including PFAS ' forever chemicals) , the enormous traffic issues already at Covell and Pole Line a, access issues because is cannot be accessed from F St. due to the railroad tracks, the EIR now is questioning the "feasibility" of a Pole Line Undercrossing and then there is all the costs imposed by the enormous amount of infrastructure needed and then of course the massive impacts on the native plants, wildlife and habitat in general. It is also important to recognize that the project is not infill per our General Plan which defines infill as land that is within the City limits and Village Farms is outside the City limits in Yolo County.**

168-2 **My most serious concern is that this will be unaffordable housing where the vast majority of the homes will be McMansion's**, Market homes will not be cheaper thn $700,000 - $800,00 but the majority of them will be well over $1 million. This does not help our average workers or particularly families with young kids, so this project will not help bring a lot of kids to the schools contrary to the developer's claims.

168-3 There will also be **Habitat impacts including the tearing out 952 trees to dig up to expand and reroute Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

Neelima Sinha
Distinguished Professor in Plant Biology
University of California, Davis
Room 2253 Green Hall
Davis CA – 95616
(530) 754-8692
http://www-plb.ucdavis.edu/labs/sinha/
http://plant-plasticity.github.io/
http://scholar.google.com/citations?hl=en&user=3JqmifOAAAAJ&view_op=list_works
ORCID: 0000-0002-1494-7065

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## LETTER 168: NEELIMA SINHA

### Response to Comment 168-1
Please see Response to Comment 75-1.

### Response to Comment 168-2
Please see Response to Comment 75-54.

### Response to Comment 168-3
Please see Response to Comment 75-50.

**Letter 169**

**Dara Dungworth**

**From:** Nicholas Pinter <npinter@UCDAVIS.EDU>
**Sent:** Thursday, February 13, 2025 11:34 AM
**To:** Dara Dungworth
**Subject:** Transcript of comment at Village Homes hearing

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth:

Below is a copy of my comment presented at last night's Village Homes public meeting. Thank you:

Nicholas Pinter

*Prof. Nicholas Pinter*
*Shlemon Chair in Applied Geosciences*
*Dept. of Earth and Planetary Sciences*
*Associate Director, Center for Watershed Sciences*
*University of California Davis*
*npinter@ucdavis.edu*
*(530) 754-1041*

**169-1** My name is Nicholas Pinter. I work as a Professor of Applied Geosciences at UC Davis. I'm also a resident of the Wildhorse neighborhood in northern Davis. I have concerns about the design and impacts of the Village Farms project. My primary concern at this time is the effects of the project on downstream hydrology. Having reviewed the draft environmental impact report (DEIR), I fear that this analysis, its hydraulic modeling, and other elements of the DEIR may significantly underestimate downstream hydrologic impacts. Potentially including significant additional flow volumes and higher water levels in the Wildhorse neighborhood and elsewhere. I recommend independent hydraulic modeling of the impacts of the Village Farms project.

**169-2** The DEIR notes that mitigation efforts will be designed and implemented in the future, but no details are provided nor any specific timeline for the design or implementation of these mitigation measures. This is not acceptable. I recommend that the city of Davis and its residents insist on detailed engineering designs that prove full mitigation of downstream hydrologic impacts; mitigation to the standard recommended by the Association of State and Federal Flood Plain Managers (ASFPM) and others which requires "zero adverse impacts."

**169-3** Last, and more broadly, the proposed Village Farms development involves large-scale relocation and reengineering of the current stream channel and flood plain system. This raises many additional questions and concerns. I leave you with a quote from ASFPM. "Future developments should avoid high hazard and ecological sensitive areas. State and local government should guide development away from these areas by applying land use management techniques. This is the most effective way to minimize cumulative losses." Thank you very much for your time, and please feel free to contact me with any additional questions.

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## LETTER 169: NICHOLAS PINTER

### Response to Comment 169-1
Please see Master Response 4.

### Response to Comment 169-2
Please see Master Response 4 and Response to Comment 97-7.

### Response to Comment 169-3
Please see Master Responses 1 and 4.

**Letter 170**

**Dara Dungworth**

**From:** Nicole Yang <nicoleyangdvm@gmail.com>
**Sent:** Wednesday, February 19, 2025 11:13 PM
**To:** Dara Dungworth
**Subject:** Opposition to Village Farms development proposal

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Re: Village Farms development proposal

Dear Ms. Dungworth,

**170-1** I would like to voice my opposition to this proposal as a homeowner in the Cannery due to concerns voiced by fellow homeowners, mainly safety concerns.

Sincerely,
Nicole & Vivian Yang

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## LETTER 170: NICOLE AND VIVIAN YANG

### Response to Comment 170-1

Please see Master Response 1.

**Letter 171**

**Dara Dungworth**

**From:** Nikki Baumrind <baumrind@pacbell.net>
**Sent:** Tuesday, February 25, 2025 3:50 PM
**To:** Dara Dungworth
**Subject:** Concerns about EIR for Village Farms Davis Project

**Categories:** VFD Comment

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To Whom It May Concern:

I am a long-time resident of Davis and live near the site of this proposed project. I am concerned that the EIR does not adequately address the environmental impact of the proposed project.

**171-1** 1. This enormous project is likely to have substantial impact on traffic patterns in the surrounding area. The proposed solutions do not appear adequate to prevent traffic jams as residents of the proposed neighborhood attempt to enter and exit the neighborhood.

**171-2** 2. The project is proposed to be built on habitat used by the threatened Swainson's Hawks. These hawks have a symbiotic relationship with local agriculture and use the farmed areas extensively for hunting. This development can be expected to severely impact survival of the Davis subpopulation of these birds due to loss of foraging territory. Similarly, impact on other types of wildlife has been underestimated, and the EIR does not adequately address mitigation of the adverse impact on these species.

**171-3** 3. The proposed project does not adequately address water runoff and flooding potential both within the proposed project perimeter, and outside the perimeter.

**171-4** 4. As noted in the EIR, the site currently contains multiple environmental toxins, including various type of toxic waste. I am retired from the California Department of Public Health where I served as Chief of the Program Evaluation and Research Section of the Childhood Lead Poisoning Prevention Branch. There is no safe level of lead in the blood, and children are particularly vulnerable to adverse effects of exposure. Disruption of lead contaminated soil may lead to spread of contaminated soil to neighboring areas during construction, beyond the confines of the construction zone. The contaminated soil will continue to present a hazard if it is allowed in areas where people can come in contact with it. The EIR has not adequately addressed this issue. There are similar issues related to other environmental toxicants on the proposed building site. Environmental hazards associated with use of contaminated soil to fill flood-prone areas of lower elevation also has not been addressed.

**171-5** 5. The EIR reports presence or potential presence of sensitive and endangered/threatened plant species but does not adequately address damage to them.

**171-6** 6. The EIR does not adequately address the adverse impact on the enjoyment of the agricultural habitat to people living in the neighborhood. Loss of the agricultural quality of the neighborhood, as well as loss of the birds that use the area, will have an impact on quality of life for those of us living near the proposed project. Nature has been shown to have a beneficial effect on human health, and the impact of loss of the natural/agricultural environment needs to be addressed.

Thank you for consideration of my concerns,

Nikki Baumrind, PhD, MPH

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## LETTER 171: NIKKI BAUMRIND

### Response to Comment 171-1
Please see Master Responses 1 and 5.

### Response to Comment 171-2
Please see Master Responses 1 and 7. In addition, the Proposed Project/BRPA would be subject to Mitigation Measure 4.4-10, which requires compliance with Yolo HCP/NCCP AMM16 related to Swainson's hawk. The commenter has failed to explain how the Draft EIR underestimates impacts to other wildlife species. A discussion of impacts and associated mitigation measures for special-status species with the potential to occur on-site is provided throughout Chapter 4.4, Biological Resources, of the Draft EIR.

### Response to Comment 171-3
Please see Master Response 4.

### Response to Comment 171-4
Please see Master Response 3.

### Response to Comment 171-5
Please see Master Responses 1 and 7. The commenter has failed to explain how the Draft EIR does not address impacts related to special-status plant species. The Proposed Project/BRPA would be subject to Mitigation Measures 4.4-1(a) through 4.4-1(c), which require special-status plant surveys and applicable avoidance and/or replacement measures.

### Response to Comment 171-6
Please see Master Response 1.

**Letter 172**

**Dara Dungworth**

**From:** Norb Kumagai <kumagai926@icloud.com>
**Sent:** Saturday, February 22, 2025 7:14 AM
**To:** Dara Dungworth
**Subject:** Village Farms 2025 EIR Comments

**Categories:** VFD Comment

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As a longtime Davis Resident (my family moved to Davis in August 1969 from The University of Utah where my Dad, Dr. Lindy F. Kumagai, M.D. was one of The Original Faculty Members of The U.C.Davis School of Medicine).

In The Spring of 2017, I suffered a stroke which left me temporarily paralyzed on my left side.

If it wasn't for The City of Davis Firefighters Local 3494 (specifically President Bobby Weist and Battalion Chief Emily Lo) I wouldn't be here today composing this e-mail).

Fortunately both my Mother-In-Law's residence (near West 8th Street & Sycamore Lane) as well as my family's home just North of The U.C. Davis Memotial Union are within a five (5) minute response time of The Downtown Davis Fire Station.

172-1

My understanding is that there are areas located north of Nugget Market and Pole Line Road (specifically Wildhorse) as well as North Davis where the minimum response time is between seven (7) to eight (8) minutes.

Village Farms 2025 incorporates a Public Safety Complex in the first phase of construction which allows for a five (5) minute response time.

Hence my Strong Unqualified Support for John Whitcomb's Village Farms 2025 Proposal.

Respectfully Submitted,

Norb Kumagai
Davis CA

Sent from my iPhone

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## LETTER 172: NORB KUMAGAI

### Response to Comment 172-1

Please see Master Response 1.

**Letter 173**

**Dara Dungworth**

**From:** Pamela Heffley <pheffley@icloud.com>
**Sent:** Sunday, February 23, 2025 3:51 PM
**To:** Dara Dungworth
**Cc:** eileen Samitz
**Subject:** Village Farms DEIR comments

**Importance:** High

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Ms. Dungworth:

I am writing to express my concerns with the proposal for Village Farms. For the past 24 years, I have resided in the La Buena Vida housing association, in a unit fronting Pole Line Road, north of Covell Boulevard.

173-1 On a daily basis, I have experienced the commute traffic on Pole Line Road both in my car and as an observer from my home. In the mornings cars are backed-up in the south-bound lane, waiting to either cross or gain access to Covell. In the afternoons, the traffic backs up in the north-bound lane as cars come from Covell to the stop sign at Moore. There is also a notable increase in traffic in both directions during the school year (UCD, HS & Elementary). As a commuter, in most instances it took a long time to access Pole Line and get through traffic signals.

173-2 Currently, my concern is that the additional traffic resulting from the Village Farms project would create virtual gridlock on Pole Line. I feel that the increase in idling vehicles twice a day will negatively affect the air quality in my community and prohibit me from having the opportunity to open my windows.

173-3 In addition to my concerns about the effects of increased road congestion on my local air quality, as well as my ability to access Pole Line Road in either direction in a car, I am extremely concerned about the decision to build Village Farms on the historical Davis City Landfill site. Nowadays, I think most people are aware of the risks of building close to or on top of "contaminated" sites. (For example, the Super Fund site located on 2nd Street near the Target Mall.) I feel it is terribly irresponsible of the developers to run the risk of exposing both the construction workers and the future residents of the project to "forever chemicals" like PFA's, which have been detected at the site.

I understand the current need for additional housing in Davis to allow people to live closer to their place of work, which could possibly help to decrease the amount of air pollution from automobile traffic. In my opinion, though, Village Farms is not a well-thought-out plan. The development will increase the traffic on Pole Line Road, contributing to a negative impact on the air quality of the local community. Also, the decision to locate housing on a known contaminated site of the historic Davis City Landfill - replete with dangerous chemicals - is in my mind a completely irresponsible move on the part of the developers.

173-4 I resided in my LBV unit in 2008 when a similar housing project, Covell Village, was proposed in the same location. Like roughly 70% of the Davis residents at that time, I voted "NO" on Measure J to prevent the development from going forward. Village Farms is NOT an improvement on the Covell Village plan and should NOT be considered as an option.

Please consider the concerns I have presented - increased traffic, decreased air quality and a contaminated site - and prevent Village Farms from being brought to a Measure J vote.

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**Letter 173 Cont.**

Thank you for your time and consideration,

Pam Heffley
2714 Pole Line Rd #2
Davis

## LETTER 173: PAMELA HEFFLEY

### Response to Comment 173-1
Please see Master Responses 1 and 5.

### Response to Comment 173-2
Please see Responses to Comment 47-1 and 75-9.

### Response to Comment 173-3
Please see Master Response 3.

### Response to Comment 173-4
Please see Master Responses 1, 3, and 5.

**Letter 174**

**Dara Dungworth**

**From:** Pat King <pking1816@gmail.com>
**Sent:** Monday, January 27, 2025 10:52 AM
**To:** Dara Dungworth
**Subject:** Village Farms Proposal

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

**174-1** As a resident of the Slide Hill area I am greatly concerned about the traffic impact of 1800 units in the Village Farms Proposal. The back up of cars along Covell & Pole Line is daunting. The recent traffic calming completed on Pole Line only exacerbates this issue of a too narrow access into Davis.
I am opposed to the density of this project without appropriate traffic modifications.

Thank you.

Pat King
1816 Myrtle Place
Davis

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## LETTER 174: PAT KING

### Response to Comment 174-1

Please see Master Response 5.

**Letter 175**

**Dara Dungworth**

**From:** Patrick E McGuire <pemcg@pacbell.net>
**Sent:** Saturday, February 22, 2025 3:09 PM
**To:** Dara Dungworth
**Subject:** Concern with Village Farms DEIR

**Categories:** VFD Comment

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The DEIR claims the project qualifies as infill development based on an interpretation of Public Resources Code (PRC) Section 21061.3. However, this is 'infill' at an organizational level greater than a city. The DEIR should be basing its arguments on the City of Davis, which will vote on the project. According to the City of Davis General Plan, Glossary, this is infill:

"Infill development: Urban development or redevelopment on vacant or "underutilized" urban-designated land within a city's boundaries, consistent with City policies, as an alternative to accommodating growth through expansions of City boundaries."

Clearly this project is not infill with respect to the City of Davis, since it involves land outside the City's boundaries. Only by annexation by the City could the project technically become 'infill'. Such a plan is at odds to the generally accepted concept of infill development and the City's definition.

175-1

This is a disingenuous tactic in the DEIR. If I can't trust this portion of it, what does that say about other features of it?

For this reason, and others such as the traffic congestion that would result, I do not support this DEIR.

Sincerely,
Patrick McGuire
1105 4th Street
Davis CA 95616

## LETTER 175: PATRICK MCGUIRE

### Response to Comment 175-1

The comment does not address the adequacy of the Draft EIR, but critiques the wording and analysis of the Draft EIR regarding Public Resources Code (PRC) Section 21061.3 definition of an "infill site". It should be noted that the Draft EIR includes a discussion about the project site/BRPA site's designation as an "infill site," pursuant to PRC Section 21061.3, only for the purpose of analyzing impacts related to Chapter 4.1, Aesthetics, of the Draft EIR. As stated therein, pursuant to PRC Section 21061.3, the site qualifies as an "infill site" because at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses, and the remaining 25 percent of the site adjoins parcels that have been previously developed with urban uses.

The comment has been noted for the record and will be forwarded to the decision-makers for their consideration.

In addition, please see Master Responses 1 and 5.

**Letter 176 Cont.**

**Dara Dungworth**

**From:** Paul Glenn <paulglenn47@gmail.com>
**Sent:** Wednesday, February 19, 2025 10:56 AM
**To:** Dara Dungworth
**Subject:** Response to DEIR of Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth,

My response to section 14 (Transportation) of the DEIR is appended below.

Thank you.

Paul Glenn
1013 Pierce Ln
Davis 95616

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Comments on "Transportation" section 14 of the draft EIR.

From: Paul Glenn, 1013 Pierce Ln, Davis 95616

I am disappointed in this report for a number of reasons (given below). If and when the Village Farm proposal comes to a ballot, I will vote against it. In this letter I will focus on the transportation aspect of the proposal.

I have been a resident of the Cannery since 2016, and I walk, use my bicycle (whenever possible) and car for routine errands in Davis. I am very familiar with the roads mentioned in the report.

176-1

I understand that project proposals such as this require that the EIR contain objective detailed analysis, and that the prose in such a report will be dense. Unfortunately, important negative conclusions in the Transportation section are buried, and hard to locate.

I would like to describe first, in much briefer terms, my observations from direct experience. Second, I will comment on the report itself.

*** My observations ***

A. The Pole Line/Covell intersection.

This intersection is central. It handles traffic going to downtown Davis, I-80, CA-113, Woodland, Winters, schools, shopping areas, the hospital,

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**Letter 176 Cont.**

176-1 Cont.

the post office etc.

This intersection is busy *now*. The 1,800 units in the Village Farm proposal would add *at least* that many cars to a part of Davis proximate to that intersection. Many of those car trips initiated in Village Farm would *have to* use Pole Line/Covell while others would use it as a preferred route over other choices.

In particular, drivers from Village Farm who wish to go east on Covell would either have to wait at Pole Line/Covell to make a left turn, or divert onto Moore Blvd in Wildhorse and impact a quiet residential neighborhood.

Pole Line/Covell's capacity would be insufficient for the increase the Village Farm proposal would bring, and there is no room to enlarge that capacity.

B. Oaktree Plaza

This shopping area is an essential resource for food, pharmacy and other services. It has sufficient parking and capacity at present. There is no room to expand it, or improve the entrances to it on Covell and Pole Line. The entrances to the Plaza onto Covell are already tricky for drivers turning left (west) onto Covell because of traffic already on Covell. [See my longer comment in III(f) below].

C. Diversion of traffic into residential neighborhoods

In order to avoid backed up traffic heading south on Pole Line towards Covell, drivers from the Village Farm would have the following options, each of which entails increased through-traffic in residential neighborhoods:

(1) To go east on Covell: Cross Pole Line at Moore then follow Moore to Moore/East Covell.

(2) Going to downtown Davis: Use the Village Farm exit at L Street/Covell, and take L Street to downtown. The extra stress on this intersection would affect drivers on both L Street and Covell.

(3) Going to downtown Davis alternative: Drive into the Cannery, follow Cannery Avenue to J Street/Covell. This intersection is used by pedestrians and cyclists, including some school children.

(4) Going to downtown Davis (west), F Street, the high school, library, university, Sutter Hospital, CA-113: drive into the Cannery on Cannery Loop then use Market Street to Market Street/Covell. (No traffic signal there).

Both of the Cannery options expose school children on bicycles and pedestrians to heavier cross-traffic than exists now. Cannery Loop is a residential street.

2

176-1 Cont.

D. School children in Village Farm

(1) To get from the Village Farm to Birch Lane Elementary by bicycle, a child would have to cross Pole Line itself at Moore, Donner or Picasso, make their way on bike paths to the crossing at Birch Lane, then cross Covell. The traffic on Pole Line and on Covell would be much heavier than now.

(2) To get from Village Farm to Davis High School and the Library, a student would bicycle into the Cannery, go to the dog park curve on Cannery Loop, take the Covell overpass, then cross F Street. There are two issues: (a) the dog park curve is dangerous [see III(e) below]; (b) F Street (which has a crossing guard only during the school year) will become busier than it is now.

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*** General comments on the report ***

I. Acknowledged limitations and defects

176-2

1. The report acknowledges its limitations: It qualifies its conclusions (page 4.13-10) by citing "disruptive trends" such as people working from home, "automated" and "connected" vehicle technology etc. They say the "trajectory" of the deployment of these technologies is "difficult to predict", and that the report's model ("SACSIM19") has "limitations" because of these unpredictable trends. In particular, this model is "calibrated to 2016 conditions" (page 4.13-11 first paragraph).

176-3

2. Two notes concerning VMT ("vehicle miles traveled"). First, it is used as a measurement but it is not defined clearly in this report. Page 4.13-12 paragraph 4 states

"VMT per capita, which is defined as all automobile (i.e. passenger cars and light-duty trucks)"

which omits mention of the referenced population. VMT intentionally excludes heavy truck traffic. But there is such traffic on Pole Line and Covell which should be accounted for in greenhouse gas calculations.

176-4

3. The report's extensive use of acronyms (I counted 13 of them in just this section) makes reading its dense prose unnecessarily difficult.

II. Automobile traffic

176-5

1. The bottom line conclusion concerning Vehicle Miles Traveled (VMT) is: the estimate of 15,415 new daily trips implies that the project (either version) *exceeds* CEQA guidelines, *cannot* be mitigated and is *significant* (pages 4.13-40,41). It also, despite this, lists mitigation "strategies". These appear to be taken from page 27 of "TECHNICAL ADVISORY

**Letter 176 Cont.**

ON EVALUATING TRANSPORTATION IMPACTS IN CEQA".

(a) $250/month parking fees. (4.13-41).

[*** Comment: This is inconsistent with the "affordable housing" goal.]

(b) Use of car-share systems. (4-13-42).

[*** Comment: the report predicts such systems will have little effect: "maximum reduction potential of 0.15 percent of residential VMT."]

This section's bottom line (4-13-42 last paragraph) conclusion regarding Traffic Demand Management (TDM) includes:

**176-5 Cont.**

"However, the effectiveness of the TDM strategies cannot be quantified at this time and subsequent vehicle trip reduction effects cannot be guaranteed."

"Finally, even if implemented, it is uncertain if TDM strategies would be able to sufficiently reduce VMT generated by the project to levels below the thresholds of significance."

"Available evidence suggests that conventional TDM strategies are not capable of achieving such trip reduction outcomes..."

"Due to uncertainties regarding the ability for the aforementioned mitigation measure to reduce VMT impacts to less-than-significant levels, VMT impacts of both the Proposed Project and the BRPA would be considered significant and unavoidable."

[*** Comment: These pessimistic conclusions are important. The report buries them, but it should emphasize them.]

III. Bicycle and pedestrian traffic

At the bottom of 4.13-32, after stating what the project *would* do, the report says:

"While most pedestrian and bicycle desire lines would be adequately accommodated by the existing and proposed active transportation network within and surrounding the project site/BRPA site, active transportation network gaps would impede pedestrian and bicycle access to and from the site at several locations."

**176-6**

[*** Comment: The *important* part of this sentence begins with "Active transportation network gaps ..."]

After several more detailed paragraphs, it says

"Therefore, the Proposed Project and/or the BRPA could conflict with a

4

**Letter 176 Cont.**

176-6, Cont.

program, plan, ordinance, or policy addressing pedestrian facilities or bicycle facilities, and a significant [negative] impact could occur."

So what could mitigate these potential negative impacts? The report answers:

(a) Page 4.13-33 bottom: The *applicant* does its traffic study for mitigation.

[*** Comment: Is it really a mitigation to ask the applicant to "study" the situation??]

176-7

(b) (4.13-34) Install crosswalks and "high visibility" bike lane markings at Pole Line/Covell.

(c) (4.13-34) Construct a roundabout at Pole Line/Moore, traffic signals at Pole Line/Donner and Pole Line/Picasso.

[*** Comment: Such traffic signals would help people crossing Pole Line but will also increase congestion on Pole Line from increased traffic.]

176-8

(d) (4.13-35) "Improve" bike/pedestrian crossings at Covell/Birch

[*** Comment: which school children use].

176-9

(e) (4.13-35) Install "crossing improvements at the Cannery Loop elbow adjacent to Cannery Dog Park".

[*** Comment: This corner is notoriously unsafe because of poor visibility for drivers making that sharp turn. It is on an exit route from the Cannery. I have observed some drivers take the curve too fast. Some cross over the double line when they pass through that curve. That curve is also crossed by some school children in the morning and afternoon. The proposed project would increase the traffic there, both of cars and of children.]

176-10

(f) (4.13-35) Install "high visibility bicycle and pedestrian crossing markings and accompanying signage at the three Oak Tree Plaza driveway intersections".

[*** Comment: These driveways are very busy with shoppers entering/exiting from Covell, making both left and right turns. At these spots, drivers must be aware of traffic in several directions simultaneously and it's tricky in the late afternoon when both Covell and the shopping center are used heavily. The project would add extra car and bicycle traffic and make these entrances even more difficult and dangerous. "High visibility markings" couldn't hurt, but they will be just another part of a visually complex location.]

## LETTER 176: PAUL GLENN

### Response to Comment 176-1
Please see Master Response 1.

### Response to Comment 176-2
Please see Master Response 1.

### Response to Comment 176-3
Please see Master Response 5. In addition, the GHG calculations conducted for the Proposed Project/BRPA accounted for all traffic, including truck traffic.

### Response to Comment 176-4
The comment does not address the adequacy of the Draft EIR, but critiques the use of acronyms throughout the Draft EIR. It should be noted that the Draft EIR includes definitions of each acronym used throughout the Draft EIR, with each acronym defined at the first instance of use in each chapter.

### Response to Comment 176-5
Please see Master Response 5, as well as Response to Comment 8-4.

In addition, the commenter states that the $250 per month parking fees included as part of the Transportation Demand Management (TDM) strategy 1, Unbundle residential parking costs from property costs, as discussed in Chapter 4.13, Transportation, of the Draft EIR, page 4.13-42, would be inconsistent with the “affordable housing” goal. While the comment does not address the adequacy of the Draft EIR, it should be noted that the TDM strategy 1 would unbundle or separate a residential project’s parking costs from the property cost. As such, payment of this fee would be optional, and only required for those who wish to purchase parking spaces. Therefore, the fee would not conflict with any affordable housing goals in the City of Davis.

The comment has been noted for the record and will be forwarded to the decision-makers for their consideration.

### Response to Comment 176-6
The purpose of the focused traffic impact studies identified in Mitigation Measure 4.13-2(a) is to determine the phasing of build-out improvements and mitigation measures that are identified in the Draft EIR as individual phases of development occur. These studies will determine which of the build-out improvements or mitigation measures are triggered and need to be constructed by phase. As an example, this process was applied for the Spring Lake Specific Plan area in southeast Woodland that developed over the course of several decades.

### Response to Comment 176-7
Please see Master Response 5 and Response to Comment 97-72.

### Response to Comment 176-8
Please see Master Response 5.

## Response to Comment 176-9

Please see Master Response 5.

## Response to Comment 176-10

The comment is in reference to Mitigation Measure 4.13-2(f) that describes the addition of high-visibility markings on the existing shared-use path at the three Oak Tree Plaza driveways on East Covell Boulevard. These markings are consistent with the East Covell Corridor Plan recommendations for the driveways.

**Letter 177**

**Dara Dungworth**

**From:** Priscilla K <priscillakung@gmail.com>
**Sent:** Sunday, February 23, 2025 12:06 PM
**To:** Dara Dungworth
**Subject:** Concerns Regarding the Village Farms Development Proposal

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara,

**177-1** I am writing to you as a concerned homeowner in the Cannery Community to express our collective apprehensions regarding the proposed Village Farms development. While we understand the need for housing, this proposal raises significant safety, environmental, and quality-of-life concerns that we urge the City to address thoughtfully.

**177-2** One of our primary concerns is the proposed plan to pave over part of the Cannery urban farm to construct a high-traffic roadway connecting the most densely populated section of the new development to the Cannery traffic circle. This roadway could drastically increase traffic flow through our community, posing serious safety risks to Cannery residents, including families with young children and seniors. The Cannery's traffic circle was not designed to handle such a substantial increase in traffic, and the likelihood of accidents and congestion would undoubtedly rise. Our community's safety should remain a top priority, and we strongly believe that this roadway proposal undermines that principle.

**177-3** Furthermore, the environmental impact of the proposed development cannot be overlooked. The field where Village Farms plans to build is a habitat for a diverse range of wildlife, including coyotes, rabbits, owls, bats, and hawks. Developing this land would not only destroy these animals' homes but also disrupt the local ecosystem. As a community that values sustainability and responsible urban planning, we urge the City to consider alternative approaches that prioritize habitat preservation and reduce ecological harm.

**177-4** We respectfully request that the City take these concerns into serious consideration. We ask for a transparent and inclusive review process that listens to community input, and we encourage the exploration of alternative development plans that align with the safety, environmental, and community values of Davis.

Thank you for your attention to this matter.

--
*All the best,*

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**Letter 177 Cont.**

*Priscilla Kung*
*Homeowner in the Cannery Community*

## LETTER 177: PRISCILLA KUNG

### Response to Comment 177-1
Please see Master Response 1.

### Response to Comment 177-2
Please see Master Response 5.

### Response to Comment 177-3
Please see Master Response 7. Potential impacts to biological resources, including special-status wildlife species, are discussed in Chapter 4.4, Biological Resources, of the Draft EIR.

### Response to Comment 177-4
Please see Master Response 1 and Master Response 2.

**Letter 178**

**Dara Dungworth**

**From:** Rena Nayyar <renanayyar@hotmail.com>
**Sent:** Tuesday, February 25, 2025 2:02 AM
**To:** Dara Dungworth
**Subject:** comments DEIR Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

I would like to submit comments on the Draft EIR for the Village Farms project. I have many concerns which have been voiced articulately by others, and would like to add on to some of these.

Logistics

178-1 Given that this is the largest project in Davis history, the many issues involved, and the length of the DEIR, there should have been the maximum time given for public comment. Also, I wanted to understand more about the biological resources assessment, but the reference listed did not have a link or way to find it, and searching online was not successful. Given the fast turn-around time these needed to be quickly accessible without a wait time to request access. I asked at one of the open houses if there would be a paper copy of the DIER to use, but they didn't know. There should have been at least one copy available to see at the library evenings and weekends. Scrolling through such a long document is laborious, sometimes the map and legend don't fit on even a medium-large screen, and the colors in the legend don't always match colors on the map.

178-2 INADEQUATE ALTERNATIVES

The Environmentally Superior Alternative is inadequate and the other alternatives also don't include feasible options to offset impacts even though it is the purpose of the alternatives to do so.

Growth inducing

178-3 The DEIR acknowledges the project is growth-inducing, but there was not an alternative that minimized this. Housing is already approved that will meet some of the housing need. Also, the university has not yet built the housing for staff it promised on university land, which would not count toward our Regional Housing Needs Allocation but would provide needed housing and free up housing in town.

Traffic assumptions and other cumulative impacts

178-4 As Davis has grown, it has become more difficult to ride a bicycle because of the traffic, car exhaust and distance to travel. I also notice fewer bikes. A friend said it has taken 2 hours to get across town by bus with infrequent evening service and a need to transfer bus lines. Denser housing and other project features would mean more people with more impacts so VMT would likely increase, not decrease as the DEIR says. People might find it less practical to bike into town from a farther peripheral development so would drive since there is no plan to increase bus service. Also, with the potential lack of a grade-separated crossing some people may feel safer driving than biking. There would be cumulative effects on the VMT of this project with the mixed-use development already proposed for the Cannery Project. These mixed-use features might also increase VMT as people from surrounding areas travel there instead of to the more centrally located downtown. There is already traffic to the Oak Tree Plaza nearby and this would also increase with the thousands of new residents at Village Farms. All of this increased traffic from the additional 1800 units would cause gridlock. Backed up cars increase car exhaust. This increases greenhouse gases (GHG's) and also degrades air quality, causing health impacts. There are no specific project features designed to overcome these challenges.

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**Letter 178 Cont.**

178-5

Vernal Pools
The EPA states that more than 90% of California vernal pools have been lost (https://19january2017snapshot.epa.gov/wetlands/vernal-pools_.html). The California Department of Wildlife states that vernal pools are protected by state and federal laws (https://wildlife.ca.gov/Conservation/Plants/Vernal-Pools). Vernal pools were mentioned in the Covell Village DEIR but the habitat types mentioned in the current DEIR "Figure 4.4-2 Land Cover Types" and "Figure 4.4-3 Aquatic Resources" do not include vernal pools by name and it is not clear where they are on the map. But "Figure 4.4-6 Special-Status Species Within or Adjacent to Study Area Documented During Site Surveys" mentions Vernal Pool Tadpole Shrimp so clearly vernal pools exist on the property and need to be protected. The current protection is inadequate.

178-6

Burrowing Owls
Burrowing owls are shown on "Figure 4.4-5 California Natural Diversity Database Records Within or Overlapping the Study Area". The potential for occurrence is listed as high on the "Table 4.4-3 Special-Status Species with Potential to Occur Within the Study Are". Years ago I used to see burrowing owls on open space adjacent to Davis but now they have declined dramatically. The California Fish and Game Commission decided to make the species a candidate for listing as a threatened or endangered species under CESA. So now the owls receive the same legal protection as an endangered or threatened species (Fish and Game Code sections 2074.2 and 2085). (https://wildlife.ca.gov/News/Archive/cdfw-seeks-public-comment-related-to-western-burrowing-owl) The DEIR mentions the project area has burrowing owl habitat, so must have had burrowing owls in the past. I remember hearing that burrowing owl habitat was disced just before the Covell Village DEIR. An Environmentally Superior Alternative should provide for restoring burrowing owls to the property and protect any new burrowing owls taking up residence there. It should also clearly state how the adjacent area where the burrowing owls are shown on the map will be protected from the impacts of the project.

178-7

Swainson's Hawks
Since there is a nesting pair in the trees by Channel A, and since the hawks are a threatened species in California, a truly Environmentally Superior Alternative would protect all the trees and foraging habitat instead of destroying some of this area and then discussing mitigating the loss.

178-8

Flood risks- Given climate change and the addition of atmospheric rivers to our weather patterns, and the risk of flooding adjacent neighborhoods, the property damage and financial risk to individuals is too great to develop this project on the flood plain. The DEIR should state explicitly where the flood plain is relative to the habitat/land types listed. There needs to be an alternative that reduces the footprint to only south of the channel and avoids the flood plain, channel, and vernal pools. Also, any effort to mitigate the flood plain must not impact the vernal pools.

178-9

Toxics- When the Davis Target store was approved, there were public meetings on the toxics cleanup process. Given the health hazards of the lead, arsenic, toxaphene, manganese, and PFAS, there should be an Environmental Alternative that considers the containment or cleanup of the toxics on this site before moving soil or developing.

178-10

Affordability
Most of the proposed housing units are market rate units or duplexes. This housing mix is inconsistent with the project objective to provide housing for multiple income levels. One source of pressure for new housing in Davis is the unaffordability of existing homes. The top heavy emphasis on market rate homes will shut out the very people needing housing: the people who work in Davis or were born here but can't afford to live here.

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**Letter 178 Cont.**

178-11

Sustainability

One project objective is to facilitate compact growth to reduce sprawl, but the emphasis on low density single family units is the type of housing that creates urban sprawl. Another objective is to reduce GHG emissions but sprawl is difficult to service by transit. Also, to meet the Davis CAAP goals, the Environmentally Superior Alternative should specify more innovate energy saving features in the housing and neighborhood design.

178-12

SUMMARY

For these reasons and others given by thoughtful comments during the Planning Commission hearing, the DEIR is inadequate and needs major revision. There needs to be a truly Environmentally Superior Alternative that reduces the footprint below the channel. This would move housing away from the Old City Landfill and toxics. The number of units would need to be reduced, but the reduction could come from the market rate units that would be unaffordable to many people anyway. The multifamily and other more affordably designed units could be retained so that the reasonably high density could still meet housing needs. The Environmentally Superior Alternative should also protect sensitive habitats such as the vernal pools and the flood plain, foster innovative sustainability, and responsibly deal with the toxics issue.

Thank you,
Rena Nayyar

Virus-free.www.avg.com

## LETTER 178: RENA NAYYAR

### Response to Comment 178-1

The comment does not address the adequacy of the Draft EIR, but critiques the length of the public commentary period, the availability of paper copies of the Draft EIR and the Biological Resources Assessment. As discussed in Chapter 1, Introduction, of the Draft EIR, pursuant to CEQA guidelines section 15105, release of the Draft EIR marks the beginning of the required 45-day public review period. As soon as the Draft EIR was completed, a Notice of Completion (NOC) was filed with the SCH and a public notice of availability (NOA) was published to inform interested parties that a Draft EIR was available for agency and public review from January 7, 2025 through February 21, 2025. The NOA provided information regarding the location of copies of the Draft EIR available for public review, stating that the Draft EIR was available for public review and download at the following link:

https://www.cityofdavis.org/cityhall/community-development/development-projects/village-farms-davis

In addition, the NOA noted that printed copies of the document were available at the following address:

City of Davis Department of Community Development
23 Russell Boulevard, Suite 2
Davis, CA 95616

The NOA also stated that, should an electronic copy of the document be required, members of the public may bring a thumb drive to the Department of Community Development to be provided an electronic copy of the document.

Furthermore, the location of all reports related to the Proposed Project/BRPA, including the Biological Resources Assessment, was provided in the Table of Contents under the Appendices section. According to the Table of Contents for the Draft EIR, the Biological Resources Assessment was attached to the end of the Draft EIR as Appendix D.

### Response to Comment 178-2

Please see Master Response 2.

### Response to Comment 178-3

Please see Master Responses 1 and 2.

### Response to Comment 178-4

The VMT assessment in the Draft EIR is based on project-generated residential VMT per capita. VMT per capita values generally decrease with greater levels of residential density or mixed-use development. The Proposed Project and the BRPA would construct new pedestrian and bicycle facilities and expand the local network. Mitigation Measures 4.13-2 (off-site improvements), 4.13-3 (Transit Service Improvements), 4.13-4 (TDM strategies to reduce VMT), and 4.13-11 (cumulative off-site improvements) are designed to address transportation impacts of the Proposed Project. Please also see Master Responses 5 and 6.

**Response to Comment 178-5**
Please see Master Response 7.

**Response to Comment 178-6**
Please see Master Response 7.

**Response to Comment 178-7**
Please see Master Response 2 and Master Response 7.

**Response to Comment 178-8**
Please see Master Response 4 and Master Response 7.

**Response to Comment 178-9**
Please see Master Response 3.

**Response to Comment 178-10**
See Master Response 1.

**Response to Comment 178-11**
Please see Master Responses 1 and 2.

**Response to Comment 178-12**
Please see Master Responses 1, 2, 3, 4, and 7.

**Letter 179**

**Dara Dungworth**

**From:** R S <x5371x@icloud.com>
**Sent:** Tuesday, February 25, 2025 2:15 PM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

**179-1** Hello have you heard there's some controversy about Village farms well I'm sure you know all the details just as well as I do and you don't need me to refresh your memory. I just wanted to send an email in support of the efforts being made by community members to make sure this project is what is best for Davis.
Sincerely,
Reza Soltani

Sent from my iPhone

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## LETTER 179: REZA SOLTANI

### Response to Comment 179-1

Please see Master Response 1.

**Letter 180**

**Dara Dungworth**

**From:** Ric <ric2@att.net>
**Sent:** Monday, February 24, 2025 11:18 PM
**To:** Dara Dungworth
**Subject:** Village Farms Project

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth:

180-1 My name is Ricardo Maselli and I have been living in the city of Davis for more than 30 years. I am now writing to you to express my strong opposition to the Village Farms Project. This is déjà vu; we saw basically the same project about 20 years ago, under the name of Covelle Villages. The project triggered measure J and was unanimously rejected by the popular vote of the people of Davis. The main reason for the rejection was air pollution and green gas effect, which are of major concern for the people of Davis who are staunching protectors of the environment. The Village Farms Project is even worse than the Covelle Villages as it plans to build up more homes without any sound planning and with a disastrous consequences for the environment.

Sincerely,

Ricardo A. Maselli, MD
City of Davis

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## LETTER 180: RICARDO MASELLI

### Response to Comment 180-1

Please see Master Response 1.

**Letter 181**

**Dara Dungworth**

**From:** rhalen8@att.net
**Sent:** Tuesday, January 21, 2025 11:26 AM
**To:** Dara Dungworth
**Subject:** VILLAGE FARMS

**Categories:** Yellow Category

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

**181-1**

I AM WRITING TO COMPLAIN AND OPPOSE THE PLANS FOR VILLAGE FARMS PROPOSAL. 1800 HOMES WOULD MAKE TRAVEL ON COVEL ALMOST IMPASSABLE. AS WOULD TRAVEL ON POLE LINE!
I'M NOT AGAINST NEW CONSTRUCTION, BUT I AM OPPOSED TO A MASSSIVE NUMBER OF NEW SINGLE FAMILY HOMES.

RICHARD HALEN
331 GRANDE AVE.
DAVIS, 95616

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## LETTER 181: RICHARD HALEN

### Response to Comment 181-1

Please see Master Responses 1 and 5.

**Letter 182**

# Proposed Environmental Sustainability Baseline Features for Village Farms

## Comment on the Village Farms Draft EIR

Submitted by Richard McCann, former Natural Resources Commissioner

February 24, 2025

*The City of Davis (City) Natural Resources Commission (NRC) proposed a set for sustainability baseline features for the Davis Innovation and Sustainability Campus (DISC) in 2020 and again in 2022. This list has been edited to account for the differences between a business park and a residential neighborhood, and more recent work conducted by the NRC.*

*Recommended for inclusion in "Baseline Project Features" submitted for voter approval of the Project pursuant to a Measure D vote*

182-1

### Preface

A key premise of the NRC's recommendations prepared in 2020 was that a development project can both avoid investments that will lock in future GHG emissions and save money for residents, businesses and the City in the future. Note that the proposed Baseline Features will likely lower long term project life-cycle costs. For another key Baseline Feature, the costs are simply unbundled and charged to vehicle owners instead of building tenants, thus providing direct financial incentive to vehicle owners to reduce private vehicular use at the project. [1]

### Measurement and Verification

To ensure accurate tracking and reporting of achievement of Project sustainability goals and obligations, the Developer will establish a Master Owners Association (MOA) for the Project that reports to the City and is responsible for measurement of, verification of, and assuring compliance with Project sustainability obligations and mitigation measures. The MOA will prepare and submit for City approval a Sustainability and Mitigation Monitoring Reporting Plan. Per the Plan, the MOA will prepare and submit to the City annual reports that describe progress towards meeting sustainability goals and obligations and implementing mitigation measures, including all relevant provisions in the Project's baseline features. Annual reports will also indicate what actions will be taken in the following year to meet phased actions as part of the sustainability goals and obligations and mitigation measures.

[1] City Staff appeared confused about these issues in removing several proposals from the NRC recommendations on DISC. Further explanation on these baseline features is included parenthetically.

**182-1 Cont.**

## Housing

Housing is included in the Project to maximize environmental benefits of mixed-use development. Specifically, including housing alongside commercial buildings and workplaces encourages walking and biking as commuting options, reduces air-quality impacts, and reduces the Project's overall carbon footprint. To further increase the sustainability benefits of onsite housing, the Developer shall commit to the following:

- Overall housing density shall be set at 14 dwelling units per acre (du/ac) to improve energy efficiency and incentivize transit use and foot traffic. [Modified to reflect recent research on appropriate density levels.[2]]
- To provide an opportunity for a car-free lifestyle, parking associated with multifamily rental housing will be unbundled. Multifamily rental units will be charged for parking separate from rent.

## Energy Efficiency and Usage

The developer shall commit to minimizing carbon emissions by maximizing production of clean energy onsite and ensuring that all Project structures consume 100 percent clean energy. "Clean energy" is defined as energy derived from technologies eligible for California's Renewables Portfolio Standard (RPS). In addition, the Developer shall commit to the following measures:

**182-2**

- The Project shall meet all CALGreen Tier 1 prerequisites for Residential and Non-Residential buildings in effect at the time of permitting of each phase of the Project.
- The Project shall meet all City of Davis Residential and Commercial Energy Reach Code Standards in effect at the time of permitting of each phase of the Project.
- The Developer shall enter into a purchase and sale agreement with Valley Clean Energy (and/or another electric utility company) for all power produced by the Project in excess of on-site demand. This agreement shall ensure that all power generated but not used onsite is used locally.
- If, after maximizing energy efficiency and on-site production of clean energy, the energy demand of Project structures exceeds the energy produced on-site, then the Developer shall purchase power from solely renewable sources such as Valley Clean Energy's "UltraGreen" 100 percent renewable and 100 percent carbon-free service (or equivalent) to offset the deficit. This requirement will be continued for the lifetime of the Project by building owners.
- All onsite residential units shall be all-electric (i.e., shall not include natural-gas service).
- All onsite commercial buildings shall be all-electric.

[2] See "Transit and the 'D' Word," *Access Magazine*, https://www.accessmagazine.org/spring-2012/transit-d-word/, Spring 2012.

**Letter 182 Cont.**

**182-2 Cont.**

- (All-electric construction for the building envelope is economically justifiable and is imperative for phasing out natural gas by 2050 to meet the state's climate goals. The Staff recommended all-electric residential construction for DISC which the Applicant has accepted. This exceeds existing city code which provides an incentive to go all-electric but does not require it. The NRC asked for a similar approach to the office-type construction in the project. It recognizes that exceptions for manufacturing and other business-related purposes may be needed. Nevertheless, if a residence can be all-electric, the NRC does not see a reason why an office cannot be. All-electric commercial construction can be economically accomplished with equal or lower life-cycle costs than conventional construction. As suggested by the Staff response, state law mandates a cost-effectiveness study before all-electric construction can be required by an ordinance. In this case, however, the requirement would be established by a contract (the Development Agreement) and so it is not apparent that a general cost-effectiveness study is legally required.)

- Prior to beginning construction on each phase of the Project, the Developer shall prepare a report describing plans to incorporate passive heating and cooling strategies into building design so as to reduce overall energy demand. Such strategies may include but are not limited to: construction using thermally massive materials, incorporation of shading devices in the building envelope, strategic building orientation and window placement, and strategic planting of trees and other vegetation. This report shall be subject to review and approval by City staff.

- All onsite buildings (commercial and residential) shall achieve zero net carbon for the building envelope—including heating, ventilation and air conditioning (HVAC), and lighting—with onsite renewables and storage.

- Prior to beginning construction on each phase on the Project, the Developer (and MOA for later phases) shall engage an outside consultant to conduct a solar feasibility assessment for development planned in that phase. The assessment shall identify all appropriate locations for solar photovoltaics (PV) or other future comparable technology, taking into account factors such as structure orientation, grid design, installation cost, and site landscaping. Locations may include but are not limited to rooftops, ground solar arrays, and constructed canopy structures including parking lot shade. The Developer shall implement PV on all recommended locations, up to the extent that Project electricity demands are fully met. Note that this provision is not intended to and shall not substantially interfere with Project requirements for tree canopy.

- The Project shall achieve net-zero energy for outdoor lighting through the use of onsite PV plus battery storage or similar technology.

- In anticipation of improved solar-connected energy storage, the Project shall be designed and pre- wired for future microgrid capacity and energy storage.

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**Letter 182 Cont.**

**182-2 Cont.**

- (Being microgrid-ready means adding conduit to utility pathways so that microgrids can be easily implemented in the future. It is important to realize that this is not a request to for full microgrid installation. By simply installing larger conduits and prepping wiring runs, very little is added to upfront costs and millions of dollars of expenses required to tear up facilities to install the microgrid infrastructure in the future would be avoided. This is the same rationale as providing purple pipe in anticipation of using reclaimed water in the future. Rejecting this Baseline Feature would functionally support PG&E's wish to continue utility dominance of infrastructure design to the detriment of the City's long term climate and resiliency goals.)

## Transportation Demand Management

The Project will need to implement a comprehensive set of design features and Transportation Demand Management (TDM) strategies intended to reduce vehicle trips and vehicle miles traveled (and therefore greenhouse gas emissions), encourage the use of alternative transportation modes such as walking, bicycling, micromobility, public and private transit, and ridehailing/pooling, and provide safe infrastructure for bicyclists and pedestrians. The desired outcomes of a TDM Plan shall be to reduce greenhouse gas (GHG) emissions and transportation total carbon footprint through a reduction of the Project's vehicle miles traveled (VMT). A key strategy should be shifting away from single occupancy vehicle (SOV) use by incentivizing a mode shift to walking, bicycling, public transit, private transit, and/or 3+ carpool.

A designated TDM manager shall be identified for the Project. The TDM manager shall represent the Developer, MOA, or other equivalent Project-related body, and shall report directly to the City.

**182-3**

- Prior to, or concurrent with, adoption of Final Development Agreement, the Developer shall create a TDM plan that includes quantitative goals and temporal benchmarks for shifting away from single-/low occupancy vehicle use. The TDM plan shall also include metrics for assessing progress towards these goals and benchmarks. Responsibility for this task shall reside with the designated TDM manager.
- The TDM plan shall include actions that will result in a reduction of GHG emissions consistent with the City's then current Climate Action and Adaptation Plan (CAAP) and the goal of the City Council to achieve carbon neutrality by 2040. Subsequent phases of the Project shall not be permitted for construction unless the GHG-driven benchmarks for the previous phase of the Project are met.
    - The TDM manager shall coordinate implementation of the Project's TDM strategies with UC Davis to ensure that relevant efforts by both parties are aligned and allow for cooperative ventures where appropriate.
    - Prior to the commencement of construction of each phase of the Project, the Developer/MOA shall commission a traffic study which measures in- and out-flow from the Project and identifies traffic patterns. This analysis will be shared with the City to determine which traffic mitigation measures are necessary beyond those specified later

**182-3 Cont.**

in this document. This analysis will also inform the City on mode share and the potential need for increased public transit services.

- The Developer/MOA shall review and update the TDM Plan every two years. The TDM Plan update shall include results of a travel behaviors survey, to be completed annually by the Developer/MOA. The annual survey shall include the travel behaviors of Project residents and employees (e.g., where employees live and by what mode they get to and from work; where residents work and by what mode they get to and from home). The updated TDM Plan, including survey results, shall be made publicly available.
- Prior to Phase 1, the Developer and the City shall agree upon a process for monitoring and evaluating TDM goals on an annual basis, modeled on the process detailed in the Nishi Gateway Project Sustainability Implementation Plan (2015). This monitoring and evaluation process will include an Annual Report, to be transmitted to the City, which details progress towards the actions outlined in the TDM plan and specification of actions required when TDM goals are not met. *(It should be noted that vehicle trip monitoring in the Nishi SIP is a surrogate for transportation GHG emissions, while modeling to estimate actual GHG emissions is preferred.)*

The Project shall include the following features, in addition to features identified by the TDM Plan, to encourage a shift to alternative transportation modes, such as walking, bicycling, micromobility, public and private transit, and ridehailing/pooling:

- The Project shall be designed to accommodate and incentivize private transit, local transit (Unitrans), and regional transit (Yolobus) through the following measures:
- The Project shall include a central transit plaza to serve as the hub for a variety of mode shares.
- The Project shall include transit stops located throughout site to ease pedestrian access such that no transit stop is further than 400 meters from any occupied building.

**182-4**

- The Developer shall petition Yolobus and Unitrans to increase the frequency and capacity of bus service to the central transit plaza as the Project develops. The Developer shall provide funding, if necessary, to the transit services to implement the change.
- Phase 2 cannot commence until after the implementation of an on-demand electric transit to and from UCD and scheduled electric transit to and from the Amtrak/Capital Corridor station running weekdays including the AM to PM peak commute periods.
- To promote transit use, the MOA shall provide upon request free passes for local and regional transit service (e.g., a unlimited access pass similar to Yolobus and Unitrans' pass for UC Davis undergraduates) to the Project's residents and employees.
- The Project shall include parking to accommodate single-occupancy vehicles (SOVs) and carpool vehicles while also incentivizing other modes of transportation:

**182-4 Cont.**

- As part of the TDM plan, the Developer will determine the appropriate number of parking stalls, which may be fewer than City parking minimums. Commercial parking requirements shall be determined by the TDM plan. For residential development no more than one stall per residential unit shall be provided onsite.
- All employers shall create through the MOA or participate in a regional carpool program that is modeled after and functionally equivalent to the UC Davis goClub carpool program. The program shall be open to all Project residents and employees.
- Carshare and preferential carpool spaces shall be provided, with the number of appropriate stalls to be specified in the TDM plan.
- Parking costs shall be unbundled from the cost of other goods and services. A separate fee shall be charged for all parking spaces (commercial and residential).
    - (Charging for parking is a key mechanism for incentivizing vehicular users to use alternative transportation modes. It will be an important element of the Transportation Demand Management plans that are required for the Project. Staff has claimed that the market won't support a parking charge. It appears, however, that the Staff may be inappropriately applying market studies for public parking in the downtown. UCD charges for parking all over campus, as does other large employers such as Sacramento State and the State of California. Again, it is important to note that probably three-quarters of the anticipated GHG emissions are associated with transportation.)
- Parking cash-out programs shall be offered by any employer who provides a parking subsidy to employees, to give employees who do not drive a cash benefit equivalent to the value of the offered parking subsidy. The MOA shall be in charge of ensuring that employers comply with this program and shall record participation in the Annual Report.
- The Developer shall provide bicycle facilities and infrastructure comparable to the City's Platinum-level Bicycle Friendly Community Certification to support bicycling within and to the site, including the following features:
- Provide short term bicycle parking, as required by Davis Municipal Code.
- Provide end-of-commute facilities (showers, lockers, changing rooms) and support electric bicycle charging in all commercial buildings.
- Provide covered and secured long-term bicycle parking at central locations within the site and at the central transit hub.
- Provide community bicycle repair facilities.
- The MOA shall implement a bicycle share program including electric-assist bicycles for employees and residents to use on and off the Project site.

**182-4 Cont.**

- A bicycle network of Class IV protected cycle tracks shall connect bicyclists to all areas of the site and all key connecting streets/facilities.
- The Developer shall provide accessible sidewalks that facilitate pedestrian access within and to the site, including the following features:
- All pedestrian access routes shall be readily accessible by all users, particularly individuals with disabilities. Street design should emphasize universal design through use of appropriate width, grade, surface material, tactile cues, audible cues, and push buttons. The Developer shall reference the United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), or other appropriate reference.

## Site Access and Traffic Mitigation Features

The following measures are recommended to improve site access and mitigate traffic impacts of the Project. The Developer shall fund infrastructure to mitigate traffic problems attributable to the project either wholly, where the problem is mainly caused by the Project, or proportionately, for traffic improvement measures where the Project is a partial contributor to the problem. The intent is to avoid subsidization of the Project by the City providing funding for traffic mitigation measures.

**182-5**

As described below, City approvals will not be granted for different phases of the Project until public and private funding are budgeted and available, and regulatory approvals have been granted. In other words, all obstacles to the start of construction have been removed.

The desired outcomes of traffic-mitigation measures are to reduce the transportation total carbon footprint and adverse level of service (LOS) traffic impacts on roads in the Project vicinity.

- Phase 1 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for construction or implementation of all other mitigation measures a Transportation Impact Analysis.
- The Developer shall contribute funding to the City to study and implement bus rapid (BRT) transit strategies, including a bus signal preemption system for freeway access or local traffic bypass.

## Parking Lots and Internal Streets

**182-6**

The desired outcomes of design features for the Project's parking lots and internal streets shall be to: (1) encourage a mode shift from Single Occupancy Vehicles (SOVs) to walking, bicycling, public transit, private transit, ridesharing, carsharing, carpooling, and/or micromobility; (2) encourage use of zero-emission vehicles (e.g., electric vehicles) where SOV use is necessary as well as in any alternative transportation service that relies on passenger vehicles; (3) reduce runoff and heat-island effects amplified by parking lots; and (4) reduce adverse visual, aesthetic, and quality-of-life impacts of working and living near parking lots. To further these desired outcomes, the developer shall implement the following features in its parking areas and/or along the Project's internal roadway system:

**182-6 Cont.**

- Low-impact development (LID) features, such as bioswales and permeable pavement, shall be implemented in all streets and surface-level parking to capture and filter runoff and maximize groundwater recharge.
- Landscaping shall provide 80 percent shading of pedestrian walkways and off-street bike paths. At least 50 percent parking-lot shading shall be achieved through either shade trees or PV arrays. Compliance with these requirements shall be demonstrated at the time of building by securing permits for adequate PV arrays and/or by consulting with a certified arborist on a tree-planting and -maintenance strategy expected to achieve the desired shading area within 15 years of planting. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied. Progress towards meeting the shading requirement shall be included in each Annual Report.
- Where feasible, all multi-user parking shall be shaded by solar PV structures. In addition, those structures shall be wired to accommodate direct service electric vehicle (EV) charging. [This element is modified to reflect the deliberations and draft recommendations from the 2x2 NRC / Tree Commission Parking Lot Shade Committee.]
- All parking surfaces or street-adjacent sidewalks that use tree shading shall incorporate structured soil or suspended substrate to allow successful tree-root development. The developer shall size the area of each pavement-treatment site to accommodate the maximum size of a tree that could reasonably be accommodated on that site
- Parking preference and priority shall be given to electric vehicles (EVs) and to vehicles participating in a carpool program. Only carpool and EV parking shall be allowed adjacent to commercial buildings in spots not designated for disabled persons. Spots designated for disabled persons shall not be restricted to particular vehicle types.
- All stalls designated for EVs shall have charging stations pre-installed. Stations shall include a mix of free Level 1 charging and paid Level 2 charging.
- All commercial and residential parking areas shall be EV ready, equipped with infrastructure designed to facilitate installation of EV charging stations as demand grows. This infrastructure will include electrical panels, conduit/raceways, overprotection devices, wires, and pull boxes and will be designed to support vehicle-grid integration. On-site demand for EV charging shall be reported in each year's Annual Report.
    - (Installing wiring and conduit during initial construction will facilitate the expansion of EV charging infrastructure in the future as demand grows. Again, this is not a request to install EV charging stations at every parking slot, only to make every slot EV ready. Installation of the wiring necessary to make parking EV ready will facilitate access by EV users and save millions of dollars in the future that would otherwise be required for retrofitting parking. At some point in the future, microgrid and EV charging facilities can be integrated to run our houses and offices off the storage batteries in cars.)

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**182-6 Cont.**

- All housing shall include one Level 2 EV charger per unit or, if a multifamily building is provided parking at a ratio of less than 1:1, one Level 2 EV charger per parking stall. Townhomes, if built to accommodate two vehicles, will be prewired to allow for the installation of a second charger.
- All commercial parking for non-electric SOVs shall be paid parking. To encourage occasional bus use, no discounts for monthly parking versus daily parking will be allowed.
- The Project shall be exempt from parking minimums otherwise required by the City for new development. Specifically, the minimum number of parking spots necessary for the Project shall be informed by the Project's TDM plan rather than general minimum parking requirements.

## Landscaping and Water Conservation

To reduce Project demand on groundwater and potable water and to provide appropriate habitat for native species, the developer shall commit to the following measures:

- All Project landscaping shall be adapted for climate change, drought resistant, pollinator friendly, and maintained organically.
- Native and drought-tolerant plants shall predominate the plant palette. A diversity of native habitats— including but not limited to riparian and California oak savanna—shall be maintained throughout the Project site, primarily but not exclusively within the agricultural buffer and along the drainage channel.
- Turf shall be used only in areas (such as a central community center or organized sports fields) programmed for activities that require turf.
- The Developer shall engage with the Center for Land Based Learning, the UC Davis Arboretum, or other local expert(s) to design and manage its open and landscaped buffer areas. Landscape plans shall be subject to City review, including review by the Open Space and Habitat Commission and the Tree Commission.

**182-7**

- Consistent with the City's stormwater permit and regulations, stormwater runoff shall be captured, conveyed, and detained onsite in a series of bioretention facilities and similar devices intended to filter the runoff, maximize groundwater recharge, and provide deep watering for onsite vegetation.
- To prevent flooding of the channel, stormwater flows shall be retained onsite using swales, ponds, or other appropriate facilities, consistent with City stormwater regulations and system capacity. Stormwater facilities necessary to meet these regulations must be located on-site or on another privately-owned property incorporated within City boundaries. The stormwater facilities should be sized following a joint hydrological investigation with the City.

**Letter 182 Cont.**

**182-7 Cont.**

- The Developer shall install infrastructure suitable for conveying non-potable water to meet all landscape irrigation demands. The Developer shall convert this system to reclaimed/greywater water if and when such service is made available.
- All greywater shall be reused onsite where practical and permissible. The Developer shall install infrastructure (including two-way valves and piping) to support use of greywater from laundry facilities in all townhomes. The Developer shall also identify opportunities for using greywater in multi-family housing and commercial buildings and shall install infrastructure needed to pursue such opportunities. The MOA shall review proposed uses of greywater to prevent pollution. The MOA may require owners to revisit/update proposed plans for greywater reuse in the future, and may require installation of additional infrastructure as appropriate.

**182-8**

## Recycling and Waste Disposal

- All buildings and facilities shall participate in a mandatory, site-wide recycling and compost program to be managed by the MOA. Building maintenance staff will be trained in best practices for maximizing commercial recycling.
- All common areas that include disposal options managed by the MOA shall include solid-waste disposal cans, recycling cans, and compost bins.

**182-9**

## Mitigation Measures

The project shall comply with and ensure public or private funding and completion within a two-year period for all Mitigation Measures identified in the Approved Mitigation, Monitoring, and Reporting Plan.

## Implementation

Concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at the project site, a Sustainability Implementation Plan shall be developed and implemented to ensure compliance with the Environmental Sustainability Baseline Features to the satisfaction of the City.

## LETTER 182: RICHARD MCCANN

### Response to Comment 182-1
Please see Master Response 1.

### Response to Comment 182-2
While formal commitment to Baseline Features will be addressed during the Development Agreement process, the applicant acknowledges that several of the suggested energy and usage features are either already incorporated in the project plans or required by existing regulations:

- **Already Incorporated in Project Plans:**
  - All-Electric Buildings: The project description in the Draft EIR (pg. 3-41) confirms that "The BRPA would not use natural gas." All residential and commercial buildings will be all-electric. (Draft EIR, pg. 4.3-49, 4.3-78.)
  - Clean Energy: The application includes 100 percent electric service, energy conservation design choices, and photovoltaic solar panels on every home. (Draft EIR, pg. 4.3-49, 4.3-79.)
  - Valley Clean Energy Partnership: The project includes partnering with Valley Clean Energy (VCE) to increase capacity in support of citywide building and transportation electrification, investments in community solar energy, provision of solar battery storage, and encouragement for all subscribers to enroll in the Ultra Green option. (Draft EIR, pg. 4.3-78.)

- **Required by City Code:**
  - The applicant will adhere to all City code requirements, including the CALGreen Tier 1 prerequisites as required by Davis Municipal Code (referenced in Draft EIR, pg. 4-38 and 4-39).
  - The project will comply with all City of Davis Residential and Commercial Energy Reach Code requirements.

To the extent that the commenter recommends measures not addressed here, similar suggestions were responded to in Responses to Comments 29-17, 32-13 and 32-30. Moreover, the Development Agreement commits the applicant to implementing measures over and above code requirements.

### Response to Comment 182-3
The Village Farms Davis Project Draft EIR includes Mitigation Measure 4.13-4, requiring implementation of TDM strategies. However, available strategies for residential land uses are more limited than the range of available strategies for employment land uses, such as light industrial, commercial, and office. Many of the transit strategies would involve approval from transit agencies. The City of Davis cannot compel another agency to implement improvements within the agency's jurisdiction.

Similar to the commenter's request, Mitigation Measure 4.13-2(a) requires the project applicant to submit a focused traffic impact study to determine if any of the intersection and roadway mitigations are required based on the additional traffic generated by the subject development phase. The focused traffic study shall address the impact of adding the individual phase of development to existing plus other approved/pending development projects. The project applicant shall construct physical improvements as identified in the focused traffic study.

## Response to Comment 182-4

While formal commitment to Baseline Features will be addressed during the Development Agreement process, the applicant acknowledges that several of the suggested TDM strategies are either already incorporated in the project plans, required by existing regulations, or required by mitigation measures.

The Proposed Project and the BRPA include the construction of a new bus stop on East Covell Boulevard at L Street. In addition, Mitigation Measure 4.13-3(b) of the Draft EIR requires the applicant to fund a Transit Service and Facilities Plan, which would identify transit service and facility improvements, for subsequent implementation as part of the project, should transit agency approval of such measures be obtained.

Mitigation Measure 4.13-4 of the Draft EIR further requires implementation of TDM strategies, among which are unbundling residential parking costs for rental dwelling units and implementing a carshare program.

## Response to Comment 182-5

Please see Master Response 5.

## Response to Comment 182-6

While formal commitment to Parking Lots and Internal Streets Baseline Features will be addressed during the Development Agreement process, the applicant acknowledges that several of the suggested features are either already incorporated in the project plans or required by existing regulations:

- **Already Incorporated in Project Plans or Draft EIR:**
    - Low-Impact Development (LID): As stated in the Draft EIR, the project plans to include “bioretention, infiltration features, pervious pavement, vegetated swales, and stormwater planters” throughout the site.
    - EV Charging Infrastructure: As described in the Draft EIR, new non-residential and high-rise multi-family buildings shall incorporate EV charging stations. For residential development, multi-family projects are required to provide Level 1 and 2 charging, and conduit adequate for Level 2 charging to serve a percentage of all parking spaces. (Draft EIR, pg. 4.3-40 and 4.3-41.)
    - Paid Commercial Parking for Non-EVs: The Draft EIR states that “All commercial parking shall be paid parking for non-EV.”

- **Not Currently Included in Draft EIR or Project Description but Will Be Considered:**
    - Optimal shading of pedestrian walkways and bike paths shall be provided taking into consideration water conservation goals, maintenance requirements, and urban forestry considerations such as tree spacing. 50 percent parking lot shading shall be provided through street trees and/or PV arrays.
    - Multi-user parking covered by solar panels
    - Structured soil for tree planting in parking surfaces and street-adjacent sidewalks
    - Parking preference to EVs in public and commercial parking lots (beyond paid parking for non-EVs)
    - Exemption from parking minimums

These elements will be further evaluated during the Development Agreement process to determine feasibility and implementation details.

## Response to Comment 182-7

While formal commitment to Landscaping and Water Conservation Baseline Features will be addressed during the Development Agreement process, the applicant acknowledges that several of the suggested features are either already incorporated in the project plans or required by existing regulations:

- **Already Incorporated in Project Plans:**
  - Climate-Adapted Landscaping: The applicant commits to provide landscaping that is adapted to climate change, including native, drought-resistant, and pollinator-friendly plants. Turf shall be limited to programmed sports activities requiring turf.
  - Expert Consultation: The applicant will consult the Center for Land Based Learning (CLBL) and UC Davis Arboretum during the planning stage for design and management of landscaped buffer areas.
  - Low-Impact Development (LID): As stated in the Draft EIR (pg. 3-37), "the BRPA would include LID measures throughout the BRPA site to provide stormwater quality treatment," including bioswales and permeable pavement in streets and surface-level parking.

- **Required by Existing Regulations:**
  - Stormwater Management: The applicant will adhere to the City of Davis MS4 storm water permit and State guidelines related to storm water quality and bio-retention facilities. Stormwater will be captured, treated, detained, and infiltrated onsite to maximize groundwater recharge.
  - Flood Prevention: Consistent with Appendix N of the EIR, the project meets applicable flood prevention goals and will continue to work with the City to obtain approval from the City of Davis Department of Public Works, the Flood Plain Administrator and FEMA.

- **Not Included in Project:**
  - Greywater Systems: Greywater plumbing infrastructure will not be included in this development as the cost of this infrastructure adds significant expenses that would create a barrier to affordable multifamily construction and attainable housing pricing.

The applicant is committed to implementing a Sustainability Implementation Plan concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at the project site/BRPA site to ensure compliance with the Environmental Sustainability features that are incorporated into the project.

## Response to Comment 182-8

The project will comply with applicable CALGreen Code recycling requirements, as discussed in Chapter 4.14 of the Draft EIR.

## Response to Comment 182-9

The request for all mitigation measures to be completed within a two-year period is not appropriate for a project that would be built over several years.

**Letter 183**

**Dara Dungworth**

**From:** Rita Pollnow <rpollnow@omsoft.com>
**Sent:** Tuesday, February 25, 2025 4:10 PM
**To:** Dara Dungworth
**Subject:** Village Farms Project & its DEIR

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

**183-1** As a citizen of Davis, I submit a statement in opposition to the Village Farms Project based on all the considerations I've read from prominent experts/residents of Davis. I find the greatest objection being the size of the projects, its development on a flood plain & the existence of the unlined old city landfill & sewage treatment plant capable of leaking toxins and other contaminants. There were many other serious, well-described problems with this project that indicated it not wise & not in the best interest of our city.
Respectfully,
Rita Pollnow

Sent from my iPhone

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## LETTER 183: RITA POLLNOW

### Response to Comment 183-1

Please see Master Responses 1, 3, and 4.

**Letter 184**

**Dara Dungworth**

**From:** Robert Chisholm <rgseeu@yahoo.com>
**Sent:** Tuesday, February 25, 2025 9:32 AM
**To:** Dara Dungworth
**Subject:** Feedback on Village Farms Proposal

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

**184-1** Connecting a high traffic roadway from the propsed Village Farms development would be a disaster not only for the quality of life in the Caneery neighbrhood but also for the residents in the Davis sounding area. Traffic,noise and air pollution would be intolerable.

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## LETTER 184: ROBERT CHISHOLM

### Response to Comment 184-1

Please see Master Responses 1 and 5.

**Letter 185**

February 25, 2025

Dear Ms. Dungworth, et. al,

**185-1**

I am writing to express my concerns with the Village Farms draft EIR. I have been on record previously in this process regarding my concerns over potential alteration of the Cannery Farm and introduction of substantial commuter vehicle traffic from Village Farms into the Cannery neighborhood. The draft EIR claims to address these issues but fails completely.

The draft EIR claims that the proposed development would result in no alteration of the Cannery UATA and Cannery Farm. This is a blatant falsehood. The Village Farms development group openly proposes to build a road bisecting the Cannery Farm.

The draft EIR also obscures the traffic study performed for the developers by the project traffic engineer, GHD Group. GHD's study, incorporated only by reference in the acoustics study prepared by Saxelby Acoustics—indeed, the GHD data is only disclosed in an appendix *to an appendix* of the draft EIR—indicates that the Cannery will suffer disproportionate traffic volume increases and attendant traffic safety impacts from a roadway connection to Village Farms. The estimates for impacts to average daily vehicle trips are summarized in the table below.

**185-2**

| | | Average Daily Trips | | | |
|---|---|---|---|---|---|
| | | | Existing Plus | | |
| Roadway | Segment | Existing | Project | Change | % Change |
| E Covell Blvd | West of Market Ave | 21,250 | 25,250 | 4,000 | 19% |
| E Covell Blvd | East of Cannery Ave | 20,570 | 22,350 | 1,780 | 9% |
| E Covell Blvd | East of Pole Line Road | 14,580 | 17,700 | 3,120 | 21% |
| **Cannery Loop** | **West of Cannery Ave** | **970** | **2,000** | **1,030** | **106%** |
| Pole Line Road | North of Picasso Ave | 13,090 | 17,500 | 4,410 | 34% |
| Pole Line Road | North of Donner Ave | 12,330 | 15,150 | 2,820 | 23% |
| Pole Line Road | North of Moore Blvd | 11,010 | 12,550 | 1,540 | 14% |
| J Street | South of E Covell Blvd | 3,260 | 5,400 | 2,140 | 66% |
| L Street | South of E Covell Blvd | 4,230 | 5,950 | 1,720 | 41% |

While most of the streets listed in the table above are primary or secondary arterial roads, Cannery Loop is a low-speed road in a residential neighborhood setting. A 106% increase in traffic volumes, particularly given that most of the newly introduced traffic will likely be morning- and evening-rush commuters, is entirely inappropriate for the Cannery's neighborhood setting. Over time, GHD's estimates of cumulative plus project traffic volumes suggest that this segment of Cannery Loop west of Cannery Avenue will experience traffic volumes similar to those currently seen on secondary arterial roads such as L Street and J Street. Again, this is entirely unacceptable for the Cannery's residential neighborhood setting.

**185-3**

Additionally, I believe it is likely that the estimates of new traffic volumes on the southern segment of Cannery Loop are only a small part of the story, as many Village Farms

**Letter 185 Cont.**

**185-3 Cont.**

commuters would undoubtedly make use of Cannery Avenue, also introducing unacceptable traffic safety impacts to the Cannery. For proof of this, note that the second largest proportional impact to traffic volumes listed by Saxelby is a 66% increase in trip volumes along J Street south of East Covell Boulevard. It stands to reason that the vast majority of these new trip volumes would reach J Street via Cannery Avenue. We might also reasonably expect that a significant proportion of the substantial increase in traffic on East Covell to the west of Market Avenue will reach Covell via Cannery neighborhood streets.

**185-4**

To be clear, my contention with the proposed connection of the Cannery and Village Farms via a new roadway bisecting the Cannery Farm is *not* related to level of service. The Cannery is a very small residential neighborhood, with many children and elderly in residence. And it is simply irresponsible to add this level of additional commuter traffic to a neighborhood with many pre-existing traffic safety issues. When my family moved to The Cannery five years ago, we soon realized that traffic safety was a key challenge for the neighborhood, given long straightaway roads, overly narrow roads, incorrectly striped roads, a number of fully uncontrolled intersections, sight distance limitations, an extremely dangerous pedestrian crossing at the southwest corner of Cannery Loop, and a pervasive lack of traffic calming infrastructure. Most of these issues remain unaddressed to this day. Adding thousands of new vehicle trips on top of these existing challenges is simply unacceptable.

**185-5**

The study performed by GHD Group must be made fully available to the public as part of the EIR process. Per the City's response to a recent public records act request, City staff claims not to be in possession of any Village Farms traffic study performed by GHD Group. If this is the case, City staff and elected officials are in no position to make informed decisions regarding the proposed development.

**185-6**

I would also like to raise the issue of traffic mitigations, and two specific concerns I see on this topic. First, it must be noted that the City's record of producing promised mitigations for previous developments has been mixed at best. Many residents, myself included, are still waiting for promised signalization of the 8th and J intersection, as described in the Cannery EIR and the City's Capital Improvement Plan more than a decade ago. Second, the draft EIR makes no mention of the substantial mitigations that would be required at the Covell and L Street intersection; this is a particularly glaring concern given the obvious need for additional signalization and a left-turn lane from eastbound Covell Blvd, if the project is to be approved.

Sincerely,

Robert Coolbrith
Davis, CA

## LETTER 185: ROBERT COOLBRITH (LETTER 1 OF 2, 2/25/25)

### Response to Comment 185-1
Please see Master Response 5.

### Response to Comment 185-2
Please see Master Response 5 and Response to Comment 17-5.

### Response to Comment 185-3
Please see Master Response 5.

### Response to Comment 185-4
Please see Master Response 5.

### Response to Comment 185-5
Please see Response to Comment 17-5.

### Response to Comment 185-6
Please see Master Responses 1 and 5.

**Letter 186**

**Dara Dungworth**

**From:** Robert Coolbrith <coolbrith@gmail.com>
**Sent:** Tuesday, February 25, 2025 11:59 PM
**To:** Dara Dungworth
**Subject:** Village Farms EIR comment

**Categories:** VFD Comment

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February 25, 2025

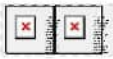
Dear Ms. Dungworth, et. al,

I am writing to express my concerns with the Village Farms draft EIR. I have been on record previously in this process regarding my concerns over potential alteration of the Cannery Farm and introduction of substantial commuter vehicle traffic from Village Farms into the Cannery neighborhood. The draft EIR claims to address these issues but fails completely. **186-1**

The draft EIR claims that the proposed development would result in no alteration of the Cannery UATA and Cannery Farm. This is a blatant falsehood. The Village Farms development group openly proposes to build a road bisecting the Cannery Farm.

The draft EIR also obscures the traffic study performed for the developers by the project traffic engineer, GHD Group. GHD's study, incorporated only by reference in the acoustics study prepared by Saxelby Acoustics—indeed, the GHD data is only disclosed in an appendix *to an appendix* of the draft EIR—indicates that the Cannery will suffer disproportionate traffic volume increases and attendant traffic safety impacts from a roadway connection to Village Farms. The estimates for impacts to average daily vehicle trips are summarized in the table below.

**186-2**



While most of the streets listed in the table above are primary or secondary arterial roads, Cannery Loop is a low-speed road in a residential neighborhood setting. A 106% increase in traffic volumes, particularly given that most of the newly introduced traffic will likely be morning- and evening-rush commuters, is entirely inappropriate for the Cannery's neighborhood setting. Over time, GHD's estimates of cumulative plus project traffic volumes suggest that this segment of Cannery Loop west of Cannery Avenue will experience traffic volumes similar to those currently seen on secondary arterial roads such as L Street and J Street. Again, this is entirely unacceptable for the Cannery's residential neighborhood setting.

Additionally, I believe it is likely that the estimates of new traffic volumes on the southern segment of Cannery Loop are only a small part of the story, as many Village Farms commuters would undoubtedly make use of Cannery Avenue, also introducing unacceptable traffic safety impacts to the Cannery. For proof of this, note that the second largest proportional impact to traffic volumes listed by Saxelby is a 66% increase in trip volumes along J Street south of East Covell Boulevard. It stands to reason that the vast majority of these new trip volumes would reach J Street via Cannery Avenue. We might also reasonably expect that a significant proportion of the **186-3**

1

**Letter 186 Cont.**

**186-3 Cont.** substantial increase in traffic on East Covell to the west of Market Avenue will reach Covell via Cannery neighborhood streets.

To be clear, my contention with the proposed connection of the Cannery and Village Farms via a new roadway bisecting the Cannery Farm is *not* related to level of service. The Cannery is a very small residential neighborhood, with many children and elderly in residence. And it is simply irresponsible to add this level of additional commuter traffic to a neighborhood with many pre-existing traffic safety issues. When my family **186-4** moved to The Cannery five years ago, we soon realized that traffic safety was a key challenge for the neighborhood, given long straightaway roads, overly narrow roads, incorrectly striped roads, a number of fully uncontrolled intersections, sight distance limitations, an extremely dangerous pedestrian crossing at the southwest corner of Cannery Loop, and a pervasive lack of traffic calming infrastructure. Most of these issues remain unaddressed to this day. Adding thousands of new vehicle trips on top of these existing challenges is simply unacceptable.

The study performed by GHD Group must be made fully available to the public as part of the EIR process. Per **186-5** the City's response to a recent public records act request, City staff claims not to be in possession of any Village Farms traffic study performed by GHD Group. If this is the case, City staff and elected officials are in no position to make informed decisions regarding the proposed development.

I would also like to raise the issue of traffic mitigations, and two specific concerns I see on this topic. First, it must be noted that the City's record of producing promised mitigations for previous developments has been mixed at best. Many residents, myself included, are still waiting for promised signalization of the 8th and J **186-6** intersection, as described in the Cannery EIR and the City's Capital Improvement Plan more than a decade ago. Second, the draft EIR makes no mention of the substantial mitigations that would be required at the Covell and L Street intersection; this is a particularly glaring concern given the obvious need for additional signalization and a left-turn lane from eastbound Covell Blvd, if the project is to be approved.

Sincerely,

Robert Coolbrith
Davis, CA

## LETTER 186: ROBERT COOLBRITH (LETTER 2 OF 2, 2/25/25)

### Response to Comments 186-1 through 186-6

The letter is a duplicate of Letter 185. Please see Responses to Comments 185-1 through 185-6 above.

**Letter 187**

**Comments to Draft Environment Impact Report Village Farms Project**

**Summary**

187-1

- The Draft Environmental Impact Report (DEIR) hazardous substances risk evaluation of the old Davis landfill is not complete as it did not conduct a risk assessment of the open burn pit burning located at the old Davis landfill site. Municipal waste burning including open pit burning has been identified as a significant source of highly hazardous toxics such as polychlorinated dibenzodioxins (PCDDs), polychlorinated dibenzofurans (PCDFs), and polycyclic aromatic hydrocarbons (PAHs). Detection of these toxic species in the landfill could significantly change the DEIR landfill hazard assessment from not significant to significant.
- If the assessment is changed from not significant to significant, then the EIR would need to revise its down steam evaluations including release scenarios, effects on sensitive populations and mitigation approaches.

**Detailed Comments**

**The DEIR hazardous substances risk assessment of the old Davis Landfill is incomplete until an assessment of open pit burning at the old Davis Landfill has been completed.**

**History of Open Pit burning at the Old Davis Landfill**

According to the DEIR (4.7-10-11) "the landfill was reported used as a burn dump prior to 1969, with open pit burning beginning in the 1940s or 1950s". The site was then operated as a landfill from 1969-1975. The landfill was capped with three to four feet of cover when the landfill closed.

No information on the types of waste that were burned in the open-pit.

Reason for including the burn pit in the DEIR risk assessment of the Davis landfill site.

187-2

- The EPA has identified municipal waste burning in various forms and related military open pit burning as significant or potentially significant sources of emissions of hazardous substances including PCDDs, PCDFs and PAHs (ref. 1-6)
- Open burn pit(s) burning occurred on the landfill site for decades prior to 1969 and would have likely resulted in significant releases of PCDDs, PCDFs, and PAHs into the air and significant buildup in the soil and water.
- These hazardous emissions are considered persistent organic pollutants (POPs) and can persist in the soil (Dioxins and Dioxin-like Compounds in the Food Supply: Strategies to Decrease Exposure transport in soil p. 7 https://www.ncbi.nlm.nih.gov/books/NBK221720/) and can leach into the ground water. The DEIR does not address how the operation of the landfill affected the toxic ashes and residues of the open pit burning, however the closure of the landfill in 1975 entombed remaining toxic burn pit ashes and residue with a soil

**Letter 187 Cont.**

cap 3 to 4 ft. deep. This suggests any toxic ashes and residues that were present at the time of entombment remain and may be present today.

**Conclusion**

Even though open burn pit operation ended in 1969 there is the possibility that POPs are still present and are at levels of concern. Considering that the burn operation continued for decades there could have been a significant build-up of toxics. In addition, these POPs remain in the environment and especially in the soil and are resistant to degradation by natural processes.

- Coupled with how hazardous these wastes are, extremely low levels found in the soil and water could still be of significant concern.

**The current DEIR landfill risk assessment is incomplete until the burn pit assessment is completed as the burn pit has the potential of being a significant if not the dominant source of toxics in the landfill. Once completed, the DEIR should reassess whether these toxics change the risk from the landfill from not significant to significant.**

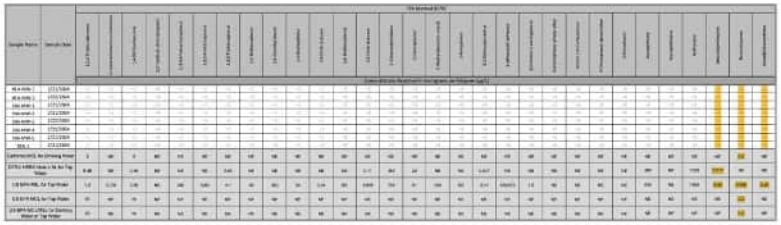
**187-2 Cont.**

- This is of particular importance considering how potent these carcinogens are and that there are sensitive populations near the landfill/open pit site. The east village (DEIR Project Description section 3-7) lies adjacent to the landfill and Birch Lane School, the Montessori Country Day School, Pre-Kindergarten Early Learning Center, and an educational farm lie within a quarter mile of the landfill (DEIR Village Farms Davis Project Ch. 4.7-4.7-34).
- The DEIR hazardous toxic risk assessment of the landfill site determined the landfill site was not significant (DEIR 4.7-30), however, it did not include a risk assessment of the open pit burning. Highly hazardous species specific to open burn pits were not included in the assessment or were not determined down to levels of the Regional Screening Levels (RCL) or maximum contamination level (MCL).
    - Species not analyzed for in water and soil were PCDDS and PCDFs. These are chemicals that can drive the risk assessment.
    - Hazardous chemicals such as PAHs were analyzed only in the water and not in the soil where they are expected to be in high or highest concentrations. Laboratory reporting limits for water samples were often above the RCLs and MCLs allowed. For example, in Table 8 (UES Groundwater Monitoring Report Old Davis Landfill prepared by Universal Engineering Sciences), the laboratory reporting limit of benzo(a)pyrene was 5ug/L whereas the RCLs and MCLs were significantly lower at .2ug/L and .025 ug/L respectively. In other words, 25 times higher than the RCL and 200 times higher than the MCL.

**Letter 187 Cont.**

**187-2 Cont.**

Table 8
Summary of Water Analytical Results for Semi-Volatile Organic Compounds
OLD DAVIS LANDFILL
UES No. 4640.2400008.0000



**Need for a comprehensive test program to quantify levels in the soil and ground water.**

- Include the testing, sampling, and analysis of hazardous species associated with burn pit operations such as PCDDs, PCDFs, and PAHs.
- Locate and test the burn pit and its remnant as that is the area where the highest levels of toxics are concentrated.
    - Devise a sampling plan that would address sample locations If the burn pit was disturbed by subsequent landfill operations
- Test the surrounding areas to the burn pit. The reason is that burn pits are a major source of air emissions of PCDDs and PCDFs and can result in localized deposition of these air toxics to the soil and contaminate surrounding areas such as the landfill and proposed Village Farms Project. (M. Wevers, R. De Fre, M. Desmedt, Effect of backyard burning on dioxin deposition and air concentrations, Chemosphere 54, 2004, 1s351-1356)
- Test the soil and water down to the level of concern as specified by or in consultation with the appropriate agencies such as CALEPA and US EPA

**The updated hazardous risk assessment should include hazardous releases from the soil as well as the ground water. Other releases as appropriate should be considered and the mitigations should also be updated as well.**

- The results of the burn pit hazardous substances would need to be factored in to the risk evaluation and subsequent mitigation.
- PAHs, PCDDs, and PCDFs releases to the ground water would need to be conducted down to the level of the MCLs of the most hazardous substances.
- Burn pit hazardous substances should be included in the accidental release scenarios since the DEIR (chapter 4.7-31) already concluded that accidental release scenarios are already considered significant.
- The DEIR states in chapter 4.7-30 "Based on the findings of the UATA Phase II ESA, use of the UATA soils as fill as part of the Proposed Project or BRPA would not create a significant hazard to the public or environment related to the release

**Letter 187 Cont.**

**187-2 Cont.**

of hazardous metals, petroleum hydrocarbons, **or** salt concentrations." A question is, was a cumulative risk summing the risks of arsenic, hazardous metals, petroleum hydrocarbons and salt concentrations determined. The reason for the cumulative risk is that a release from the soil and or water would likely release all these components at one time.

**References**

1. Paul M. Lemieux, Christopher C. Lutes, Judith A. Abbott, Kenneth M. Aldous, Emissions of Polychlorinated Dibenzo-p-dioxins and Polychlorinated Dibenzofurans from the Open Burning of Household Waste in Barrels. Environmental Science and Technology Jan., 2000
2. Backyard Burning/Wastes/US EPA https://archive.epa.gov/epawaste/nonhaz/municipal/web/html/index-3.html
3. Yun Pan, Libo Yang, Jizhi Zhou, Jianyong Liu, Guangren Qian, Nobutoshi Oh Tsuka, Mamoru Motegi, Kokyo Oh, Shigeo Hosono, Characteristics of dioxins content in fly ash from municipal solid waste incinerators in China, Chemosphere, 92, 2013 765-771
4. Gullett BK, Wyrzykowska B, Grandesso E, Touati A, Tabor DG, Ochoa GS. PCDD/F, PBDD/F, and PBDE emissions from open burning of a residential waste dump. Environmental Science & Technology. 2010;44:394–399. doi: 10.1021/es902676w
5. Cleanup of U.S. Military Burn Pits in Iraq and Afghanistan https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2015/12/16/08/56/cleanup-of-us-military-burn-pits-in-iraq-and-afghanistan
6. Locating and Estimating Air Emissions from Sources of Dioxins and Furans. 4.92 Miscellaneous Open Refuse Burning and Structure fires 4-164, EPA-454/R-97-003. May 1997 https://www3.epa.gov/ttnchie1/le/dioxin.pdf

Robert Okamoto
Long time Davis resident
Retired CalEPA/Air Resources Board employee
Former ARB lead for the CalEPA fuels multimedia working group

## LETTER 187: ROBERT OKAMOTO

### Response to Comment 187-1

Please see Master Response 3. In addition, PAHs were tested at the Old Davis Landfill using EPA Test Method 8270 as part of the Groundwater Monitoring Report for the Old Davis Landfill complete by UES. This document is referenced in footnote 12 of Chapter 4.8, Hydrology and Water Quality, of the Draft EIR. The UES report was prepared for the City of Davis to address the request from the Central Valley Regional Water Quality Control Board (CVRWQCB) for the City to conduct additional sampling of all landfill monitoring wells (See Appendix G to Appendix F of the Draft EIR). The CVRWQCB did not request sampling for PCDDs and PCDFs. Further, as discussed in Master Response 3, potential effects of the Old Davis Landfill on the project site are outside the scope of CEQA.

### Response to Comment 187-2

Please see Master Response 3.

**Letter 188**

951 Pierce Lane
Davis, California. 95616
January 10, 2025

Dara Dungworth, Principal Planner
Department of Community Development, City of Davis
23 Russell Boulevard
Davis, CA 95616

**Comments to Draft Environmental Impact Report (DEIR) (SCH #2023110006)**

188-1 My below comments are submitted as a Davis resident and do not reflect my role as a City of Davis Parks and Recreation Commissioner.

Public Services Impact (4.12-4)

188-2 The Village Farms development proposes 1,800 households to be added to the City of Davis. This could result in possibly 3,600 to over 5,000 additional residents. While the development includes two new parks and greenbelts, the plans do not specifically include other recreational facilities that are often in high demand. Presently, resident interest in aquatic facilities, pickleball/tennis courts, athletic fields/courts and community gardens can exceed current resource availability. These facility limitations can also impact resident participation in recreation programs. I understand that Palomino Place will include a pool; however, it is unclear if it will be fully open to the public.

With such a large increase of residential homeowners and renters, the Village Farms development will only increase public demand for established recreation facilities and services – unless the proposal is revised to also include facilities beyond the two parks and greenbelts. I understand specific park programming is a later task, but the development plan should be more specific.

188-3 The Village Farms development proposes a 2.8 acre "educational farm" with the support of DJUSD. Careful attention should be directed towards the less than successful and larger 8 acre Cannery Farm. The Cannery Farm was marketed as a "Farm to Table/Fork" feature, with periodic community education programs. Much of the farmland has been fallow for many years and public programs limited despite the efforts of experienced farm contractors.

188-4 Presently, there is a shortage of community gardens and waiting lists for garden plots in the City of Davis. Replacing the Village Farms "educational farm" with community gardens would help meet the needs and interests of Village Farms residents as well as other City residents.

**Letter 188 Cont.**

**Comments to Draft Environmental Impact Report (DEIR) (SCH #2023110006**

**188-4 Cont.** Community gardens provide an outdoor activity that promotes healthy living and social interaction.

**188-5** The EIR needs to address mitigation measures for public services impact as related to the increased demand and access in respect to existing recreation facilities and services.

Cumulative Impacts (4.12.5)

**188-6** Over the next decade, the need for additional recreational facilities in the City of Davis will likely grow. This growth will come from:

- Infill development,
- New housing,
- Demographic changes,
- Climate changes, and
- Increased admission at UC Davis.

The Village Farms proposal needs to address mitigation measures that will help reduce negative cumulative impacts towards existing park facilities and services. This includes expanding the recreational facilities within the existing plan.

**188-7** Thank you for the opportunity to provide comments to the Draft EIR. I look forward to enhancements to the Village Farms development plans that will add recreational facilities for both future and current residents.

Sincerely,

Robert Ono

Robert Ono

Copy: Deanne Machado, Director, Parks and Community Services, City of Davis

2

## LETTER 188: ROBERT ONO

### Response to Comment 188-1
Please see Master Response 1.

### Response to Comment 188-2
The Draft EIR includes an estimation of new residents associated with the Proposed Project/BRPA and BRA under Impact 4.11-1 within Chapter 4.11, Population and Housing. As stated therein, the Proposed Project/BRPA would result in an increase of the on-site permanent population by 4,626 residents.

As noted by the comment, the Draft EIR analyzed potential impacts related to increased use of existing parks or other recreational facilities such that substantial physical deterioration would occur or be accelerated, as well as the inclusion, construction, or expansion of recreational facilities, under Impact 4.12-4 within Chapter 4.12, Public Services and Recreation, of the Draft EIR. The majority of the discussion therein was focused on parks and greenbelts due to City standards that require development projects to provide minimum acreages of such facilities based on anticipated population growth. Such standards related to other recreational facilities do not currently exist. Therefore, the Draft EIR concluded that impacts related to increased use of recreational facilities, as well as the inclusion, construction, or expansion of such facilities, would be less than significant.

### Response to Comment 188-3
The Draft EIR does not evaluate the worth of particular project components, but analyzes the potential physical environmental impacts of a development project as proposed. Therefore, the perceived success or failure of similar programs in the area is not relevant to the Draft EIR's analysis of the proposed educational farm. Please see Master Response 1.

### Response to Comment 188-4
Please see Master Response 1.

### Response to Comment 188-5
As discussed in Response to Comment 188-2, Impact 4.12-4 of the Draft EIR is concerned with the Proposed Project and BRPA's potential to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The Draft EIR concluded that impacts related to such would be less than significant, and mitigation measures would not be required. Because the comment does not include specific mitigation measures to evaluate, further response is not required.

### Response to Comment 188-6
The Draft EIR acknowledges an increased demand for recreational facilities on page 4.12-23, as follows: "Cumulative development, in conjunction with the Proposed Project or BRPA, would increase the demand for park facilities operated by the City of Davis Parks and Community Services Department."

As discussed in Response to Comment 188-2, the Draft EIR incorporates City standards that require development projects to provide minimum amounts of such facilities based on anticipated population growth. Such standards related to other recreational facilities do not currently exist.

Therefore, the discussion within Impact 4.12-5 focuses on parks and greenbelts as the primary recreational facilities. Other facilities, such as libraries, are evaluated as well. Impact 4.12-5 concluded that cumulative development within the area would be subject to the same regulations, standards, fees, and taxes as the Proposed Project or BRPA.

Based on the above, the Draft EIR concluded that cumulative development within the City, in conjunction with the Proposed Project and BRPA, would result in a less-than-significant impact related to the need for new or improved parks and/or other public facilities, the construction of which could cause significant environmental impacts. Therefore, mitigation measures were not required.

## Response to Comment 188-7

Please see Master Response 1.

**Letter 189**

**Dara Dungworth**

**From:** Ron O <roertel@msn.com>
**Sent:** Tuesday, February 25, 2025 10:54 AM
**To:** Dara Dungworth
**Subject:** Comment for EIR for Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

In regard to the Village Farm proposal, I am submitting the following comment.

Vehicle Miles Traveled (VMTs) cannot be used to accurately estimate greenhouse gas emissions.

There are at least two reasons for this:

189-1

1. VMTs do not account for greenhouse gas emissions emitted by vehicles stuck in traffic (e.g., stopped, or stop-and-go situations). A car traveling "zero" miles, for example (while stuck in traffic) is still emitting greenhouse gasses.

189-2

2. VMTs do not adequately account for greenhouse gas emissions emitted by vehicles during "cold engine starts" - when vehicles emit the highest amount of greenhouse gasses (until the engine warms up). As such, a vehicle going a short distance emits the same amount of "cold start" emissions as a vehicle traveling a longer distance. The net result of this is that the vehicle traveling a longer distance emits a lower amount of "cold start emissions per mile", than a vehicle traveling a shorter distance.

Sincerely,
Ron Oertel

1

## LETTER 189: RON OERTEL

### Response to Comment 189-1

As discussed on page 4.3-49 of the Draft EIR, the project-specific trip generation and VMT data provided by Fehr & Peers for full buildout of the Proposed Project and full buildout of the BRPA was applied to the project CalEEMod modeling. The CARB's EMFAC2021 vehicle emissions data is used within CalEEMod to calculate mobile emissions. As shown in Table C-8 of the CalEEMod User Guide, EMFAC2021 includes emission factors associated with idling exhaust emissions. Such emissions are calculated in grams per trip (g/trip), derived as total emissions divided by the total number of trips.[1] Thus, by applying project-specific trip generation data for the Proposed Project/BRPA, idling events associated with the Proposed Project/BRPA are accurately accounted for within the CalEEMod modeling prepared for the Draft EIR.

### Response to Comment 189-2

Please see Response to Comment 189-1. As similarly shown in Table C-8 of the CalEEMod User Guide, EMFAC2021 includes emission factors associated with vehicle start exhaust emissions. Thus, startup emissions associated with project-generated traffic are accurately accounted for within the CalEEMod modeling prepared for the Proposed Project/BRPA.

[1] California Air Pollution Control Officers Association (CAPCOA). *CalEEMod User Guide Version 2022.* [pg. C-40]. April 2022.

**Letter 190**

**Dara Dungworth**

**From:** LastTechnocrat <lasttechnocrat@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:14 PM
**To:** Dara Dungworth
**Cc:** Eileen Samitz
**Subject:** Ruben Arevalo's Draft EIR Comments for Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

**Dear** Dara Dungworth and the City of Davis management.

**I am a long time Davis resident and have been involved in the planning of many local development projects. Please add me comments below to the official comments on the DRAFT EIR.**

190-1

**Ruben F. Arevalo**

**1652 Colusa Avenue**

**Davis, CA 95616**

**Draft EIR Comments for the Proposed Village Farms Project:**

190-2

**1. Flood Plain and Flooding Potential** The proposed Village Farms project is situated on a 200-acre flood plain, which poses a significant risk of flooding. This area is classified as a FEMA Zone A, a Special Flood Hazard Area (SFHA), indicating a high potential for flooding

Developing housing on such a flood plain is fundamentally unsound and could lead to severe flooding issues, especially with the increasing frequency of extreme weather events due to climate change.

190-3

**2. Toxics from the Adjacent Unlined Old Davis Landfill** The proximity of the Village Farms project to the unlined Old Davis Landfill raises serious environmental and health concerns. The landfill has a history of leaking toxic substances, including PFAS (per- and polyfluoroalkyl substances) and manganese, into the groundwater

Additionally, soil samples have shown high levels of arsenic, lead, and toxaphene, a neurotoxin and potential carcinogen, all exceeding Maximum Contaminant Levels (MCLs)
2
. These contaminants pose a significant risk to future residents and the environment.

190-4

**3. Traffic, Greenhouse Gases, and Air Pollution** The project will exacerbate existing traffic congestion, leading to increased greenhouse gas emissions and air pollution from idling vehicles. The resulting gridlock will deteriorate air quality, with harmful health impacts due to elevated levels of exhaust and particulate matter. It is crucial that the EIR addresses these traffic-related environmental and health impacts comprehensively.

190-5

**4. Infrastructure Costs and Fire Station** The proposed development includes plans for a new fire station, which is unnecessary given that 90% of emergency calls are medical, not fire-related

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**Letter 190 Cont.**

**190-5 Cont.** A more cost-effective solution would be to establish an Emergency Medical Service (EMS) facility, which could be located almost anywhere in East Davis and would be a fraction of the cost of a new fire station

6

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**5. Feasibility of Bicycle/Pedestrian Undercrossing** The DEIR mentions the uncertain feasibility of the proposed Pole Line Road bicycle/pedestrian undercrossing due to existing infrastructure issues

**190-6** This undercrossing is a critical component for safe access, particularly for children. The developer has not committed to covering all the costs, raising concerns about the financial burden on Davis residents. The feasibility and funding of this undercrossing must be clarified before project approval.

**6. Unaffordable Housing** The proposed housing units, priced between $700,000 and $1 million, are not affordable for average-income workers and young families

**190-7** This project fails to address the need for genuinely affordable housing in Davis, exacerbating the existing housing affordability crisis.

**7. Habitat Destruction** The project will result in the removal of 952 trees and the rerouting of the stormwater drainage Channel A

**190-8** This habitat destruction will have significant ecological impacts, including the loss of mature trees and disruption of local wildlife habitats. The EIR must thoroughly evaluate these impacts and propose adequate mitigation measures.

2

## LETTER 190: RUBEN AREVALO

### Response to Comment 190-1
Please see Master Response 1.

### Response to Comment 190-2
Please see Master Response 4.

### Response to Comment 190-3
Please see Master Response 3.

### Response to Comment 190-4
Please see Master Response 1 and 5. In addition, please see Responses to Comments 75-9 and 189-1.

### Response to Comment 190-5
Please see Response to Comment 75-51.

### Response to Comment 190-6
Please see Master Response 6.

### Response to Comment 190-7
Please see Master Response 1.

### Response to Comment 190-8
Please see Master Response 7.

**Letter 191**

**Dara Dungworth**

**From:** Russ Townsley <russtownsley@yahoo.com>
**Sent:** Sunday, February 23, 2025 12:38 PM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** VFD Comment

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**191-1** Please put me down as one of many vehemently opposed to the development of the Village Farms area. Davis has seen plenty of growth and the traffic congestion on Covell would be nightmarish. Please keep in mind, Davis is the city that gave Earth Day to the world. I prefer our legacy not be messed with by greedy developers, but it is up to you on the city council to stand up against them. Davis does NOT need this.

Russ Townsley and Dr. Rakhshi Khan

1

## LETTER 191: RUSS TOWNSLEY AND DR. RAKHSHI KAHN

### Response to Comment 191-1

Please see Master Response 1.

**Letter 192**

**Dara Dungworth**

**From:** Sally Wittlinger <salwitt@gmail.com>
**Sent:** Sunday, February 23, 2025 5:01 PM
**To:** Dara Dungworth
**Subject:** Re: Village Farms project (REVISED)

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Hello Dara,

**192-1** The purpose of this email is to voice my concerns over the Village Farms project proposed northwest of the intersection of Covell Blvd and Pole Line Rd. After reading about the project, it seems that there are many reasons to oppose a project of this magnitude in the proposed location. However, I would like to focus my concern on just one issue, that of the effect of the project on local traffic.

**192-2** We bought a home last summer in the Green Meadows neighborhood, which lies directly east of the proposed location for Village Farms. Specifically, we live on Picasso Ave in what we have termed the "pseudosac," the bulbout formed as Picasso Ave goes from east/west to north/south. For the most part, Picasso Ave is a fairly quiet residential street, though it does get some westbound traffic in the late afternoon/early evening as people drive from Covell Blvd perhaps to the fitness club located further west on Picasso Ave.

**192-3** I am very concerned about the impact on traffic that the occupants of 1800 additional dwelling units would bring to the area. The intersection of Covell Blvd and Pole Line Rd is already busy during rush hour and I am concerned that the increase in traffic from this project could make this area impassable during certain times of the day. Living on Picasso Ave, I am especially worried that there would be an increase in cut-through traffic in the late afternoon/early evening as vehicles that are returning home to Village Farms from I-80 along westbound Covell Blvd use Picasso Ave to avoid the inevitable backups from the light at Pole Line Rd. Because the proposed stoplight at the intersection of Picasso Ave and Pole Line Rd would facilitate westbound traffic crossing into Village Farms, I believe it would further encourage the use of Picasso Ave to avoid the backup on Covell Blvd. Fortunately, the lack of the ability to turn left (east) from Matisse St onto Covell Blvd would prevent the use of Picasso Ave as a cut-through route during the morning outbound commute to I-80.

**192-4** My concern comes from a prior experience. We moved to Davis from Tempe, Arizona, where we also lived in proximity to a busy intersection. We experienced a large amount of cut-through traffic in our neighborhood by drivers seeking to avoid the traffic backups at this intersection. In many cases, these drivers had no regard for the safety of neighbors walking and biking along the residential streets. Unsafe speeds and traffic patterns were common. Unfortunately, a bicyclist in our former neighborhood was recently hit by a vehicle and killed.

**192-5** A second safety concern would be the inability to exit the neighborhood in a timely manner during an emergency due to backups on Picasso Ave, Pole Line Rd, and Covell Blvd. There are only two exits out of the Green Meadows neighborhood. One is from westbound Picasso Ave, which could be backed up considerably during rush hour due to the aforementioned cut-through traffic. The other is from Matisse St onto westbound Covell Blvd, which could be backed up from Pole Line Rd as well. This could limit the ability of both emergency and private vehicles to quickly leave the area.

**192-6** My final concern is how this increase in traffic would affect the environmental quality of the proposed area. Increased traffic means an increase in greenhouse gases and deteriorating air quality from vehicle exhaust containing carbon monoxide, nitrogen oxides, and particulate matter, all of which can lead to health issues.

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**Letter 192 Cont.**

**192-7** As I wrote at the start of this email, there seem to be numerous reasons to oppose such a large project at this location. I believe that my concerns regarding the impact of the increased traffic to the area further support the opposition to a project that seems oversized for its location.

Thank you for your time.

Sincerely,
Sally Wittlinger
2043 Picasso Ave
Davis

On Sun, Feb 23, 2025 at 3:41 PM Sally Wittlinger <salwitt@gmail.com> wrote:

Hello Dara,

The purpose of this email is to voice my concerns over the Village Farms project proposed northwest of the intersection of Covell Blvd and Pole Line Rd. After reading about the project, it seems that there are many reasons to oppose a project of this magnitude in the proposed location. However, I would like to focus my concern on just one issue, that of the effect of the project on local traffic.

We bought a home last summer in the Green Meadows neighborhood, which lies directly east of the proposed location for Village Farms. Specifically, we live on Picasso Ave in what we have termed the "pseudosac," the bulbout formed as Picasso Ave goes from east/west to north/south. For the most part, Picasso Ave is a fairly quiet residential street, though it does get some westbound traffic in the late afternoon/early evening as people drive from Covell Blvd perhaps to the fitness club located further west on Picasso Ave.

I am very concerned about the impact on traffic that the occupants of 1800 additional dwelling units would bring to the area. The intersection of Covell Blvd and Pole Line Rd is already busy during rush hour and I am concerned that the increase in traffic from this project could make this area impassable during certain times of the day. Living on Picasso Ave, I am especially worried that there would be an increase in cut-through traffic in the late afternoon/early evening as vehicles that are returning home to Village Farms from I-80 along westbound Covell Blvd use Picasso Ave to avoid the inevitable backups from the light at Pole Line Rd. Because the proposed stoplight at the intersection of Picasso Ave and Pole Line Rd would facilitate westbound traffic crossing into Village Farms, I believe it would further encourage the use of Picasso Ave to avoid the backup on Covell Blvd. Fortunately, the lack of the ability to turn left (east) from Matisse St onto Covell Blvd would prevent the use of Picasso Ave as a cut-through route during the morning outbound commute to I-80.

My concern comes from a prior experience. We moved to Davis from Tempe, Arizona, where we also lived in proximity to a busy intersection. We experienced a large amount of cut-through traffic in our neighborhood by drivers seeking to avoid the traffic backups at this intersection. In many cases, these drivers had no regard for the safety of neighbors walking and biking along the residential streets. Unsafe speeds and traffic patterns were common. Unfortunately, a bicyclist in our former neighborhood was recently hit by a vehicle and killed.

A second safety concern would be the inability to exit the neighborhood in a timely manner during an emergency due to backups on Picasso Ave, Pole Line Rd, and Covell Blvd. There are only two exits out of the Green Meadows neighborhood. One is from westbound Picasso Ave, which could be backed up considerably during rush hour due to the aforementioned cut-through traffic. The other is from Matisse St onto westbound Covell Blvd, which could be backed up from Pole Line Rd as well. This could limit the ability of both emergency and private vehicles to quickly leave the area.

As I wrote at the start of this email, there seem to be numerous reasons to oppose such a large project at this location. I believe that my concerns regarding the impact of the increased traffic to the area further support the opposition to a project that seems oversized for its location.

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**Letter 192 Cont.**

Thank you for your time.

Sincerely,
Sally Wittlinger
2043 Picasso Ave
Davis

## LETTER 192: SALLY WITTLINGER

### Response to Comment 192-1
Please see Master Response 1.

### Response to Comment 192-2
Please see Master Response 1.

### Response to Comment 192-3
As noted in Master Response 5, pursuant to the CEQA Guidelines Section 15064.3, effective July 1, 2020, environmental documents must use VMT rather than LOS as the metric to analyze transportation impacts. Section 21099(b)(2) of the California Public Resources Code states that "automobile delay, as described solely by level of service or similar measures of vehicle capacity or traffic congestion, shall not be considered a significant impact on the environment". Therefore, the analysis included in Chapter 4.13, Transportation, of the Draft EIR focuses on VMT and not on the effects of the Proposed Project on traffic conditions or congestion along roadways in the project vicinity.

Nonetheless, while not required by CEQA, the City's General Plan has adopted LOS policies. To evaluate the Proposed Project's consistency with said policies, separate from the CEQA assessment, an analysis of LOS is provided in a separate project-specific Local Transportation Analysis (LTA) prepared by Fehr & Peers. The LTA provides cumulative travel forecasts that show a small number of added eastbound through and westbound through trips at the intersection of Pole Line Road/Picasso Avenue in the pm peak hour, approximately five vehicles per hour in each direction. A significant increase in cut-through traffic is not forecast because the East Covell Boulevard/Matisse Street intersection, at the eastern end of the Green Meadows neighborhood, is limited to right-in, right-out movements and streets within the neighborhood are circuitous and narrow.

### Response to Comment 192-4
Please see Master Response 1.

### Response to Comment 192-5
The intersection of Pole Line Road/Picasso Avenue is currently side-street stop controlled, meaning that if an evacuation were required from the Green Meadows neighborhood vehicles exiting onto Pole Line Road would have to wait for gaps in traffic on Pole Line Road or a police officer would have to be continuously assigned to the intersection for traffic control purposes until the evacuation is complete.

The project would install a traffic signal at the intersection of Pole Line Road/Picasso Avenue, which would allow for egress onto Pole Line Road from the Green Meadows neighborhood without requiring a police officer to manage the intersection during an evacuation, as a green indication could be fixed for the westbound movement exiting Picasso Avenue for the duration of the evacuation.

## Response to Comment 192-6

A detailed discussion regarding air quality and GHGs can be found in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy in the Draft EIR. As discussed therein, mobile emissions were accounted for within the emissions modeling conducted for the Proposed Project/BRPA. Project-specific trip generation and VMT data provided by Fehr & Peers for full buildout of the Proposed Project and full buildout of the BRPA was applied to the project modeling. In addition, please see Response to Comment 75-9.

## Response to Comment 192-7

Please see Master Response 1.

**Letter 193**

**Dara Dungworth**

**From:** Samantha Sime <sjsime2020@gmail.com>
**Sent:** Monday, February 24, 2025 10:54 AM
**To:** Dara Dungworth
**Subject:** RE: VIllage Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara,

I am a resident of the Cannery, and I am writing to voice my concerns about the Village Farms project. Broadly I support efforts to increase housing in our community, especially for lower income populations and those who work in our community but are priced out because of the high price of housing in Davis. However, my previous concerns that I voiced about the development of Village Farms have not been addressed, particularly with regards to the burden of traffic that such a large number of units will cause, as well as issues related to the Cannery. I have included an outline of all of the issues I, and others in our community, perceive as the biggest concerns about this project, which I hope you will consider:

193-1 **Overview: Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres. The project has a lot of problems primarily because it is a handicapped site with a 200-acre flood plain, and it is adjacent to the unlined Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including carcinogenic PFAS "forever chemicals"). The Covell Blvd. and Pole Line Rd. area already has enormous traffic and adding 1,800 housing units would exacerbate it. There would be no bicycle/pedestrian safe access via an undercrossing or overcrossing from the west, north or south, and now the DEIR is questioning the "feasibility" of a Pole Line Undercrossing to the east. Additionally, there would be all the costs imposed by the enormous amount of infrastructure needed, as well as the massive impacts on the native plants, wildlife and habitat from re-routing Channel A and tearing out 952 trees. Beyond all that, the housing would be unaffordable to local workers and young families with average incomes since the homes would be at least $700,000-$800,000 with a major number of them being $1 million and over. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, and Village Farms is *outside* the City limits in Yolo County.**

193-2 **- Building hundreds of housing units on the 200 acres of a FEMA Zone A Flood Hazard flood plain makes no sense** and would bring flooding problems. A fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change. Will north Davis resident need to buy flood insurance due to Village Farms?

193-3 -**The toxics and other chemical contaminants leaking into the groundwater from the Old City Landfill and Sewage Treatment Plant located immediately adjacent to Village Farms**. This includes carcinogenic PFAS "forever chemicals" and manganese exceeding maximum concentration levels recently found from monitoring wells. How many people will want to buy a home of at least

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**Letter 193 Cont.**

**193-3 Cont.** $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals like PFAS's that cause cancer? There are also solid toxics exceeding MCL's including lead, arsenic, and toxaphene which is a neurotoxin and potential carcinogen.

**193-4** -**Traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and Pole Line Road** which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City has no plan to significantly improve its currently minimal, inconvenient and inadequate public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

**193-5** **- Massive infrastructure costs including an un-needed new Fire Station because 90% of the fire department calls are medical, NOT fire related issues**. Instead, what is needed, and has been advocated for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go east) when the traffic is backed up most of the time?

**193-6** **-Uncertain "feasibility" of the only bicycle/pedestrian grade-separated crossing for safe access particularly for children. The Pole Line bike/pedestrian undercrossing is now *uncertain* since the DEIR says it has not yet determined its "feasibility".** This is likely due to existing infrastructure such as underground utilities and the land needed for its construction, particularly on the east side of Pole Line Roa near Moore Ave. Furthermore, even *if* it is feasible, the developer is *not* committing to covering all the costs for the undercrossing. How many Davis residents are willing to subsidize the millions of dollars for that project? This is a major access component of the project however; the DEIR admits that it is not even sure if the undercrossing is feasible due to other existing infrastructure. Why don't they have an answer yet? When? After the vote?

**193-7** -**Unaffordable housing where the vast majority of the homes will be McMansion's**, Market homes will not be cheaper thn $700,000 - $800,00 but the majority of them will be well over $1 million. This does not help our average workers or particularly families with young kids, so this project will *not* help bring a lot of kids to the schools contrary to the developer's claims. This housing would *not* help workers and young families with average incomes since they will not be able to afford these homes.

**193-8** **- Habitat impacts including tearing out 952 trees to dig up to expand and re-route Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

**193-9** **In summary, Village Farms is proposing 1,800 units on roughly 400-acres is the largest residential project ever proposed in the City of Davis, on a site with a plethora of problems, impacts and costs.** It is located at one of the most highly impacted area of traffic in the City at Covell Blvd. and Pole Line Road which would be massively worse . There are toxics issues, flooding risks, access issues, public safety issues, and enormous costs that would be imposed on Davis residents. Therefore, this project needs to be rejected just as Covell Village was for the same reasons and more.

Best regards,

Samantha.

## LETTER 193: SAMANTHA SIME

**Response to Comment 193-1**
Please see Response to Comment 75-1.

**Response to Comment 193-2**
Please see Master Response 4.

**Response to Comment 193-3**
Please see Master Response 3.

**Response to Comment 193-4**
Please see Master Response 5.

**Response to Comment 193-5**
Please see Response to Comment 75-51.

**Response to Comment 193-6**
Please see Master Response 6.

**Response to Comment 193-7**
Please see Master Response 1.

**Response to Comment 193-8**
Please see Master Response 7.

**Response to Comment 193-9**
Please see Master Response 1.

**Letter 194**

**Dara Dungworth**

**From:** Sandy Karinen <sisusjk@gmail.com>
**Sent:** Tuesday, February 25, 2025 4:52 PM
**To:** Dara Dungworth
**Subject:** Proposed Village Farms Development

**Categories:** VFD Comment

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194-1 The proposed high density Village Farms development is clearly designed to maximize profits and minimize residential and environmental protections. Building in a large flood plain is ridiculous given the climate change issues now increasingly occurring. There is no way to protect the residents other than to shift the associated risks to other current and future residents.

194-2 The immediate proximity of the unlined old dump poses a very serious health risk that does not appear to have been at all investigated. This dump was operated prior to any of the current requirements for regulated landfills now in place! Additionally many chemicals and other wastes randomly dumped in the landfill while it was operating are no longer allowed because of the significant health risks they posed. Many have been banded because of those critical risks.

194-3 Traffic issues have not been addressed in any reasonable manner. Alternative means of transportation seem to have been completely ignored which will result in significant air pollution issues as well as increased health problems. Again I stress that public and environmental health concerns appear to have been completely ignored in the effort to push this development - all in the name of profits!

Sandy Karinen
50+ year Davis resident

1

## LETTER 194: SANDY KARINEN

### Response to Comment 194-1
Please see Master Response 1 and Master Response 4.

### Response to Comment 194-2
Please see Master Response 3.

### Response to Comment 194-3
A detailed discussion regarding air quality and GHGs can be found in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy in the Draft EIR. As discussed therein, mobile emissions were accounted for within the emissions modeling conducted for the Proposed Project/BRPA. Project-specific trip generation and VMT data provided by Fehr & Peers for full buildout of the Proposed Project and full buildout of the BRPA was applied to the project modeling. In addition, please see Response to Comment 75-9.

**Letter 195**

**Dara Dungworth**

**From:** Sara Hosseinipour <aryakia@hotmail.com>
**Sent:** Sunday, February 23, 2025 3:46 PM
**To:** Dara Dungworth
**Subject:** Concerns Regarding Village Farms Development Proposal

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth

I'm writing to express concerns about the Village Farms development proposal and its impact on the Cannery community. After reviewing the Environmental Impact Review (EIR) documents, I've identified significant shortcomings:

**195-1** 1. Alteration to The Cannery Urban Farm: The proposed road construction through the farm will disrupt its operation and contradict the original farm-to-fork community concept.

**195-2** 2. Traffic safety impacts: The development will exacerbate traffic congestion, particularly at the East Covell Boulevard and L Street intersection, posing a risk to the Cannery community.

**195-3** 3. Noise impacts: Construction and post-construction noise will disproportionately affect the Cannery neighborhood.

**195-4** I urge you to reconsider the proposal and address these concerns to preserve the quality of life for the Cannery community.

Sincerely,
Sara, resident of 1661 Spring St, unit 331, Davis, CA 95616

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## LETTER 195: SARA HOSSEINIPOUR

### Response to Comment 195-1
Please see Master Response 5.

### Response to Comment 195-2
Please see Master Response 5.

### Response to Comment 195-3
Please see Response to Comment 17-8.

### Response to Comment 195-4
Please see Master Response 1.

**Letter 196**

Shawn Smallwood, PhD
3108 Finch Street
Davis, CA 95616

Attn: Sherri Metzker, Director of Community Development
City of Davis
23 Russell Boulevard
Davis, CA, 95616

25 February 2025

RE: Village Farms Project DEIR

196-1

I write to comment on potential impacts to biological resources from the proposed Village Farms Project, which I understand would convert 497.6 acres of open space including a wooded slough into 1,800 dwelling units along with roads, utilities, urban parks, and possibly two isolated patches of "restored habitat" referred to as a Biological Resources Preservation Alternative. In support of my comments, I reviewed the Draft Environmental Impact Report (DEIR) and the biological technical report prepared by Madrone Environmental Consulting (Madrone 2024). I am concerned that the DEIR mischaracterizes the wildlife community, inadequately analyzes potential project impacts to wildlife, and provides insufficient mitigation.

My qualifications for preparing expert comments are the following. I hold a Ph.D. degree in Ecology from University of California at Davis, where I also worked as a post-graduate researcher in the Department of Agronomy and Range Sciences. My research has been on animal density and distribution, habitat selection, wildlife interactions with the anthrosphere, and conservation of rare and endangered species. I authored many papers on these and other topics. I served as Chair of the Conservation Affairs Committee for The Wildlife Society – Western Section. I am a member of The Wildlife Society and Raptor Research Foundation, and I've lectured part-time at California State University, Sacramento. I was Associate Editor of wildlife biology's premier scientific journal, The Journal of Wildlife Management, as well as of Biological Conservation, and I was on the Editorial Board of Environmental Management. I have performed wildlife surveys in California for thirty-seven years. My CV is attached.

**SITE VISITS**

196-2

I have visited the project site many times over the past 44 years, usually as a runner, but also for wildlife photography and sometimes for wildlife survey. I have observed many species of wildlife on the site, including the following special-status species: burrowing owls, Swainson's hawks, white-tailed kites, northern harriers, prairie falcon, yellow-billed magpies, American kestrel, red-tailed hawk, re-shouldered hawk, turkey vulture, and Nuttall's woodpecker. Swainson's hawks nested just north of the project site, and burrowing owls nested along a fence on a berm between F Street and the City's decommissioned landfill. In fact, burrowing owls nested along this stretch until at least 2020.

**Letter 196 Cont.**

**196-3**

Many surveys would be needed to accurately report the number and composition of vertebrate species on the project site. However, by use of an analytical bridge, a modeling effort applied to a large, robust data set from a research site can predict the number, but not the composition, of vertebrate wildlife species that make use of the site over the longer term, and this can be done using a survey effort and survey results from the projec site. My most recent survey of the project site was a 78-minute visual-scan survey from the periphery of the project site on 22 January 2025, beginning at 15:07 hours. During that survey I detected 26 species of vertebrate wildlife.

**196-4**

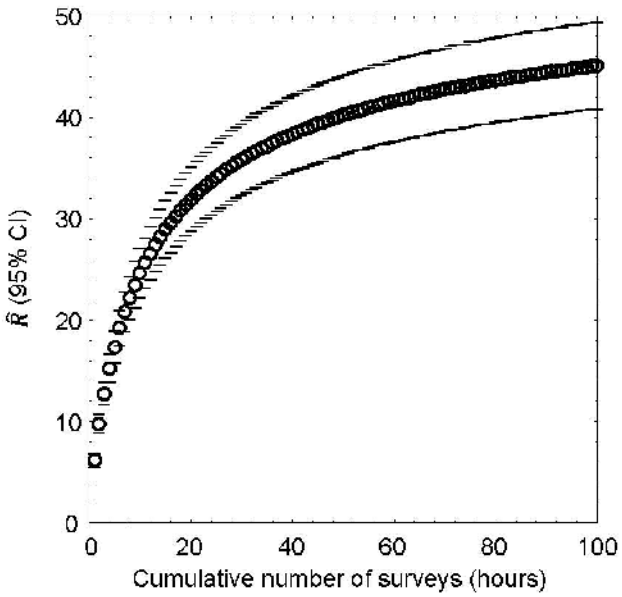
As part of my research, I completed a much larger survey effort across 167 km² of annual grasslands of the Altamont Pass Wind Resource Area, where from 2015 through 2019, I performed 721 1-hour visual-scan surveys, or 721 hours of surveys, at 46 stations. I used binoculars and otherwise the methods were the same as the methods I and other consulting biologists use for surveys at proposed project sites. At each of the 46 survey stations, I tallied new species detected with each sequential survey at that station, and then related the cumulative species detected to the hours (number of surveys, as each survey lasted 1 hour) used to accumulate my counts of species detected. I used combined quadratic and simplex methods of estimation in Statistica to estimate least-squares, best-fit nonlinear models of the number of cumulative species detected regressed on hours of survey (number of surveys) at the station: $\hat{R} = \frac{1}{1/a+b\times(hours)^c}$, where $\hat{R}$ represented cumulative species richness detected. The coefficients of determination, $r^2$, of the models ranged 0.88 to 1.00, with a mean of 0.97 (95% CI: 0.96, 0.98); or in other words, the models were excellent fits to the data.

I projected the predictions of each model to thousands of hours to find predicted asymptotes of wildlife species richness. The mean model-predicted asymptote of species richness was 57 after 11,857 hours of visual-scan surveys among the 46 stations of my research site. I also averaged model predictions of species richness at each incremental increase of number of surveys, i.e., number of hours (Figure 1). On average I would have detected 7.2 species over my first 1.3 hours of diurnal surveys at my research site in the Altamont Pass (1.3 hours to match the 1.3 hours I last surveyed at the project site), which composed 12.6% of the predicted total number of species I would detect with a much larger survey effort at the research site. Given the example illustrated in Figure 1, the 26 species that I detected after my 1.3 hours of surveysat the project site likely represented 12.6% of the species to be detected after many more visual-scan surveys over another year or longer. With many more repeat surveys through the year, I would likely detect $^{26}/_{0.126} = 206$ species of vertebrate wildlife at the site. Assuming my ratio of special-status to non-special-status species was to hold through the detections of all 206 predicted species, then continued surveys would eventually detect 48 special-status species of vertebrate wildlife.

**Letter 196 Cont.**

**196-4 Cont.**

***Figure 1.*** *Mean (95% CI) predicted wildlife species richness, $\hat{R}$, as a nonlinear function of hour-long survey increments across 46 visual-scan survey stations across the Altamont Pass Wind Resource Area, Alameda and Contra Costa Counties, 2015–2019. Note that the location of the study is largely irrelevant to the utility of the graph to the interpretation of survey outcomes at the project site. It is the pattern in the data that is relevant, because the pattern is typical of the pattern seen elsewhere.*




Because my prediction of 206 species of vertebrate wildlife, including 48 special-status species of vertebrate wildlife, is derived from daytime visual-scan surveys, and would detect few nocturnal mammals such as bats, the true number of species composing the wildlife community of the site must be larger. Reconnaissance surveys, such as the survey I relied on above, and species-focused surveys such as performed by Madrone (2024), should serve only as a starting point toward characterization of the site's wildlife community, but they cannot alone inform of the inventory of species that use the site, nor can they support absence determinations of species. More surveys are needed to reasonably approach an inventory of wildlife on the project site. Nevertheless, the large number of species I predict at the project site is indicative of a relatively species-rich wildlife community that warrants a serious survey effort.

## EXISTING ENVIRONMENTAL SETTING

**196-5**

The first step in analysis of potential project impacts to biological resources is to accurately characterize the existing environmental setting, including the biological species that use the site, their relative abundances, how they use the site, key ecological relationships, and known and ongoing threats to those species with special status. A reasonably accurate characterization of the environmental setting can provide the basis for determining whether the site holds habitat value to wildlife, as well as a baseline against which to analyze potential project impacts. For these reasons, characterization of the environmental setting, including the project site's regional setting, is one of CEQA's essential analytical steps. Methods to achieve this first step typically include (1) surveys of the site for biological resources, and (2) reviews of literature, databases and

**Letter 196 Cont.**

**196-5 Cont.** local experts for documented occurrences of special-status species. In the case of the proposed project, these required steps remain incomplete and misleading.

**Environmental Setting informed by Field Surveys**

**196-6** To CEQA's primary objective to disclose potential environmental impacts of a proposed project, the analysis should be informed of which biological species are known to occur at the proposed project site, which special-status species are likely to occur, as well as the limitations of the survey effort directed to the site. Analysts need this information to characterize the environmental setting as a basis for opining on, or predicting, potential project impacts to biological resources.

**196-7** Madrone (2024) did not reportedly perform any reconnaissance wildlife surveys, but instead performed focused surveys for vernal pool brachiopods, Swainson's hawk, and burrowing owl. By focusing on only a few species, most of the other species making use of the project site were likely missed.

**196-8** Regarding the burrowing owl surveys, Madrone (2024:11) reports "Surveys were conducted in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012)." However, Madrone deviated from CDFW's recommended schedule of breeding-season surveys, having completed two of the surveys prior to 15 April. More importantly, Madrone (2024) is silent on the efforts to eradicate California ground squirrels from the project site over the years preceding its surveys. California ground squirrels are important to burrowing owls as the engineers of the burrows that the owls require, and as mutualist predator alarm-callers. Many bait stations were placed amid California ground squirrel colonies, beginning just after the first development – Covell Center – was proposed there.

**196-9** As described in Madrone (2024), the Swainson's hawk surveys appear consistent with the CDFW guidelines. However, Madrone (2024) is silent regarding the pruning of trees on the project site during early March 2024, which is just the time when Swainson's hawks are returning from their winter migration to Mexico. The pruning was aggressive, and included many trees and shrubs on the site. My field notes from 7 March 2024 after visiting the project site read as follows: "This place has been cleared of habitat to the highest degree the developers could manage. Even the riparian trees have been trimmed back." In my opinion, this activity likely discouraged use of the site by Swainson's hawks.

**196-10** Based on its field surveys, Madrone (2024) characterized the channelized reach of Willow Slough as "Covell Drain, along with its associated non-native riparian corridor, cuts from east to west across the Study Area." Unexplained is what is non-native about the riparian corridor. And even if it is non-native, the species compositiuon of the riparian environment is of no less value to wildlife.

**196-11** Madrone (2024) reports that "One of the fields south of Covell Drain contains a large alkali playa/alkali wetland complex. As a result, this field is not farmed, but vegetation is managed for fire hazard reduction." Unreported by Madrone is that the alkali

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**196-11 Cont.** playa/alkali wetland complex was disked in 2024, as it had been repeatedly disked in the past. An alkali playa/alkali wetland complex poses little in the wasy of fire hazard.

***Photo 1.*** *Poison bait dispenser on the project site on 22 January 2025, placed next to a California ground squirrel burrow visible to the right of the dispenser. Burrowing owls nested within this ground squirrel colony as recently as 2020.*



**196-12**

**Environmental Setting informed by Desktop Review**

**196-13** The purpose of literature and database review and of consulting with local experts is to inform the field survey, and to augment interpretation of its outcome. Analysts need this information to identify which species are known to have occurred at or near the project site, and to identify which other special-status species could conceivably occur at the site due to geographic range overlap and migration flight paths.

**196-14** Madrone (2024) did not reportedly review eBird (https://eBird.org) or iNaturalist (https://www.inaturalist.org) for documented occurrence records at or near the project site. Instead, Madrone (2024) queried the California Natural Diversity Data Base (CNDDB) for documented occurrences of special-status species within four CNDDB quadrangles. By doing so, Madrone (2024) screened out many special-status species from further consideration in the characterization of the wildlife community as part of the existing environmental setting. CNDDB is not designed to support absence

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**196-14 Cont.**

determinations or to screen out species from characterization of a site's wildlife community. As noted by the CNDDB, "*The CNDDB is a positive sighting database. It does not predict where something may be found. We map occurrences only where we have documentation that the species was found at the site. There are many areas of the state where no surveys have been conducted and therefore there is nothing on the map. That does not mean that there are no special status species present.*" Madrone (2024) misused CNDDB.

**196-15**

The CNDDB relies entirely on volunteer reporting from biologists who were allowed access to whatever properties they report from. Many properties have never been surveyed by biologists. Many properties have been surveyed, but the survey outcomes never reported to the CNDDB. Many properties have been surveyed multiple times, but not all survey outcomes reported to the CNDDB. Furthermore, the CNDDB is interested only in the findings of special-status species, which means that species more recently assigned special status will have been reported many fewer times to CNDDB than were species assigned special status since the inception of the CNDDB. The lack of many CNDDB records for species recently assigned special status had nothing to do with whether the species' geographic ranges overlapped the project site, but rather more to do with the brief time for records to have accumulated since the species were assigned special status. And because negative findings are not reported to the CNDDB, the CNDDB cannot provide the basis for estimating occurrence likelihoods, either.

**196-16**

In my assessment based on database reviews and site visits, 114 special-status species of wildlife are known to occur near enough to the site to warrant analysis of occurrence potential (Table 1). Of these 114 species, 24 (21%) were recorded on the project site, and another 45 (39%) species have been documented within 1.5 miles of the site ('Very close'), another 19 (17%) within 1.5 and 4 miles ('Nearby'), and another 26 (23%) within 4 to 30 miles ('In region'). More than three-fourths (77%) of the species in Table 1 have been reportedly seen within 4 miles of the project site. The site therefore supports multiple special-status species of wildlife and carries the potential for supporting many more special-status species of wildlife based on proximity of recorded occurrences. The site is far richer in special-status species than is characterized in Madrone (2024).

Only 24 (21%) of the species in Table 1 are analyzed for occurrence potential in Madrone (2024), having omitted from its analysis 90 (79%) of the species in Table 1. Of the 24 species Madrone analyzes for occurrence potential, Madrone reports only four are present, and determines six have high potential, one has moderate potential, four have low potential, and nine have no habitat on site or are absent. Of the 13 species Madrone determines to have low to no potential for occurrence, one is known on site, the occurrence records of two are very close, and the occurrence records of two more are nearby. On the whole, Madrone's (2024) analyses of occurrence likelihoods comport poorly with occurrence records.

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196-16 Cont.

***Table 2.*** *Occurrence likelihoods of special-status bird species at or near the proposed project site, according to eBird/iNaturalist records (https://eBird.org, https://www.inaturalist.org) and on-site survey findings, where 'Very close' indicates within 1.5 miles of the site, "nearby" indicates within 1.5 and 4 miles, and "in region" indicates within 4 and 30 miles, and 'in range' means the species' geographic range overlaps the site. Entries in bold font identify species I detected.*

| **Common name** | ***Species name*** | **Status[1]** | **DEIR occurrence potentials** | **Database records, Site visits** |
|---|---|---|---|---|
| Conservancy fairy shrimp | *Branchinecta conservatio* | FE | Absent | In region |
| Vernal pool fairy shrimp | *Branchinecta lynchi* | FT | Absent | In region |
| Vernal pool tadpole shrimp | *Lepidurus packardi* | FE | Present | In region |
| Valley elderberry longhorn beetle | *Desmocerus californicus dimorphus* | FT | High | In region |
| Monarch | *Danaus plexippus* | FC | High | Very close |
| Crotch's bumble bee | *Bombus crotchii* | CCE | Moderate | Nearby |
| Western bumble bee | *Bombus occidentalis* | CCE | No habitat | In range |
| California tiger salamander | *Ambystoma californiense* | FT, CT, WL | No habitat | In region |
| Western spadefoot | *Spea hammondii* | SSC | Low | In region |
| Northwestern pond turtle | *Emys marmorata* | SSC | Low | Very close |
| Giant gartersnake | *Thamnophis gigas* | FT, CT | No habitat | In region |
| Fulvous whistling-duck | *Dendrocygna bicolor* | SSC1 | | In region |
| Brant | *Branta bernicla* | SSC2 | | Very close |
| Cackling goose (Aleutian) | *Branta hutchinsii leucopareia* | WL | | Very close |
| Redhead | *Aythya americana* | SSC2 | | Very close |
| Barrow's goldeneye | *Bucephala islandica* | SSC | | Very close |
| Western grebe | *Aechmophorus occidentalis* | BCC | | Very close |
| Clark's grebe | *Aechmophorus clarkii* | BCC | | Nearby |
| Western yellow-billed cuckoo | *Coccyzus americanus occidentalis* | FT, CE | No habitat | Nearby |
| Black swift | *Cypseloides niger* | SSC3, BCC | | Very close |
| Vaux's swift | *Chaetura vauxi* | SSC2 | | On site |
| Costa's hummingbird | *Calypte costae* | BCC | | Very close |
| Calliope hummingbird | *Selasphorus calliope* | BCC | | Very close |
| Rufous hummingbird | *Selasphorus rufus* | BCC | | Very close |
| Allen's hummingbird | *Selasphorus sasin* | BCC | | Very close |
| Lesser sandhill crane | *Antigone canadensis canadensis* | SSC3 | | In region |
| Greater sandhill crane | *Antigone canadensis tabida* | CT, CFP | | In region |
| American avocet | *Recurvirostra americana* | BCC | | On site |
| Mountain plover | *Charadrius montanus* | SSC2, BCC | | Nearby |
| Snowy plover | *Charadrius nivosus* | BCC | | Nearby |
| Western snowy plover | *Charadrius nivosus nivosus* | FT, SSC | No habitat present | In region |
| Long-billed curlew | *Numenius americanus* | WL | | On site |
| Marbled godwit | *Limosa fedoa* | BCC | | Very close |
| Black turnstone | *Arenaria melanocephala* | BCC | | Nearby |
| Red knot (Pacific) | *Calidris canutus* | BCC | | Nearby |
| Pectoral sandpiper | *Calidris melanotos* | BCC | | Very close |

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| Common name | *Species name* | Status[1] | DEIR occurrence potentials | Database records, Site visits |
|---|---|---|---|---|
| Short-billed dowitcher | *Limnodromus griseus* | BCC | | Very close |
| Lesser yellowlegs | *Tringa flavipes* | BCC | | Very close |
| Willet | *Tringa semipalmata* | BCC | | Very close |
| Franklin's gull | *Leucophaeus pipixcan* | BCC | | Nearby |
| Western gull | *Larus occidentalis* | BCC | | Nearby |
| California gull | *Larus californicus* | BCC, WL | | **On site** |
| California least tern | *Sternula antillarum browni* | FE, CE, CFP | | In region |
| Black tern | *Chlidonias niger* | SSC2, BCC | | Very close |
| Common loon | *Gavia immer* | SSC | | Nearby |
| Double-crested cormorant | *Phalacrocorax auritus* | WL | | On site |
| American white pelican | *Pelecanus erythrorhynchos* | SSC1 | | On site |
| California brown pelican[2] | *Pelecanus occidentalis californicus* | CFP | | In region |
| Least bittern | *Ixobrychus exilis* | SSC2 | | Very close |
| White-faced ibis | *Plegadis chihi* | WL | | Very close |
| Turkey vulture | *Cathartes aura* | BOP | | **On site** |
| Osprey | *Pandion haliaetus* | WL, BOP | | Very close |
| White-tailed kite | *Elanus leucurus* | CFP, BOP | Present | **On site** |
| Golden eagle | *Aquila chrysaetos* | BGEPA, CFP, BOP, WL | | Very close |
| Northern harrier | *Circus cyaneus* | BCC, SSC3, BOP | Present | **On site** |
| Sharp-shinned hawk | *Accipiter striatus* | WL, BOP | | Very close |
| Cooper's hawk | *Accipiter cooperii* | WL, BOP | | **On site** |
| Bald eagle | *Haliaeetus leucocephalus* | CE, BGEPA, BOP | | On site |
| Red-shouldered hawk | *Buteo lineatus* | BOP | | **On site** |
| Swainson's hawk | *Buteo swainsoni* | CT, BOP | Present | **On site** |
| Red-tailed hawk | *Buteo jamaicensis* | BOP | | **On site** |
| Ferruginous hawk | *Buteo regalis* | WL, BOP | | Very close |
| Rough-legged hawk | *Buteo lagopus* | BOP | | Very close |
| American barn owl | *Tyto furcata* | BOP | | On site |
| Western screech-owl | *Megascops kennicotti* | BOP | | Very close |
| Great horned owl | *Bubo virginianus* | BOP | | On site |
| Burrowing owl | *Athene cunicularia* | BCC, SSC2, BOP, CCE | High | **On site** |
| Long-eared owl | *Asio otus* | BCC, SSC3, BOP | | Nearby |
| Short-eared owl | *Asia flammeus* | BCC, SSC3, BOP | | Nearby |
| Northern saw-whet owl | *Aegolius acadicus* | BOP | | Very close |
| Northern pygmy-owl | *Glaucidium gnoma* | BOP | | In region |
| Lewis's woodpecker | *Melanerpes lewis* | BCC | | Very close |
| Nuttall's woodpecker | *Picoides nuttallii* | BCC | | **On site** |
| American kestrel | *Falco sparverius* | BOP | | **On site** |
| Merlin | *Falco columbarius* | WL, BOP | | On site |

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| Common name | *Species name* | Status[1] | DEIR occurrence potentials | Database records, Site visits |
|---|---|---|---|---|
| Peregrine falcon | *Falco peregrinus* | BOP | | Very close |
| Prairie falcon | *Falco mexicanus* | WL, BOP | | **On site** |
| Olive-sided flycatcher | *Contopus cooperi* | BCC, SSC2 | | Very close |
| Willow flycatcher | *Empidonax traillii* | CE | | Very close |
| Vermilion flycatcher | *Pyrocephalus rubinus* | SSC2 | | Nearby |
| Least Bell's vireo | *Vireo bellii pusillus* | FE, CE | No habitat present | In region |
| Loggerhead shrike | *Lanius ludovicianus* | SSC2 | | **On site** |
| Yellow-billed magpie | *Pica nuttalli* | BCC | | **On site** |
| Oak titmouse | *Baeolophus inornatus* | BCC | | Very close |
| Bank swallow | *Riparia riparia* | CT | No habitat present | Very close |
| Purple martin | *Progne subis* | SSC2 | | Very close |
| Wrentit | *Chamaea fasciata* | BCC | | Very close |
| California thrasher | *Toxostoma redivivum* | BCC | | Very close |
| Cassin's finch | *Haemorhous cassinii* | BCC | | Very close |
| Lawrence's goldfinch | *Spinus lawrencei* | BCC | | Very close |
| Grasshopper sparrow | *Ammodramus savannarum* | SSC2 | | Nearby |
| Black-chinned sparrow | *Spizella atrogularis* | BCC | | In region |
| Gray-headed junco | *Junco hyemalis caniceps* | WL | | In region |
| Bell's sparrow | *Amphispiza b. belli* | WL | | In region |
| Yellow-breasted chat | *Icteria virens* | SSC3 | | Very close |
| Yellow-headed blackbird | *Xanthocephalus xanthocephalus* | SSC3 | | Very close |
| Bullock's oriole | *Icterus bullockii* | BCC | | Very close |
| Tricolored blackbird | *Agelaius tricolor* | CT, BCC, SSC1 | Low | On site |
| Virginia's warbler | *Leiothlypis virginiae* | WL, BCC | | In region |
| Yellow warbler | *Setophaga petechia* | SSC2 | | In region |
| Summer tanager | *Piranga rubra* | SSC1 | | Very close |
| Little brown bat | *Myotis lucifugus* | WBWG: M | | In range |
| Yuma myotis | *Myotis yumanensis* | WBWG: LM | | Nearby |
| California myotis | *Myotis californicus* | WBWG:L | | In range |
| Canyon bat | *Parastrellus hesperus* | WBWG: M | | In region |
| Big brown bat | *Eptisicus fuscus* | WBWG: L | | Nearby |
| Silver-haired bat | *Lasionycteris noctivagans* | WBWG: M | High | Very close |
| Hoary bat | *Lasiurus cinereus* | WBWG: M | High | Very close |
| Western red bat | *Lasiurus blossevillii* | SSC, WBWG: H | | Nearby |
| Townsend's big-eared bat | *Corynorhinus townsendii* | SSC, WBWG: H | | In range |
| Pallid bat | *Antrozous pallidus* | SSC, WBWG: H | High | Nearby |
| Mexican free-tailed bat | *Tadarida brasiliensis* | WBWG: L | | Very close |
| Western mastiff bat | *Eumops perotis* | SSC, WBWG: H | | In range |
| American badger | *Taxidea taxus* | SSC | Low | Nearby |

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[1] Listed as FT or FE = federal threatened or endangered, FC = federal candidate for listing, BCC = U.S. Fish and Wildlife Service Bird of Conservation Concern, CT or CE = California threatened or endangered, CCT or CCE = Candidate California threatened or endangered, CFP = California Fully Protected (California Fish and Game Code 3511), SSC = California Species of Special Concern (not threatened with extinction, but rare, very restricted in range, declining throughout range, peripheral portion of species' range, associated with habitat that is declining in extent), SSC1, SSC2 and SSC3 = California Bird Species of Special Concern priorities 1, 2 and 3, respectively (Shuford and Gardali 2008), WL = Taxa to Watch List (Shuford and Gardali 2008), and BOP = Birds of Prey (CFG Code 3503.5), and WBWG = Western Bat Working Group with priority rankings, of low (L), moderate (M), and high (H).
[2]Delisted as CFP

Of the 90 species omitted from Madrone's analysis, 19 (21%) have been recorded on the project site, 40 (44%) have been recorded within 1.5 miles of the site, 15 (17%) have been recorded between 1.5 and 4 miles of the site, and 12 (13%) have been recorded between 4 and 30 miles of the site. The omissions hide too many cases of special-status species that have been documented on the site or that have relatively high likelihoods of occurrence due to the proximity of their occurrence records. Again, the site is richer in special-status species than Madrone (2024) reports or implies. One of the reasons for this outcome is Madrone's misuse of CNDDB and failing to consult local experts and eBird and iNaturalist.

## POTENTIAL BIOLOGICAL IMPACTS

196-17

An impacts analysis should consider whether and how a proposed project would affect members of a species, larger demographic units of the species, the whole of a species, and ecological communities. The accuracy of this analysis depends on an accurate characterization of the existing environmental setting. In the case of the proposed project, the existing environmental setting has not been accurately characterized, and several important types of potential project impacts have been inadequately analyzed. These types of impacts include habitat loss, interference with wildlife movement, bird-window collision mortality, and wildlife-automobile collision mortality.

## HABITAT LOSS

196-18

Habitat loss not only results in the immediate numerical decline of wildlife, but it also results in permanent loss of productive capacity. Habitat fragmentation multiplies the negative effects of habitat loss on the productive capacities of biological species (Smallwood 2015). However, Madrone (2024) and the DEIR address habitat loss only in terms of acreage. Not analyzed are the losses in numerical or productive capacities of wildlife species such as white-tailed kites, burrowing owls, Swainson's hawks and all birds as a group.

196-19

A Biological Resources Preservation Alternative is presented in the DEIR, but it introduces a number of problems with regard to habitat fragmentation and interference with wildlife movement. The North Village would fragment what would remain of the

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**196-19 Cont.**

open space/habitat. The North Village would isolate the Natural Habitat Area, thereby interfering with wildlife movement to and from that area. The North Village would also isolate North Davis Pond and its adjoining upland-grassland, to and from which wildlife currently move on daily and seasonal bases to the riparian environments and the alkali playa/alkali wetland complex on the project site.

**196-20**

Furthermore, the Alternative would eliminate a strip of riparian forest along the existing southern channel of Willow Slough. And the alternative would eliminate colonies of ground squirrels and their burrows, which until recently were used as habitat by burrowing owls. As of 10 October 2024, the burrowing owl is a candidate for listing under the California Endangered Species Act, so habitat cannot be taken without mitigation. The City and the applicant would need to consult with the California Department of Fish and Wildlife in order to seek an incidental take permit.

**196-21**

I do not see any plan for habitat restoration in the DEIS, nor do I see any description of what the Natural Habitat Area would look like, or which species of plants and animals would be the targets of restoration. I see no habitat restoration objectives. There is no monitoring to measure success, nor stated consequences for not achieving habitat restoration objectives. I just do not see a plan. The same goes for the Urban Ag Transition Area. I expected that the Biological Resources Preservation Alternative was going to show me a plan, but all it shows me is a project layout; this is not a plan.

**196-22**

There is no nexus between the habitat layout and wildlife and plant observations. The consultants went out and did some surveys. They report the species they detected, but they do not report where they detected any of the species. I do not see any evidence that the project layout is based on the distributions and abundances of wildlife. The layout should consider where burrowing owls have been residing, where Swainson's hawks are nesting and foraging, and where white-tailed kites and northern harriers are foraging. On 22 January 2025, I saw a prairie falcon hunt the project site, but only where East Village is planned. On that same site was a flock of 22 yellow-billed magpies, which are members of a US Fish and Wildlife Service Bird of Conservation Concern – a species that has declined at least 95% in Yolo County (Smallwood and Nakamoto 2009, and K.S. Smallwood unpublished data). There needs to be an explanation of why the planned open spaces would be located where they are currently mapped.

**196-23**

**TRAFFIC IMPACTS TO WILDLIFE**

Project-generated traffic would endanger wildlife that must, for various reasons, cross roads used by the project's traffic to get to and from the project site (Photos 2–4), including along roads far from the project footprint. Vehicle collisions have accounted for the deaths of many thousands of amphibian, reptile, mammal, bird, and arthropod fauna, and the impacts have often been found to be significant at the population level (Forman et al. 2003). Across North America traffic impacts have taken devastating tolls on wildlife (Forman et al. 2003). In Canada, 3,562 birds were estimated killed per 100 km of road per year (Bishop and Brogan 2013), and the US estimate of avian mortality on roads is 2,200 to 8,405 deaths per 100 km per year, or 89 million to 340 million total per year (Loss et al. 2014). Local impacts can be more intense than nationally.

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196-24



***Photo 2.*** *A Gambel's quail dashes across a road on 3 April 2021. Such road crossings are usually successful, but too often prove fatal to the animal. Photo by Noriko Smallwood.*



***Photo 3.*** *Mourning dove killed by vehicle on a California road. Photo by Noriko Smallwood, 21 June 2020.*



***Photo 4.*** *Raccoon killed on Road 31 just east of Highway 505 in Solano County. Photo taken on 10 November 2018.*

The nearest study of traffic-caused wildlife mortality was performed along a 2.5-mile stretch of Vasco Road in Contra Costa County, California. Fatality searches in this study found 1,275 carcasses of 49 species of mammals, birds, amphibians and reptiles over 15 months of searches (Mendelsohn et al. 2009). This fatality number needs to be adjusted for the proportion of fatalities that were not found due to scavenger removal and searcher error. This adjustment is typically made by placing carcasses for searchers to find (or not find) during their routine periodic fatality searches. This step was not taken at Vasco Road (Mendelsohn et al. 2009), but it was taken as part of another study next to Vasco Road (Brown et al. 2016). Brown et al.'s (2016) adjustment factors for carcass persistence resembled those of Santos et al. (2011). Also applying searcher detection rates from Brown et al. (2016), the adjusted total number of fatalities was estimated at 12,187 animals killed by traffic on the road. This fatality number over 1.25 years and 2.5 miles of road translates to 3,900 wild animals per mile per year. In terms comparable to the national estimates, the estimates from the Mendelsohn et al. (2009) study would translate to 243,740 animals killed per 100 km of road per year, or 29 times that of Loss

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**196-24 Cont.**

et al.'s (2014) upper bound estimate and 68 times the Canadian estimate. An analysis is needed of whether increased traffic generated by the project site would similarly result in local impacts on wildlife.

**196-25**

For wildlife vulnerable to front-end collisions and crushing under tires, road mortality can be predicted from the study of Mendelsohn et al. (2009) as a basis, although it would be helpful to have the availability of more studies like that of Mendelsohn et al. (2009) at additional locations. My analysis of the Mendelsohn et al. (2009) data resulted in an estimated 3,900 animals killed per mile along a county road in Contra Costa County. Two percent of the estimated number of fatalities were birds, and the balance was composed of 34% mammals (many mice and pocket mice, but also ground squirrels, desert cottontails, striped skunks, American badgers, raccoons, and others), 52.3% amphibians (large numbers of California tiger salamanders and California red-legged frogs, but also Sierran treefrogs, western toads, arboreal salamanders, slender salamanders and others), and 11.7% reptiles (many western fence lizards, but also skinks, alligator lizards, and snakes of various species). VMT is useful for predicting wildlife mortality because I was able to quantify miles traveled along the studied reach of Vasco Road during the time period of the Mendelsohn et al. (2009), hence enabling a rate of fatalities per VMT that can be projected to other sites, assuming similar collision fatality rates.

**196-26**

**Predicting project-generated traffic impacts to wildlife**

The DEIR predicts 44,900,000 annually VMT. During the Mendelsohn et al. (2009) study, 19,500 cars traveled Vasco Road daily, so the vehicle miles that contributed to my estimate of non-volant fatalities was 19,500 cars and trucks × 2.5 miles × 365 days/year × 1.25 years = 22,242,187.5 vehicle miles per 9,462 wildlife fatalities, or 2,351 vehicle miles per fatality. This rate divided into the predicted annual VMT would predict 19,098 vertebrate wildlife fatalities per year due to project-generated traffic. This level of mortality would qualify as a significant impact, and based on my review of the DEIR, it would be unmitigated.

**196-27**

Is the above prediction credible? Over the past six months I searched for roadkill wildlife fatalities along 2.7 km of roadways adjacent to or near the project site. Over that time, I have found 227 fatalities, half of which were Sierran treefrogs, but also including California kingsnake, Pacific gophersnake, Valley gartersnake, California ground squirrel, California vole, deer mouse, eastern gray squirrel, black rat, brown rat, striped skunk, Virginia opossum, black-tailed jackrabbit, desert cottontail, white-crowned sparrow, golden-crowned sparrow, swamp sparrow, bushtit, yellow-rumped warbler and others. These fatality finds need to be adjusted for the numbers that I did not find. I have yet to estimate that number (there are methods and I have the means), but a threefold adjustment factor is plausible. With this adjustment, I so far have the basis for an estimate of 42 fatalities per km per year, which expanded to the roadways that would be traveled by traffic generated by the project would equal a very large number of fatalities.

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196-28 Based on my analysis, the project-generated traffic would cause substantial, significant impacts to wildlife. The DEIR does not analyze this potential impact, nor does it propose to mitigate it. Mitigation measures to improve wildlife safety along roads are available and are feasible, and they need exploration for their suitability with the proposed project. Given the predicted level of project-generated, traffic-caused mortality, and the lack of any proposed mitigation, it is my opinion that the proposed project would result in potentially significant adverse biological impacts.

**BIRD-WINDOW COLLISIONS**

196-29 The DEIR does not address bird-window collisions, even though this is one of the primary anthropogenic causes of bird mortality. The project would add 1,800 residential dwelling units to the site. An estimated two birds are killed per dwelling unit per year in the USA, so one can predict 3,600 bird fatalities per year due to collisions with windows. Measures are available to mitigate this impact, and they should be implemented if the project goes forward.

**HOUSE CAT DEPREDATION OF WILDLIFE**

Considering national trends, it is safe to assume that house cats would be introduced to the project area by residents of the proposed residential units. This is significant because house cats serve as one of the largest sources of avian mortality in North America (Dauphiné and Cooper 2009, Blancher 2013, Loss et al. 2013, Loyd et al. 2017). Loss et al. (2013) estimated 139 million cats in the USA in 2013 (range 114 to 164 million), which killed an estimated 16.95 billion vertebrate wildlife annually (range 7.6 to 26.3 billion). In 2012 there were 0.44 house cats per human, and 122 vertebrate animals were killed per cat, free-ranging members of which killed disproportionately larger numbers of vertebrate wildlife. The DEIR predicts there would be 4,626 new residents. The above rates of cat ownership applied to this number of new residents would predict 2,035 new cats, which would kill 248,270 vertebrate wildlife per year. Many of the wildlife fatalities caused by house cats would be in neighboring open spaces.

196-30

House cats also contribute to downstream loading of *Toxoplasma gondii*. According to a UC Davis wildlife health research program, "*Toxoplasma gondii is a parasite that can infect virtually all warm-blooded animals, but the only known definitive hosts are cats – domesticated and feral house cats included. Cats catch the parasite through hunting rodents and birds and they offload it into the environment through their feces... and ...rain that falls on cement creates more runoff than rain that falls on natural earth, which contributes to increased runoff that can carry fecal pathogens to the sea*" (http://www.evotis.org/ toxoplasma-gondii- sea-otters/).

Impacts to wildlife from the introduction of house cats into the environment would be highly significant, and yet these impacts are not considered in the DEIR. An obvious mitigation measure would be to constrain house cat ownership such as requiring cats to remain indoors.

Thank you for your consideration,

Shawn Smallwood

Shawn Smallwood, Ph.D.

**LITERATURE CITED**

Bishop, C. A. and J. M. Brogan. 2013. Estimates of Avian Mortality Attributed to Vehicle Collisions in Canada. Avian Conservation and Ecology 8:2. http://dx.doi.org/10.5751/ACE-00604-080202.

Blancher, P. 2013. Estimated number of birds killed by house cats (*Felis catus*) in Canada. Avian Conservation and Ecology 8(2): 3. http://dx.doi.org/10.5751/ACE-00557-080203

Brown, K., K. S. Smallwood, J. Szewczak, and B. Karas. 2016. Final 2012-2015 Report Avian and Bat Monitoring Project Vasco Winds, LLC. Prepared for NextEra Energy Resources, Livermore, California.

CDFW (California Department of Fish and Wildlife). 2012. Staff Report on Burrowing Owl Mitigation. Sacramento, California.

Dauphiné, N. and R. J. Cooper. 2009. Impacts of free-ranging domestic cats (*Felis catus*) on birds in the United States: a review of recent research with conservation and management recommendations. Pages 205-219 in T. D. Rich, C. Arizmendi, D. W. Demarest, and C. Thompson, eds., Proceedings of the Fourth International Partners in Flight Conference: Tundra to Tropics.

Forman, T. T., D. Sperling, J. A. Bisonette, A. P. Clevenger, C. D. Cutshall, V. H. Dale, L. Fahrig, R. France, C. R. Goldman, K. Heanue, J. A. Jones, F. J. Swanson, T. Turrentine, and T. C. Winter. 2003. Road Ecology. Island Press, Covello, California.

Loyd, K. A. T., S. M. Hernandez, and D. L. McRuer. 2017. The role of domestic cats in the admission of injured wildlife at rehabilitation and rescue centers. Wildlife Society Bulletin 41:55-61.

Loss, S. R., T. Will, and P. P. Marra. 2013. The impact of free-ranging domestic cats on wildlife of the United States. Nature Communications 2380. DOI: 10.1038/ncomms2380

Loss, S. R., T. Will, and P. P. Marra. 2014. Estimation of bird-vehicle collision mortality on U.S. roads. Journal of Wildlife Management 78:763-771.

Mendelsohn, M., W. Dexter, E. Olson, and S. Weber. 2009. Vasco Road wildlife movement study report. Report to Contra Costa County Public Works Department, Martinez, California.

Santos, S. M., F. Carvalho, and A. Mira. 2011. How long do the dead survive on the road? Carcass persistence probability and implications for road-kill monitoring surveys. PLoS ONE 6(9): e25383. doi:10.1371/journal.pone.0025383

Shuford, W. D., and T. Gardali, [eds.]. 2008. California bird species of special concern: a ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California.

Smallwood, K. S. 2015. Habitat fragmentation and corridors. Pages 84-101 in M. L. Morrison and H. A. Mathewson, Eds., Wildlife habitat conservation: concepts, challenges, and solutions. John Hopkins University Press, Baltimore, Maryland, USA.

Smallwood, K. S. and B. Nakamoto. 2009. Impacts of West Nile Virus epizootic on yellow-billed magpie, american crow, and other birds in the Sacramento Valley, California. The Condor 111:247-254.

**Kenneth Shawn Smallwood**

**Curriculum Vitae**

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Born May 3, 1963 in
Sacramento, California.
Married, father of two.

**Ecologist**

**Expertise**

- Finding solutions to controversial problems related to wildlife interactions with human industry, infrastructure, and activities;
- Wildlife monitoring and field study using GPS, thermal imaging, behavior surveys;
- Using systems analysis and experimental design principles to identify meaningful ecological patterns that inform management decisions.

**Education**

Ph.D. Ecology, University of California, Davis. September 1990.
M.S. Ecology, University of California, Davis. June 1987.
B.S. Anthropology, University of California, Davis. June 1985.
Corcoran High School, Corcoran, California. June 1981.

**Experience**

- 952 professional reports, including:
- 94 peer reviewed publications
- 24 in non-reviewed proceedings
- 832 reports, declarations, posters and book reviews
- 8 in mass media outlets
- 96 public presentations of research results

Editing for scientific journals: Guest Editor, *Wildlife Society Bulletin*, 2012-2013, of invited papers representing international views on the impacts of wind energy on wildlife and how to mitigate the impacts. Associate Editor, *Journal of Wildlife Management*, March 2004 to 30 June 2007. Editorial Board Member, *Environmental Management*, 10/1999 to 8/2004. Associate Editor, *Biological Conservation*, 9/1994 to 9/1995.

Member, Alameda County Scientific Review Committee (SRC), August 2006 to April 2011. The five-member committee investigated causes of bird and bat collisions in the Altamont Pass Wind Resource Area, and recommended mitigation and monitoring measures. The SRC reviewed the science underlying the Alameda County Avian Protection Program, and advised the County on how to reduce wildlife fatalities.





Consulting Ecologist, 2004-2007, California Energy Commission (CEC). Provided consulting services as needed to the CEC on renewable energy impacts, monitoring and research, and produced several reports. Also collaborated with Lawrence-Livermore National Lab on research to understand and reduce wind turbine impacts on wildlife.

Consulting Ecologist, 1999-2013, U.S. Navy. Performed endangered species surveys, hazardous waste site monitoring, and habitat restoration for the endangered San Joaquin kangaroo rat, California tiger salamander, California red-legged frog, California clapper rail, western burrowing owl, salt marsh harvest mouse, and other species at Naval Air Station Lemoore; Naval Weapons Station, Seal Beach, Detachment Concord; Naval Security Group Activity, Skaggs Island; National Radio Transmitter Facility, Dixon; and, Naval Outlying Landing Field Imperial Beach.

Part-time Lecturer, 1998-2005, California State University, Sacramento. Instructed Mammalogy, Behavioral Ecology, and Ornithology Lab, Contemporary Environmental Issues, Natural Resources Conservation.

Senior Ecologist, 1999-2005, BioResource Consultants. Designed and implemented research and monitoring studies related to avian fatalities at wind turbines, avian electrocutions on electric distribution poles across California, and avian fatalities at transmission lines.

Chairman, Conservation Affairs Committee, The Wildlife Society--Western Section, 1999-2001. Prepared position statements and led efforts directed toward conservation issues, including travel to Washington, D.C. to lobby Congress for more wildlife conservation funding.

Systems Ecologist, 1995-2000, Institute for Sustainable Development. Headed ISD's program on integrated resources management. Developed indicators of ecological integrity for large areas, using remotely sensed data, local community involvement and GIS.

Associate, 1997-1998, Department of Agronomy and Range Science, University of California, Davis. Worked with Shu Geng and Mingua Zhang on several studies related to wildlife interactions with agriculture and patterns of fertilizer and pesticide residues in groundwater across a large landscape.

Lead Scientist, 1996-1999, National Endangered Species Network. Informed academic scientists and environmental activists about emerging issues regarding the Endangered Species Act and other environmental laws. Testified at public hearings on endangered species issues.

Ecologist, 1997-1998, Western Foundation of Vertebrate Zoology. Conducted field research to determine the impact of past mercury mining on the status of California red-legged frogs in Santa Clara County, California.

Senior Systems Ecologist, 1994-1995, EIP Associates, Sacramento, California. Provided consulting services in environmental planning, and quantitative assessment of land units for their conservation and restoration opportunities basedon ecological resource requirements of





29 special-status species. Developed ecological indicators for prioritizing areas within Yolo County to receive mitigation funds for habitat easements and restoration.

Post-Graduate Researcher, 1990-1994, Department of Agronomy and Range Science, *U.C. Davis*. Under Dr. Shu Geng's mentorship, studied landscape and management effects on temporal and spatial patterns of abundance among pocket gophers and species of Falconiformes and Carnivora in the Sacramento Valley. Managed and analyzed a data base of energy use in California agriculture. Assisted with landscape (GIS) study of groundwater contamination across Tulare County, California.

Work experience in graduate school: Co-taught Conservation Biology with Dr. Christine Schonewald, 1991 & 1993, UC Davis Graduate Group in Ecology; Reader for Dr. Richard Coss's course on Psychobiology in 1990, UC Davis Department of Psychology; Research Assistant to Dr. Walter E. Howard, 1988-1990, UC Davis Department of Wildlife and Fisheries Biology, testing durable baits for pocket gopher management in forest clearcuts; Research Assistant to Dr. Terrell P. Salmon, 1987-1988, UC Wildlife Extension, Department of Wildlife and Fisheries Biology, developing empirical models of mammal and bird invasions in North America, and a rating system for priority research and control of exotic species based on economic, environmental and human health hazards in California. Student Assistant to Dr. E. Lee Fitzhugh, 1985-1987, UC Cooperative Extension, Department of Wildlife and Fisheries Biology, developing and implementing statewide mountain lion track count for long-term monitoring.

Fulbright Research Fellow, Indonesia, 1988. Tested use of new sampling methods for numerical monitoring of Sumatran tiger and six other species of endemic felids, and evaluated methods used by other researchers.

**Projects**

Repowering wind energy projects through careful siting of new wind turbines using map-based collision hazard models to minimize impacts to volant wildlife. Funded by wind companies (principally NextEra Renewable Energy, Inc.), California Energy Commission and East Bay Regional Park District, I have collaborated with a GIS analyst and managed a crew of five field biologists performing golden eagle behavior surveys and nocturnal surveys on bats and owls. The goal is to quantify flight patterns for development of predictive models to more carefully site new wind turbines in repowering projects. Focused behavior surveys began May 2012 and continue. Collision hazard models have been prepared for seven wind projects, three of which were built. Planning for additional repowering projects is underway.

Test avian safety of new mixer-ejector wind turbine (MEWT). Designed and implemented a before-after, control-impact experimental design to test the avian safety of a new, shrouded wind turbine developed by Ogin Inc. (formerly known as FloDesign Wind Turbine Corporation). Supported by a $718,000 grant from the California Energy Commission's Public Interest Energy Research program and a 20% match share contribution from Ogin, I managed a crew of seven field biologists who performed periodic fatality searches and behavior surveys, carcass detection trials, nocturnal behavior surveys using a thermal camera, and spatial analyses with the

collaboration of a GIS analyst. Field work began 1 April 2012 and ended 30 March 2015 without Ogin installing its MEWTs, but we still achieved multiple important scientific advances.

Reduce avian mortality due to wind turbines at Altamont Pass. Studied wildlife impacts caused by 5,400 wind turbines at the world's most notorious wind resource area. Studied how impacts are perceived by monitoring and how they are affected by terrain, wind patterns, food resources, range management practices, wind turbine operations, seasonal patterns, population cycles, infrastructure management such as electric distribution, animal behavior and social interactions.

Reduce avian mortality on electric distribution poles. Directed research toward reducing bird electrocutions on electric distribution poles, 2000-2007. Oversaw 5 founds of fatality searches at 10,000 poles from Orange County to Glenn County, California, and produced two large reports.

Cook *et al.* v. Rockwell International *et al.*, No. 90-K-181 (D. Colorado). Provided expert testimony on the role of burrowing animals in affecting the fate of buried and surface-deposited radioactive and hazardous chemical wastes at the Rocky Flats Plant, Colorado. Provided expert reports based on four site visits and an extensive document review of burrowing animals. Conducted transect surveys for evidence of burrowing animals and other wildlife on and around waste facilities. Discovered substantial intrusion of waste structures by burrowing animals. I testified in federal court in November 2005, and my clients were subsequently awarded a $553,000,000 judgment by a jury. After appeals the award was increased to two billion dollars.

Hanford Nuclear Reservation Litigation. Provided expert testimony on the role of burrowing animals in affecting the fate of buried radioactive wastes at the Hanford Nuclear Reservation, Washington. Provided three expert reports based on three site visits and extensive document review. Predicted and verified a certain population density of pocket gophers on buried waste structures, as well as incidence of radionuclide contamination in body tissue. Conducted transect surveys for evidence of burrowing animals and other wildlife on and around waste facilities. Discovered substantial intrusion of waste structures by burrowing animals.

Expert testimony and declarations on proposed residential and commercial developments, gas-fired power plants, wind, solar and geothermal projects, water transfers and water transfer delivery systems, endangered species recovery plans, Habitat Conservation Plans and Natural Communities Conservation Programs. Testified before multiple government agencies, Tribunals, Boards of Supervisors and City Councils, and participated with press conferences and depositions. Prepared expert witness reports and court declarations, which are summarized under Reports (below).

Protocol-level surveys for special-status species. Used California Department of Fish and Wildlife and US Fish and Wildlife Service protocols to search for California red-legged frog, California tiger salamander, arroyo southwestern toad, blunt-nosed leopard lizard, western pond turtle, giant kangaroo rat, San Joaquin kangaroo rat, San Joaquin kit fox, western burrowing owl, Swainson's hawk, Valley elderberry longhorn beetle and other special-status species.





Conservation of San Joaquin kangaroo rat. Performed research to identify factors responsible for the decline of this endangered species at Lemoore Naval Air Station, 2000-2013, and implemented habitat enhancements designed to reverse the trend and expand the population.

Impact of West Nile Virus on yellow-billed magpies. Funded by Sacramento-Yolo Mosquito and Vector Control District, 2005-2008, compared survey results pre- and post-West Nile Virus epidemic for multiple bird species in the Sacramento Valley, particularly on yellow-billed magpie and American crow due to susceptibility to WNV.

Workshops on HCPs. Assisted Dr. Michael Morrison with organizing and conducting a 2-day workshop on Habitat Conservation Plans, sponsored by Southern California Edison, and another 1-day workshop sponsored by PG&E. These Workshops were attended by academics, attorneys, and consultants with HCP experience. We guest-edited a Proceedings published in Environmental Management.

Mapping of biological resources along Highways 101, 46 and 41. Used GPS and GIS to delineate vegetation complexes and locations of special-status species along 26 miles of highway in San Luis Obispo County, 14 miles of highway and roadway in Monterey County, and in a large area north of Fresno, including within reclaimed gravel mining pits.

GPS mapping and monitoring at restoration sites and at Caltrans mitigation sites. Monitored the success of elderberry shrubs at one location, the success of willows at another location, and the response of wildlife to the succession of vegetation at both sites. Also used GPS to monitor the response of fossorial animals to yellow star-thistle eradication and natural grassland restoration efforts at Bear Valley in Colusa County and at the decommissioned Mather Air Force Base in Sacramento County.

Mercury effects on Red-legged Frog. Assisted Dr. Michael Morrison and US Fish and Wildlife Service in assessing the possible impacts of historical mercury mining on the federally listed California red-legged frog in Santa Clara County. Also measured habitat variables in streams.

Opposition to proposed No Surprises rule. Wrote a white paper and summary letter explaining scientific grounds for opposing the incidental take permit (ITP) rules providing ITP applicants and holders with general assurances they will be free of compliance with the Endangered Species Act once they adhere to the terms of a "properly functioning HCP." Submitted 188 signatures of scientists and environmental professionals concerned about No Surprises rule US Fish and Wildlife Service, National Marine Fisheries Service, all US Senators.

Natomas Basin Habitat Conservation Plan alternative. Designed narrow channel marsh to increase the likelihood of survival and recovery in the wild of giant garter snake, Swainson's hawk and Valley Elderberry Longhorn Beetle. The design included replication and interspersion of treatments for experimental testing of critical habitat elements. I provided a report to Northern Territories, Inc.

Assessments of agricultural production system and environmental technology transfer to China. Twice visited China and interviewed scientists, industrialists, agriculturalists, and the Directors





of the Chinese Environmental Protection Agency and the Department of Agriculture to assess the need and possible pathways for environmental clean-up technologies and trade opportunities between the US and China.

Yolo County Habitat Conservation Plan. Conducted landscape ecology study of Yolo County to spatially prioritize allocation of mitigation efforts to improve ecosystem functionality within the County from the perspective of 29 special-status species of wildlife and plants. Used a hierarchically structured indicators approach to apply principles of landscape and ecosystem ecology, conservation biology, and local values in rating land units. Derived GIS maps to help guide the conservation area design, and then developed implementation strategies.

Mountain lion track count. Developed and conducted a carnivore monitoring program throughout California since 1985. Species counted include mountain lion, bobcat, black bear, coyote, red and gray fox, raccoon, striped skunk, badger, and black-tailed deer. Vegetation and land use are also monitored. Track survey transect was established on dusty, dirt roads within randomly selected quadrats.

Sumatran tiger and other felids. Upon award of Fulbright Research Fellowship, I designed and initiated track counts for seven species of wild cats in Sumatra, including Sumatran tiger, fishing cat, and golden cat. Spent four months on Sumatra and Java in 1988, and learned Bahasa Indonesia, the official Indonesian language.

Wildlife in agriculture. Beginning as post-graduate research, I studied pocket gophers and other wildlife in 40 alfalfa fields throughout the Sacramento Valley, and I surveyed for wildlife along a 200-mile road transect since 1989 with a hiatus of 1996-2004. The data are analyzed using GIS and methods from landscape ecology, and the results published and presented orally to farming groups in California and elsewhere. I also conducted the first study of wildlife in cover crops used on vineyards and orchards.

Agricultural energy use and Tulare County groundwater study. Developed and analyzed a data base of energy use in California agriculture, and collaborated on a landscape (GIS) study of groundwater contamination across Tulare County, California.

Pocket gopher damage in forest clear-cuts. Developed gopher sampling methods and tested various poison baits and baiting regimes in the largest-ever field study of pocket gopher management in forest plantations, involving 68 research plots in 55 clear-cuts among 6 National Forests in northern California.

Risk assessment of exotic species in North America. Developed empirical models of mammal and bird species invasions in North America, as well as a rating system for assigning priority research and control to exotic species in California, based on economic, environmental, and human health hazards.





**Peer Reviewed Publications**

Smallwood, K. S. and M. L. Morrison. 2024. Burrowing owls require mutualist species and ample interior habitat space. Diversity 2024, 16, 590. https://doi.org/10.3390/d16090590

Smallwood, K. S., and N. L. Smallwood. 2023. Measured effects of anthropogenic development on vertebrate wildlife diversity. Diversity 15, 1037. https://doi.org/10.3390/d15101037.

Bell, D. A., S. A. Snyder, J. E. DiDonato, and K. S. Smallwood. 2023. Conspecific carcass removal from a wind project study plot by a great horned owl (*Bubo Virginanus*). Journal of Raptor Research 57:489-492.

Kitano, M., K. S. Smallwood, and K. Fukaya. 2022. Bird carcass detection from integrated trials at multiple wind farms. Journal of Wildlife Management: In press.

Smallwood, K. S. 2022. Utility-scale solar impacts to volant wildlife. Journal of Wildlife Management: e22216. https://doi.org/10.1002/jwmg.22216

Smallwood, K. S., and N. L. Smallwood. 2021. Breeding density and collision mortality of loggerhead shrike (*Lanius ludovicianus*) in the Altamont Pass Wind Resource Area. Diversity 13, 540. https://doi.org/10.3390/d13110540.

Smallwood, K. S. 2020. USA wind energy-caused bat fatalities increase with shorter fatality search intervals. Diversity 12(98); https://doi.org/10.3390/d12030098

Smallwood, K. S., D. A. Bell, and S. Standish. 2020. Dogs detect larger wind energy impacts on bats and birds. Journal of Wildlife Management 84:852-864. DOI: 10.1002/jwmg.21863.

Smallwood, K. S., and D. A. Bell. 2020. Relating bat passage rates to wind turbine fatalities. Diversity 12(84); doi:10.3390/d12020084.

Smallwood, K. S., and D. A. Bell. 2020. Effects of wind turbine curtailment on bird and bat fatalities. Journal of Wildlife Management 84:684-696. DOI: 10.1002/jwmg.21844

Kitano, M., M. Ino, K. S. Smallwood, and S. Shiraki. 2020. Seasonal difference in carcass persistence rates at wind farms with snow, Hokkaido, Japan. Ornithological Science 19: 63 – 71.

Smallwood, K. S. and M. L. Morrison. 2018. Nest-site selection in a high-density colony of burrowing owls. Journal of Raptor Research 52:454-470.

Smallwood, K. S., D. A. Bell, E. L. Walther, E. Leyvas, S. Standish, J. Mount, B. Karas. 2018. Estimating wind turbine fatalities using integrated detection trials. Journal of Wildlife Management 82:1169-1184.

Smallwood, K. S. 2017. Long search intervals under-estimate bird and bat fatalities caused by wind turbines. Wildlife Society Bulletin 41:224-230.

Smallwood, K. S. 2017. The challenges of addressing wildlife impacts when repowering wind energy projects. Pages 175-187 in Köppel, J., Editor, Wind Energy and Wildlife Impacts: Proceedings from the CWW2015 Conference. Springer. Cham, Switzerland.

May, R., Gill, A. B., Köppel, J. Langston, R. H.W., Reichenbach, M., Scheidat, M., Smallwood, S., Voigt, C. C., Hüppop, O., and Portman, M. 2017. Future research directions to reconcile wind turbine–wildlife interactions. Pages 255-276 in Köppel, J., Editor, Wind Energy and Wildlife Impacts: Proceedings from the CWW2015 Conference. Springer. Cham, Switzerland.

Smallwood, K. S. 2017. Monitoring birds. M. Perrow, Ed., Wildlife and Wind Farms - Conflicts and Solutions, Volume 2. Pelagic Publishing, Exeter, United Kingdom. www.bit.ly/2v3cR9Q

Smallwood, K. S., L. Neher, and D. A. Bell. 2017. Turbine siting for raptors: an example from Repowering of the Altamont Pass Wind Resource Area. M. Perrow, Ed., Wildlife and Wind Farms - Conflicts and Solutions, Volume 2. Pelagic Publishing, Exeter, United Kingdom. www.bit.ly/2v3cR9Q

Johnson, D. H., S. R. Loss, K. S. Smallwood, W. P. Erickson. 2016. Avian fatalities at wind energy facilities in North America: A comparison of recent approaches. Human–Wildlife Interactions 10(1):7-18.

Sadar, M. J., D. S.-M. Guzman, A. Mete, J. Foley, N. Stephenson, K. H. Rogers, C. Grosset, K. S. Smallwood, J. Shipman, A. Wells, S. D. White, D. A. Bell, and M. G. Hawkins. 2015. Mange Caused by a novel Micnemidocoptes mite in a Golden Eagle (*Aquila chrysaetos*). Journal of Avian Medicine and Surgery 29(3):231-237.

Smallwood, K. S. 2015. Habitat fragmentation and corridors. Pages 84-101 in M. L. Morrison and H. A. Mathewson, Eds., Wildlife habitat conservation: concepts, challenges, and solutions. John Hopkins University Press, Baltimore, Maryland, USA.

Mete, A., N. Stephenson, K. Rogers, M. G. Hawkins, M. Sadar, D. Guzman, D. A. Bell, J. Shipman, A. Wells, K. S. Smallwood, and J. Foley. 2014. Emergence of Knemidocoptic mange in wild Golden Eagles (Aquila chrysaetos) in California. Emerging Infectious Diseases 20(10):1716-1718.

Smallwood, K. S. 2013. Introduction: Wind-energy development and wildlife conservation. Wildlife Society Bulletin 37: 3-4.

Smallwood, K. S. 2013. Comparing bird and bat fatality-rate estimates among North American wind-energy projects. Wildlife Society Bulletin 37:19-33. + Online Supplemental Material.

Smallwood, K. S., L. Neher, J. Mount, and R. C. E. Culver. 2013. Nesting burrowing owl abundance in the Altamont Pass Wind Resource Area, California. Wildlife Society Bulletin: 37:787-795.

Smallwood, K. S., D. A. Bell, B. Karas, and S. A. Snyder. 2013. Response to Huso and Erickson Comments on Novel Scavenger Removal Trials. Journal of Wildlife Management 77: 216-225.

Bell, D. A., and K. S. Smallwood. 2010. Birds of prey remain at risk. Science 330:913.

Smallwood, K. S., D. A. Bell, S. A. Snyder, and J. E. DiDonato. 2010. Novel scavenger removal trials increase estimates of wind turbine-caused avian fatality rates. Journal of Wildlife Management 74: 1089-1097 + Online Supplemental Material.

Smallwood, K. S., L. Neher, and D. A. Bell. 2009. Map-based repowering and reorganization of a wind resource area to minimize burrowing owl and other bird fatalities. Energies 2009(2):915-943. http://www.mdpi.com/1996-1073/2/4/915

Smallwood, K. S. and B. Nakamoto. 2009. Impacts of West Nile Virus epizootic on yellow-billed magpie, american crow, and other birds in the Sacramento Valley, California. The Condor 111:247-254.

Smallwood, K. S., L. Rugge, and M. L. Morrison. 2009. Influence of behavior on bird mortality in wind energy developments: The Altamont Pass Wind Resource Area, California. Journal of Wildlife Management 73:1082-1098.

Smallwood, K. S. and B. Karas. 2009. Avian and bat fatality rates at old-generation and repowered wind turbines in California. Journal of Wildlife Management 73:1062-1071.

Smallwood, K. S. 2008. Wind power company compliance with mitigation plans in the Altamont Pass Wind Resource Area. Environmental & Energy Law Policy Journal 2(2):229-285.

Smallwood, K. S., C. G. Thelander. 2008. Bird mortality in the Altamont Pass Wind Resource Area, California. Journal of Wildlife Management 72:215-223.

Smallwood, K. S. 2007. Estimating wind turbine-caused bird mortality. Journal of Wildlife Management 71:2781-2791.

Smallwood, K. S., C. G. Thelander, M. L. Morrison, and L. M. Rugge. 2007. Burrowing owl mortality in the Altamont Pass Wind Resource Area. Journal of Wildlife Management 71:1513-1524.

Cain, J. W. III, K. S. Smallwood, M. L. Morrison, and H. L. Loffland. 2005. Influence of mammal activity on nesting success of Passerines. J. Wildlife Management 70:522-531.

Smallwood, K.S. 2002. Habitat models based on numerical comparisons. Pages 83-95 *in* Predicting species occurrences: Issues of scale and accuracy, J. M. Scott, P. J. Heglund, M. Morrison, M. Raphael, J. Haufler, and B. Wall, editors. Island Press, Covello, California.

Morrison, M. L., K. S. Smallwood, and L. S. Hall. 2002. Creating habitat through plant relocation: Lessons from Valley elderberry longhorn beetle mitigation. Ecological Restoration 21: 95-100.

Zhang, M., K. S. Smallwood, and E. Anderson. 2002. Relating indicators of ecological health and integrity to assess risks to sustainable agriculture and native biota. Pages 757-768 *in* D.J. Rapport, W.L. Lasley, D.E. Rolston, N.O. Nielsen, C.O. Qualset, and A.B. Damania (eds.), Managing for Healthy Ecosystems, Lewis Publishers, Boca Raton, Florida USA.

Wilcox, B. A., K. S. Smallwood, and J. A. Kahn. 2002. Toward a forest Capital Index. Pages 285-298 *in* D.J. Rapport, W.L. Lasley, D.E. Rolston, N.O. Nielsen, C.O. Qualset, and A.B. Damania (eds.), Managing for Healthy Ecosystems, Lewis Publishers, Boca Raton, Florida USA.

Smallwood, K.S. 2001. The allometry of density within the space used by populations of Mammalian Carnivores. Canadian Journal of Zoology 79:1634-1640.

Smallwood, K.S., and T.R. Smith. 2001. Study design and interpretation of Sorex density estimates. Annales Zoologi Fennici 38:141-161.

Geng, S., Yixing Zhou, Minghua Zhang, and K. Shawn Smallwood. 2001. A sustainable agro-ecological solution to water shortage in North China Plain (Huabei Plain). Environmental Planning and Management 44:345-355.

Smallwood, K. Shawn, Lourdes Rugge, Stacia Hoover, Michael L. Morrison, Carl Thelander. 2001. Intra- and inter-turbine string comparison of fatalities to animal burrow densities at Altamont Pass. Pages 23-37 in S. S. Schwartz, ed., Proceedings of the National Avian-Wind Power Planning Meeting IV. RESOLVE, Inc., Washington, D.C.

Smallwood, K.S., S. Geng, and M. Zhang. 2001. Comparing pocket gopher (*Thomomys bottae*) density in alfalfa stands to assess management and conservation goals in northern California. Agriculture, Ecosystems & Environment 87: 93-109.

Smallwood, K. S. 2001. Linking habitat restoration to meaningful units of animal demography. Restoration Ecology 9:253-261.

Smallwood, K.S., A. Gonzales, T. Smith, E. West, C. Hawkins, E. Stitt, C. Keckler, C. Bailey, and K. Brown. 2000. Suggested standards for science applied to conservation issues. Transactions of the Western Section of the Wildlife Society 36:40-49.

Smallwood, K. S. 2000. A crosswalk from the Endangered Species Act to the HCP Handbook and real HCPs. Environmental Management 26, Supplement 1:23-35.

Smallwood, K. S., J. Beyea and M. Morrison. 1999. Using the best scientific data for endangered species conservation. Environmental Management 24:421-435.

Smallwood, K. S. 1999. Scale domains of abundance among species of Mammalian Carnivora. Environmental Conservation 26:102-111.

Smallwood, K.S. 1999. Suggested study attributes for making useful population density estimates. Transactions of the Western Section of the Wildlife Society 35: 76-82.

Smallwood, K. S. and M. L. Morrison. 1999. Estimating burrow volume and excavation rate of pocket gophers (Geomyidae). Southwestern Naturalist 44:173-183.

Smallwood, K. S. and M. L. Morrison. 1999. Spatial scaling of pocket gopher (*Geomyidae*) density. Southwestern Naturalist 44:73-82.

Smallwood, K. S. 1999. Abating pocket gophers (*Thomomys* spp.) to regenerate forests in clearcuts. Environmental Conservation 26:59-65.

Smallwood, K. S. 1998. Patterns of black bear abundance. Transactions of the Western Section of the Wildlife Society 34:32-38.

Smallwood, K. S. 1998. On the evidence needed for listing northern goshawks (*Accipter gentilis*) under the Endangered Species Act: a reply to Kennedy. J. Raptor Research 32:323-329.

Smallwood, K. S., B. Wilcox, R. Leidy, and K. Yarris. 1998. Indicators assessment for Habitat Conservation Plan of Yolo County, California, USA. Environmental Management 22: 947-958.

Smallwood, K. S., M. L. Morrison, and J. Beyea. 1998. Animal burrowing attributes affecting hazardous waste management. Environmental Management 22: 831-847.

Smallwood, K. S, and C. M. Schonewald. 1998. Study design and interpretation for mammalian carnivore density estimates. Oecologia 113:474-491.

Zhang, M., S. Geng, and K. S. Smallwood. 1998. Nitrate contamination in groundwater of Tulare County, California. Ambio 27(3):170-174.

Smallwood, K. S. and M. L. Morrison. 1997. Animal burrowing in the waste management zone of Hanford Nuclear Reservation. Proceedings of the Western Section of the Wildlife Society Meeting 33:88-97.

Morrison, M. L., K. S. Smallwood, and J. Beyea. 1997. Monitoring the dispersal of contaminants by wildlife at nuclear weapons production and waste storage facilities. The Environmentalist 17:289-295.

Smallwood, K. S. 1997. Interpreting puma (*Puma concolor*) density estimates for theory and management. Environmental Conservation 24(3):283-289.

Smallwood, K. S. 1996. Managing vertebrates in cover crops: a first study. American Journal of Alternative Agriculture 11:155-160.

Smallwood, K. S. and S. Geng. 1997. Multi-scale influences of gophers on alfalfa yield and quality. Field Crops Research 49:159-168.

Smallwood, K. S. and C. Schonewald. 1996. Scaling population density and spatial pattern for terrestrial, mammalian carnivores. Oecologia 105:329-335.

Smallwood, K. S., G. Jones, and C. Schonewald. 1996. Spatial scaling of allometry for terrestrial, mammalian carnivores. Oecologia 107:588-594.

Van Vuren, D. and K. S. Smallwood. 1996. Ecological management of vertebrate pests in agricultural systems. Biological Agriculture and Horticulture 13:41-64.

Smallwood, K. S., B. J. Nakamoto, and S. Geng. 1996. Association analysis of raptors on an agricultural landscape. Pages 177-190 in D.M. Bird, D.E. Varland, and J.J. Negro, eds., Raptors in human landscapes. Academic Press, London.

Erichsen, A. L., K. S. Smallwood, A. M. Commandatore, D. M. Fry, and B. Wilson. 1996. White-tailed Kite movement and nesting patterns in an agricultural landscape. Pages 166-176 in D. M. Bird, D. E. Varland, and J. J. Negro, eds., Raptors in human landscapes. Academic Press, London.

Smallwood, K. S. 1995. Scaling Swainson's hawk population density for assessing habitat-use across an agricultural landscape. J. Raptor Research 29:172-178.

Smallwood, K. S. and W. A. Erickson. 1995. Estimating gopher populations and their abatement in forest plantations. Forest Science 41:284-296.

Smallwood, K. S. and E. L. Fitzhugh. 1995. A track count for estimating mountain lion *Felis concolor californica* population trend. Biological Conservation 71:251-259

Smallwood, K. S. 1994. Site invasibility by exotic birds and mammals. Biological Conservation 69:251-259.

Smallwood, K. S. 1994. Trends in California mountain lion populations. Southwestern Naturalist 39:67-72.

Smallwood, K. S. 1993. Understanding ecological pattern and process by association and order. Acta Oecologica 14(3):443-462.

Smallwood, K. S. and E. L. Fitzhugh. 1993. A rigorous technique for identifying individual mountain lions *Felis concolor* by their tracks. Biological Conservation 65:51-59.

Smallwood, K. S. 1993. Mountain lion vocalizations and hunting behavior. The Southwestern Naturalist 38:65-67.

Smallwood, K. S. and T. P. Salmon. 1992. A rating system for potential exotic vertebrate pests. Biological Conservation 62:149-159.

Smallwood, K. S. 1990. Turbulence and the ecology of invading species. Ph.D. Thesis, University of California, Davis.

**Peer-reviewed Reports**

Smallwood, K. S., and L. Neher. 2017. Comparing bird and bat use data for siting new wind power generation. Report CEC-500-2017-019, California Energy Commission Public Interest Energy Research program, Sacramento, California. http://www.energy.ca.gov/2017publications/CEC-500-2017-019/CEC-500-2017-019.pdf and http://www.energy.ca.gov/2017publications/CEC-500-2017-019/CEC-500-2017-019-APA-F.pdf

Smallwood, K. S. 2016. Bird and bat impacts and behaviors at old wind turbines at Forebay, Altamont Pass Wind Resource Area. Report CEC-500-2016-066, California Energy Commission Public Interest Energy Research program, Sacramento, California. http://www.energy.ca.gov/publications/displayOneReport.php? pubNum=CEC-500-2016-066

Sinclair, K. and E. DeGeorge. 2016. Framework for Testing the Effectiveness of Bat and Eagle Impact-Reduction Strategies at Wind Energy Projects. S. Smallwood, M. Schirmacher, and M. Morrison, eds., Technical Report NREL/TP-5000-65624, National Renewable Energy Laboratory, Golden, Colorado.

Brown, K., K. S. Smallwood, J. Szewczak, and B. Karas. 2016. Final 2012-2015 Report Avian and Bat Monitoring Project Vasco Winds, LLC. Prepared for NextEra Energy Resources, Livermore, California.

Brown, K., K. S. Smallwood, J. Szewczak, and B. Karas. 2014. Final 2013-2014 Annual Report Avian and Bat Monitoring Project Vasco Winds, LLC. Prepared for NextEra Energy Resources, Livermore, California.

Brown, K., K. S. Smallwood, and B. Karas. 2013. Final 2012-2013 Annual Report Avian and Bat Monitoring Project Vasco Winds, LLC. Prepared for NextEra Energy Resources, Livermore, California. http://www.altamontsrc.org/alt_doc/p274_ventus_vasco_winds_2012_13_avian_bat_monitoring_report_year_1.pdf

Smallwood, K. S., L. Neher, D. Bell, J. DiDonato, B. Karas, S. Snyder, and S. Lopez. 2009. Range Management Practices to Reduce Wind Turbine Impacts on Burrowing Owls and Other Raptors in the Altamont Pass Wind Resource Area, California. Final Report to the California Energy Commission, Public Interest Energy Research – Environmental Area, Contract No. CEC-500-2008-080. Sacramento, California. 183 pp. https://tethys.pnnl.gov/publications/range-management-practices-reduce-wind-turbine-impacts-burrowing-owls-other-raptors

Smallwood, K. S., and L. Neher. 2009. Map-Based Repowering of the Altamont Pass Wind Resource Area Based on Burrowing Owl Burrows, Raptor Flights, and Collisions with Wind Turbines. Final Report to the California Energy Commission, Public Interest Energy Research – Environmental Area, Contract No. CEC-500-2009-065. Sacramento, California. http:// www.energy.ca.gov/publications/displayOneReport.php?pubNum=CEC-500-2009-065

Smallwood, K. S., K. Hunting, L. Neher, L. Spiegel and M. Yee. 2007. Indicating Threats to Birds Posed by New Wind Power Projects in California. Final Report to the California Energy Commission, Public Interest Energy Research – Environmental Area, Contract No. Submitted but not published. Sacramento, California.

Smallwood, K. S. and C. Thelander. 2005. Bird mortality in the Altamont Pass Wind Resource Area, March 1998 – September 2001 Final Report. National Renewable Energy Laboratory, NREL/SR-500-36973. Golden, Colorado. https://www.nrel.gov/docs/fy05osti/36973.pdf

Smallwood, K. S. and C. Thelander. 2004. Developing methods to reduce bird mortality in the Altamont Pass Wind Resource Area. Final Report to the California Energy Commission, Public Interest Energy Research – Environmental Area, Contract No. 500-01-019. Sacramento, California. 531 pp. https://tethys.pnnl.gov/publications/developing-methods-reduce-bird-mortality-altamont-pass-wind-resource-area

Thelander, C.G. S. Smallwood, and L. Rugge. 2003. Bird risk behaviors and fatalities at the Altamont Pass Wind Resource Area. Period of Performance: March 1998—December 2000. National Renewable Energy Laboratory, NREL/SR-500-33829. U.S. Department of Commerce, National Technical Information Service, Springfield, Virginia. 86 pp.

Thelander, C.G., S. Smallwood, and L. Rugge. 2001. Bird risk behaviors and fatalities at the Altamont Wind Resource Area – a progress report. Proceedings of the American Wind Energy Association, Washington D.C. 16 pp.

**Non-Peer Reviewed Publications**

Smallwood, K. S., L. Neher, and D. A. Bell. 2023. Golden eagle roost sites based on telemetry data. Report to Salka Energy, San Diego, California. 29 pp.

Smallwood, K. S. 2009. Methods manual for assessing wind farm impacts to birds. Bird Conservation Series 26, Wild Bird Society of Japan, Tokyo. T. Ura, ed., in English with Japanese translation by T. Kurosawa. 90 pp.

Smallwood, K. S. 2009. Mitigation in U.S. Wind Farms. Pages 68-76 in H. Hötker (Ed.), Birds of Prey and Wind Farms: Analysis of problems and possible solutions. Documentation of an International Workshop in Berlin, 21st and 22nd October 2008. Michael-Otto-Instiut im NABU, Goosstroot 1, 24861 Bergenhusen, Germany. http://bergenhusen.nabu.de/forschung/greifvoegel/

Smallwood, K. S. 2007. Notes and recommendations on wildlife impacts caused by Japan's wind power development. Pages 242-245 in Yukihiro Kominami, Tatsuya Ura, Koshitawa, and Tsuchiya, Editors, Wildlife and Wind Turbine Report 5. Wild Bird Society of Japan, Tokyo.

Thelander, C.G. and S. Smallwood. 2007. The Altamont Pass Wind Resource Area's Effects on Birds: A Case History. Pages 25-46 in Manuela de Lucas, Guyonne F.E. Janss, Miguel Ferrer Editors, Birds and Wind Farms: risk assessment and mitigation. Madrid: Quercus.

Smallwood, K. S. and C. Thelander. 2006. Response to third review of Smallwood and Thelander (2004). In Terry Surles and Edward Vine, Eds., Avian/Wind Statistical Peer Review Project. Report to California Energy Commission. Contract No. 500-02-004. https://tethys.pnnl.gov/sites/default/files/publications/Surles-2006.pdf

Neher, L. and S. Smallwood. 2005. Forecasting and minimizing avian mortality in siting wind turbines. Energy Currents. Fall Issue. ESRI, Inc., Redlands, California.

Jennifer Davidson and Shawn Smallwood. 2004. Laying plans for a hydrogen highway. Comstock's Business, August 2004:18-20, 22, 24-26.

Jennifer Davidson and Shawn Smallwood. 2004. Refined conundrum: California consumers demand more oil while opposing refinery development. Comstock's Business, November 2004:26-27, 29-30.

Smallwood, K.S. 2002. Review of "The Atlas of Endangered Species." By Richard Mackay. Environmental Conservation 30:210-211.

Smallwood, K.S. 2002. Review of "The Endangered Species Act. History, Conservation, and Public Policy." By Brian Czech and Paul B. Krausman. Environmental Conservation 29: 269-270.

Smallwood, K.S. 1997. Spatial scaling of pocket gopher (Geomyidae) burrow volume. Abstract in Proceedings of 44th Annual Meeting, Southwestern Association of Naturalists. Department of Biological Sciences, University of Arkansas, Fayetteville.

Smallwood, K.S. 1997. Estimating prairie dog and pocket gopher burrow volume. Abstract in Proceedings of 44th Annual Meeting, Southwestern Association of Naturalists. Department of Biological Sciences, University of Arkansas, Fayetteville.

Smallwood, K.S. 1997. Animal burrowing parameters influencing toxic waste management. Abstract in Proceedings of Meeting, Western Section of the Wildlife Society.

Smallwood, K.S, and Bruce Wilcox. 1996. Study and interpretive design effects on mountain lion density estimates. Abstract, page 93 in D.W. Padley, ed., *Proceedings 5th Mountain Lion Workshop*, Southern California Chapter, The Wildlife Society. 135 pp.

Smallwood, K.S, and Bruce Wilcox. 1996. Ten years of mountain lion track survey. Page 94 in D.W. Padley, ed. Abstract, page 94 in D.W. Padley, ed., *Proceedings 5th Mountain Lion Workshop*, Southern California Chapter, The Wildlife Society. 135 pp.

Smallwood, K.S, and M. Grigione. 1997. Photographic recording of mountain lion tracks. Pages 75-75 in D.W. Padley, ed., *Proceedings 5th Mountain Lion Workshop*, Southern California Chapter, The Wildlife Society. 135 pp.

Smallwood, K.S., B. Wilcox, and J. Karr. 1995. An approach to scaling fragmentation effects. Brief 8, Ecosystem Indicators Working Group, 17 March, 1995. Institute for Sustainable Development, Thoreau Center for Sustainability – The Presidio, PO Box 29075, San Francisco, CA 94129-0075.

Wilcox, B., and K.S. Smallwood. 1995. Ecosystem indicators model overview. Brief 2, Ecosystem Indicators Working Group, 17 March, 1995. Institute for Sustainable Development, Thoreau Center for Sustainability – The Presidio, PO Box 29075, San Francisco, CA 94129-0075.

EIP Associates. 1996. Yolo County Habitat Conservation Plan. Yolo County Planning and Development Department, Woodland, California.

Geng, S., K.S. Smallwood, and M. Zhang. 1995. Sustainable agriculture and agricultural sustainability. Proc. 7th International Congress SABRAO, 2nd Industrial Symp. WSAA. Taipei, Taiwan.

Smallwood, K.S. and S. Geng. 1994. Landscape strategies for biological control and IPM. Pages 454-464 in W. Dehai, ed., Proc. International Conference on Integrated Resource Management for Sustainable Agriculture. Beijing Agricultural University, Beijing, China.

Smallwood, K.S. and S. Geng. 1993. Alfalfa as wildlife habitat. California Alfalfa Symposium 23:105-8.

Smallwood, K.S. and S. Geng. 1993. Management of pocket gophers in Sacramento Valley alfalfa. California Alfalfa Symposium 23:86-89.

Smallwood, K.S. and E.L. Fitzhugh. 1992. The use of track counts for mountain lion population census. Pages 59-67 in C. Braun, ed. Mountain lion-Human Interaction Symposium and Workshop. Colorado Division of Wildlife, Fort Collins.

Smallwood, K.S. and E.L. Fitzhugh. 1989. Differentiating mountain lion and dog tracks. Pages 58-63 in Smith, R.H., ed. Proc. Third Mountain Lion Workshop. Arizona Game and Fish Department, Phoenix.

Fitzhugh, E.L. and K.S. Smallwood. 1989. Techniques for monitoring mountain lion population levels. Pages 69-71 in Smith, R.H., ed. Proc. Third Mountain Lion Workshop. Arizona Game and Fish Department, Phoenix.

**Reports to or by Alameda County Scientific Review Committee (Note: all documents linked to SRC website have since been removed by Alameda County)**

Smallwood, K. S. 2014. Data Needed in Support of Repowering in the Altamont Pass WRA. SRC document P284, County of Alameda, Hayward, California.

Smallwood, K. S. 2013. Long-Term Trends in Fatality Rates of Birds and Bats in the Altamont Pass Wind Resource Area, California. SRC document R68, County of Alameda, Hayward, California.

Smallwood, K. S. 2013. Inter-annual Fatality rates of Target Raptor Species from 1999 through 2012 in the Altamont Pass Wind Resources Area. SRC document P268, County of Alameda, Hayward, California.

Smallwood, K. S. 2012. General Protocol for Performing Detection Trials in the FloDesign Study of the Safety of a Closed-bladed Wind Turbine. SRC document P246, County of Alameda, Hayward, California.

Smallwood, K. S., l. Neher, and J. Mount. 2012. Burrowing owl distribution and abundance study through two breeding seasons and intervening non-breeding period in the Altamont Pass Wind Resource Area, California. SRC document P245, County of Alameda, Hayward, California.

Smallwood, K. S 2012. Draft study design for testing collision risk of Flodesign wind turbine in former AES Seawest wind projects in the Altamont Pass Wind Resource Area (APWRA). SRC document P238, County of Alameda, Hayward, California.

Smallwood, L. Neher, and J. Mount. 2012. Winter 2012 update on burrowing owl distribution and abundance study in the Altamont Pass Wind Resource Area, California. SRC document P232, County of Alameda, Hayward, California.

Smallwood, S. 2012. Status of avian utilization data collected in the Altamont Pass Wind Resource Area, 2005-2011. SRC document P231, County of Alameda, Hayward, California.

Smallwood, K. S., L. Neher, and J. Mount. 2011. Monitoring Burrow Use of Wintering Burrowing Owls. SRC document P229, County of Alameda, Hayward, California.

Smallwood, K. S., L. Neher, and J. Mount. 2011. Nesting Burrowing Owl Distribution and Abundance in the Altamont Pass Wind Resource Area, California. SRC document P228, County of Alameda, Hayward, California.

Smallwood, K. S. 2011. Draft Study Design for Testing Collision Risk of Flodesign Wind Turbine in Patterson Pass Wind Farm in the Altamont Pass Wind Resource Area (APWRA). http://www.altamontsrc.org/alt_doc/p100_src_document_list_with_reference_numbers.pdf

Smallwood, K. S. 2011. Sampling Burrowing Owls Across the Altamont Pass Wind Resource Area. SRC document P205, County of Alameda, Hayward, California.

Smallwood, K. S. 2011. Proposal to Sample Burrowing Owls Across the Altamont Pass Wind Resource Area. SRC document P155, County of Alameda, Hayward, California. SRC document P198, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Comments on APWRA Monitoring Program Update. SRC document P191, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Inter-turbine Comparisons of Fatality Rates in the Altamont Pass Wind Resource Area. SRC document P189, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Review of the December 2010 Draft of M-21: Altamont Pass Wind Resource Area Bird Collision Study. SRC document P190, County of Alameda, Hayward, California.

Alameda County SRC (Shawn Smallwood, Jim Estep, Sue Orloff, Joanna Burger, and Julie Yee). Comments on the Notice of Preparation for a Programmatic Environmental Impact Report on Revised CUPs for Wind Turbines in the Alameda County portion of the Altamont Pass. SRC document P183, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Review of Monitoring Implementation Plan. SRC document P180, County of Alameda, Hayward, California.

Burger, J., J. Estep, S. Orloff, S. Smallwood, and J. Yee. 2010. SRC Comments on CalWEA Research Plan. SRC document P174, County of Alameda, Hayward, California.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, J. Burger, and J. Yee). SRC Comments on Monitoring Team's Draft Study Plan for Future Monitoring. SRC document P168, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Second Review of American Kestrel-Burrowing owl (KB) Scavenger Removal Adjustments Reported in Alameda County Avian Monitoring Team's M21 for the

Altamont Pass Wind Resource Area. SRC document P171, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Assessment of Three Proposed Adaptive Management Plans for Reducing Raptor Fatalities in the Altamont Pass Wind Resource Area. SRC document P161, County of Alameda, Hayward, California.

Smallwood, K. S. and J. Estep. 2010. Report of additional wind turbine hazard ratings in the Altamont Pass Wind Resource Area by Two Members of the Alameda County Scientific Review Committee. SRC document P153, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Alternatives to Improve the Efficiency of the Monitoring Program. SRC document P158, County of Alameda, Hayward, California.

Smallwood, S. 2010. Summary of Alameda County SRC Recommendations and Concerns and Subsequent Actions. SRC document P147, County of Alameda, Hayward, California.

Smallwood, S. 2010. Progress of Avian Wildlife Protection Program & Schedule. SRC document P148, County of Alameda, Hayward, California. SRC document P148, County of Alameda, Hayward, California.

Smallwood, S. 2010. Old-generation wind turbines rated for raptor collision hazard by Alameda County Scientific Review Committee in 2010, an Update on those Rated in 2007, and an Update on Tier Rankings. SRC document P155, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Review of American Kestrel-Burrowing owl (KB) Scavenger Removal Adjustments Reported in Alameda County Avian Monitoring Team's M21 for the Altamont Pass Wind Resource Area. SRC document P154, County of Alameda, Hayward, California.

Smallwood, K. S. 2010. Fatality Rates in the Altamont Pass Wind Resource Area 1998-2009. Alameda County SRC document P-145.

Smallwood, K. S. 2010. Comments on Revised M-21: Report on Fatality Monitoring in the Altamont Pass Wind Resource Area. SRC document P144, County of Alameda, Hayward, California.

Smallwood, K. S. 2009. SRC document P129, County of Alameda, Hayward, California.

Smallwood, K. S. 2009. Smallwood's review of M32. SRC document P111, County of Alameda, Hayward, California.

Smallwood, K. S. 2009. 3rd Year Review of 16 Conditional Use Permits for Windworks, Inc. and Altamont Infrastructure Company, LLC. Comment letter to East County Board of Zoning Adjustments. 10 pp + 2 attachments.

Smallwood, K. S. 2008. Weighing Remaining Workload of Alameda County SRC against Proposed Budget Cap. Alameda County SRC document not assigned. 3 pp.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, J. Burger, and J. Yee). 2008. SRC comments on August 2008 Fatality Monitoring Report, M21. SRC document P107, County of Alameda, Hayward, California.

Smallwood, K. S. 2008. Burrowing owl carcass distribution around wind turbines. SRC document P106, County of Alameda, Hayward, California.

Smallwood, K. S. 2008. Assessment of relocation/removal of Altamont Pass wind turbines rated as hazardous by the Alameda County SRC. SRC document P103, County of Alameda, Hayward, California.

Smallwood, K. S. and L. Neher. 2008. Summary of wind turbine-free ridgelines within and around the APWRA. SRC document P102, County of Alameda, Hayward, California.

Smallwood, K. S. and B. Karas. 2008. Comparison of mortality estimates in the Altamont Pass Wind Resource Area when restricted to recent fatalities. SRC document P101, County of Alameda, Hayward, California.

Smallwood, K. S. 2008. On the misapplication of mortality adjustment terms to fatalities missed during one search and found later. SRC document P97, County of Alameda, Hayward, California.

Smallwood, K. S. 2008. Relative abundance of raptors outside the APWRA. SRC document P88, County of Alameda, Hayward, California.

Smallwood, K. S. 2008. Comparison of mortality estimates in the Altamont Pass Wind Resource Area. SRC document P76, County of Alameda, Hayward, California.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, J. Burger, and J. Yee). 2010. Guidelines for siting wind turbines recommended for relocation to minimize potential collision-related mortality of four focal raptor species in the Altamont Pass Wind Resource Area. SRC document P70, County of Alameda, Hayward, California.

Alameda County SRC (J. Burger, Smallwood, K. S., S. Orloff, J. Estep, and J. Yee). 2007. First DRAFT of Hazardous Rating Scale First DRAFT of Hazardous Rating Scale. SRC document P69, County of Alameda, Hayward, California.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, J. Burger, and J. Yee). December 11, 2007. SRC selection of dangerous wind turbines. Alameda County SRC document P-67. 8 pp.

Smallwood, S. October 6, 2007. Smallwood's answers to Audubon's queries about the SRC's recommended four-month winter shutdown of wind turbines in the Altamont Pass. Alameda County SRC document P-23.

Smallwood, K. S. October 1, 2007. Dissenting opinion on recommendation to approve of the AWI Blade Painting Study. Alameda County SRC document P-60.

Smallwood, K. S. July 26, 2007. Effects of monitoring duration and inter-annual variability on precision of wind-turbine caused mortality estimates in the Altamont Pass Wind Resource Area, California. SRC Document P44.

Smallwood, K. S. July 26, 2007. Memo: Opinion of some SRC members that the period over which post-management mortality will be estimated remains undefined. SRC Document P43.

Smallwood, K. S. July 19, 2007. Smallwood's response to P24G. SRC Document P41, 4 pp.

Smallwood, K. S. April 23, 2007. New Information Regarding Alameda County SRC Decision of 11 April 2007 to Grant FPLE Credits for Removing and Relocating Wind Turbines in 2004. SRC Document P26.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, and J. Burger [J. Yee abstained]). April 17, 2007. SRC Statement in Support of the Monitoring Program Scope and Budget.

Smallwood, K. S. April 15, 2007. Verification of Tier 1 & 2 Wind Turbine Shutdowns and Relocations. SRC Document P22.

Smallwood, S. April 15, 2007. Progress of Avian Wildlife Protection Program & Schedule.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, J. Burger, and J. Yee). April 3, 2007. Alameda County Scientific Review Committee replies to the parties' responses to its queries and to comments from the California Office of the Attorney General. SRC Document S20.

Smallwood, S. March 19, 2007. Estimated Effects of Full Winter Shutdown and Removal of Tier I & II Turbines. SRC Document S19.

Smallwood, S. March 8, 2007. Smallwood's Replies to the Parties' Responses to Queries from the SRC and Comments from the California Office of the Attorney General. SRC Document S16.

Smallwood, S. March 8, 2007. Estimated Effects of Proposed Measures to be Applied to 2,500 Wind Turbines in the APWRA Fatality Monitoring Plan. SRC Document S15.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, J. Burger, and J. Yee). February 7, 2007. Analysis of Monitoring Program in Context of 1/1//2007 Settlement Agreement.

Smallwood, S. January 8, 2007. Smallwood's Concerns over the Agreement to Settle the CEQA Challenges. SRC Document S5.

Alameda County SRC (Smallwood, K. S., S. Orloff, J. Estep, J. Burger, and J. Yee). December 19, 2006. Altamont Scientific Review Committee (SRC) Recommendations to the County on the Avian Monitoring Team Consultants' Budget and Organization.

**Reports to Clients**

Smallwood, K. S. 224. Assessment of grading impacts on eagles at Viracocha Wind. Report to Viracocha Wind, Bethesda Maryland, and Salka, San Diego, California. 1 p.

Smallwood, K. S. 223. Assessment of wildlife collision risk with third wind turbine layout of Sand Hill & Rooney Ranch Wind Farm. Report to Viracocha Wind, Bethesda Maryland, and Salka, San Diego, California.

Smallwood, K. S. and D. A. Bell. 2022. Ground squirrel abundance and repeat raptor surveys at Vasco Caves Regional Preserve, 2006–2019. Report to the East Contra Costa County Habitat Conservancy Science and Research Grant Program. 80 pp.

Smallwood, K. S. 2022c. Assessment of wildlife collision risk with second wind turbine layout of Sand Hill and Rooney Ranch Wind Farm. Report to Viracocha Wind LLC and Salka LLC.

Smallwood, K. S. 2022b. Assessment of wildlife collision risk with second wind turbine layout of Viracocha Wind Farm. Report to Viracocha Wind LLC and Salka LLC.

Smallwood, K. S. 2022. Survey for Burrow Systems of San Joaquin Kangaroo Rat (*Dipotomys nitratoides*) at Natural Resource Management Area 5, Naval Air Station, Lemoore. Report to U.S. Navy.

Smallwood, K. S. 2022a. Assessment of wildlife collision risk with initial wind turbine layout of Viracocha Wind Farm. Report to Viracocha Wind LLC and Salka LLC.

Smallwood, K. S. 2020. Baseline Map of California Ground Squirrel Burrow Systems on Marsh Creek Preserve. Report to East Bay Regional Park District, Oakland, California.

Smallwood, K. S. 2020. Comparison of bird and bat fatality rates among utility-scale solar projects in California. Report to undisclosed client.

Smallwood, K. S., D. Bell, and S. Standish. 2018. Skilled dog detections of bat and small bird carcasses in wind turbine fatality monitoring. Report to East Bay Regional Park District, Oakland, California.

Smallwood, K. S. 2018. Addendum to Comparison of Wind Turbine Collision Hazard Model Performance: One-year Post-construction Assessment of Golden Eagle Fatalities at Golden Hills. Report to Audubon Society, NextEra Energy, and the California Attorney General.

Smallwood, K. S., and L. Neher. 2018. Siting wind turbines to minimize raptor collisions at Sand Hill Repowering Project, Altamont Pass Wind Resource Area. Report to S-Power, Salt Lake City, Utah.

Smallwood, K. S., and L. Neher. 2018. Siting wind turbines to minimize raptor collisions at Rooney Ranch Repowering Project, Altamont Pass Wind Resource Area. Report to S-Power, Salt Lake City, Utah.

Smallwood, K. S. 2017. Summary of a burrowing owl conservation workshop. Report to Santa Clara Valley Habitat Agency, Morgan Hill, California.

Smallwood, K. S., and L. Neher. 2018. Comparison of wind turbine collision hazard model performance prepared for repowering projects in the Altamont Pass Wind Resources Area. Report to NextEra Energy Resources, Inc., Office of the California Attorney General, Audubon Society, East Bay Regional Park District.

Smallwood, K. S., and L. Neher. 2016. Siting wind turbines to minimize raptor collisions at Summit Winds Repowering Project, Altamont Pass Wind Resource Area. Report to Salka, Inc., Washington, D.C.

Smallwood, K. S., L. Neher, and D. A. Bell. 2017. Mitigating golden eagle impacts from repowering Altamont Pass Wind Resource Area and expanding Los Vaqueros Reservoir. Report to East Contra Costa County Habitat Conservation Plan Conservancy and Contra Costa Water District.

Smallwood, K. S. 2016. Review of avian-solar science plan. Report to Center for Biological Diversity. 28 pp

Smallwood, K. S. 2016. Report of Altamont Pass research as Vasco Winds mitigation. Report to NextEra Energy Resources, Inc., Office of the California Attorney General, Audubon Society, East Bay Regional Park District.

Smallwood, K. S., and L. Neher. 2016. Siting Wind Turbines to Minimize Raptor collisions at Sand Hill Repowering Project, Altamont Pass Wind Resource Area. Report to Ogin, Inc., Waltham, Massachusetts.

Smallwood, K. S., and L. Neher. 2015a. Siting wind turbines to minimize raptor collisions at Golden Hills Repowering Project, Altamont Pass Wind Resource Area. Report to NextEra Energy Resources, Livermore, California.

Smallwood, K. S., and L. Neher. 2015b. Siting wind turbines to minimize raptor collisions at Golden Hills North Repowering Project, Altamont Pass Wind Resource Area. Report to NextEra Energy Resources, Livermore, California.

Smallwood, K. S., and L. Neher. 2015c. Siting wind turbines to minimize raptor collisions at the Patterson Pass Repowering Project, Altamont Pass Wind Resource Area. Report to EDF Renewable Energy, Oakland, California.

Smallwood, K. S., and L. Neher. 2014. Early assessment of wind turbine layout in Summit Wind Project. Report to Altamont Winds LLC, Tracy, California.

Smallwood, K. S. 2015. Review of avian use survey report for the Longboat Solar Project. Report to EDF Renewable Energy, Oakland, California.

Smallwood, K. S. 2014. Information needed for solar project impacts assessment and mitigation planning. Report to Panorama Environmental, Inc., San Francisco, California.

Smallwood, K. S. 2014. Monitoring fossorial mammals in Vasco Caves Regional Preserve, California: Report of Progress for the period 2006-2014. Report to East Bay Regional Park District, Oakland, California.

Smallwood, K. S. 2013. First-year estimates of bird and bat fatality rates at old wind turbines, Forebay areas of Altamont Pass Wind Resource Area. Report to FloDesign in support of EIR.

Smallwood, K. S. and W. Pearson. 2013. Neotropical bird monitoring of burrowing owls (*Athene cunicularia*), Naval Air Station Lemoore, California. Tierra Data, Inc. report to Naval Air Station Lemoore.

Smallwood, K. S. 2013. Winter surveys for San Joaquin kangaroo rat (*Dipodomys nitratoides*) and burrowing owls (*Athene cunicularia*) within Air Operations at Naval Air Station, Lemoore. Report to Tierra Data, Inc. and Naval Air Station Lemoore.

Smallwood, K. S. and M. L. Morrison. 2013. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) conservation research in Resource Management Area 5, Lemoore Naval Air Station: 2013 Final Report (Inclusive of work during 2000-2013). Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California.

Smallwood, K. S. and M. L. Morrison. 2013. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) conservation research in Resource Management Area 5, Lemoore Naval Air Station: 2012 Progress Report (Inclusive of work during 2000-2012). Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California.

Smallwood, K. S. 2012. Fatality rate estimates at the Vantage Wind Energy Project, year one. Report to Ventus Environmental, Portland, Oregon.

Smallwood, K. S. and L. Neher. 2012. Siting wind turbines to minimize raptor collisions at North Sky River. Report to NextEra Energy Resources, LLC.

Smallwood, K. S. 2011. Monitoring Fossorial Mammals in Vasco Caves Regional Preserve, California: Report of Progress for the Period 2006-2011. Report to East Bay Regional Park District.

Smallwood, K. S. and M. L. Morrison. 2011. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) Conservation Research in Resource Management Area 5, Lemoore Naval Air Station: 2011 Progress Report (Inclusive of work during 2000-2011). Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California.

Smallwood, K. S. 2011. Draft study design for testing collision risk of FloDesign Wind Turbine in Patterson Pass, Santa Clara, and Former AES Seawest Wind Projects in the Altamont Pass Wind Resource Area (APWRA). Report to FloDesign, Inc.

Smallwood, K. S. 2011. Comments on Marbled Murrelet collision model for the Radar Ridge Wind Resource Area. Report to EcoStat, Inc., and ultimately to US Fish and Wildlife Service.

Smallwood, K. S. 2011. Avian fatality rates at Buena Vista Wind Energy Project, 2008-2011. Report to Pattern Energy.

Smallwood, K. S. and L. Neher. 2011. Siting repowered wind turbines to minimize raptor collisions at Tres Vaqueros, Contra Costa County, California. Report to Pattern Energy.

Smallwood, K. S. and M. L. Morrison. 2011. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) Conservation Research in Resource Management Area 5, Lemoore Naval Air Station: 2010 Progress Report (Inclusive of work during 2000-2010). Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California.

Smallwood, K. S. 2010. Wind Energy Development and avian issues in the Altamont Pass, California. Report to Black & Veatch.

Smallwood, K. S. and L. Neher. 2010. Siting repowered wind turbines to minimize raptor collisions at the Tres Vaqueros Wind Project, Contra Costa County, California. Report to the East Bay Regional Park District, Oakland, California.

Smallwood, K. S. and L. Neher. 2010. Siting repowered wind turbines to minimize raptor collisions at Vasco Winds. Report to NextEra Energy Resources, LLC, Livermore, California.

Smallwood, K. S. 2010. Baseline avian and bat fatality rates at the Tres Vaqueros Wind Project, Contra Costa County, California. Report to the East Bay Regional Park District, Oakland, California.

Smallwood, K. S. and M. L. Morrison. 2010. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) Conservation Research in Resource Management Area 5, Lemoore Naval Air Station: 2009 Progress Report (Inclusive of work during 2000-2009). Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California. 86 pp.

Smallwood, K. S. 2009. Mammal surveys at naval outlying landing field Imperial Beach, California, August 2009. Report to Tierra Data, Inc. 5 pp

Smallwood, K. S. 2009. Mammals and other Wildlife Observed at Proposed Site of Amargosa Solar Power Project, Spring 2009. Report to Tierra Data, Inc. 13 pp

Smallwood, K. S. 2009. Avian Fatality Rates at Buena Vista Wind Energy Project, 2008-2009. Report to members of the Contra Costa County Technical Advisory Committee on the Buena Vista Wind Energy Project. 8 pp.

Smallwood, K. S. 2009. Repowering the Altamont Pass Wind Resource Area more than Doubles Energy Generation While Substantially Reducing Bird Fatalities. Report prepared on behalf of Californians for Renewable Energy. 2 pp.

Smallwood, K. S. and M. L. Morrison. 2009. Surveys to Detect Salt Marsh Harvest Mouse and California Black Rail at Installation Restoration Site 30, Military Ocean Terminal Concord, California: March-April 2009. Report to Insight Environmental, Engineering, and Construction, Inc., Sacramento, California. 6 pp.

Smallwood, K. S. 2008. Avian and Bat Mortality at the Big Horn Wind Energy Project, Klickitat County, Washington. Unpublished report to Friends of Skamania County. 7 pp.

Smallwood, K. S. 2009. Monitoring Fossorial Mammals in Vasco Caves Regional Preserve, California: report of progress for the period 2006-2008. Unpublished report to East Bay Regional Park District. 5 pp.

Smallwood, K. S. and M. L. Morrison. 2008. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) Conservation Research in Resource Management Area 5, Lemoore Naval Air Station: 2008 Progress Report (Inclusive of work during 2000-2008). Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California. 84 pp.

Smallwood, K. S. and M. L. Morrison. 2008. Habitat Assessment for California Red-Legged Frog at Naval Weapons Station, Seal Beach, Detachment Concord, California. Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California. 48 pp.

Smallwood, K. S. and B. Nakamoto. 2008. Impact of 2005 and 2006 West Nile Virus on Yellow-billed Magpie and American Crow in the Sacramento Valley, California. 22 pp.

Smallwood, K. S. and M. L. Morrison. 2008. Former Naval Security Group Activity (NSGA), Skaggs Island, Waste and Contaminated Soil Removal Project (IR Site #2), San Pablo Bay, Sonoma County, California: Re-Vegetation Monitoring. Report to U.S. Navy, Letter Agreement – N68711-04LT-A0045. Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California. 10 pp.

Smallwood, K. S. and M. L. Morrison. 2008. Burrowing owls at Dixon Naval Radio Transmitter Facility. Report to U.S. Navy. Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California. 28 pp.

Smallwood, K. S. and M. L. Morrison. 2008. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) Conservation Research in Resource Management Area 5, Lemoore Naval Air Station: 2007 Progress Report (Inclusive of work during 2001-2007). Naval Facilities Engineering Command, Southwest, Desert Integrated Products Team, San Diego, California. 69 pp.

Smallwood, K. S. and M. L. Morrison. 2007. A Monitoring Effort to Detect the Presence of the Federally Listed Species California Clapper Rail and Salt Marsh Harvest Mouse, and Wetland Habitat Assessment at the Naval Weapons Station, Seal Beach, Detachment Concord, California. Installation Restoration (IR) Site 30, Final Report to U.S. Navy, Letter Agreement – N68711-05LT-A0001. U.S. Navy Integrated Product Team (IPT), West, Naval Facilities Engineering Command, San Diego, California. 8 pp.

Smallwood, K. S. and M. L. Morrison. 2007. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) Conservation Research in Resource Management Area 5, Lemoore Naval Air Station: 2006 Progress Report (Inclusive of work during 2001-2006). U.S. Navy Integrated Product Team (IPT), West, Naval Facilities Engineering Command, Southwest, Daly City, California. 165 pp.

Smallwood, K. S. and C. Thelander. 2006. Response to third review of Smallwood and Thelander (2004). Report to California Institute for Energy and Environment, University of California, Oakland, CA. 139 pp.

Smallwood, K. S. 2006. Biological effects of repowering a portion of the Altamont Pass Wind Resource Area, California: The Diablo Winds Energy Project. Report to Altamont Working Group. Available from Shawn Smallwood, puma@yolo.com . 34 pp.

Smallwood, K. S. 2006. Impact of 2005 West Nile Virus on yellow-billed magpie and american crow in the Sacramento Valley, California. Report to Sacramento-Yolo Mosquito and Vector Control District, Elk Grove, CA. 38 pp.

Smallwood, K. S. and M. L. Morrison. 2006. San Joaquin kangaroo rat (*Dipodomys n. nitratoides*) Conservation Research in Resource Management Area 5, Lemoore Naval Air Station: 2005 Progress Report (Inclusive of work during 2001-2005). U.S. Navy Integrated Product Team (IPT), West, Naval Facilities Engineering Command, South West, Daly City, California. 160 pp.

Smallwood, K. S. and M. L. Morrison. 2006. A monitoring effort to detect the presence of the federally listed species California tiger salamander and California red-legged frog at the Naval Weapons Station, Seal Beach, Detachment Concord, California. Letter agreements N68711-04LT-A0042 and N68711-04LT-A0044, U.S. Navy Integrated Product Team (IPT), West, Naval Facilities Engineering Command, South West, Daly City, California. 60 pp.

Smallwood, K. S. and M. L. Morrison. 2006. A monitoring effort to detect the presence of the federally listed species California Clapper Rail and Salt Marsh Harvest Mouse, and wetland habitat assessment at the Naval Weapons Station, Seal Beach, Detachment Concord, California. Sampling for rails, Spring 2006, Installation Restoration (IR) Site 1. Letter Agreement – N68711-05lt-A0001, U.S. Navy Integrated Product Team (IPT), West, Naval Facilities Engineering Command, South West, Daly City, California. 9 pp.

Morrison, M. L. and K. S. Smallwood. 2006. Final Report: Station-wide Wildlife Survey, Naval Air Station, Lemoore. Department of the Navy Integrated Product Team (IPT) West, Naval Facilities Engineering Command Southwest, 2001 Junipero Serra Blvd., Suite 600, Daly City, CA 94014-1976. 20 pp.

Smallwood, K. S. and M. L. Morrison. 2006. Former Naval Security Group Activity (NSGA), Skaggs Island, Waste and Contaminated Soil Removal Project, San Pablo Bay, Sonoma County, California: Re-vegetation Monitoring. Department of the Navy Integrated Product Team (IPT) West, Naval Facilities Engineering Command Southwest, 2001 Junipero Serra Blvd., Suite 600, Daly City, CA 94014-1976. 8 pp.

Dorin, Melinda, Linda Spiegel and K. Shawn Smallwood. 2005. Response to public comments on the staff report entitled *Assessment of Avian Mortality from Collisions and Electrocutions* (CEC-700-2005-015) (Avian White Paper) written in support of the 2005 Environmental Performance Report and the 2005 Integrated Energy Policy Report. California Energy Commission, Sacramento. 205 pp.

Smallwood, K. S. 2005. Estimating combined effects of selective turbine removal and winter-time shutdown of half the wind turbines. Unpublished CEC staff report, June 23. 1 p.

Erickson, W. and S. Smallwood. 2005. Avian and Bat Monitoring Plan for the Buena Vista Wind Energy Project Contra Costa County, California. Unpubl. report to Contra Costa County, Antioch, California. 22 pp.

Lamphier-Gregory, West Inc., Shawn Smallwood, Jones & Stokes Associates, Illingworth & Rodkin Inc. and Environmental Vision. 2005. Environmental Impact Report for the Buena Vista Wind Energy Project, LP# 022005. County of Contra Costa Community Development Department, Martinez, California.

Morrison, M. L. and K. S. Smallwood. 2005. A monitoring effort to detect the presence of the federally listed species California clapper rail and salt marsh harvest mouse, and wetland habitat assessment at the Naval Weapons Station, Seal Beach, Detachment Concord,

California. Targeted Sampling for Salt Marsh Harvest Mouse, Fall 2005 Installation Restoration (IR) Site 30. Letter Agreement – N68711-05lt-A0001, U.S. Department of the Navy, Naval Facilities Engineering Command Southwest, Daly City, California. 6 pp.

Morrison, M. L. and K. S. Smallwood. 2005. A monitoring effort to detect the presence of the federally listed species California clapper rail and salt marsh harvest mouse, and wetland habitat assessment at the Naval Weapons Station, Seal Beach, Detachment Concord, California. Letter Agreement – N68711-05lt-A0001, U.S. Department of the Navy, Naval Facilities Engineering Command Southwest, Daly City, California. 5 pp.

Morrison, M. L. and K. S. Smallwood. 2005. Skaggs Island waste and contaminated soil removal projects, San Pablo Bay, Sonoma County, California. Report to the U.S. Department of the Navy, Naval Facilities Engineering Command Southwest, Daly City, California. 6 pp.

Smallwood, K. S. and M. L. Morrison. 2004. 2004 Progress Report: San Joaquin kangaroo rat (*Dipodomys nitratoides*) Conservation Research in Resources Management Area 5, Lemoore Naval Air Station. Progress report to U.S. Department of the Navy, Lemoore, California. 134 pp.

Smallwood, K. S. and L. Spiegel. 2005a. Assessment to support an adaptive management plan for the APWRA. Unpublished CEC staff report, January 19. 19 pp.

Smallwood, K. S. and L. Spiegel. 2005b. Partial re-assessment of an adaptive management plan for the APWRA. Unpublished CEC staff report, March 25. 48 pp.

Smallwood, K. S. and L. Spiegel. 2005c. Combining biology-based and policy-based tiers of priority for determining wind turbine relocation/shutdown to reduce bird fatalities in the APWRA. Unpublished CEC staff report, June 1. 9 pp.

Smallwood, K. S. 2004. Alternative plan to implement mitigation measures in APWRA. Unpublished CEC staff report, January 19. 8 pp.

Smallwood, K. S., and L. Neher. 2005. Repowering the APWRA: Forecasting and minimizing avian mortality without significant loss of power generation. California Energy Commission, PIER Energy-Related Environmental Research. CEC-500-2005-005. 21 pp. [Reprinted (in Japanese) in Yukihiro Kominami, Tatsuya Ura, Koshitawa, and Tsuchiya, Editors, Wildlife and Wind Turbine Report 5. Wild Bird Society of Japan, Tokyo.]

Morrison, M. L., and K. S. Smallwood. 2004. Kangaroo rat survey at RMA4, NAS Lemoore. Report to U.S. Navy. 4 pp.

Morrison, M. L., and K. S. Smallwood. 2004. A monitoring effort to detect the presence of the federally listed species California clapper rails and wetland habitat assessment at Pier 4 of the Naval Weapons Station, Seal Beach, Detachment Concord, California. Letter Agreement N68711-04LT-A0002. 8 pp. + 2 pp. of photo plates.

Smallwood, K. S. and M. L. Morrison. 2003. 2003 Progress Report: San Joaquin kangaroo rat (*Dipodomys nitratoides*) Conservation Research at Resources Management Area 5, Lemoore Naval Air Station. Progress report to U.S. Department of the Navy, Lemoore, California. 56 pp. + 58 figures.

Smallwood, K. S. 2003. Comparison of Biological Impacts of the No Project and Partial Underground Alternatives presented in the Final Environmental Impact Report for the Jefferson-Martin 230 kV Transmission Line. Report to California Public Utilities Commission. 20 pp.

Morrison, M. L., and K. S. Smallwood. 2003. Kangaroo rat survey at RMA4, NAS Lemoore. Report to U.S. Navy. 6 pp. + 7 photos + 1 map.

Smallwood, K. S. 2003. Assessment of the Environmental Review Documents Prepared for the Tesla Power Project. Report to the California Energy Commission on behalf of Californians for Renewable Energy. 32 pp.

Smallwood, K. S., and M. L. Morrison. 2003. 2002 Progress Report: San Joaquin kangaroo rat (*Dipodomys nitratoides*) Conservation Research at Resources Management Area 5, Lemoore Naval Air Station. Progress report to U.S. Department of the Navy, Lemoore, California. 45 pp. + 36 figures.

Smallwood, K. S., Michael L. Morrison and Carl G. Thelander 2002. Study plan to test the effectiveness of aerial markers at reducing avian mortality due to collisions with transmission lines: A report to Pacific Gas & Electric Company. 10 pp.

Smallwood, K. S. 2002. Assessment of the Environmental Review Documents Prepared for the East Altamont Energy Center. Report to the California Energy Commission on behalf of Californians for Renewable Energy. 26 pp.

Thelander, Carl G., K. Shawn Smallwood, and Christopher Costello. 2002 Rating Distribution Poles for Threat of Raptor Electrocution and Priority Retrofit: Developing a Predictive Model. Report to Southern California Edison Company. 30 pp.

Smallwood, K. S., M. Robison, and C. Thelander. 2002. Draft Natural Environment Study, Prunedale Highway 101 Project. California Department of Transportation, San Luis Obispo, California. 120 pp.

Smallwood, K.S. 2001. Assessment of ecological integrity and restoration potential of Beeman/Pelican Farm. Draft Report to Howard Beeman, Woodland, California. 14 pp.

Smallwood, K. S., and M. L. Morrison. 2002. Fresno kangaroo rat (*Dipodomys nitratoides*) Conservation Research at Resources Management Area 5, Lemoore Naval Air Station. Progress report to U.S. Department of the Navy, Lemoore, California. 29 pp. + 19 figures.

Smallwood, K.S. 2001. Rocky Flats visit, April 4th through 6th, 2001. Report to Berger & Montaque, P.C. 16 pp. with 61 color plates.

Smallwood, K.S. 2001. Affidavit of K. Shawn Smallwood, Ph.D. in the matter of the U.S. Fish and Wildlife Service's rejection of Seatuck Environmental Association's proposal to operate an education center on Seatuck National Wildlife Refuge. Submitted to Seatuck Environmental Association in two parts, totaling 7 pp.

Magney, D., and K.S. Smallwood. 2001. Maranatha High School CEQA critique. Comment letter submitted to Tamara & Efren Compeán, 16 pp.

Smallwood, K. S. and D. Magney. 2001. Comments on the Newhall Ranch November 2000 Administrative Draft EIR. Prepared for Ventura County Counsel regarding the Newhall Ranch Specific Plan EIR. 68 pp.

Magney, D. and K. S. Smallwood. 2000. Newhall Ranch Notice of Preparation Submittal. Prepared for Ventura County Counsel regarding our recommended scope of work for the Newhall Ranch Specific Plan EIR. 17 pp.

Smallwood, K. S. 2000. Comments on the Preliminary Staff Assessment of the Contra Costa Power Plant Unit 8 Project. Submitted to California Energy Commission on November 30 on behalf of Californians for Renewable Energy (CaRE). 4 pp.

Smallwood, K. S. 2000. Comments on the California Energy Commission's Final Staff Assessment of the MEC. Submitted to California Energy Commission on October 29 on behalf of Californians for Renewable Energy (CaRE). 8 pp.

Smallwood, K. S. 2000. Comments on the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP). Submitted to California Energy Commission on October 29 on behalf of Californians for Renewable Energy (CaRE). 9 pp.

Smallwood, K. S. 2000. Comments on the Preliminary Staff Assessment of the Metcalf Energy Center. Submitted to California Energy Commission on behalf of Californians for Renewable Energy (CaRE). 11 pp.

Smallwood, K. S. 2000. Preliminary report of reconnaissance surveys near the TRW plant south of Phoenix, Arizona, March 27-29. Report prepared for Hagens, Berman & Mitchell, Attorneys at Law, Phoenix, AZ. 6 pp.

Morrison, M. L., K. S. Smallwood, and M. Robison. 2001. Draft Natural Environment Study for Highway 46 compliance with CEQA/NEPA. Report to the California Department of Transportation. 75 pp.

Morrison, M.L., and K.S. Smallwood. 1999. NTI plan evaluation and comments. Exhibit C in W.D. Carrier, M.L. Morrison, K.S. Smallwood, and Vail Engineering. Recommendations for NBHCP land acquisition and enhancement strategies. Northern Territories, Inc., Sacramento.

Smallwood, K. S. 1999. Estimation of impacts due to dredging of a shipping channel through Humboldt Bay, California. Court Declaration prepared on behalf of EPIC.

Smallwood, K. S. 1998. 1998 California mountain lion track count. Report to the Defenders of Wildlife, Washington, D.C. 5 pages.

Smallwood, K.S. 1998. Draft report of a visit to a paint sludge dump site near Ridgewood, New Jersey, February 26th, 1998. Unpublished report to Consulting in the Public Interest.

Smallwood, K.S. 1997. Science missing in the "no surprises" policy. Commissioned by National Endangered Species Network and Spirit of the Sage Council, Pasadena, California.

Smallwood, K.S. and M.L. Morrison. 1997. Alternate mitigation strategy for incidental take of giant garter snake and Swainson's hawk as part of the Natomas Basin Habitat Conservation Plan. Pages 6-9 and *iii* illustrations in W.D. Carrier, K.S. Smallwood and M.L. Morrison, Natomas Basin Habitat Conservation Plan: Narrow channel marsh alternative wetland mitigation. Northern Territories, Inc., Sacramento.

Smallwood, K.S. 1996. Assessment of the BIOPORT model's parameter values for pocket gopher burrowing characteristics. Report to Berger & Montague, P.C. and Roy S. Haber, P.C., Philadelphia. (peer reviewed).

Smallwood, K.S. 1997. Assessment of plutonium releases from Hanford buried waste sites. Report Number 9, Consulting in the Public Interest, 53 Clinton Street, Lambertville, New Jersey, 08530.

Smallwood, K.S. 1996. Soil Bioturbation and Wind Affect Fate of Hazardous Materials that were Released at the Rocky Flats Plant, Colorado. Report to Berger & Montague, P.C., Philadelphia.

Smallwood, K.S. 1996. Second assessment of the BIOPORT model's parameter values for pocket gopher burrowing characteristics and other relevant wildlife observations. Report to Berger & Montague, P.C. and Roy S. Haber, P.C., Philadelphia.

Smallwood, K.S., and R. Leidy. 1996. Wildlife and their management under the Martell SYP. Report to Georgia Pacific, Corporation, Martel, CA. 30 pp.

EIP Associates. 1995. Yolo County Habitat Conservation Plan Biological Resources Report. Yolo County Planning and Development Department, Woodland, California.

Smallwood, K.S. and S. Geng. 1995. Analysis of the 1987 California Farm Cost Survey and recommendations for future survey. Program on Workable Energy Regulation, University-wide Energy Research Group, University of California.

Smallwood, K.S., S. Geng, and W. Idzerda. 1992. Final report to PG&E: Analysis of the 1987 California Farm Cost Survey and recommendations for future survey. Pacific Gas & Electric Company, San Ramon, California. 24 pp.

Fitzhugh, E.L. and K.S. Smallwood. 1987. Methods Manual – A statewide mountain lion population index technique. California Department of Fish and Game, Sacramento.

Salmon, T.P. and K.S. Smallwood. 1989. Final Report – Evaluating exotic vertebrates as pests to California agriculture. California Department of Food and Agriculture, Sacramento.

Smallwood, K.S. and W. A. Erickson (written under supervision of W.E. Howard, R.E. Marsh, and R.J. Laacke). 1990. Environmental exposure and fate of multi-kill strychnine gopher baits. Final Report to USDA Forest Service –NAPIAP, Cooperative Agreement PSW-89-0010CA.

Fitzhugh, E.L., K.S. Smallwood, and R. Gross. 1985. Mountain lion track count, Marin County, 1985. Report on file at Wildlife Extension, University of California, Davis.

**Comments on Environmental Review Documents** (Year; pages)

I was retained or commissioned to comment on environmental planning and review documents, including:

- Town & Country Village Project DEIR, El Dorado County (2024; 40);
- Maruchan Expansion Project EIR Addendum, Irvine (2024; 30);
- American River One Project CEQA Exemption, Sacramento (2024; 35);
- Spruce & Red Oak Apartments Project Notice of Exemption Supplement Information, Rancho Cucamonga (2024; 38);
- SDG Commerce 220 Distribution Center DEIR, American Canyon (2024; 39);
- Simi Pak Industrial Project IS/MND, Simi Valley (2024; 33);
- Replies to 4th & Hewitt Project DEIR, Los Angeles (2024; 5);
- Replies to Hardt and Brier Business Park IS/MND, San Bernardino (2024;
- Riverview Development Project IS/MND, Santa Clarita (2024; 37);
- Replies to 1360 N. Vine Street Project DEIR, Los Angeles (2024; 5);
- 1360 N. Vine Street Project DEIR, Los Angeles (2024; 29);
- Sites Reservoir Application to California Water Board (2024; 43);
- 022-221-100 Corona Drive, Pacifica (2024: 26);
- Airport South Industrial Park and City Annexation DEIR, Sacramento (2024; 53);
- Early Times Cell Tower at 12415 Fig Road IS/MND, County of Sacramento (2024; 29);
- University Community Plan, San Diego (2024; 10);
- 2720 S Willow Industrial Project IS/MND, Rialto (2024; 31);
- Elisabeth Solar Energy Project EA, Yuma Arizona (2024; 75);
- Jove Solar Energy Project DEIS, Yuma Arizona (2024; 103);
- Tennessee Village Project IS/MND, Redlands (2024; 43);

- Whistling Ridge Energy Project Site Certification Agreement, Washington Energy Facility Site Evaluation Council (2024; 30);
- Replies to Dynamo Solar IS/MND, Napa (2024; 11);
- Dynamo Solar IS/MND, Napa (2024; 37);
- Shirk & Riggin Industrial Park DEIR, Visalia (2024; 37);
- Replies to Cal 98 Holdings IS/MND, Imperial County (2024; 10);
- Cal 98 Holdings IS/MND, Imperial County (2024; 39);
- 2nd Replies to Amazing 34 Distribution Center IS/MND, San Bernardino (2024; 28);
- Western States Solar Plan DPEIS, Washington D.C. (2024; 66);
- Patterson Business Center IS/MND, Perris (2024; 30);
- Replies to Sunset and Everett Project SCEA, Los Angeles (2024; 24);
- Sunset and Everett Project SCEA, Los Angeles (2024; 33);
- 605-613 Bridgeway, Sausalito (2024; 28);
- PBP Industrial Project IS/MND, Palmdale (2024; 35);
- Replies to Lockwood III Apartments IS/MND, Oxnard (2024; 19);
- Lockwood III Apartments IS/MND, Oxnard (2024; 42);
- 1169 8th Ave. Mixed-use Development City Posting, San Diego (2024; 16);
- 2nd Brew Enterprises Warehouse IS/MND, Perris (2024; 39);
- Replies to Hughes SMCC Industrial Project DEIR, San Marcos (2024; 5);
- Hughes SMCC Industrial Project DEIR, San Marcos (2024; 44);
- Harvill and Water Warehouse IS/MND, County of Riverside (2024; 41);
- Brew Enterprises Warehouse IS/MND, Perris (2024; 34);
- Garden Street Hotel Staff Report, Santa Barbara (2024; 31);
- River Walk Specific Plan DEIR, Riverbank (2024; 72);
- Woodlake Holdings Industrial Park DEIR (2024; 34);
- 2nd Quail Meadows Apartments CEQA Exemption, Encinitas (2024; 60);
- Replies to One Hamilton Drive Affordable Housing DEIR, Mill Valley (2024; 29);
- Glen Annie Housing Element Update, County of Santa Barbara (2024; 53);
- Replies to 4260 Arch North Drive Class 32 Categorical Exemption, Los Angeles (2023; 10);
- 4260 Arch North Drive Class 32 Categorical Exemption, Los Angeles (2023; 27);
- 2nd Replies to Rubio Village IS/MND, San Gabriel (2023; 17);
- West Foothill Development IS/MND, Upland (2023; 9);
- Costco Camarillo IS/MND (2024; 37);
- Shiloh Business Park General Plan Consistency Checklist, Windsor (2023; 25);
- Assembly and Light Industrial Building IS/MND, Grand Terrace (2024; 33);
- SMP 38, SMP 39, SMP 40 DEIR, Livermore (2023; 41);
- Summit Ridge Wind Farm second visit, The Dalles (2024; 43);
- Summit Ridge Wind Farm first visit, The Dalles (2023; 31);
- 3601 E. Mission Class 32 Categorical Exemption, Los Angeles (2023; 31);
- [Redacted] Conservation Easement, Tennessee (2023; 55);
- Hardt and Brier Business Park IS/MND, San Bernardino (2023; 32);

- Sacramento Street CEQA Exemption, San Francisco (2023; 22);
- One Hamilton Drive Affordable Housing DEIR, Mill Valley (2023; 48);
- Elmore North Geothermal site visit, Salton Sea (2023; 32);
- Morton Bay Geothermal site visit, Salton Sea (2023; 53);
- Black Rock Geothermal site visit, Salton Sea (2023; 29);
- Covelop Warehouse IS/MND, Paso Robles (2023; 39);
- Walnut Creek Flow Trail IS/MND (2023; 34);
- Replies to Rubio Village IS/MND, San Gabriel (2023; 15);
- Ashley Warehouse Environmental Checklist, Lathrop (2023; 38);
- Replies on 6615 Pacific Coast Highway Site Plan Review, Long Beach (2023; 12)
- Science Research Park Expansion Project EIR Addendum, San Diego (2023; 40);
- Rubio Village IS/MND, San Gabriel (2023; 14);
- Havana Investment Industrial Categorical Exemption, Jurupa Valley (2023; 22);
- New Cal Centre EIR Addendum, Kern County (2023; 39);
- 4th & Hewitt Project DEIR, Los Angeles (2023; 19);
- 4260 N Arch Drive Categorical Exemption, Los Angeles (2023; 27);
- 6700 Pacific Coast Highway Site Plan Review, Long Beach (2023; 29);
- Replies to 6615 Pacific Coast Highway Site Plan Review, Long Beach (2023; 12);
- 6615 Pacific Coast Highway Site Plan Review, Long Beach (2023; 34);
- Moonlight Apartments biological assessment, Encinitas (2023; 46);
- Replies to Modera Melrose Mixed-use DEIR, Oceanside (2023; 11);
- Modera Melrose Mixed-use DEIR, Oceanside (2023; 39);
- 550 Piercy Road Industrial IS/MND, San Jose (2023; 28);
- Living Spaces Development IS/MND, Fresno (2023; 28);
- FIND Food Bank Staff Report, Indio (2023; 19);
- Replies to Shadowbox Studios DEIR, Santa Clarita (2023; 35);
- Shadowbox Studios DEIR, Santa Clarita (2023; 50);
- Tulare 40 Generation Facility IS/MND, Tulare County (2023; 20);
- Garden Street Hotel Staff Report, Santa Barbara (2023; 19);
- Replies to 975 Manhattan Apartments Discretionary Approval, Los Angeles (2023; 10);
- 975 Manhattan Apartments Discretionary Approval, Los Angeles (2023; 12);
- 6[7h] visit Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2023; 14);
- Coachella Airport Business Park IS/MND, Coachella (2023; 31);
- 3400 Tecate Warehouse Staff Report, Camarillo (2023; 26);
- Green Valley III Apartments DEIR, Fairfield (2023; 50);
- Pacific Specific Plan DEIR, San Marcos (2023; 55);
- Amara Bay Mixed Use Staff Report, Chula Vista (2023; 46);
- Greenlaw Partners Warehouse IS, Fresno (2023; 23);
- PODS Warehouse IS/MND, Desert Hot Springs (2023; 30);
- 6th visit Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2023; 9);
- Replies on Ormat Brawley Solar Project DEIR, Brawley (2023; 80);
- One Hamilton as part of City of Mill Valley's 2023-2031 Housing Element Update





DSEIR (2023; 31);

- Second letter on Shinohara Project IS/MND, Chula Vista (2023; 22);
- 3890 Depot Road Project IS/MND, Hayward (2023; 33);
- Wellprofit Wellness Mixed-use project CEQA Exemption, Temecula (2023; 31);
- Quail Meadows Apartments CEQA Exemption, Encinitas (2023; 55);
- RCCB Fresno Distribution Center Notice of Exemption, Fresno (2022; 14);
- Stoddard Wells Industrial Project IS/MND, City of Victorville (2022; 31);
- 16454 Adelanto Road Warehouse Distribution Facility Class 32 Categorical Exemption, Adelanto (2022; 17);
- Replies on Pure Water Project – Las Virgenes-Triunfo Joint Powers Authority FPEIR, Agoura (2022; 26);
- Desert Gateway MND Addendum, Desert Hot Springs (2022; 35);
- Blue Oaks Commerce Center MND Addendum, City of Roseville (2022; 12);
- Replies on Coachillin Amendment to Specific Plan, Desert Hot Springs (2022; 24);
- Island View Mixed-Use CEQA Compliance Memo, City of Rancho Cucamonga (2022; 17);
- Prairie Station Apartments IS/MND, City if Inglewood (2022; 32);
- Golden Land Warehouse CEQA Exemption, City of Rialto (2022; 12);
- South Juarez Street Design Review, Banning (2022; 17);
- Replies on Pentair Expansion Industrial Warehouse FMND, Moorpark (2022; 13);
- 2nd Replies on Greentree FEIR, Vacaville (2022; 16);
- Replies on Temporary Outdoor Vehicle Storage FEIR, Port of Hueneme (2022; 21);
- National City-Bayfront, San Diego DEIR (2022; 56);
- Goshen Community Plan General Plan Amendment & Addendum (2022, 6);
- Primrose and Adelanto warehouse Categorical Exemption, Adelanto (2022, 14);
- TenTen Hollywood Categorical Exclusion (2022, 17);
- Waste to Hydrogen project IS/MND, Lancaster (2022, 36);
- Las Virgenes-Triunfo Pure Water Project <Agoura Hills, (2022; 43);
- Shinohara Project IS/MND, Chula Vista (2022; 30);
- Marlborough-Northgate Warehouse IS/MND, Riverside (2022; 33);
- Meyers Ave, Warehouse IS/MND, Escondido IS/MND (2022; 27);
- Northgate Industrial Park IS/MND, Sacramento (2022; 28);
- Ramona-Indian Warehouse IS/MND, Perris (2022; 44);
- Norwalk Entertainment District EIR (2022; 29);
- Breeze Luxury Apartments IS/MND, Oceanside (2022; 40);
- Paso Commons Golden Hills Commerce Center IS/MND, Paso Robles (2022; 35);
- YS Industrial Park Application, Visalia (2022; 20);
- Pentair Expansion Industrial Warehouse IS/MND, Moorpark (2022; 28);
- Salvador Solar IS/MND, Riverside (2022; 27);
- Fresno General Plan Amendment 555 IS/MND (2022; 21);
- 570 Crespi Drive IS/MND, Pacifica (2022; 40);
- Renaissance Ranch Commerce Center DEIR, Temescal Valley (2022; 53);
- Replies on Glen Ivy Senior Living IS/MND, Temescal Valley (2022; 24);





- Glen Ivy Senior Living IS/MND, Temescal Valley (2022; 46);
- FedEx Distribution Warehouse IS, Lancaster (2022; 35);
- Urban Villages EIR Addendum, San Marcos (2022; 32);
- NextEra San Ardos Solar IS/ND, San Ardo (2022; 20);
- Summit Avenue Warehouse IS/MND, Fontana (2022; 28);
- Gateway at the Oaks DEIR, Thousand Oaks (2022; 30);
- Primrose and Adelanto Warehouse CEQA Exemption, Adelanto (2022; 11);
- Fore Apartments Staff Report, Oxnard (2022; 29);
- 975 Manhattan Rd. discretionary approval, Los Angeles (2022; 12);
- Coachillin DEIR, North Palm Springs (2022; 30);
- 2740 W. Nielsen Ave Warehouse IS/MND, Fresno (2022; 25);
- Golf Center Warehouse Staff Report, Indio (2022; 26);
- Desert Peak Energy IS/MND, Palm Springs (2022; 26);
- Replies on Greentree FEIR, Vacaville (2022; 13);
- Greentree DEIR, Vacaville (2022; 31);
- Town Center DEIR, Laguna Niguel (2022; 16);
- 2nd Replies on Freedom Circle Focus Area and Greystar General Plan Amendment Project FEIR, San Jose (2022; 3);
- Corydon III CEQA Categorical Exemption, Lake Elsinore (2022; 11);
- Park Edge Apartments IS/MND, Santa Maria (2022; 30);
- Replies on UCSF New Hospital FEIR at Parnassus Heights FEIR. San Francisco (2022; 13);
- Replies on North Central Valley BESS Project IS/MND, Stockton (2022; 21);
- 9248 Holly Road Cannabis CEQA Exemption, Adelanto (2022; 12);
- Replies on Amazing 34 Distribution Center IS/MND, San Bernardino (2022; 10);
- Amazing 34 Distribution Center IS/MND, San Bernardino (2022; 28);
- Replies on Freedom Circle Focus Area and Greystar General Plan Amendment Project FEIR, San Jose (2022; 5);
- Replies on Alviso Hotel Project IS/MND, San Jose (2022; 49);
- Bussetto Foods IS/ND, Fresno (2022; 34);
- Spruce Ave Commerce Center, Rialto (2022;);
- 5006 and 5010 Mission Boulevard Warehouse IS/MND, Montclair (2022; 18);
- Conejo Summit IS/MND, Thousand Oaks (2022; 28);
- Sixth visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2022; 4);
- TC NO. CAL. Development Warehousing and Distribution Facility Project DEIR, Stockton (2022; 33);
- Replies on Davidon Homes FEIR, Petaluma (2022; 49);
- Rural preservation and net conservation benefit coalition reply to post hearing briefs, Garnet Solar (2022; 24);
- Garnet Solar direct testimony, New York (2022; 17);
- Fifth visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2022; 11);
- Shirk & Riggin Industrial Park Application, Visalia (2022; 22);
- Duarte Industrial Application, Visalia (2022; 17);





- Amond World Cold Storage Warehouse IS/MND, Madera (2022; 23);
- Replies on Schulte Logistics Centre EIR, Tracy (2022; 28);
- Alta Cuvee Mixed Use Project Recirculated IS/MND, Ranch Cucamonga (2022; 8);
- Fourth visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2022; 9);
- Replies on 1242 20th Street Wellness Center Project FEIR, Santa Monica (2022; 5);
- 656 South San Vicente Medical Office Project EIR, Los Angeles (2022; 21);
- UCSF New Hospital at Parnassus Heights DEIR. San Francisco (2022; 40);
- DPR-21-021Warehouse IS, Modesto (2022; 19);
- Ormat Brawley Solar Project DEIR, Brawley (2022; 37);
- Site visits to Heber 1 Geothermal Repower Project IS/MND (2022; 31);
- Heritage Industrial Center Design Review, Chula Vista (2022; 13);
- Temporary Outdoor Vehicle Storage DEIR, Port of Hueneme (2022; 31);
- CNU Medical Center and Innovation Park DEIR, Natomas (2022; 35);
- Beverly Boulevard Warehouse IS/MND, Pico Rivera (2021; 28);
- Hagemon Properties IS/MND Amendment, Bakersfield (2022; 23);
- Airport Distribution Center IS/MND, Redding (2021; 22);
- Orchard on Nevada Warehouse Staff Report, Redlands (2021; 24);
- Landings Logistics Center Exemption, Bakersfield (2021; 19);
- Replies on Hearn Veterans Village IS/MND, Santa Rosa (2021; 22);
- North Central Valley BESS Project IS/MND, Stockton (2021; 39);
- 2nd Replies on Heber 1 Geothermal Repower Project IS/MND (2022; 21);
- Stagecoach Solar DEIR, Barstow (2021; 24);
- Updated Sun Lakes Village North EIR Amendment 5, Banning, Riverside County (2021; 35);
- Freedom Circle Focus Area and Greystar General Plan Amendment Project EIR, San Jose (2021; 43);
- Operon HKI Warehouse IS/MND, Perris (2021; 26);
- Fairway Business Park Phase III IS/MND, Lake Elsinore (2021; 23);
- South Stockton Commerce Center IS/MND, Stockton (2021; 31);
- Starpoint Warehouse IS/MND, San Bernardino (2021; 24);
- Replies on Heber 1 Geothermal Repower Project IS/MND (2021; 15);
- Heber 1 Geothermal Repower Project IS/MND (2021; 11);
- Alviso Hotel Project IS/MND, San Jose (2021; 43);
- Replies on Easton Research Park West IS/MND, Rancho Cordova (2021; 3);
- Easton Research Park West IS/MND, Rancho Cordova (2021; 31);
- US Cold Storage DEIR, Hesperia (2021; 30);
- 1242 20th Street Wellness Center Project FEIR, Santa Monica (2021; 23);
- Third visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2021; 10);
- Roseland Creek Community Park Project IS/MND, Santa Rosa (2021; 23);
- Vista Mar Declaration of Irreparable Harm, Pacifica (2021; 3);
- LogistiCenter at Fairfield IS/MND (2021; 25);
- Alta Cuvee Mixed Use Project IS/MND, Ranch Cucamonga (2021; 29);





- Caligrows Architectural and Site Plan Review, Patterson (2021; 21);
- 1055 E. Sandhill Avenue Warehouse IS/MND, Carson (2021; 10);
- Chestnut & Tenth Street Commercial Project IS/MND, Gilroy (2021; 27);
- Libitzky Management Warehouse IS/MND, Modesto (2021; 20);
- 3rd Replies on Heber 2 Geothermal Repower Project IS/MND, El Centro (2021; 10);
- Medical Office Building DEIR, Santa Cruz (2021; 30);
- Scannell Warehouse DEIR, Richmond (2021; 24);
- Diamond Heights Application, San Francisco (2021; 24);
- Costa Azul Mixed-Use EIR Addendum, San Diego (2021; 25);
- Woodland Research Park DEIR (2021; 45);
- 2nd Replies on Diamond Street Industrial IS/MND, San Marcos (2021; 9);
- Replies on Diamond Street Industrial IS/MND, San Marcos (2021; 3);
- Diamond Street Industrial IS/MND, San Marcos (2021; 28);
- DHS 109 Industrial Park IS/MND, Desert Hot Springs (2021; 33);
- Jersey Industrial Complex Rancho Cucamonga (2022; 22);
- 1188 Champions Drive Parking Garage Staff Report, San Jose (2021; 5);
- San Pedro Mountain, Pacifica (2021; 22);
- Pixior Warehouse IS/MND, Hesperia (2021; 29);
- 2nd Replies on Heber 2 Geothermal Repower Project IS/MND, El Centro (2021; 9);
- Hearn Veterans Village IS/MND, Santa Rosa (2021; 23);
- Second visit, Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2021; 11);
- Replies on Station East Residential/Mixed Use EIR, Union City (2021; 26);
- Schulte Logistics Centre EIR, Tracy (2021; 30);
- 4150 Point Eden Way Industrial Development EIR, Hayward (2021; 13);
- Airport Business Centre IS/MND, Manteca (2021; 27);
- Dual-branded Hotel IS/MND, Santa Clara (2021; 26);
- Legacy Highlands Specific Plan EIR, Beaumont (2021; 47);
- UC Berkeley LRDP and Housing Projects #1 and #2 EIR (2021; 27);
- Santa Maria Airport Business Park EIR, Santa Maria (2021; 27);
- Replies on Coachella Valley Arena EIR Addendum, Thousand Palms (2021; 20);
- Coachella Valley Arena EIR Addendum, Thousand Palms (2021; 35);
- Inland Harbor Warehouse NOD, Ontario (2021; 8);
- Alvarado Specific Plan DEIR, La Mesa (2021; 35);
- Harvill Avenue and Rider Street Terminal Project MND, Riverside (2021; 23);
- Gillespie Field EIR Addendum, El Cajon (2021; 28);
- Heritage Wind Energy Project section 94-c siting process, New York (2021: 99);
- Commercial Street Hotels project Site Plans, Oakland (2021; 19);
- Heber 1 Geothermal Repower Project MND, El Centro (2021; 11);
- Citrus-Slover Warehouse Project MND, Fontana (2021; 20);
- Scott Ranch Project RDEIR (Davidon Homes), Petaluma (2021; 31);
- Replies on StratosFuel Renewable H2 Project MND, Victorville (2021; 5);





- StratosFuel Renewable H2 Project MND, Victorville (2021; 25);
- Replies on PARS Global Storage MND, Murietta (2021; 22);
- Baldwin-Zacharias Master Plans EIR, Patterson (2021; 38);
- 1000 Gibraltar Drive EIR, Milpitas (2021; 20);
- Mango Avenue Industrial Warehouse Project, Fontana, MND (2021; 20);
- Veterans Affairs Site Plan Review No. 20-0102 MND, Bakersfield (2021; 25);
- Replies on UCSF Comprehensive Parnassus Heights Plan EIR (2021; 13);
- 14 Charles Hill Circle Design Review (2021; 11);
- SDG Commerce 217 Warehouse IS, American Canyon (2021; 26);
- Mulqueeney Ranch Wind Repowering Project DSEIR (2021; 98);
- Clawiter Road Industrial Project IS/MND, Hayward (2021; 18);
- Garnet Energy Center Stipulations, New York (2020);
- Heritage Wind Energy Project, New York (2020: 71);
- Ameresco Keller Canyon RNG Project IS/MND, Martinez (2020; 11);
- Cambria Hotel Project Staff Report, Dublin (2020; 19);
- Central Pointe Mixed-Use Staff Report, Santa Ana (2020; 20);
- Oak Valley Town Center EIR Addendum, Calimesa (2020; 23);
- Coachillin Specific Plan MND Amendment, Desert Hot Springs (2020; 26);
- Stockton Avenue Hotel and Condominiums Project Tiering to EIR, San Jose (2020; 19);
- Cityline Sub-block 3 South Staff Report, Sunyvale (2020; 22);
- Station East Residential/Mixed Use EIR, Union City (2020; 21);
- Multi-Sport Complex & Southeast Industrial Annexation Suppl. EIR, Elk Grove (2020; 24);
- Sun Lakes Village North EIR Amendment 5, Banning, Riverside County (2020; 27);
- 2nd comments on 1296 Lawrence Station Road, Sunnyvale (2020; 4);
- 1296 Lawrence Station Road, Sunnyvale (2020; 16);
- Mesa Wind Project EA, Desert Hot Springs (2020; 31);
- 11th Street Development Project IS/MND, City of Upland (2020; 17);
- Vista Mar Project IS/MND, Pacifica (2020; 17);
- Emerson Creek Wind Project Application, Ohio (2020; 64);
- Replies on Wister Solar Energy Facility EIR, Imperial County (2020; 12);
- Wister Solar Energy Facility EIR, Imperial County (2020; 28);
- Crimson Solar EIS/EIR, Mojave Desert (2020, 35) not submitted;
- Sakioka Farms EIR tiering, Oxnard (2020; 14);
- 3440 Wilshire Project IS/MND, Los Angeles (2020; 19);
- Replies on 2400 Barranca Office Development Project EIR, Irvine (2020; 8);
- 2400 Barranca Office Development Project EIR, Irvine (2020; 25);
- Replies on Heber 2 Geothermal Repower Project IS/MND, El Centro (2020; 4);
- 2nd comments on Heber 2 Geothermal Repower Project IS/MND, El Centro (2020; 8);
- Heber 2 Geothermal Repower Project IS/MND, El Centro (2020; 3);
- Lots 4-12 Oddstad Way Project IS/MND, Pacifica (2020; 16);
- Declaration on DDG Visalia Warehouse project (2020; 5);





- Terraces of Lafayette EIR Addendum (2020; 24);
- AMG Industrial Annex IS/MND, Los Banos (2020; 15);
- Replies to responses on Casmalia and Linden Warehouse, Rialto (2020; 15);
- Clover Project MND, Petaluma (2020; 27);
- Ruby Street Apartments Project Env. Checklist, Hayward (2020; 20);
- Replies to responses on 3721 Mt. Diablo Boulevard Staff Report (2020; 5);
- 3721 Mt. Diablo Boulevard Staff Report (2020; 9);
- Steeno Warehouse IS/MND, Hesperia (2020; 19);
- UCSF Comprehensive Parnassus Heights Plan EIR (2020; 24);
- North Pointe Business Center MND, Fresno (2020; 14);
- Casmalia and Linden Warehouse IS, Fontana (2020; 15);
- Rubidoux Commerce Center Project IS/MND, Jurupa Valley (2020; 27);
- Haun and Holland Mixed Use Center MND, Menifee (2020; 23);
- First Industrial Logistics Center II, Moreno Valley IS/MND (2020; 23);
- GLP Store Warehouse Project Staff Report (2020; 15);
- Replies on Beale WAPA Interconnection Project EA & CEQA checklist (2020; 29);
- 2nd comments on Beale WAPA Interconnection Project EA & CEQA checklist (2020; 34);
- Beale WAPA Interconnection Project EA & CEQA checklist (2020; 30);
- Levine-Fricke Softball Field Improvement Addendum, UC Berkeley (2020; 16);
- Greenlaw Partners Warehouse and Distribution Center Staff Report, Palmdale (2020; 14);
- Humboldt Wind Energy Project DEIR (2019; 25);
- Sand Hill Supplemental EIR, Altamont Pass (2019; 17);
- 1700 Dell Avenue Office Project, Campbell (2019, 28);
- 1180 Main Street Office Project MND, Redwood City (2019; 19:
- Summit Ridge Wind Farm Request for Amendment 4, Oregon (2019; 46);
- Shafter Warehouse Staff Report (2019; 4);
- Park & Broadway Design Review, San Diego (2019; 19);
- Pinnacle Pacific Heights Design Review, San Diego (2019; 19);
- Pinnacle Park & C Design Review, San Diego (2019; 19);
- Preserve at Torrey Highlands EIR, San Diego (2019; 24);
- Santana West Project EIR Addendum, San Jose (2019; 18);
- The Ranch at Eastvale EIR Addendum, Riverside County (2020; 19);
- Hageman Warehouse IS/MND, Bakersfield (2019; 13);
- Oakley Logistics Center EIR, Antioch (2019; 22);
- 27 South First Street IS, San Jose (2019; 23);
- 2nd replies on Times Mirror Square Project EIR, Los Angeles (2020; 11);
- Replies on Times Mirror Square Project EIR, Los Angeles (2020; 13);
- Times Mirror Square Project EIR, Los Angeles (2019; 18);
- East Monte Vista & Aviator General Plan Amend EIR Addendum, Vacaville (2019; 22);
- Hillcrest LRDP EIR, La Jolla (2019; 36);
- 555 Portola Road CUP, Portola Valley (2019; 11);
- Johnson Drive Economic Development Zone SEIR, Pleasanton (2019; 27);





- 1750 Broadway Project CEQA Exemption, Oakland (2019; 19);
- Mor Furniture Project MND, Murietta Hot Springs (2019; 27);
- Harbor View Project EIR, Redwood City (2019; 26);
- Visalia Logistics Center (2019; 13);
- Cordelia Industrial Buildings MND (2019; 14);
- Scheu Distribution Center IS/ND, Rancho Cucamonga (2019; 13);
- Mills Park Center Staff Report, San Bruno (2019; 22);
- Site visit to Desert Highway Farms IS/MND, Imperial County (2019; 9);
- Desert Highway Farms IS/MND, Imperial County (2019; 12);
- ExxonMobil Interim Trucking for Santa Ynez Unit Restart SEIR, Santa Barbara (2019; 9);
- Olympic Holdings Inland Center Warehouse Project MND, Rancho Cucamonga (2019; 14);
- Replies to responses on Lawrence Equipment Industrial Warehouse, Banning (2019; 19);
- PARS Global Storage MND, Murietta (2019; 13);
- Slover Warehouse EIR Addendum, Fontana (2019; 16);
- Seefried Warehouse Project IS/MND, Lathrop (2019; 19)
- World Logistics Center Site Visit, Moreno Valley (2019; 19);
- Merced Landfill Gas-To-Energy Project IS/MND (2019; 12);
- West Village Expansion FEIR, UC Davis (2019; 11);
- Site visit, Doheny Ocean Desalination EIR, Dana Point (2019; 11);
- Replies to responses on Avalon West Valley Expansion EIR, San Jose (2019; 10);
- Avalon West Valley Expansion EIR, San Jose (2019; 22);
- Sunroad – Otay 50 EIR Addendum, San Diego (2019; 26);
- Del Rey Pointe Residential Project IS/MND, Los Angeles (2019; 34);
- 1 AMD Redevelopment EIR, Sunnyvale (2019; 22);
- Lawrence Equipment Industrial Warehouse IS/MND, Banning (2019; 14);
- SDG Commerce 330 Warehouse IS, American Canyon (2019; 21);
- PAMA Business Center IS/MND, Moreno Valley (2019; 23);
- Cupertino Village Hotel IS (2019; 24);
- Lake House IS/ND, Lodi (2019; 33);
- Campo Wind Project DEIS, San Diego County (DEIS, (2019; 14);
- Stirling Warehouse MND site visit, Victorville (2019; 7);
- Green Valley II Mixed-Use Project EIR, Fairfield (2019; 36);
- We Be Jammin rezone MND, Fresno (2019; 14);
- Gray Whale Cove Pedestrian Crossing IS/ND, Pacifica (2019; 7);
- Visalia Logistics Center & DDG 697V Staff Report (2019; 9);
- Mather South Community Masterplan Project EIR (2019; 35);
- Del Hombre Apartments EIR, Walnut Creek (2019; 23);
- Otay Ranch Planning Area 12 EIR Addendum, Chula Vista (2019; 21);
- The Retreat at Sacramento IS/MND (2019; 26);
- Site visit to Sunroad – Centrum 6 EIR Addendum, San Diego (2019; 9);





- Sunroad – Centrum 6 EIR Addendum, San Diego (2018; 22);
- North First and Brokaw Corporate Campus Buildings EIR Addendum, San Jose (2018; 30);
- South Lake Solar IS, Fresno County (2018; 18);
- Galloo Island Wind Project Application, New York (not submitted) (2018; 44);
- Doheny Ocean Desalination EIR, Dana Point (2018; 15);
- Stirling Warehouse MND, Victorville (2018; 18);
- LDK Warehouse MND, Vacaville (2018; 30);
- Gateway Crossings FEIR, Santa Clara (2018; 23);
- South Hayward Development IS/MND (2018; 9);
- CBU Specific Plan Amendment, Riverside (2018; 27);
- 2nd replies to responses on Dove Hill Road Assisted Living Project MND (2018; 11);
- Replies to responses on Dove Hill Road Assisted Living Project MND (2018; 7);
- Dove Hill Road Assisted Living Project MND (2018; 12);
- Deer Ridge/Shadow Lakes Golf Course EIR, Brentwood (2018; 21);
- Pyramid Asphalt BLM Finding of No Significance, Imperial County (2018; 22);
- Amáre Apartments IS/MND, Martinez (2018; 15);
- Petaluma Hill Road Cannabis MND, Santa Rosa (2018; 21);
- 2nd comments on Zeiss Innovation Center IS/MND, Dublin (2018: 12);
- Zeiss Innovation Center IS/MND, Dublin (2018: 32);
- City of Hope Campus Plan EIR, Duarte (2018; 21);
- Palo Verde Center IS/MND, Blythe (2018; 14);
- Logisticenter at Vacaville MND (2018; 24);
- IKEA Retail Center SEIR, Dublin (2018; 17);
- Merge 56 EIR, San Diego (2018; 15);
- Natomas Crossroads Quad B Office Project P18-014 EIR, Sacramento (2018; 12);
- 2900 Harbor Bay Parkway Staff Report, Alameda (2018; 30);
- At Dublin EIR, Dublin (2018; 25);
- Fresno Industrial Rezone Amendment Application No. 3807 IS (2018; 10);
- Nova Business Park IS/MND, Napa (2018; 18);
- Updated Collision Risk Model Priors for Estimating Eagle Fatalities, USFWS (2018; 57);
- 750 Marlborough Avenue Warehouse MND, Riverside (2018; 14);
- Replies to responses on San Bernardino Logistics Center IS (2018; 12);
- San Bernardino Logistics Center IS (2018; 19);
- CUP2017-16, Costco IS/MND, Clovis (2018; 11);
- Desert Land Ventures Specific Plan EIR, Desert Hot Springs (2018; 18);
- Ventura Hilton IS/MND (2018; 30);
- North of California Street Master Plan Project IS, Mountain View (2018: 11);
- Tamarind Warehouse MND, Fontana (2018; 16);
- Lathrop Gateway Business Park EIR Addendum (2018; 23);
- Centerpointe Commerce Center IS, Moreno Valley (2019; 18);
- Amazon Warehouse Notice of Exemption, Bakersfield (2018; 13);





- CenterPoint Building 3 project Staff Report, Manteca (2018; 23);
- Cessna & Aviator Warehouse IS/MND, Vacaville (2018; 24);
- Napa Airport Corporate Center EIR, American Canyon (2018, 15);
- 800 Opal Warehouse Initial Study, Mentone, San Bernardino County (2018; 18);
- 2695 W. Winton Ave Industrial Project IS, Hayward (2018; 22);
- Trinity Cannabis Cultivation and Manufacturing Facility DEIR, Calexico (2018; 15);
- Shoe Palace Expansion IS/MND, Morgan Hill (2018; 21);
- Newark Warehouse at Morton Salt Plant Staff Report (2018; 15);
- Northlake Specific Plan FEIR "Peer Review", Los Angeles County (2018; 9);
- Replies to responses on Northlake Specific Plan SEIR, Los Angeles County (2018; 13);
- Northlake Specific Plan SEIR, Los Angeles County (2017; 27);
- Bogle Wind Turbine DEIR, east Yolo County (2017; 48);
- Ferrante Apartments IS/MND, Los Angeles (2017; 14);
- The Villages of Lakeview EIR, Riverside (2017; 28);
- Data Needed for Assessing Trail Management Impacts on Northern Spotted Owl, Marin County (2017; 5);
- Notes on Proposed Study Options for Trail Impacts on Northern Spotted Owl (2017; 4);
- Pyramid Asphalt IS, Imperial County (Declaration) (2017; 5);
- San Gorgonio Crossings EIR, Riverside County (2017; 22);
- Replies to responses on Jupiter Project IS and MND, Apple Valley (2017; 12);
- Proposed World Logistics Center Mitigation Measures, Moreno Valley (2017, 2019; 12);
- MacArthur Transit Village Project Modified 2016 CEQA Analysis (2017; 12);
- PG&E Company Bay Area Operations and Maintenance HCP (2017; 45);
- Central SoMa Plan DEIR (2017; 14);
- Suggested mitigation for trail impacts on northern spotted owl, Marin County (2016; 5);
- Colony Commerce Center Specific Plan DEIR, Ontario (2016; 16);
- Fairway Trails Improvements MND, Marin County (2016; 13);
- Review of Avian-Solar Science Plan (2016; 28);
- Replies on Pyramid Asphalt IS, Imperial County (2016; 5);
- Pyramid Asphalt IS, Imperial County (2016; 4);
- Agua Mansa Distribution Warehouse Project Initial Study (2016; 14);
- Santa Anita Warehouse MND, Rancho Cucamonga (2016; 12);
- CapRock Distribution Center III DEIR, Rialto (2016: 12);
- Orange Show Logistics Center IS/MND, San Bernardino (2016; 9);
- City of Palmdale Oasis Medical Village Project IS/MND (2016; 7);
- Comments on proposed rule for incidental eagle take, USFWS (2016, 49);
- Replies on Grapevine Specific and Community Plan FEIR, Kern County (2016; 25);
- Grapevine Specific and Community Plan DEIR, Kern County (2016; 15);
- Clinton County Zoning Ordinance for Wind Turbine siting (2016);
- Hallmark at Shenandoah Warehouse Project Initial Study, San Bernardino (2016; 6);
- Tri-City Industrial Complex Initial Study, San Bernardino (2016; 5);
- Hidden Canyon Industrial Park Plot Plan 16-PP-02, Beaumont (2016; 12);





- Kimball Business Park DEIR (2016; 10);
- Jupiter Project IS and MND, Apple Valley, San Bernardino County (2016; 9);
- Revised Draft Giant Garter Snake Recovery Plan of 2015 (2016, 18);
- Palo Verde Mesa Solar Project EIR, Blythe (2016; 27);
- Reply on Fairview Wind Project Natural Heritage Assessment, Ontario, Canada (2016; 14);
- Fairview Wind Project Natural Heritage Assessment, Ontario, Canada (2016; 41);
- Reply on Amherst Island Wind Farm Natural Heritage Assessment, Ontario (2015, 38);
- Amherst Island Wind Farm Natural Heritage Assessment, Ontario (2015, 31);
- Second Reply on White Pines Wind Farm, Ontario (2015, 6);
- Reply on White Pines Wind Farm Natural Heritage Assessment, Ontario (2015, 10);
- White Pines Wind Farm Natural Heritage Assessment, Ontario (2015, 9);
- Proposed Section 24 Specific Plan Agua Caliente Band of Cahuilla Indians DEIS (2015, 9);
- Replies on 24 Specific Plan Agua Caliente Band of Cahuilla Indians FEIS (2015, 6);
- Sierra Lakes Commerce Center Project DEIR, Fontana (2015, 9);
- Columbia Business Center MND, Riverside (2015; 8);
- West Valley Logistics Center Specific Plan DEIR, Fontana (2015, 10);
- Willow Springs Solar Photovoltaic Project DEIR (2015, 28);
- Alameda Creek Bridge Replacement Project DEIR (2015, 10);
- World Logistic Center Specific Plan FEIR, Moreno Valley (2015, 12);
- Elkhorn Valley Wind Power Project Impacts, Oregon (2015; 143);
- Bay Delta Conservation Plan EIR/EIS, Sacramento (2014, 21);
- Addison Wind Energy Project DEIR, Mojave (2014, 32);
- Replies on the Addison Wind Energy Project DEIR, Mojave (2014, 15);
- Addison and Rising Tree Wind Energy Project FEIR, Mojave (2014, 12);
- Palen Solar Electric Generating System FSA (CEC), Blythe (2014, 20);
- Rebuttal testimony on Palen Solar Energy Generating System (2014, 9);
- Seven Mile Hill and Glenrock/Rolling Hills impacts – Addendum, Wyoming (2014; 105);
- Rising Tree Wind Energy Project DEIR, Mojave (2014, 32);
- Replies on the Rising Tree Wind Energy Project DEIR, Mojave (2014, 15);
- Soitec Solar Development Project PEIR, Boulevard, San Diego County (2014, 18);
- Oakland Zoo expansion on Alameda whipsnake and California red-legged frog (2014; 3);
- Alta East Wind Energy Project FEIS, Tehachapi Pass (2013, 23);
- Blythe Solar Power Project Staff Assessment, California Energy Commission (2013, 16);
- Clearwater and Yakima Solar Projects DEIR, Kern County (2013, 9);
- West Antelope Solar Energy Project IS/MND, Antelope Valley (2013, 18);
- Cuyama Solar Project DEIR, Carrizo Plain (2014, 19);
- Desert Renewable Energy Conservation Plan (DRECP) EIR/EIS (2015, 49);
- Kingbird Solar Photovoltaic Project EIR, Kern County (2013, 19);
- Lucerne Valley Solar Project IS/MND, San Bernardino County (2013, 12);
- Tule Wind project FEIR/FEIS (Declaration) (2013; 31);





- Sunlight Partners LANDPRO Solar Project MND (2013; 11);
- Declaration in opposition to BLM fracking (2013; 5);
- Blythe Energy Project (solar) CEC Staff Assessment (2013;16);
- Rosamond Solar Project EIR Addendum, Kern County (2013; 13);
- Pioneer Green Solar Project EIR, Bakersfield (2013; 13);
- Replies on Soccer Center Solar Project MND (2013; 6);
- Soccer Center Solar Project MND, Lancaster (2013; 10);
- Plainview Solar Works MND, Lancaster (2013; 10);
- Alamo Solar Project MND, Mojave Desert (2013; 15);
- Replies on Imperial Valley Solar Company 2 Project (2013; 10);
- Imperial Valley Solar Company 2 Project (2013; 13);
- FRV Orion Solar Project DEIR, Kern County (PP12232) (2013; 9);
- Casa Diablo IV Geothermal Development Project (2013; 6);
- Reply on Casa Diablo IV Geothermal Development Project (2013; 8);
- Alta East Wind Project FEIS, Tehachapi Pass (2013; 23);
- Metropolitan Air Park DEIR, City of San Diego (2013; );
- Davidon Homes Tentative Subdivision Rezoning Project DEIR, Petaluma (2013; 9);
- Oakland Zoo Expansion Impacts on Alameda Whipsnake (2013; 10);
- Campo Verde Solar project FEIR, Imperial Valley (2013; 11pp);
- Neg Dec comments on Davis Sewer Trunk Rehabilitation (2013; 8);
- North Steens Transmission Line FEIS, Oregon (Declaration) (2012; 62);
- Summer Solar and Springtime Solar Projects IS/MND Lancaster (2012; 8);
- J&J Ranch, 24 Adobe Lane Environmental Review, Orinda (2012; 14);
- Replies on Hudson Ranch Power II Geothermal Project and Simbol Calipatria Plant II (2012; 8);
- Hudson Ranch Power II Geothermal Project and Simbol Calipatria Plant II (2012; 9);
- Desert Harvest Solar Project EIS, near Joshua Tree (2012; 15);
- Solar Gen 2 Array Project DEIR, El Centro (2012; 16);
- Ocotillo Sol Project EIS, Imperial Valley (2012; 4);
- Beacon Photovoltaic Project DEIR, Kern County (2012; 5);
- Butte Water District 2012 Water Transfer Program IS/MND (2012; 11);
- Mount Signal and Calexico Solar Farm Projects DEIR (2011; 16);
- City of Elk Grove Sphere of Influence EIR (2011; 28);
- Sutter Landing Park Solar Photovoltaic Project MND, Sacramento (2011; 9);
- Rabik/Gudath Project, 22611 Coleman Valley Road, Bodega Bay (CPN 10-0002) (2011; 4);
- Ivanpah Solar Electric Generating System (ISEGS) (Declaration) (2011; 9);
- Draft Eagle Conservation Plan Guidance, USFWS (2011; 13);
- Niles Canyon Safety Improvement Project EIR/EA (2011; 16);
- Route 84 Safety Improvement Project (Declaration) (2011; 7);
- Rebuttal on Whistling Ridge Wind Energy Power DEIS, Skamania County, (2010; 6);
- Whistling Ridge Wind Energy Power DEIS, Skamania County, Washington (2010; 41);





- Klickitat County's Decisions on Windy Flats West Wind Energy Project (2010; 17);
- St. John's Church Project DEIR, Orinda (2010; 14);
- Results Radio Zone File #2009-001 IS/MND, Conaway site, Davis (2010; 20);
- Rio del Oro Specific Plan Project FEIR, Rancho Cordova (2010;12);
- Results Radio Zone File #2009-001, Mace Blvd site, Davis (2009; 10);
- Answers to Questions on 33% RPS Implementation Analysis Preliminary Results Report (2009; 9);
- SEPA Determination of Non-significance regarding zoning adjustments for Skamania County, Washington (Second Declaration) (2008; 17);
- Draft 1A Summary Report to CAISO (2008; 10);
- Hilton Manor Project Categorical Exemption, County of Placer (2009; 9);
- Protest of CARE to Amendment to the Power Purchase and Sale Agreement for Procurement of Eligible Renewable Energy Resources Between Hatchet Ridge Wind LLC and PG&E (2009; 3);
- Tehachapi Renewable Transmission Project EIR/EIS (2009; 142);
- Delta Shores Project EIR, south Sacramento (2009; 11 + addendum 2);
- Declaration in Support of Care's Petition to Modify D.07-09-040 (2008; 3);
- The Public Utility Commission's Implementation Analysis December 16 Workshop for the Governor's Executive Order S-14-08 to implement a 33% Renewable Portfolio Standard by 2020 (2008; 9);
- The Public Utility Commission's Implementation Analysis Draft Work Plan for the Governor's Executive Order S-14-08 to implement a 33% Renewable Portfolio Standard by 2020 (2008; 11);
- Draft 1A Summary Report to California Independent System Operator for Planning Reserve Margins (PRM) Study (2008; 7.);
- SEPA Determination of Non-significance regarding zoning adjustments for Skamania County, Washington (Declaration) (2008; 16);
- Colusa Generating Station, California Energy Commission PSA (2007; 24);
- Rio del Oro Specific Plan Project Recirculated DEIR, Mather (2008: 66);
- Replies on Regional University Specific Plan EIR, Roseville (2008; 20);
- Regional University Specific Plan EIR, Roseville (2008: 33);
- Clark Precast, LLC's "Sugarland" project, ND, Woodland (2008: 15);
- Cape Wind Project DEIS, Nantucket (2008; 157);
- Yuba Highlands Specific Plan EIR, Spenceville, Yuba County (2006; 37);
- Replies to responses on North Table Mountain MND, Butte County (2006; 5);
- North Table Mountain MND, Butte County (2006; 15);
- Windy Point Wind Farm EIS (2006; 14 and Powerpoint slide replies);
- Shiloh I Wind Power Project EIR, Rio Vista (2005; 18);
- Buena Vista Wind Energy Project NOP, Byron (2004; 15);
- Callahan Estates Subdivision ND, Winters (2004; 11);
- Winters Highlands Subdivision IS/ND (2004; 9);
- Winters Highlands Subdivision IS/ND (2004; 13);
- Creekside Highlands Project, Tract 7270 ND (2004; 21);





- Petition to California Fish and Game Commission to list Burrowing Owl (2003; 10);
- Altamont Pass Wind Resource Area CUP renewals, Alameda County (2003; 41);
- UC Davis Long Range Development Plan: Neighborhood Master Plan (2003; 23);
- Anderson Marketplace Draft Environmental Impact Report (2003; 18);
- Negative Declaration of the proposed expansion of Temple B'nai Tikyah (2003; 6);
- Antonio Mountain Ranch Specific Plan Public Draft EIR (2002; 23);
- Replies on East Altamont Energy Center evidentiary hearing (2002; 9);
- Revised Draft Environmental Impact Report, The Promenade (2002; 7);
- Recirculated Initial Study for Calpine's proposed Pajaro Valley Energy Center (2002; 3);
- UC Merced -- Declaration (2002; 5);
- Replies on Atwood Ranch Unit III Subdivision FEIR (2003; 22);
- Atwood Ranch Unit III Subdivision EIR (2002; 19);
- California Energy Commission Staff Report on GWF Tracy Peaker Project (2002; 20);
- Silver Bend Apartments IS/MND, Placer County (2002; 13);
- UC Merced Long-range Development Plan DEIR and UC Merced Community Plan DEIR (2001; 26);
- Colusa County Power Plant IS, Maxwell (2001; 6);
- Dog Park at Catlin Park, Folsom, California (2001; 5);
- Calpine and Bechtel Corporations' Biological Resources Implementation and Monitoring Program (BRMIMP) for the Metcalf Energy Center (2000; 10);
- Metcalf Energy Center, California Energy Commission FSA (2000);
- US Fish and Wildlife Service Section 7 consultation with the California Energy Commission regarding Calpine and Bechtel Corporations' Metcalf Energy Center (2000; 4);
- California Energy Commission's Preliminary Staff Assessment of the proposed Metcalf Energy Center (2000: 11);
- Site-specific management plans for the Natomas Basin Conservancy's mitigation lands, prepared by Wildlands, Inc. (2000: 7);
- Affidavit of K. Shawn Smallwood in Spirit of the Sage Council, et al. (Plaintiffs) vs. Bruce Babbitt, Secretary, U.S. Department of the Interior, et al. (Defendants), Injuries caused by the No Surprises policy and final rule which codifies that policy (1999: 9).
- California Board of Forestry's proposed amended Forest Practices Rules (1999);
- Sunset Skyranch Airport Use Permit IS/MND (1999);
- Ballona West Bluffs Project Environmental Impact Report (1999; oral presentation);
- Draft Recovery Plan for Giant Garter Snake (Fed. Reg. 64(176): 49497-49498) (1999; 8);
- Draft Recovery Plan for Arroyo Southwestern Toad (1998);
- Pacific Lumber Co. (Headwaters) HCP & EIR, Fortuna (1998; 28);
- Natomas Basin HCP Permit Amendment, Sacramento (1998);
- San Diego Multi-Species Conservation Program FEIS/FEIR (1997; 10);

**Volunteer comments on other Environmental Review Documents:**

- Proposed Regulation for California Fish and Game Code Section 3503.5 (2015: 12);





- Statement of Overriding Considerations related to extending Altamont Winds, Inc.'s Conditional Use Permit PLN2014-00028 (2015; 8);
- Covell Village PEIR, Davis (2005; 19);
- Bureau of Land Management Wind Energy Programmatic EIS Scoping (2003; 7.);
- NEPA Environmental Analysis for Biosafety Level 4 National Biocontainment Laboratory (NBL) at UC Davis (2003: 7);
- Notice of Preparation of UC Merced Community and Area Plan EIR, on behalf of The Wildlife Society—Western Section (2001: 8.);
- Preliminary Draft Yolo County Habitat Conservation Plan (2001; 2 letters totaling 35.);
- Merced County General Plan Revision, notice of Negative Declaration (2001: 2.);
- Notice of Preparation of Campus Parkway EIR/EIS (2001: 7.);
- Draft Recovery Plan for the bighorn sheep in the Peninsular Range (*Ovis candensis*) (2000);
- Draft Recovery Plan for the California Red-legged Frog (*Rana aurora draytonii*), on behalf of The Wildlife Society—Western Section (2000: 10.);
- Sierra Nevada Forest Plan Amendment Draft Environmental Impact Statement, on behalf of The Wildlife Society—Western Section (2000: 7.);
- State Water Project Supplemental Water Purchase Program, Draft Program EIR (1997);
- Davis General Plan Update EIR (2000);
- Turn of the Century EIR (1999: 10);
- Proposed termination of Critical Habitat Designation under the Endangered Species Act (Fed. Reg. 64(113): 31871-31874) (1999);
- NOA Draft Addendum to the Final Handbook for Habitat Conservation Planning and Incidental Take Permitting Process, termed the HCP 5-Point Policy Plan (Fed. Reg. 64(45): 11485 - 11490) (1999; 2 + attachments);
- Covell Center Project EIR and EIR Supplement (1997).

**Position Statements** I prepared the following position statements for the Western Section of The Wildlife Society, and one for nearly 200 scientists:

- Recommended that the California Department of Fish and Game prioritize the extermination of the introduced southern water snake in northern California. The Wildlife Society--Western Section (2001);
- Recommended that The Wildlife Society—Western Section appoint or recommend members of the independent scientific review panel for the UC Merced environmental review process (2001);
- Opposed the siting of the University of California's 10th campus on a sensitive vernal pool/grassland complex east of Merced. The Wildlife Society--Western Section (2000);
- Opposed the legalization of ferret ownership in California. The Wildlife Society--Western Section (2000);
- Opposed the Proposed "No Surprises," "Safe Harbor," and "Candidate Conservation Agreement" rules, including permit-shield protection provisions (Fed. Reg. Vol. 62, No. 103, pp. 29091-29098 and No. 113, pp. 32189-32194). This statement was signed by 188 scientists and went to the responsible federal agencies, as well as to the U.S. Senate and





House of Representatives.

**Posters at Professional Meetings**

Leyvas, E. and K. S. Smallwood. 2015. Rehabilitating injured animals to offset and rectify wind project impacts. Conference on Wind Energy and Wildlife Impacts, Berlin, Germany, 9-12 March 2015.

Smallwood, K. S., J. Mount, S. Standish, E. Leyvas, D. Bell, E. Walther, B. Karas. 2015. Integrated detection trials to improve the accuracy of fatality rate estimates at wind projects. Conference on Wind Energy and Wildlife Impacts, Berlin, Germany, 9-12 March 2015.

Smallwood, K. S. and C. G. Thelander. 2005. Lessons learned from five years of avian mortality research in the Altamont Pass WRA. AWEA conference, Denver, May 2005.

Neher, L., L. Wilder, J. Woo, L. Spiegel, D. Yen-Nakafugi, and K.S. Smallwood. 2005. Bird's eye view on California wind. AWEA conference, Denver, May 2005.

Smallwood, K. S., C. G. Thelander and L. Spiegel. 2003. Toward a predictive model of avian fatalities in the Altamont Pass Wind Resource Area. Windpower 2003 Conference and Convention, Austin, Texas.

Smallwood, K.S. and Eva Butler. 2002. Pocket Gopher Response to Yellow Star-thistle Eradication as part of Grassland Restoration at Decommissioned Mather Air Force Base, Sacramento County, California. White Mountain Research Station Open House, Barcroft Station.

Smallwood, K.S. and Michael L. Morrison. 2002. Fresno kangaroo rat (*Dipodomys nitratoides*) Conservation Research at Resources Management Area 5, Lemoore Naval Air Station. White Mountain Research Station Open House, Barcroft Station.

Smallwood, K.S. and E.L. Fitzhugh. 1989. Differentiating mountain lion and dog tracks. Third Mountain Lion Workshop, Prescott, AZ.

Smith, T. R. and K. S. Smallwood. 2000. Effects of study area size, location, season, and allometry on reported *Sorex* shrew densities. Annual Meeting of the Western Section of The Wildlife Society.

**Presentations at Professional Meetings and Seminars**

Smallwood, K. S. Eagle mortality at wind turbines. Wings over the Columbia Gorge. Friends of the Columbia Gorge, 4 January 2024.

Smallwood, K.S. Ecology and recent population trend of burrowing owls in the Altamont Pass Wind Resource Area. The Wildlife Society – Western Section Burrowing Owl Symposium, Riverside, California, 6 February 2023.

Smallwood, K.S. Renewable energy impacts to burrowing owls. The Wildlife Society – Western Section Burrowing Owl Symposium, Riverside, California, 7 February 2023.

Smallwood, K.S. and D.A. Bell. Long-Term Population Trend of Burrowing Owls in Vasco Caves. Via Zoom to Audubon Society, 21 October 2021.

Long-Term Population Trend of Burrowing Owls in the Altamont. Golden Gate Audubon, 21 October 2020.

Long-Term Population Trend of Burrowing Owls in the Altamont. East Bay Regional Park District 2020 Stewardship Seminar, Oakland, California, 18 November 2020.

Smallwood, K.S., D.A. Bell, and S, Standish. Dogs detect larger wind energy effects on bats and birds. The Wildlife Society, 28 September 2020.

Smallwood, K.S. and D.A. Bell. Effects of wind turbine curtailment on bird and bat fatalities in the Altamont Pass Wind Resource Area. The Wildlife Society, 28 September 2020.

Smallwood, K.S., D.A. Bell, and S, Standish. Dogs detect larger wind energy effects on bats and birds. The Wildlife Survey, 7 February 2020.

Smallwood, K.S. and D.A. Bell. Effects of wind turbine curtailment on bird and bat fatalities in the Altamont Pass Wind Resource Area. The Wildlife Survey, 7 February 2020.

Dog detections of bat and bird fatalities at wind farms in the Altamont Pass Wind Resource Area. East Bay Regional Park District 2019 Stewardship Seminar, Oakland, California, 13 November 2019.

Repowering the Altamont Pass. Altamont Symposium, The Wildlife Society – Western Section, 5 February 2017.

Developing methods to reduce bird mortality in the Altamont Pass Wind Resource Area, 1999-2007. Altamont Symposium, The Wildlife Society – Western Section, 5 February 2017.

Conservation and recovery of burrowing owls in Santa Clara Valley. Santa Clara Valley Habitat Agency, Newark, California, 3 February 2017.

Mitigation of Raptor Fatalities in the Altamont Pass Wind Resource Area. Raptor Research Foundation Meeting, Sacramento, California, 6 November 2015.

From burrows to behavior: Research and management for burrowing owls in a diverse landscape. California Burrowing Owl Consortium meeting, 24 October 2015, San Jose, California.

The Challenges of repowering. Keynote presentation at Conference on Wind Energy and Wildlife Impacts, Berlin, Germany, 10 March 2015.

Research Highlights Altamont Pass 2011-2015. Scientific Review Committee, Oakland, California, 8 July 2015.

Siting wind turbines to minimize raptor collisions: Altamont Pass Wind Resource Area. US Fish and Wildlife Service Golden Eagle Working Group, Sacramento, California, 8 January 2015.

Evaluation of nest boxes as a burrowing owl conservation strategy. Sacramento Chapter of the Western Section, The Wildlife Society. Sacramento, California, 26 August 2013.

Predicting collision hazard zones to guide repowering of the Altamont Pass. Conference on wind power and environmental impacts. Stockholm, Sweden, 5-7 February 2013.

Impacts of Wind Turbines on Wildlife. California Council for Wildlife Rehabilitators, Yosemite, California, 12 November 2012.

Impacts of Wind Turbines on Birds and Bats. Madrone Audubon Society, Santa Rosa, California, 20 February 2012.

Comparing Wind Turbine Impacts across North America. California Energy Commission Staff Workshop: Reducing the Impacts of Energy Infrastructure on Wildlife, 20 July 2011.

Siting Repowered Wind Turbines to Minimize Raptor Collisions. California Energy Commission Staff Workshop: Reducing the Impacts of Energy Infrastructure on Wildlife, 20 July 2011.

Siting Repowered Wind Turbines to Minimize Raptor Collisions. Alameda County Scientific Review Committee meeting, 17 February 2011

Comparing Wind Turbine Impacts across North America. Conference on Wind energy and Wildlife impacts, Trondheim, Norway, 3 May 2011.

Update on Wildlife Impacts in the Altamont Pass Wind Resource Area. Raptor Symposium, The Wildlife Society—Western Section, Riverside, California, February 2011.

Siting Repowered Wind Turbines to Minimize Raptor Collisions. Raptor Symposium, The Wildlife Society - Western Section, Riverside, California, February 2011.

Wildlife mortality caused by wind turbine collisions. Ecological Society of America, Pittsburgh, Pennsylvania, 6 August 2010.

Map-based repowering and reorganization of a wind farm to minimize burrowing owl fatalities. California burrowing Owl Consortium Meeting, Livermore, California, 6 February 2010.

Environmental barriers to wind power. Getting Real About Renewables: Economic and Environmental Barriers to Biofuels and Wind Energy. A symposium sponsored by the Environmental & Energy Law & Policy Journal, University of Houston Law Center, Houston, 23 February 2007.

Lessons learned about bird collisions with wind turbines in the Altamont Pass and other US wind farms. Meeting with Japan Ministry of the Environment and Japan Ministry of the Economy, Wild Bird Society of Japan, and other NGOs Tokyo, Japan, 9 November 2006.

Lessons learned about bird collisions with wind turbines in the Altamont Pass and other US wind farms. Symposium on bird collisions with wind turbines. Wild Bird Society of Japan, Tokyo, Japan, 4 November 2006.

Responses of Fresno kangaroo rats to habitat improvements in an adaptive management framework. California Society for Ecological Restoration (SERCAL) 13th Annual Conference, UC Santa Barbara, 27 October 2006.

Fatality associations as the basis for predictive models of fatalities in the Altamont Pass Wind Resource Area. EEI/APLIC/PIER Workshop, 2006 Biologist Task Force and Avian Interaction with Electric Facilities Meeting, Pleasanton, California, 28 April 2006.

Burrowing owl burrows and wind turbine collisions in the Altamont Pass Wind Resource Area. The Wildlife Society - Western Section Annual Meeting, Sacramento, California, February 8, 2006.

Mitigation at wind farms. Workshop: Understanding and resolving bird and bat impacts. American Wind Energy Association and Audubon Society. Los Angeles, CA. January 10 and 11, 2006.

Incorporating data from the California Wildlife Habitat Relationships (CWHR) system into an impact assessment tool for birds near wind farms. Shawn Smallwood, Kevin Hunting, Marcus Yee, Linda Spiegel, Monica Parisi. Workshop: Understanding and resolving bird and bat impacts. American Wind Energy Association and Audubon Society. Los Angeles, CA. January 10 and 11, 2006.

Toward indicating threats to birds by California's new wind farms. California Energy Commission, Sacramento, May 26, 2005.

Avian collisions in the Altamont Pass. California Energy Commission, Sacramento, May 26, 2005.

Ecological solutions for avian collisions with wind turbines in the Altamont Pass Wind Resource Area. EPRI Environmental Sector Council, Monterey, California, February 17, 2005.

Ecological solutions for avian collisions with wind turbines in the Altamont Pass Wind Resource Area. The Wildlife Society—Western Section Annual Meeting, Sacramento, California, January 19, 2005.

Associations between avian fatalities and attributes of electric distribution poles in California. The Wildlife Society - Western Section Annual Meeting, Sacramento, California, January 19, 2005.

Minimizing avian mortality in the Altamont Pass Wind Resources Area. UC Davis Wind Energy Collaborative Forum, Palm Springs, California, December 14, 2004.

Selecting electric distribution poles for priority retrofitting to reduce raptor mortality. Raptor Research Foundation Meeting, Bakersfield, California, November 10, 2004.

Responses of Fresno kangaroo rats to habitat improvements in an adaptive management framework. Annual Meeting of the Society for Ecological Restoration, South Lake Tahoe, California, October 16, 2004.

Lessons learned from five years of avian mortality research at the Altamont Pass Wind Resources Area in California. The Wildlife Society Annual Meeting, Calgary, Canada, September 2004.

The ecology and impacts of power generation at Altamont Pass. Sacramento Petroleum Association, Sacramento, California, August 18, 2004.

Burrowing owl mortality in the Altamont Pass Wind Resource Area. California Burrowing Owl Consortium meeting, Hayward, California, February 7, 2004.

Burrowing owl mortality in the Altamont Pass Wind Resource Area. California Burrowing Owl Symposium, Sacramento, November 2, 2003.

Raptor Mortality at the Altamont Pass Wind Resource Area. National Wind Coordinating Committee, Washington, D.C., November 17, 2003.

Raptor Behavior at the Altamont Pass Wind Resource Area. Annual Meeting of the Raptor Research Foundation, Anchorage, Alaska, September, 2003.

Raptor Mortality at the Altamont Pass Wind Resource Area. Annual Meeting of the Raptor Research Foundation, Anchorage, Alaska, September, 2003.

California mountain lions. Ecological & Environmental Issues Seminar, Department of Biology, California State University, Sacramento, November, 2000.

Intra- and inter-turbine string comparison of fatalities to animal burrow densities at Altamont Pass. National Wind Coordinating Committee, Carmel, California, May, 2000.

Using a Geographic Positioning System (GPS) to map wildlife and habitat. Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.

Suggested standards for science applied to conservation issues. Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.





The indicators framework applied to ecological restoration in Yolo County, California. Society for Ecological Restoration, September 25, 1999.

Ecological restoration in the context of animal social units and their habitat areas. Society for Ecological Restoration, September 24, 1999.

Relating Indicators of Ecological Health and Integrity to Assess Risks to Sustainable Agriculture and Native Biota. International Conference on Ecosystem Health, August 16, 1999.

A crosswalk from the Endangered Species Act to the HCP Handbook and real HCPs. Southern California Edison, Co. and California Energy Commission, March 4-5, 1999.

Mountain lion track counts in California: Implications for Management. Ecological & Environmental Issues Seminar, Department of Biological Sciences, California State University, Sacramento, November 4, 1998.

"No Surprises" -- Lack of science in the HCP process. California Native Plant Society Annual Conservation Conference, The Presidio, San Francisco, September 7, 1997.

In Your Interest. A half hour weekly show aired on Channel 10 Television, Sacramento. In this episode, I served on a panel of experts discussing problems with the implementation of the Endangered Species Act. Aired August 31, 1997.

Spatial scaling of pocket gopher (*Geomyidae*) density. Southwestern Association of Naturalists 44th Meeting, Fayetteville, Arkansas, April 10, 1997.

Estimating prairie dog and pocket gopher burrow volume. Southwestern Association of Naturalists 44th Meeting, Fayetteville, Arkansas, April 10, 1997.

Ten years of mountain lion track survey. Fifth Mountain Lion Workshop, San Diego, February 27, 1996.

Study and interpretive design effects on mountain lion density estimates. Fifth Mountain Lion Workshop, San Diego, February 27, 1996.

Small animal control. Session moderator and speaker at the California Farm Conference, Sacramento, California, Feb. 28, 1995.

Small animal control. Ecological Farming Conference, Asylomar, California, Jan. 28, 1995.

Habitat associations of the Swainson's Hawk in the Sacramento Valley's agricultural landscape. 1994 Raptor Research Foundation Meeting, Flagstaff, Arizona.

Alfalfa as wildlife habitat. Seed Industry Conference, Woodland, California, May 4, 1994.





Habitats and vertebrate pests: impacts and management. Managing Farmland to Bring Back Game Birds and Wildlife to the Central Valley. Yolo County Resource Conservation District, U.C. Davis, February 19, 1994.

Management of gophers and alfalfa as wildlife habitat. Orland Alfalfa Production Meeting and Sacramento Valley Alfalfa Production Meeting, February 1 and 2, 1994.

Patterns of wildlife movement in a farming landscape. Wildlife and Fisheries Biology Seminar Series: Recent Advances in Wildlife, Fish, and Conservation Biology, U.C. Davis, Dec. 6, 1993.

Alfalfa as wildlife habitat. California Alfalfa Symposium, Fresno, California, Dec. 9, 1993.

Management of pocket gophers in Sacramento Valley alfalfa. California Alfalfa Symposium, Fresno, California, Dec. 8, 1993.

Association analysis of raptors in a farming landscape. Plenary speaker at Raptor Research Foundation Meeting, Charlotte, North Carolina, Nov. 6, 1993.

Landscape strategies for biological control and IPM. Plenary speaker, International Conference on Integrated Resource Management and Sustainable Agriculture, Beijing, China, Sept. 11, 1993.

Landscape Ecology Study of Pocket Gophers in Alfalfa. Alfalfa Field Day, U.C. Davis, July 1993.

Patterns of wildlife movement in a farming landscape. Spatial Data Analysis Colloquium, U.C. Davis, August 6, 1993.

Sound stewardship of wildlife. Veterinary Medicine Seminar: Ethics of Animal Use, U.C. Davis. May 1993.

Landscape ecology study of pocket gophers in alfalfa. Five County Grower's Meeting, Tracy, California. February 1993.

Turbulence and the community organizers: The role of invading species in ordering a turbulent system, and the factors for invasion success. Ecology Graduate Student Association Colloquium, U.C. Davis. May 1990.

Evaluation of exotic vertebrate pests. Fourteenth Vertebrate Pest Conference, Sacramento, California. March 1990.

Analytical methods for predicting success of mammal introductions to North America. The Western Section of the Wildlife Society, Hilo, Hawaii. February 1988.

A state-wide mountain lion track survey. Sacramento County Dept Parks and Recreation. April 1986.





The mountain lion in California. Davis Chapter of the Audubon Society. October 1985.

Ecology Graduate Student Seminars, U.C. Davis, 1985-1990: Social behavior of the mountain lion; Mountain lion control; Political status of the mountain lion in California.

**Other forms of Participation at Professional Meetings**

- Scientific Committee, Conference on Wind energy and Wildlife impacts, Berlin, Germany, March 2015.
- Scientific Committee, Conference on Wind energy and Wildlife impacts, Stockholm, Sweden, February 2013.
- Workshop co-presenter at Birds & Wind Energy Specialist Group (BAWESG) Information sharing week, Bird specialist studies for proposed wind energy facilities in South Africa, Endangered Wildlife Trust, Darling, South Africa, 3-7 October 2011.
- Scientific Committee, Conference on Wind energy and Wildlife impacts, Trondheim, Norway, 2-5 May 2011.
- Chair of Animal Damage Management Session, The Wildlife Society, Annual Meeting, Reno, Nevada, September 26, 2001.
- Chair of Technical Session: Human communities and ecosystem health: Comparing perspectives and making connection. Managing for Ecosystem Health, International Congress on Ecosystem Health, Sacramento, CA August 15-20, 1999.
- Student Awards Committee, Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.
- Student Mentor, Annual Meeting of the Western Section of The Wildlife Society, Riverside, CA, January, 2000.

Printed Mass Media

Smallwood, K.S., D. Mooney, and M. McGuinness. 2003. We must stop the UCD biolab now. Op-Ed to the Davis Enterprise.

Smallwood, K.S. 2002. Spring Lake threatens Davis. Op-Ed to the Davis Enterprise.

Smallwood, K.S. Summer, 2001. Mitigation of habitation. The Flatlander, Davis, California.

Entrikan, R.K. and K.S. Smallwood. 2000. Measure O: Flawed law would lock in new taxes. Op-Ed to the Davis Enterprise.

Smallwood, K.S. 2000. Davis delegation lobbies Congress for Wildlife conservation. Op-Ed to the Davis Enterprise.

Smallwood, K.S. 1998. Davis Visions. The Flatlander, Davis, California.

Smallwood, K.S. 1997. Last grab for Yolo's land and water. The Flatlander, Davis, California.

Smallwood, K.S. 1997. The Yolo County HCP. Op-Ed to the Davis Enterprise.

**Radio/Television**

PBS News Hour,

FOX News, Energy in America: Dead Birds Unintended Consequence of Wind Power Development, August 2011.

KXJZ Capital Public Radio -- Insight (Host Jeffrey Callison). Mountain lion attacks (with guest Professor Richard Coss). 23 April 2009;

KXJZ Capital Public Radio -- Insight (Host Jeffrey Callison). Wind farm Rio Vista Renewable Power. 4 September 2008;

KQED QUEST Episode #111. Bird collisions with wind turbines. 2007;

KDVS Speaking in Tongues (host Ron Glick), Yolo County HCP: 1 hour. December 27, 2001;

KDVS Speaking in Tongues (host Ron Glick), Yolo County HCP: 1 hour. May 3, 2001;

KDVS Speaking in Tongues (host Ron Glick), Yolo County HCP: 1 hour. February 8, 2001;

KDVS Speaking in Tongues (host Ron Glick & Shawn Smallwood), California Energy Crisis: 1 hour. Jan. 25, 2001;

KDVS Speaking in Tongues (host Ron Glick), Headwaters Forest HCP: 1 hour. 1998;

Davis Cable Channel (host Gerald Heffernon), Burrowing owls in Davis: half hour. June, 2000;

Davis Cable Channel (hosted by Davis League of Women Voters), Measure O debate: 1 hour. October, 2000;

KXTV 10, In Your Interest, The Endangered Species Act: half hour. 1997.

Reviews of Journal Papers **(Some scientific journals for whom I've provided peer review)**

| Journal | Journal |
|---|---|
| American Naturalist | Journal of Animal Ecology |
| Journal of Wildlife Management | Western North American Naturalist |
| Auk | Journal of Raptor Research |
| Biological Conservation | National Renewable Energy Lab reports |
| Canadian Journal of Zoology | Oikos |
| Ecosystem Health | The Prairie Naturalist |
| Environmental Conservation | Restoration Ecology |
| Environmental Management | Southwestern Naturalist |
| Functional Ecology | The Wildlife Society--Western Section Trans. |
| Journal of Zoology (London) | Proc. Int. Congress on Managing for Ecosystem Health |
| Journal of Applied Ecology | Transactions in GIS |
| Ecology | Tropical Ecology |
| Wildlife Society Bulletin | Peer J |
| Conservation Biology | Biology Open |
| Western Wildlife | PLOS One |
| Heliyon | Global Ecology and Conservation |
| Wildlife Monographs | Renewable and Sustainable Energy Reviews |
| Biological Control | The Condor |

Committees

- Scientific Review Committee, Alameda County, Altamont Pass Wind Resource Area
- Ph.D. Thesis Committee, Steve Anderson, University of California, Davis
- MS Thesis Committee, Marcus Yee, California State University, Sacramento

**Other Professional Activities or Products**

Testified in Federal Court in Denver during 2005 over the fate of radio-nuclides in the soil at Rocky Flats Plant after exposure to burrowing animals. My clients won a judgment of $553,000,000. I have also testified in many other cases of litigation under CEQA, NEPA, the Warren-Alquist Act, and other environmental laws. My clients won most of the cases for which I testified.

Testified before Environmental Review Tribunals in Ontario, Canada regarding proposed White Pines, Amherst Island, and Fairview Wind Energy projects.

Testified in Skamania County Hearing in 2009 on the potential impacts of zoning the County for development of wind farms and hazardous waste facilities.

Testified in deposition in 2007 in the case of O'Dell et al. vs. FPL Energy in Houston, Texas.





Testified in Klickitat County Hearing in 2006 on the potential impacts of the Windy Point Wind Farm.

**Memberships in Professional Societies**

The Wildlife Society
Raptor Research Foundation

**Honors and Awards**

Fulbright Research Fellowship to Indonesia, 1987
J.G. Boswell Full Academic Scholarship, 1981 college of choice
Certificate of Appreciation, The Wildlife Society—Western Section, 2000, 2001
Northern California Athletic Association Most Valuable Cross Country Runner, 1984
American Legion Award, Corcoran High School, 1981, and John Muir Junior High, 1977
CIF Section Champion, Cross Country in 1978
CIF Section Champion, Track & Field 2 mile run in 1981
National Junior Record, 20 kilometer run, 1982
National Age Group Record, 1500 meter run, 1978

**Community Activities**

District 64 Little League Umpire, 2003-2007
Dixon Little League Umpire, 2006-07
Davis Little League Chief Umpire and Board member, 2004-2005
Davis Little League Safety Officer, 2004-2005
Davis Little League Certified Umpire, 2002-2004
Davis Little League Scorekeeper, 2002
Davis Visioning Group member
Petitioner for Writ of Mandate under the California Environmental Quality Act against City of Woodland decision to approve the Spring Lake Specific Plan, 2002
Served on campaign committees for City Council candidates

## LETTER 196: SHAWN SMALLWOOD

### Response to Comment 196-1
Please see Master Response 1.

### Response to Comment 196-2
The comment discusses the commenter's personal observations. All species observed by the commentor: burrowing owl, Swainson's hawk, white-tailed kite, northern harrier, prairie falcon, yellow-billed magpie, American kestrel, red-tailed hawk, re-shouldered hawk (red-shouldered hawk), turkey vulture, and Nuttall's woodpecker were addressed in the Draft EIR as appropriate. Protocol-level surveys for burrowing owl (both breeding and non-breeding season surveys) and Swainson's hawk were completed in 2023 and 2024. The comment does not raise any specific biological issues related to the Draft EIR prepared for the Proposed Project, and as such, further response is not required.

### Response to Comment 196-3
While a comprehensive report of the number and composition of vertebrate species present on the project site/BRPA site would be informative, it is not necessary to evaluate what special-status species have the potential to occur within a given site, and (consequently) have the potential to be impacted by a project proposed on that site.

### Response to Comment 196-4
The commenter's prediction of wildlife on the project site/BRPA site is inherently speculative, inaccurate, and lacks foundation. Accordingly, any use of the model that he developed to predict purported species "not detected" at the project site is not based on substantial evidence. (CEQA Guidelines, Section 15384(a) ["Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence"]; CEQA Guidelines, Section 15204 ["an effect shall not be considered significant in the absence of substantial evidence"]; see Pocket Protectors v. City of Sacramento (2004) 124 Cal.App.4th 903, 928 ["mere argument, speculation, and unsubstantiated opinion, even expert opinion, is not substantial evidence"].)

Five Madrone biologists documented wildlife species over 25 survey days at the project site/BRPA site to inform the Biological Resources chapter of the Draft EIR. Seven protocol-level surveys were conducted in accordance with the Swainson's Hawk Technical Advisory Committee's 31 May 2000 Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (TAC 2000), which included documentation of all bird species observed. Four burrowing owl surveys were conducted in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012), including breeding and non-breeding season surveys which included documentation of all bird species observed. Eleven surveys were conducted during vernal pool branchiopod surveys conducted in accordance with the November 2017 Survey Guidelines for the Listed Large Branchiopods (USFWS 2017), which included documentation and reporting of vertebrate species incidentally captured. Additionally, a giant garter snake habitat assessment was conducted which included a detailed transect survey of the Covell Drain and documentation of potential predator and prey species. In addition to reviewing information in existing databases regarding species recorded on and near the project site/BRPA site (see Draft EIR, pg. 4.4-55), significant man-hours were spent surveying and generally observing the site, and all species identified were documented.

The commenter notes that the model was developed during previous research while surveying the annual grasslands of the Altamont Pass Wind Resources Area in Alameda County. The commenter, however, does not explain how a survey model for predicting wildlife in Alameda County is at all predictive of wildlife located in Yolo County, where the project site/BRPA site is located. Wildlife composition, biodiversity, and population densities are not consistent across sites, and the habitat generally available at the Altamont Pass Wind Resource Area is inherently different than the project site/BRPA site, which is actively and intensively farmed and adjacent to existing developments within the City of Davis. Accordingly, in addition to the model being inherently speculative, use of the model to predict the amount of wildlife at the project site/BRPA site lacks the site-specific details necessary to rise to the level of substantial evidence under CEQA.

## Response to Comment 196-5

The commenter mischaracterizes what type of analysis is required in an EIR's discussion of existing environmental setting. According to CEQA, the description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternative(s) in order to give the most accurate and understandable picture of the project's likely near- and long-term impacts (See CEQA Guidelines, Section 15125(a).) The commenter does not allege any near- or long-term impacts of the Proposed Project/BRPA that were not addressed in the Draft EIR.

Further, as discussed in detail in Response to Comment 195-4, the assessment of the special-status species that are likely to occur at the project area are based on a review of literature, field surveys, and habitat analysis, and are therefore supported by substantial evidence. The Draft EIR extensively describes the physical setting of the project site/BRPA site and the habitat extant therein (see Draft EIR, pg. 4.4-2), so as to provide the public an understanding of the Project and the potential impacts of the Project on the biological resources found on-site. As noted in Response to Comment 196-4, this analysis is based on review of relevant literature and databases, multiple protocol-level field surveys, a review of the Project plans, literature review of biological resources occurring on the Project site and surrounding vicinity, and an investigation of the various habitat conditions existing on-site.

Field surveys were conducted on-site, the existing conditions of the project site/BRPA site are well-documented, and the methods for research and field collection conducted for the Project's BRA were consistent with those standardly accepted for CEQA analysis. Accordingly, the analysis represents substantial evidence supporting the description of the existing environmental setting on the site, and the adequacy of the BRA that was prepared by expert biologists.

## Response to Comment 196-6

As noted in detail in Responses to Comments 196-4 and 196-5, the Draft EIR's analysis of special-status species that may occur on the project site/BRPA site is informed by numerous visits to the site by expert biologists, including several comprehensive protocol-level surveys, as well as extensive literature review of species occurrence databases. Accordingly, the Draft EIR's analysis regarding potential biological impacts at the project site, including its discussion of the environmental setting, is supported by substantial evidence.

## Response to Comment 196-7

As discussed in the EIR and BRA, Madrone conducted field surveys of various portions of the study area on August 23 and 25, October 3, November 7, and December 14, 2023, as well as on

January 17, 23, and 24, February 7, and April 22, 2024, to map land covers, assess the suitability of habitats onsite to support special-status species, and conduct the protocol-level surveys listed below. Meandering pedestrian surveys were performed on foot throughout the Study Area, and a list of all wildlife species observed during both protocol and reconnaissance-level field surveys were included as Attachment E of the BRA (see Appendix D of the EIR). As noted in Attachment G to the BRA (Burrowing Owl Surveys) and Attachment H to the BRA (Swainson's hawk nest surveys), all bird species observed during these surveys were documented (not just target species). As noted in Attachment F to the BRA (Branchiopod Survey Report), all aquatic organisms observed during wet and dry season surveys were documented. As noted in Attachment J to the BRA (Giant Garter Snake (GGS) Habitat Assessment), the area was surveyed for both GGS predator and prey species as a component of this assessment.

As noted in detail in Responses to Comments 196-4, 196-5, and 196-6, the Draft EIR contains extensive analysis and investigation of sensitive biological resources that are or could occur on the Project site. This analysis is supported by substantial evidence in both the Draft EIR and the BRA. In criticizing the adequacy of the environmental review, the comment mischaracterizes the requirements of CEQA, as CEQA does not require an EIR to provide an exhaustive list of every species that may be found on or near a project site. Accordingly, the analysis of the Project's potential impacts to biological resources is adequate and supported by substantial evidence.

## Response to Comment 196-8

The avian biologist checked his notes and determined that the April 9 date was a typo. That survey was instead conducted on April 19 (although a different survey was conducted on April 9 and burrowing owls would have been documented if incidentally observed). Therefore, the timing of the burrowing owl surveys was entirely in accordance with the Staff Report protocol. Page 4.4-56 of the Draft EIR, under the Field Surveys header, is hereby revised for clarification purposes, as follows:

- Burrowing Owl Surveys: Four non-breeding-season surveys were completed on October 3, November 7, and December 14, 2023 and January 17, 2024. Four breeding-season surveys were conducted on March 21, April 19, May 14, and June 20, 2024. Surveys were conducted in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (2012). A report is included as Attachment G to the BRA.

In addition, a revised BRA is included as Appendix D to this Final EIR, also reflecting the correct survey date of April 19.

Madrone and the Property owner do not have any knowledge of ground squirrel eradication on the project site/BRPA site. Based on this comment, these allegations, as well as a photograph of a claimed bait/poison delivery device provided was shared with the current farmer, and he has advised that this device is not a bait station, but rather a pressure relief valve for the irrigation system that had been broken and excavated (likely due to trespass and vandalism). No poison bait is currently in use on the site (nor has it been used in the past, based on discussions with the Property owner and farmer).

## Response to Comment 196-9

Normal pruning to maintain use of the farm roads occurs annually on the site. As this pruning is near ground level, it does not affect Swainson's hawk use of the trees. As noted in Attachment H of the BRA (Swainson's Hawk Survey Report for Village Farms Davis), Swainson's hawk was observed on-site, including nesting in the riparian corridor along Channel A in the area the

commenter discusses, as well as in trees just off-site to the north. Successful nesting observed on-site refutes the claim that tree pruning discouraged Swainson's hawk use of the site.

## Response to Comment 196-10

The description of the Valley Foothill Riparian vegetation on page 4.4-6 of the Draft EIR states, "this land cover is almost entirely comprised of non-native trees." This is stated as fact and is not used to suggest that the species composition has any less value to wildlife. The Draft EIR acknowledges potential effects to riparian habitat associated with the Proposed Project/BRPA, and that this riparian habitat may support northwestern pond turtle, Swainson's hawk, white-tailed kite, and roosting bats and included mitigation measures to minimize potential impacts. The riparian area is treated as native "Valley Foothill Riparian" for purposes of Yolo HCP land cover impacts (a higher fee is required for such habitat), as that is the HCP landcover type that most closely matches this habitat on-site.

## Response to Comment 196-11

Please see Master Response 7.

## Response to Comment 196-12

The equipment depicted in photo 1 is an irrigation head, not a poison bait dispenser.

## Response to Comment 196-13

Please see Responses to Comments 196-4 and 196-5.

## Response to Comment 196-14

Lead agencies have discretion to employ survey methodologies of its choosing, as long as its choice of methodology is supported by substantial evidence. As discussed in detail in Responses to Comments 196-4, 196-5, and 196-6, the Draft EIR's findings, as supported by the BRA, constitute substantial evidence with regard to the project's analysis of potential impacts on special-status species that may be found on-site. The additional databases noted in the comment letter (eBird and iNaturalist) provide occurrence data that is not confirmed or verified by the resource agencies, and these public databases do not have a search function that reports a comprehensive list of species documented in a given area.

## Response to Comment 196-15

As discussed in detail in the Response to Comment 196-14, the Draft EIR uses a variety of sources to determine if special-status species could be significantly impacted by the Proposed Project/BRPA (including the biologist's knowledge of species in the region), and the choice of methodology is within the discretion of the lead agency if backed by substantial evidence, as is the case here. Further, CEQA requires that information developed in EIRs and negative declarations be incorporated into a database, such as CNDDB, which may be used for subsequent or supplemental environmental determinations. (See Pub. Resources Code, Section 21003(e). The CNDDB was not used to estimate occurrence likelihoods. The methodology for determining occurrence likelihoods is outlined on Draft EIR page 4.4-11, and the only reference to the CNDDB in that methodology is that an occurrence on the site supports a "High" likelihood of occurrence. A low likelihood of occurrence is based on habitat characteristics, not lack of CNDDB records. CNDDB occurrence data is provided for informational purposes only.

## Response to Comment 196-16

The commenter's definition of special-status species is not consistent with the definition of special-status species provided in the Draft EIR on page 4.4-10. The definition of special-status species in the Draft EIR includes only species of sufficient rarity to be considered under CEQA. Fifty-five species (48 percent) of all the species included on the commenter's Table 1 are not of sufficient rarity to be considered under CEQA (Watch List, Bird of Prey, Bird of Conservation Concern, and Western Bat Working Group Low), rendering false the commenter's assertion of Madrone only analyzing 21 percent of the special-status species "near enough to the site."

Furthermore, the foothills of the Coast Ranges are only 15 miles west of the site; thus, inclusion of species up to 30 miles away introduces species that occur in very different habitat types. The biologists did consider many of the species on the commenter's list, but, as suitable habitat does not occur within the site, the species were not added to the table.

The commenter notes, "Of the 13 species Madrone determines to have low to no potential for occurrence, one is known on site, the occurrence records of two are very close, and the occurrence records of two more are nearby." The first discussed (one on-site) is tricolored blackbird, which the Draft EIR noted as having a low potential to occur on-site. This occurrence is consistent with the Draft EIR statement. Several more were noted to be documented "very close" or "nearby." Substantially different habitats occur within four miles of the site (the extent of the "nearby" category the commenter has established), including the almost-adjacent Northstar Ponds and Putah Creek, which support substantially different habitats than occur within the project site/BRPA site. The presence of species in such different habitats located within an arbitrary distance of the project site/BRPA site does not mean that such species would occur within the site.

In addition, the commenter does not note how the records were documented. A species that flies over a location does not indicate use of that location, but could be documented as occurring at that location (including on-site). Nevertheless, some of the bird and bat species that the commenter notes could use the site. Mitigation Measures 4.4-11 and 4.4-12 of the Draft EIR are sufficiently protective of these species (e.g., preconstruction nesting bird and bat surveys, implementation of non-disturbance buffers if protected species found on-site, etc.).

## Response to Comment 196-17

Please see Responses to Comments 196-4 and 196-5.

## Response to Comment 196-18

Section 4.4-11 of the Draft EIR analyzes "Impacts to nesting birds and raptors protected under the [Migratory Bird Treaty Act (MBTA)] and [California Fish and Game Code (CFGC)], either directly or through habitat modifications," and determines, based on substantial evidence, that the Proposed Project/BRPA's impacts to nesting birds would be less-than-significant with implementation of mitigation (See Draft EIR, page 4.4-87). The Draft EIR recognizes that the project area provides suitable nesting habitat to accommodate nesting songbirds and raptors protected under the MBTA and CFGC, and that the Proposed Project/BRPA could have a substantial adverse effect, either directly or through habitat modifications, on these species.

Because disturbance to or destruction of migratory bird eggs, young, or adults is in violation of the MBTA and is considered a potentially significant impact, the Draft EIR contains protections for nesting birds in Mitigation Measure 4.4-11. The implementation of Mitigation Measure 4.4-11

involves conducting a preconstruction nesting bird survey prior to ground disturbance or other construction activities. If nesting birds are found, then mandatory protections are put in place to protect these birds consistent with the MBTA.

The comment regarding loss of productive capacities of these species is speculative, as there is not a known, reliable way to quantitatively determine such impacts or their potential significance. Speculative impacts are not required to be addressed under CEQA.

## Response to Comment 196-19

Please see Master Response 7.

## Response to Comment 196-20

Willow Slough is not a feature within the project site/BRPA site. The commenter could possibly be referring to the riparian impacts along Channel A, which have been addressed in Master Response 7. Burrowing owl is a Covered Species under the Yolo HCP, of which CDFW is a signatory. The Proposed Project/BRPA would be required to comply with AMM 18 (Draft EIR Mitigation Measure 4.4-9), which addresses burrowing owl impacts.

## Response to Comment 196-21

It is unclear as to why the commenter thinks a restoration plan with restoration objectives should be included in the Draft EIR. Not only is the analysis within the Draft EIR programmatic due to the requested entitlements, such that design-level detail is not yet available, but the Natural Habitat Area is an avoidance area.

## Response to Comment 196-22

A map of static special-status species (i.e., species unable or unlikely to move from discrete habitat patches) documented on-site is provided as Figure 4.4-6 of the Draft EIR. The Proposed Project design was based on maintenance of tree canopy along Channel A (as noted in Master Response 7, based on design refinements, a substantial amount of the riparian canopy can be avoided) and the Valley oak trees around the old homestead in the southern portion of the site. The BRPA was additionally designed to avoid habitat that is unique in the region (the alkali playas and alkali wetlands) and that supports federally listed species. The agricultural fields that the commenter discusses are ubiquitous to the northwest, north, and northeast of the project site/BRPA site, and it is reasonable to assume that highly mobile foragers such as the bird species mentioned would use the aforementioned fields, as well as other locations around the site.

## Response to Comment 196-23

The comment is speculative and does not show that the Proposed Project/BRPA would have any direct impacts on any special-status species due to project-generated traffic. (CEQA Guidelines, Section 15384(a) [“Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence”]; CEQA Guidelines, Section 15204 [“an effect shall not be considered significant in the absence of substantial evidence”]; see *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928 [“mere argument, speculation, and unsubstantiated opinion, even expert opinion, is not substantial evidence”.) As such, further response is not required.

## Response to Comment 196-24

As explained in Response to Comment 196-23, the comment fails to show any direct impacts of the Proposed Project/BRPA on special-status species and is inherently speculative. As such, further response is not required.

## Response to Comment 196-25

With regard to the Traffic Fatality Model, any results obtained are inherently speculative as the commenter applies survey-sample results from Contra Costa County and attempts to apply them to all areas generically, regardless of the amount of traffic, existing roadway locations and sizes/existing traffic volumes, and regardless of the surrounding environment and wildlife that is extant in any particular area. Because the use of the Traffic Fatality Model is inherently speculative and invites generic results that lack foundation and could contain inaccuracies, the application of the Traffic Fatality Model to impacts of the Proposed Project/BRPA does not constitute substantial evidence of a significant impact to wildlife under CEQA.

Further, the commenter presents no evidence particular to the project site/BRPA site that increased traffic in the area would result in a significant increase in wildlife roadkill or increased significant impacts to special-status species.

## Response to Comment 196-26

The comment uses the estimated VMT from the Draft EIR applied to the Traffic Fatality Model to predict that traffic from the Proposed Project/BRPA would result in 19,098 vertebrate wildlife fatalities a year, and that those would be a unmitigated significant impact.

As detailed in Responses to Comments 196-23 and 196-25, the use of the Traffic Fatality Model is inherently speculative, and the Draft EIR's findings with regard to significant impacts to special-status species and other wildlife is supported by substantial evidence.

## Response to Comment 196-27

None of the species documented as road fatalities in this comment are special-status. The comment fails to show how the Proposed Project/BRPA would directly impact special-status species.

## Response to Comment 196-28

Please see Responses to Comments 196-23 through 196-27.

## Response to Comment 196-29

The commenter states that "An estimated two birds are killed per dwelling unit per year in the USA" but fails to provide any citation. Further, there are many types of dwelling units in the USA, and, as reported in the San Francisco Standards for Bird Safe Buildings and other documents, the typical bird strike zone is from at-grade to 60 feet in elevation, the primary concern is with any uninterrupted glazing 24 square feet or larger in size, and the likelihood of strike depends on the glazing used, the angle of the glass, the orientation of the building, and landscaping. Many of the birds killed per dwelling unit may be killed by large apartment buildings or other large/tall structures with uninterrupted window glazing. The commenter does not provide evidence that the Proposed Project/BRPA would result in significantly increased bird-window collisions for special-status bird species.

## Response to Comment 196-30

The surrounding residential developments to the west, south, and east of the project site/BRPA site are an existing source of house cats that have the opportunity to hunt within the project site/BRPA site and surrounding areas. These existing cats have access to all portions of the project site/BRPA site, including any areas that would be avoided by the Proposed Project/BRPA. The new cats that are brought in by new homeowners would hunt in adjacent areas, which are either already developed, or already accessed by existing cats. While it is possible that additional outdoor house cats would result from development and occupancy of the project site/BRPA site, any additional impacts would be marginal given existing adjacent residential uses. The comment provides no evidence that any new cats would result in a new impact to special-status species, and is inherently speculative. As such, further response is not required.

**Letter 197**

**Dara Dungworth**

**From:** Sherrill Futrell <safutrell@ucdavis.edu>
**Sent:** Monday, January 13, 2025 5:06 PM
**To:** Dara Dungworth
**Subject:** No on Village Farms

**Categories:** Yellow Category

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

**197-1** Building in the floodplain, building houses above poisoned water, and building in more traffic nightmares for Davis residents are all dumb ideas. Let's not. Thanks. - Sherrill Futrell, 151 Inner Cir, Davis 95618

1

## LETTER 197: SHERRILL FUTRELL

### Response to Comment 197-1

Please see Master Responses 1, 4, and 5.

**Letter 198**

Comments on the Draft Environmental Impact Report (SCH #2023110006) for the Village Farms Davis Project

Steven Deverel, Ph.D., P..G., C.HG., P.H., Principal Hydrologist, HydroFocus, Inc., Davis, CA.

There are three key areas that are inadequately addressed in the DEIR as follows.

1. Design of the storm water system does not sufficiently account for groundwater and surface water interactions or climate change.
2. Flow of contaminated groundwater to the storm water system.
3. Excavation of soils with high concentrations arsenic and toxaphene can be a risk to human health.

198-1

## Storm water system design

The design of the storm water system does not sufficiently account for hydrologic interactions of surface and groundwater flow and thus can affect project and downstream hydrologic conditions. The hydrology of the proposed project area is influenced by groundwater-surface water interactions and a more holistic analysis is required to fully assess impacts. For example, based on modeling and data collection, HydroFocus (2010) concluded that Willow Slough at Road 102 was consistently a gaining stream, i.e., groundwater flowed into the Slough. Shallow groundwater influences surface water levels during wet periods and needs to be considered in the storm-water flow analysis. Specifically, shallow groundwater that rises above the base of the channel as illustrated in Figure 4.8-3 will impede the soil infiltration of storm water. This can cause storm water levels to be higher than anticipated and potentially result in downgradient flooding.

Climate change effects have not been sufficiently considered in the groundwater-surface water interactions illustrated in Figure 4.8-3. One of the consequences of climate change is that more extreme precipitation events will occur (Bedsworth et al. 2018) which can cause shallow groundwater levels to rise within in the project area during wet years as illustrated in Figure 4.8-3 which shows elevated groundwater levels in Water Year 2019 which was classified as wet by the California Department of Water Resources. Modeling conducted for the Yolo Subbasin Groundwater Sustainability Plan includes future projections based on climate change model simulations to estimate the potential impacts on groundwater. Five climate change scenarios were simulated to project future groundwater levels to mid-2030s and mid-2070s. For one future scenario, groundwater storage in the Subbasin was predicted to increase which can mean

**Letter 198 Cont.**

**198-1 Cont.** increased incidence of elevated groundwater levels which can exacerbate surface water flooding.

## Contaminated groundwater in storm water drainage

On p. 18 of Chapter 4.8 of the DEIR states "In order to ensure that contaminated groundwater associated with the Old Davis Landfill does not enter the proposed storm water system for the Proposed Project/BRPA, Geocon prepared a Channel Evaluation Report to assess the depth at which contaminated groundwater could be encountered on-site during excavation of the drainage system, including the channel and detention basin. As previously discussed, and shown in Figure 4.8-3, the substantial majority of groundwater elevation data points are below 26.5 amsl [above mean sea level]. Thus, the Drainage Channel Evaluation prepared for the Proposed Project/BRPA by Geocon recommended the proposed drainage channel be designed with a base elevation above the groundwater elevation (i.e., 26.5 feet amsl)."

**198-2** While the data shown in Figure 4.8-3 shows that the majority of the groundwater levels measured in the monitoring wells are below 26.5 feet amsl, there are by my count 9 events with which groundwater levels were equal to or above 26.5 feet amsl. This means that based on the available historic data, groundwater levels periodically will be shallow enough to allow contaminated groundwater associated with the Old Davis Landfill to flow toward and into the storm water system. The authors stated that the drainage channel will "be designed with a base elevation above the groundwater elevation (i.e., 26.5 feet amsl) to limit the infiltration of groundwater into the channel that may be impacted by [per- and polyfluoroalkyl substances] PFAS or manganese." The use of the word "limit" is inconsistent with use of the word "ensure that associated with the Old Davis Landfill does not enter the proposed storm water system for the Proposed Project/BRPA." The data shown in Figure 4.8-3 clearly demonstrate the potential movement of contaminated groundwater into the stormwater channel.

It is important to recognize and characterize the key contaminants of concern for the ecosystem, PFAS and selenium. Per- and polyfluoroalkyl substances (PFAS) represent a potential threat to the ecosystem. Scientific studies have shown that exposure to PFAS in the environment may be linked to harmful health effects in humans and animals (https://www.epa.gov/pfas/pfas-explained.) Peritor et al. 2023 reviewed the PFAS threat to animal health and stated that the experimental studies that have allowed us to understand the long-term effects on animals which include the alteration of thyroid functions, and the ability to induce carcinotoxicity." Per- and polyfluoroalkyl substances are persistent in the environment and they accumulate in the food chain. Houde et l. (2011) reviewed PFAS monitoring research and stated that PFAS are magnified in the food chain which included birds.

**Letter 198 Cont.**

198-2 Cont.

Selenium is not mentioned as a constituent of concern in the Hydrology and Water Quality Section, but relatively high concentrations were measured in groundwater samples in 2024 ( Table 3, Universal Engineering Services (UES), 2024). Specifically, concentrations ranged from 5.1to 68 micrograms per liter. For comparison, a 2 microgram per liter level is recommended for protection of aquatic life in the Bay-Delta and San Joaquin River (Presser and Luoma, 2006 ). Elevated selenium levels in surface water can represent a risk to birds (Presser and Luoma, 2006). Loads of selenium and PFAS to the storm water system potentially represent a threat to animals that reside within and near the storm water system.

While the extent of the PFAS contamination is not completely defined, as stated in UES (2024), these contaminants will likely migrate with time. Per- and polyfluoroalkyl substances were detected in monitoring wells MW-4 and MW-5 located south of the former landfill within and adjacent to the proposed development footprint. UES (2024) recommended continued monitoring.

Consistent with Water Board letter dated January 7, 2023, it should be demonstrated that the storm water system comply with the Antidegradtion Policy (State Board Resolution 68-16) which stated that any discharge of waste to high quality waters must apply treatment or control to prevent pollution. Future efforts should demonstrate how the proposed project will ensure that contaminated groundwater associated with the Old Davis Landfill will not enter the proposed storm water system.

198-3

## Arsenic and toxaphene in soils

The authors of the Hazards and Hazard Materials section 4.7 reported that arsenic was detected in the soil samples at concentrations ranging from 6.1 to 8 mg/kg, which are greater than the California Department of Toxic Substance Control (DTSC) screening level for arsenic in residential soil (0.11 mg/kg) and that these arsenic levels are within the typical range of regional background soil arsenic concentrations. However, according to the Urban Development Area Phase II ESA, arsenic was not detected in on-site soils indicating the elevated arsenic in soil samples collected in the UATA area were not strictly related to regional geologic and soil processes. I posit that high-arsenic soils should not be placed on soils slated for urban development where there were no arsenic detections. The DTSC should be included in the evaluation of the proposed placement of soils with elevated arsenic concentrations in the proposed urban development area. DTSC (2020) stated that site-specific soil arsenic concentrations should be evaluated on a site-by-site basis, in consultation with the DTSC project Geologist and Toxicologist.

The authors of this section also stated that toxaphene concentrations in four of the five composite surface soil samples gathered throughout the former structure area, as well as the

**Letter 198 Cont.**

**198-3 Cont.**

samples taken from the northern end of the former structure area, near the former barn ranged from 1,000 to 1,200,000 micrograms per kilogram (µg/kg). These concentrations exceeded the DTSC screening level for toxaphene in residential soil (450 µg/kg). These concentrations could expose workers to hazardous materials during "ground-disturbing activities." The authors further stated that *"Prior to issuance of a demolition permit by the City for the on-site two story tank house, shallow soil impacted by toxaphene at the former barn, shed, and trailer locations within the project site/Biological Resources Preservation Alternative (BRPA) site shall be removed and disposed of off-site in accordance with federal, State, and local regulations at an appropriate Class I or Class II facility permitted by the Department of Toxic Substances Control (DTSC), "*

The missing piece here is the determination of the extent of the toxaphene elevated soil concentrations. The extent of the contamination and determination of volume of soil requiring removal need to be determined prior to assessing the feasibility of off hauling of contaminating soils. Moreover, the DEIR is deficient in not including DTSC in the development of plans to address with water and soil contaminant issues.

## Summary

**198-4** The proposed project will potentially create hydrologic problems and contamination within and outside of its footprint. Proposed disturbances, excavation for storm drainage and of contaminated soils, will mobilize contaminants.

**198-5** The contaminated groundwater in its current state does not pose a serious risk to human or ecosystem health . Proposed disturbances will mobilize PFAS and selenium into the surface water and potentially pose a long-term risk to the ecosystem and human health.

**198-6** In their current state, arsenic laden soils do not pose a significant risk to the ecosystem or human health. Excavation of these soils and placement on soils where arsenic was not detected can potentially pose a risk to human health.

**198-7** Lack of holistic consideration of groundwater-surface water interactions and climate change effects can potentially lead to flooding beyond that anticipated in the design.

References

**Letter 198 Cont.**

Bedsworth, Louise, Dan Cayan, Guido Franco, Leah Fisher, Sonya Ziaja. (California Governor's Office of Planning and Research, Scripps Institution of Oceanography, California Energy Commission, California Public Utilities Commission). 2018. Statewide Summary Report. California's Fourth Climate Change Assessment. Publication number: SUMCCCA4-2018-013.

DTSC (2020) Human Health Risk Assessment NOTE NUMBER 11, Southern California Ambient Arsenic Screening Level https://dtsc.ca.gov/wp-content/uploads/sites/31/2019/04/HHRA-Note-3-2019-04.pdf

Houde, M., De Silva, A.O., Muir, D.C. and Letcher, R.J., 2011. Monitoring of perfluorinated compounds in aquatic biota: an updated review: PFCs in aquatic biota. *Environmental science & technology*, *45*(19), pp.7962-7973.

HydroFocus, 2010, Groundwater-stream interactions, Willow Slough Watershed, Yolo County, California, report submitted in partial fulfillment of State Water Resources Control Board Agreement No. 04-173-555-0.

Peritore, A.F., Gugliandolo, E., Cuzzocrea, S., Crupi, R. and Britti, D., 2023. Current review of increasing animal health threat of per-and polyfluoroalkyl substances (pfas): Harms, limitations, and alternatives to manage their toxicity. *International Journal of Molecular Sciences*, *24*(14), p.11707.

Presser, T.S. and Luoma, S.N., 2006. *Forecasting selenium discharges to the San Francisco Bay-Delta Estuary: ecological effects of a proposed San Luis Drain extension* (No. 1646). US Geological Survey Professional Paper 1646.

Universal Engineering Services, 2024, Groundwater Monitoring Report, Old Davis Landfill, Davis, CA, prepared for the City of Davis, Public Works Utilities and Operations Department

## LETTER 198: STEVE DEVEREL (HYDROFOCUS, INC.)

**Response to Comment 198-1**
Please see Master Response 3.

**Response to Comment 198-2**
Please see Master Response 3.

**Response to Comment 198-3**
Please see Master Response 3.

**Response to Comment 198-4**
Please see Master Response 3.

**Response to Comment 198-5**
Please see Master Response 3.

**Response to Comment 198-6**
Please see Master Response 3.

**Response to Comment 198-7**
Please see Master Response 3.

**Letter 199**

**Dara Dungworth**

**From:** Steve G <stevegellermusic@gmail.com>
**Sent:** Tuesday, February 25, 2025 3:01 PM
**To:** Dara Dungworth
**Subject:** Village Farms Davis Project question

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms. Dungworth--

199-1 After reading the recent Draft EIR letter about this project, I have a question about one of the Significant Impacts: Noise.

Is the noise impact on the level of "construction vehicles/tools making noise at the site" or is it on the level of "blasting with dynamite to excavate and clear the area," etc? Do you have additional details for me about the noise impact? Also, do you have a proposed timeline for the duration of the project?

Thanks for your time and help.

--Steve

1

## LETTER 199: STEVE GELLER

### Response to Comment 199-1

Impacts related to noise are discussed in Chapter 4.10, Noise, of the Draft EIR. The analysis therein is based primarily on the Environmental Noise Assessment prepared by Saxelby Acoustics and is included in Appendix P of the Draft EIR. As discussed in Impact 4.10-1 of Chapter 4.10, Noise, of the Draft EIR, the maximum average noise exposure would be 89 dBA $L_{eq}$ at 50 feet from the center of activity. In addition, as noted on page 4.10-28 of the Draft EIR, the Proposed Project/BRPA would use typical construction equipment and would not require significant sources of vibration such as pile driving or blasting. As such, the Environmental Noise Assessment did not assume blasting would occur.

Please see Master Response 1. A timeline of the Proposed Project and the BRPA is discussed in Chapter 4.3, Air Quality, GHG Emissions, and Energy, of the Draft EIR. Page 4.3-47 states that the Proposed Project and the BRPA would both be built out over four phases across approximately seven years.

**Letter 200**

**Dara Dungworth**

**From:** Susan Padgett <spadgett2018@gmail.com>
**Sent:** Monday, February 24, 2025 3:50 PM
**To:** Dara Dungworth
**Subject:** EIR Comment on Village Farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dear Ms. Dungworth,
I would like to submit the following related to the environmental impact of the Village Farms development:

**200-1** 1. The land being proposed for Village Farms is agricultural land and it appears to be currently in use for farming. We need housing desperately but also need to value our farm land. I would like to encourage the developer to consider a smaller footprint with more housing density to leave as much open land as possible.

**200-2** 2. Covell is a main bus route in Davis. Currently the developer is planning a park along Covell. I would encourage the developer to move the park and use the land along Covell for fairly dense housing so that those living there would be within an easy walk to the shopping center or bus stop.

Thank you.
Sincerely,
Susan Padgett
618 Flicker Ave.
Davis, CA 95616

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## LETTER 200: SUSAN PADGETT

### Response to Comment 200-1

Potential impacts to agricultural resources, including conversion of farmland to non-agricultural uses, are discussed in Chapter 4.2, Agricultural Resources, of the Draft EIR.

### Response to Comment 200-2

Please see Response to Comment 100-7.

**Letter 201**

## Village Farms DEIR Research & Questions
## Standard of Care – First Do No Harm

https://pubs.usgs.gov/fs/fs07603/#:~:text=Development%20along%20stream%20channels%20and,inundate%20a%20larger%20area%20upstream.
https://water.ca.gov/Programs/Flood-Management/Flood-Planning-and-Studies/Central-Valley-Flood-Protection-Plan

**Development on floodplains in California can be dangerous because it can increase the risk of residential flooding and damage the environment.**

201-1

**Increased risk of flooding**

- **Altered water flow**: Development can change the way water flows through a channel, causing water to rise higher and flood a larger area.
- **Obstructed floodwaters**: Structures built in floodplains can block floodwaters, causing them to build up and flood nearby areas.
- **Increased flood damage**: As development increases, so do the average annual losses from flooding.

### Environmental damage

- **Loss of natural resources**: Development can destroy wetlands and other natural resources that help absorb floodwaters and protect communities.
- **Loss of wildlife habitat**: Development can degrade and destroy the habitats of fish and other wildlife.
- **Increased pollution**: Development can increase pollution sources.

201-2

Examples of development that can increase flood risk: *Clearing vegetation*, *covering floodplains with impervious surfaces*, *Re-routing stormwater*, *Channelizing rivers,* and Building bridges and other structures that narrow the channel.

### Flood Plain

https://www.cityofdavis.org/city-hall/community-development/development-projects/village-farms-davis

201-3

New development on flood plains near the Sacramento River can be dangerous because of the risk of flooding. Floodplains can cause loss of life and property, disruption of commerce, and health and safety hazards.

The area adjacent to a channel is the floodplain. Floodplains are

1

**Letter 201 Cont.**

**201-3 Cont.**

illustrated on inundation maps, which show areas of potential flooding and water depths. In its common usage, the floodplain most often refers to that area that is inundated by the 100-year flood, the flood that has a one percent chance in any given year of being equaled or exceeded. The 100-year flood is the national minimum standard to which communities regulate their floodplains through the National Flood Insurance Program (NFIP). The 500-year flood is the flood that has a 0.2 percent chance of being equaled or exceeded in any given year. ***The potential for flooding can change and increase through various land use changes and changes to land surface, which result in a change to the floodplain. A change in environment can create localized flooding problems inside and outside of natural floodplains by altering or confining natural drainage channels. These changes are most often created by human activity.***

In addition to those100- and 500-year floodplains regulated under the NFIP, recent California legislation resulting from Senate Bill 5 (2007) requires cities and counties within the Sacramento-San-Joaquin Valley to address new flood protection standards of the 1-in 200 year (0.5 percent chance of being equaled or exceeded in any given year) flood when considering new development. These standards are under development and will become effective over the next several years as ongoing technical studies are performed.

According to the 2008 Flood Insurance Study for the County, flooding can occur in Sacramento and Yolo Counties planning area anytime from October through April. Flooding results from prolonged heavy rainfall and is characterized by high peak flows of moderate duration and by a large volume of runoff. Flooding is more severe when antecedent rainfall has resulted in saturated ground conditions. Cloudburst storms, sometimes lasting as long as three hours, occur over Sacramento and Yolo Counties anytime from late spring to early fall, and they may occur as an extremely severe sequence within a general winter rainstorm. Cloudbursts are high-intensity storms that can produce peak flow equal to or somewhat greater than those of general rainstorms in portions of the study area. Flooding from cloudbursts is characterized by high peak flow, short duration of flood flow, and small volume of runoff.
*We must be aware of EVER COMING CLIMATE CHANGE EVENTS, in CEQA or not.*

**201-4**

**Planning: The Phasing out of Cul-de-Sacs**

Cul-de-sacs are *increasingly seen as* undesirable in urban planning because they promote car dependency, limit walkability, create inefficient traffic patterns, (are difficult for Fire Engines) and generally lack connectivity to other areas, making it difficult to access amenities without driving, which is considered a negative aspect of suburban development. Also because people back up and hit children due to diminished visibility. ***Cul de sacs make roads more dangerous.*** They lead to the terrible idea of collector roads and arterials, which end up being very busy multi-lane highways. This is dangerous to pedestrians and results in a positive feedback loop inducing more vehicular traffic. ANOTHER BUFFER TO AVOID DECENT PUBLIC TRANSPORTATION. Doesn't the City Admin. See that Davis is an I-80 pinch point and grid lock causation? Presently, anterior roads being backed up so that perpendicular

2

**Letter 201 Cont.**

**201-4 Cont.**

roads cannot pass. Has City Admin. seen Pole Line, 113 and other roads to I-5 clogged up? This is important to understand in the need of evacuation. (See 'Fire Access')

## Issues Regarding Landfill and Sewage Plant Abandonment for Planning, Liability and Insurance

Building near a landfill can be dangerous because of the risk of exposure to toxic gases, the potential for explosions, and the possibility of subsidence.
What is a safe distance to live near a landfill?
What are the risks of living near toxic waste sites***? Research shows adverse health effects most likely occur within a 1.8 mile, 1000 feet boundary*** around a Superfund site. One of the most significant risks of building on an old landfill site is the potential for soil and groundwater contamination. Landfills contain various hazardous substances, including heavy metals, organic compounds, and other toxic chemicals. Over time, these substances can leach into the surrounding soil and groundwater, potentially contaminating nearby wells and water supplies. In addition, the breakdown of organic material in landfills can produce methane gas, posing a serious explosion risk if not properly managed. The highest action is to remove it and restore nature.

**201-5**

## PFAS from Landfill:

Current scientific research suggests that exposure to certain PFAS may lead to adverse health outcomes. However, research is still ongoing to determine how different levels of exposure to different PFAS can lead to a variety of health effects. Research is also underway to better understand the health effects associated with low levels of exposure to PFAS over long periods of time, especially in children. EPA: What We Know about Health Effects of PFAS exposures Current peer-reviewed scientific studies have shown that exposure to certain levels of PFAS may lead to:

- Reproductive effects such as decreased fertility or increased high blood pressure in pregnant women.
- Developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes.
- Increased risk of some cancers, including prostate, kidney, and testicular cancers.
- Reduced ability of the body's immune system to fight infections, including reduced vaccine response.
- Interference with the body's natural hormones.
- Increased cholesterol levels and/or risk of obesity.

3

**Letter 201 Cont.**

## Cal Fire Access Requirements

**(Since it is almost impossible to get fire insurance in CA now, it is essential that the Fire Department has good access).**

**We must adapt to the times in which we are living.**
**Recommendations from The Fire Department Authorities is wise.**
**Learn from Fire Events in California, who are now calling for new access codes.**

**Article 2 Ingress and Egress**
1273.00. **Intent**
Roads, and Driveways, whether public or private, unless exempted under 14 CCR 1270.03(d), shall provide for safe access for emergency Wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a Wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.
1273.01. **Width**.
(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless
other standards are provided in this article or additional requirements are mandated by Local Jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section
35250.

201-6

(b) **All One-way Roads** shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including Shoulders. The Local Jurisdiction may approve One-way Roads.
(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) Residential Units. (2) In no case shall a One-way Road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each One-way Road. (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13′ 6″).
§ 1273.02. **Road Surface**
(a) Roads shall be designed and maintained to support the imposed load of Fire Apparatus weighing at least 75,000 pounds, and provide an aggregate base.

(b) Road and Driveway Structures shall be designed and maintained to support at least 40,000 pounds.
(c) Project proponent shall provide engineering specifications to support design, if requested by the Local Jurisdiction.
1273.03. **Grades**
(a) At no point shall the grade for all Roads and Driveways exceed 16 percent.
(b) The grade may exceed 16%, not to exceed 20%, with approval from the Local Jurisdiction and with mitigations to provide for Same Practical Effect.1273.04.

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**Letter 201 Cont.**

**Radius**
(a) No Road or Road Structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.
(b) The length of vertical curves in Roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.

**201-6 Cont.**

§ 1273.05. **Turnarounds**
(a) Turnarounds are required on Driveways and Dead-end Roads.
(b) Two ways to exit developments is recommended.

Building to the fire department access requirements is building a sustainable and resilient community - a stellar example to other communities. Probably the only way to get fire insurance. Buyers Beware: Flood Insurance? It's a new day….

**201-7**

**Trees Located in Flood Zone:**
Removing hundreds of trees in a flood zone can increase the risk of flooding. Trees help manage rainwater and snowmelt, which can *reduce the risk* of extreme flooding. To remove a small forest in a watershed is ecocide (The killing of ecosystems in nature).

**201-8**

**TRAFFIC**
High traffic volume near a middle school; refers to a situation where a large number of vehicles are present on the roads surrounding a middle school, usually occurring during drop-off and pick-up times, leading to congestion and potential *safety concerns for students walking or biking to school.*

High-volume roadways are considered those with an AADT of 50,000 or more. Low-volume roads are considered those with an AADT of 400 or less. These categorizations vary by state and country, and as such are only a guideline. As an illustration, consider a road with an AADT of 400, a low-volume road. Many commuters are taking Poleline to I-5 instead of I-80 for – now there is gridlock on both. People commute from Marysville and Yuba City as well as Sacramento.

**201-9**

TRAFFIC GRIDLOCK WOULD RESULT IN MORE GREENHOUSE GASES (GHG) AND AIR QUALITY DETERIORATION. THIS IS BECAUSE CEQA IGNORES TRAFFIC CIRCULATION IMPACTS BUT **IT CANNOT IGNORE GHG's AND AIR QUALITY DETERIORATION DUE TO THE BACKED-UP TRAFFIC AND GRIDLOCK**.

**201-10**

**Comments & Recommendations**

**Proposed Davis Guiding Principles: Living Community Challenge:** https://living-future.org/lcc/

5

**Letter 201 Cont.**

**201-10 Cont.**

This standard of sustainable and resilient community planning is now a global document and it provides a good follow-on to the progressive Davis General Plan that is not being followed, no, it is being threatened to being eliminated by the current Developer Mayor.

***It is highly recommended that the City of Davis provide the Living Community Challenge Standards as Guiding Principles to all developers, who must read and follow. There are also actions for the Davis Community to follow for resilience safety.***

With the recent attempt by a developer team try to game the DEIR with an All or Nothing approach, that isn't even legal to do; to even THINK of putting million dollar homes next to an unlined landfill and abandoned sewage treatment plant *is not sustainable thinking* – it is Return on Investment, big money, toss cares to the wind moves by developers who want to build status quo minimum code homes on the cheap with a few frills – then skate away with their millions while the City of Davis and design professionals will be in great legal liability for Health, Safety and Welfare and Standard of Care Laws – not being upheld – when the class action law-suits come in for the cancers and birth defects that start happening from being near the toxic mass. *Insurance may well be a difficult issue for potential home buyers to even get.* Moral Blame is strong in courts. CA Case law – Duty even when not the final decision maker. Contractual protections do not always apply in negligence claims. Contractual exclusions may not overcome Duty. Be Advised.

**201-11**

**BIKE PATHS 2025**

How can it be that South Davis has nice, paved bike paths with tunnels and good flow, away from cars on streets, yet North Davis doesn't have the same? How can it be that the City of Davis can build nice bike roads that cross I-80 and ramp up to Pole line – yet not provide any leadership to the current developer to collaborate to have decent bike routes – away from the vehicle roads? How can it be that people from Holland came to show us what good bike paths look like and not make it a requirement for developers to help the city achieve these goals? BY LEADERSHIP – VISION – SUSTAINABLE ENVIORNMENTAL PLANNING BY THE MAYOR AND THE COMMITTEES. (Which does not seem to be present at this time. I pray that this is not the case.)

Finally, I have been to big built-environment conferences and seen presentations by Developers who presented a beautiful, sustainable project in the Bay Area that the city loves! They were inspired to do this, to give something beautiful, sustainable, safe and resilient. That is the true challenge of the Living Community Challenge – Beauty is a principle. There is another way.

To fit the most excellent action to the demand of the moment as one's highest obligation to one's Self.

Susan Rainier, AIA, LEED AP BD+C, Living Community Accredited,
Living Future Institute, Architect Activist, Protector of Nature

## LETTER 201: SUSAN RAINIER

**Response to Comment 201-1**
Please see Master Responses 1 and 4.

**Response to Comment 201-2**
Please see Master Response 1.

**Response to Comment 201-3**
Please see Master Responses 1 and 4.

**Response to Comment 201-4**
Please see Master Responses 1 and 5.

Impacts related to transportation are discussed in Chapter 4.13, Transportation, of the Draft EIR. Emergency vehicle access is evaluated under Impact 4.13-5. As discussed therein, the impact regarding the Proposed Project and the BRPA providing adequate emergency access is found to be less-than-significant.

**Response to Comment 201-5**
Please see Master Responses 1 and 3.

**Response to Comment 201-6**
Please see Master Response 1.

**Response to Comment 201-7**
Please see Master Responses 4 and 7.

**Response to Comment 201-8**
Please see Master Responses 1 and 5.

**Response to Comment 201-9**
Please see Response to Comment 47-1 and 75-9.

**Response to Comment 201-10**
Please see Master Response 1.

**Response to Comment 201-11**
Please see Master Response 1.

**Letter 202**

TAYLOR, WILEY & KEASLING
A PROFESSIONAL CORPORATION
ATTORNEYS
500 CAPITOL MALL, SUITE 1150
SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 929-5545

JOHN M. TAYLOR
JAMES B. WILEY
MATTHEW S. KEASLING
JESSE J. YANG
MARISSA C. FUENTES

February 25, 2025

Dara Dungworth, Principal Planner
City of Davis Department of Community Development
23 Russell Boulevard, Suite 2
Davis, California 95616
ddungworth@cityofdavis.org

Re: Village Farms Davis Project Draft Environmental Impact Report (SCH # 2023110006)

Dear Ms. Dungworth:

Taylor, Wiley & Keasling represents Ramco Enterprises and the Buzz Oates Group of Companies, who were the applicants and owners for the Aggie Research Center/Davis Innovation Sustainability Campus (DISC) and DISC 2022 projects in the City of Davis. (As noted on page 7-33 of the DEIR, both of these projects were approved by the City of Davis but subsequent ballot measures failed to receive the requisite votes for Measure J approval.) Notably, the Draft Environmental Impact Report (DEIR) for the proposed Village Farms Davis Project (Project) selected approximately 194 acres of the DISC project site as the location for its Off-Site Project Alternative. Due to the DISC site having been included in the environmental analysis, we have reviewed the DEIR for the Project and offer the following comments.

**202-1**

First, let us be clear that we are supportive of the Village Farms Davis Project and have no substantive comments related to that project as proposed. Rather, our comments relate only to the DEIR's analysis of the Off-Site Project Alternative on pages 7-33 to 7-40 of the DEIR.

The DEIR concluded that, because the Off-Site Project Alternative site is not located as close to the center of the City of Davis as the Village Farms project site, this alternative would not be as good at meeting the project objective of reducing vehicle miles traveled (VMT) and minimizing sprawl as would the proposed project. The DEIR noted that, because the DISC site is in an area where residential VMT per capita ranges from 33 to 36 as compared to the project site being located in an area that generates approximately 31 VMT per capita, the development of the Village Farms project on the DISC site as the Off-Site Project Alternative would result in greater transportation impacts. We do not dispute that DISC is further from the center of town. However, we believe that the increased distance could be offset by the availability of more robust transit, proximity to jobs on 2nd Street, and direct routes of travel to retail, schools and parks. Additionally, we believe that the DEIR downplays the environmental advantages of development on the DISC site, as discussed below.

**Letter 202 Cont.**



**202-2**

To elaborate, with the exception of VMT, the DEIR concluded that Off-Site Project Alternative would result in similar or lesser impacts than the Proposed Project relative to every other environmental issue analyzed in the DEIR. Specifically, the DEIR concluded that the Off-Site Project Alternative, i.e. the DISC site, would result in fewer impacts to:

1. agricultural resources,
2. air quality/GHG emissions/energy,
3. biological resources,
4. cultural and tribal resources,
5. geology and soils,
6. hazards and hazardous materials,
7. hydrology and water quality, and
8. noise.

Surprisingly, despite these considerable environmental benefits of development on the DISC site, the DEIR does not select the Off-Site Project Alternative as the "environmentally superior alternative." Rather, the DEIR concluded that the Higher Number of Units – Same Footprint Alternative is considered the "environmental superior alternative." However, according to Table 7-1 on pages 7-42 through 7-49 of the DEIR, the Off-Site Project Alternative would result in similar or lesser environmental impacts than the Higher Number of Units – Same Footprint Alternative with respect to all environmental impacts except for VMT. Thus, we believe that the Off-Site Project Alternative is environmentally superior. For this reason, the final EIR should be modified to identify the Off-Site Project Alternative as the environmentally superior alternative or explain why the Off-Site Project Alternative was not selected.

Thank you for the opportunity to provide our comments on the DEIR. Please let us know if you have any questions regarding our comments.

Very truly yours,

Matthew S. Keasling

cc: Mayor and City Council
Mike Webb, City Manager
Dan Ramos, Ramco Enterprises

## LETTER 202: TAYLOR, WILEY, AND KEASLING

### Response to Comment 202-1

Please see Master Responses 1.

### Response to Comment 202-2

A detailed discussion of alternatives can be found in Chapter 7, Alternatives Analysis, of the Draft EIR. As stated on page 7-2 of the Alternatives Analysis, the Proposed Project is being pursued with the objectives of guiding urban growth in undeveloped areas closest to the central city to facilitate compact growth and to reduce potential vehicle miles traveled (VMT) and excessive sprawl, and planning development to reduce greenhouse gas (GHG) emissions by aligning with the City's 2040 Climate Action and Adaptation Plan. As discussed on page 7-40, the lead agency may consider certain issue areas as a higher priority than others. For the purposes of this EIR, reduction of impacts related to VMT are considered a high priority due to the potential consequences of climate change for the City of Davis. The Higher Number of Units – Same Footprint Alternative is the only alternative that eliminates the Proposed Project's significant and unavoidable VMT impacts. Therefore, the Higher Number of Units – Same Footprint Alternative is considered the environmentally superior alternative.

**Letter 203**

**Dara Dungworth**

**From:** Timothy Hoban <newhoban@gmail.com>
**Sent:** Tuesday, February 25, 2025 9:51 AM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Mayor, Council Members, and Planning Commission Members:

I wish to begin by thanking you for your service to the City of Davis, which I much appreciate. I doubt if I have to remind you that
it is very difficult work.

My name is Timothy Hoban and my wife, daughter and I have been citizens in this town for over 55 years. We have seen a lot
and care deeply.

You have been presented with a truly monstrous proposal in the form of the Village Farms project. Our city leaders and planners
MUST reject the project in its current design and ALL other proposals, such as downsizing, or adding token "affordable" units the developer will attempt. Close the ENTIRE Village Farm development for good. The amount of damage that approval
of this plan will have is difficult for me to even imagine. We have a relatively tiny town footprint and border with ever growing
high density. Citizens WILL be paying for it and suffering if the city allows it. There are compelling reasons past projects including Mike Corbet's attempt have failed on this site before, because citizens have had enough
of these enormous projects which benefit only wealthy speculators and developers at our whole town's expense. We have met our
forced growth for this year. We have done enough.

203-1

As our leaders, you have a deep responsibility to protect the safety, quality of life, and environment of our city. I am beseaching you to do the right thing. Don't RUIN our town. Permanently reject this proposal and all future modified projects on this site by this developer.

I am including this long, detailed, and especially insightful summary that I came across by Eileen Sam. Every ISSUE that she brings
up from her research requires very careful reading and action on your part, in my view.

Sincerely, Timothy Hoban
633 K Street, Davis

1

**Letter 203 Cont.**

**203-2** **Village Farms is the largest project ever proposed in Davis for 1,800 units on almost 500 acres.** The project has a lot of problems primarily because it is a handicapped site with a 200-acre flood plain, and it is adjacent to the unlined Old City Landfill and Sewage Treatment Plant with a long history of leakage into the ground water of toxics and other chemical contaminants (now including carcinogenic PFAS "forever chemicals"). The Covell Blvd. and Pole Line Rd. area already has enormous traffic and adding 1,800 housing units would exacerbate it. There would be no bicycle/pedestrian safe access via an undercrossing or overcrossing from the west, north or south, and now the DEIR is questioning the "feasibility" of a Pole Line Undercrossing to the east. Additionally, there would be all the costs imposed by the enormous amount of infrastructure needed, as well as the massive impacts on the native plants, wildlife and habitat from re-routing Channel A and tearing out 952 trees. Beyond all that, the housing would be unaffordable to local workers and young families with average incomes since the homes would be at least $700,000-$800,000 with a major number of them being $1 million and over. It is also important to recognize that the project is *not* infill per our General Plan which defines infill as land that is within the City limits, and Village Farms is *outside* the City limits in Yolo County.

**203-3** **- Building hundreds of housing units on the 200 acres of a FEMA Zone A Flood Hazard flood plain makes no sense** and would bring flooding problems. A fundamental planning principal is you DO NOT build on enormous flood plains like this. Not only because of the climate change issues we are experiencing, but because there is legislative law now that the State will no longer financially bail out cities foolish enough to build on flood plains like this when disaster happens. The chances of that are more now likely than ever, due to climate change. Will north Davis resident need to buy flood insurance due to Village Farms?

**203-4** **-The toxics and other chemical contaminants leaking into the groundwater from the Old City Landfill and Sewage Treatment Plant located immediately adjacent to Village Farms.** This includes carcinogenic PFAS "forever chemicals" and manganese exceeding maximum concentration levels recently found from monitoring wells. How many people will want to buy a home of at least $700,000 to over $1 million sitting on land with contaminated groundwater with chemicals like PFAS's that cause cancer? There are also solid toxics exceeding MCL's including lead, arsenic, and toxaphene which is a neurotoxin and potential carcinogen.

**203-5** **-Traffic impacts which would be incredibly worse than it is now from adding 1,800 more housing units at Covell Blvd. and Pole Line Road** which is already incredibly impacted. No one is going to believe that shoe-horning in 1,800 units on this Village Farms site is going to be "environmentally superior" because it makes no sense. It is illogical in particular since the City has no plan to significantly improve its currently minimal, inconvenient and inadequate public transit system which is designed primarily to serve UCD's needs. Creating higher densities without the infrastructure of a robust transit system would only impact the environment far more due to more traffic.

**203-6** **- Massive infrastructure costs including an un-needed new Fire Station because 90% of the fire department calls are medical, NOT fire related issues**. Instead, what is needed, and has been advocated for years, is an Emergency Medical Service (EMS) which would be a fraction of the cost. How many Davis residents want to pay for the $14 million it would cost to build the fire station and then the multi-millions of dollars it would cost to pay for the additional staffing (including more fire fighters), equipment and operational costs long term into the future? Also, how could a fire truck possibly get onto Covell Blvd.(particularly to go east) when the traffic is backed up most of the time?

**203-7** **-Uncertain "feasibility" of the only bicycle/pedestrian grade-separated crossing for safe access particularly for children. The Pole Line bike/pedestrian undercrossing is now *uncertain* since the DEIR says it has not yet determined its "feasibility".** This is likely due to existing infrastructure such as underground utilities and the land needed for its construction, particularly on the east side of Pole Line Roa near Moore Ave.Furthermore,

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**Letter 203 Cont.**

**203-7 Cont.** even *if* it is feasible, the developer is *not* committing to covering all the costs for the undercrossing. How many Davis residents are willing to subsidize the millions of dollars for that project? This is a major access component of the project however; the DEIR admits that it is not even sure if the undercrossing is feasible due to other existing infrastructure. Why don't they have an answer yet? When? After the vote?

**203-8** -**Unaffordable housing where the vast majority of the homes will be McMansion's**, Market homes will not be cheaper thn $700,000 - $800,00 but the majority of them will be well over $1 million. This does not help our average workers or particularly families with young kids, so this project will *not* help bring a lot of kids to the schools contrary to the developer's claims. This housing would *not* help workers and young families with average incomes since they will not be able to afford these homes.

**203-9** - **Habitat impacts including tearing out 952 trees to dig up to expand and re-route Channel A** which will have significant impacts on the habitat and raises major concerns about potential flooding issues.

**203-10** **In summary, Village Farms is proposing 1,800 units on roughly 400-acres is the largest residential project ever proposed in the City of Davis, on a site with a plethora of problems, impacts and costs.** It is located at one of the most highly impacted area of traffic in the City at Covell Blvd. and Pole Line Road which would be massively worse . There are toxics issues, flooding risks, access issues, public safety issues, and enormous costs that would be imposed on Davis residents. Therefore, this project needs to be rejected just as Covell Village was for the same reasons and more.

3

## LETTER 203: TIMOTHY HOBAN

**Response to Comment 203-1**
Please see Master Response 1.

**Response to Comment 203-2**
Please see Response to Comment 75-1.

**Response to Comment 203-3**
Please see Master Response 4.

**Response to Comment 203-4**
Please see Master Response 3.

**Response to Comment 203-5**
Please see Master Response 5.

**Response to Comment 203-6**
Please see Response to Comment 75-51.

**Response to Comment 203-7**
Please see Master Response 6.

**Response to Comment 203-8**
Please see Master Response 1.

**Response to Comment 203-9**
Please see Master Response 7.

**Response to Comment 203-10**
Please see Master Response 1.

**Letter 204**

**Dara Dungworth**

**From:** Thomas McCubbins <tfmccubbins@hotmail.com>
**Sent:** Thursday, February 13, 2025 12:55 PM
**To:** Dara Dungworth; Planning Commission
**Subject:** CEQA Comments Related to Village Farms Davis Project

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

**204-1** The following are thoughts related to the Transportation chapter prepared for the Village Farms Davis Project. In developing these comments, an assumption was made that all 1,800 units of housing will be constructed and that an increase in population of 4,626 persons will result.

**204-2** Related to comments made by the developer that this project would provide needed housing for local workers, employment data developed by Deloitte Services indicates a job growth of 1.16 (from 31,900 to 32,200 between 2021 and 2022 for an increase of 300 jobs within the Davis census area. Consequently, it appears that many of the homes to be developed in an and adjacent to Davis City limits would be occupied by those who work outside the City's limits and thus commute. If this is the case, it seems likely that considerable commuter traffic would be developed by those new residents who work in Sacramento or other nearby communities. This would be in addition to the current volume of cross town and I-80 interchange traffic volumes. More specifically, City of Davis Daily Traffic Count Data reported 13,800 trips along Pole Line Road adjacent to the project area, near its intersection with East Covell Road. Other significant amounts of traffic were recorded along this cross-town route from East Covell Boulevard to the Interstate 80 overcrossing. At the same time, 19,704 trips were recorded along Richards Blvd at I-80 and 29,354 along Mace Blvd at I-80 Although it is assumed that not all this cross-town traffic funnels onto Interstate 80 East and West, Cal Trans Traffic data from 2017 reports Annual Average Daily Traffic Rates as follows:

**204-3** Back AADT (representing traffic South or West of count locations)
Richards Blvd at I-80. 136,700
Mace Blvd. /County Road 104 at I-80 133,600

**204-4** Ahead AADT, (representing traffic North or East of the count location).
Richards Blvd. at I-80 131,300
Davis, Mace Blvd. /County Road 104 at I-80 141,500

**204-5** While not all this traffic originates within the Davis community, City traffic counts in addition to those made along portions of Richards Boulevard and Mace Boulevard at Interstate 80 indicate relatively heavy commute traffic onto I-80 and out of the area.
The Transportation Chapter also describes a few alternate transportation modes
UniTrans
Unitrans ridership statistics show that:

- In 2024, Unitrans carried a total of 3,479,000
- Roughly 90% of Unitrans riders are UC Davis undergraduates.
- The primary hubs for Unitrans are the two campus terminals at the MU and Silo.
- Unitrans carries an average of 30 passengers per trip

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**Letter 204 Cont.**

**204-5 Cont.**

- The V (West Village) Line carries more than 20% of all Unitrans riders with the system's highest ridership being the Anderson-North Sycamore corridor (G/J), Cowell corridor (M/W), and the V Line. Each of these routes have many student-oriented housing units.
- At the present time approximately 5% of Unitrans riders are non-Davis students. faculty, staff, and the general public.

These statistics indicate that most Unitrans riders are students commuting from nearby neighborhoods to the UCD campus rather than workers community to jobs in the downtown and surrounding area or to access other modes transportation into Sacramento, Woodland, Vacaville, or Fairfield

Yolo Bus

**204-6**

According to available information generated in 2023, the Yolo Bus system recorded a ridership of approximately 532,400, with an average of around 3,200 riders per weekday. Given the large area covered by this transit system between Davis, Sacramento, Woodland and Brooks, and the large numbers of those commuting out of Davis, it appears that this is not a wildly popular mode of transportation and thus would not significantly mitigated traffic impacts related to this project.

Amtrack

**204-7**

Recent Amtrack statistics report that the Davis station generated 171,390 trips in 2022 with an average trip covering 79 miles. Stations to the east and west of Davis where daily commuting is feasible could include Rocklin, Roseville, Sacramento, Fairfield-Vacaville, Suisun-Fairfield, Martinez, Richmond, Berkeley, Emeryville, and Oakland Jack London Square. Although stations serve these cities, daily commuters would, in many instances, find it necessary to transfer onto other transportation lines or modes of travel to complete their commute thus increasing commute times and decreasing commute efficiency.

**204-8**

In summary the small number of jobs created in the Davis community that could support the mortgage payments required for the homes to be constructed within the Village Farms Davis Project could result in Davis becoming another sprawling bedroom community for Sacramento like Elk Grove and Woodland. It is recognized that the State has mandated that all California communities contribute a fair share of housing units to fulfill current and future housing needs. The continued use of community development that results in urban sprawl supported by the use of automobiles shows a lack of creative thinking about how the State's housing needs can be filled in the Davis community while at the same time maintaining the quality of life for current residents and reducing the need for continued expansion (and expense) municipal and State automobile infrastructure.

Thanks in advance for your consideration of these comments.
Tom McCubbins
North Davis

2

## LETTER 204: TOM MCCUBBINS

**Response to Comment 204-1**
Please see Master Response 1.

**Response to Comment 204-2**
Please see Master Response 1.

**Response to Comment 204-3**
Please see Master Response 1.

**Response to Comment 204-4**
Please see Master Response 1.

**Response to Comment 204-5**
Please see Master Response 1.

**Response to Comment 204-6**
Please see Master Response 1.

**Response to Comment 204-7**
Please see Master Response 1.

**Response to Comment 204-8**
Please see Master Response 1.

**Letter 205**

**Dara Dungworth**

**From:** Toni Smith <tonismith2312@gmail.com>
**Sent:** Sunday, February 16, 2025 12:32 PM
**To:** Dara Dungworth
**Subject:** Village Farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Dara
I just read an article in Davis paper
I have lived in Davis since 1975
I strongly feel there is a "not in my backyard"
mentality by many people who show up with passion at your meetings about any growth in housing I question that a consultant that prepares the DEIR would miss a big issue with flood plane area ( just needs to be increase dirt to decrease the risk) and soil contamination that will hurt residents Just so much drama about building off Covell It's too bad that people who would like housing for young families do not show up to give their needs known The cannery has many residents I drive on Covell near the cannery nearly everyday. I have never noticed a lot of traffic coming or going from the cannery The people who want to build at village farms are responsible builders that care about Davis Please keep in mind that Davis schools need students It's very important that Davis begins to allow a variety of building I also disagreed with not allowing a vote last Nov Davis is very slow in allowing building of housing not apartments and very very slow allowing new businesses into Davis like Estelle's I think Estelle's is a great business which has taken the city of Davis too long to approve I feel there is a lack of efficiency in the city inspection department And don't get me started on the tree trimming huge issue which was a preventable tragedy Best Toni

205-1

Of upmost
Sent from my iPhone

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## LETTER 205: TONI SMITH

### Response to Comment 205-1

Please see Master Response 1.

**Letter 206**

**Dara Dungworth**

**From:** Toshio Leeper <toshioleeperpt@gmail.com>
**Sent:** Sunday, February 2, 2025 11:33 AM
**To:** Dara Dungworth
**Subject:** Village Farms Davis Project

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Good morning,

**206-1** Thank you for the notice regarding Village Farms. My name is Toshio Leeper, I live in the Cannery. I'm in favor of the BRPA because I like the idea of preserving a Natural Habitat Area. I assume that means smaller plots and/or narrower streets in the new neighborhood? Any other consequences?

Does this count as providing feedback or do I need to submit something more official? Thank you!

Cheers,
Toshio Leeper
1943 Cannery Loop

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## LETTER 206: TOSHIO LEEPER

### Response to Comment 206-1

Please see Master Response 1.

A detailed description of the Biological Resources Preservation Alternative can be found in Chapter 3, Project Description, of the Draft EIR from pages 3-27 through 3-46. Potential environmental impacts of the Biological Resources Preservation Alternative are addressed throughout the technical chapters of the Draft EIR.

**Letter 207**

**Dara Dungworth**

**From:** T L <cactustrud@hotmail.com>
**Sent:** Monday, February 24, 2025 10:37 AM
**To:** Dara Dungworth
**Subject:** Village Farms issues

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

To Davis Planning Commission,
I am an original resident of The Cannery, have lived here 7+ years.
I reviewed the entire EIR for Village Farms and found these prominent issues:

**207-1** 1) The traffic impact, without further widening of Pole Line and Covell, is severe. Most critical is that there must NOT be a road from Village Farms connecting to The Cannery. To do so would place Cannery residents in danger. Cannery has only two ingress/egress points. Only one point, at J street, has Eastbound access. The other point has only Westbound access. Since the addition of more apartments and a preschool (not accounted for by EIR), there is more traffic at the rotary pinchpoint. Indeed, the entire Cannery suffers from streets that are already extremely narrow—compounded by too many cars parked on-street rather than in garages, plus numerous delivery & service trucks, pedestrians, bicyclists, lots of kids riding scooters and other modes of transport. Within much of the Cannery, drivers must stop and wait on thru-streets for one vehicle to go down street in opposite direction, just to squeeze by, ie; a street that is supposed to carry 2 way traffic only carries one lane of one-way traffic at any given time. City Fire trucks and Garbage trucks are well-aware of the congestion & narrowness in Cannery If Cannery residents had to evacuate in an emergency, they would not be able to safely do so via cars, as the streets are too narrow and the exits too few. All this is to say that the Cannery cannot tolerate any additional traffic, cannot tolerate any additional overflow seeking ingress/egress from a large development such as Village Farms. Cannery, which still has undeveloped frontage near the rotary, cannot accommodate any additional vehicle traffic at all. For the safety of our residents, there cannot be any additional traffic from outside thw Cannery development—there is an arrow to the rotary, indicating that this is part of the plan for Village Farms. This road incursion into Cannery should never be part of any future plan.

**207-2** 2) Drainage/flood potential: The EIR outlines Cannery current drainage, and the proposed Village Farms drainage. Nowhere does the EIR address how, in extreme rain events (which we experienced recently and expect to see more often) the addition of the Village impact Cannery drainage. If there were a drainage or flooding of the Village, does that impact the Cannery's drainage or flood-prone areas. Some residents of Cannery do experience flooding of their yards. Some homes in the Cannery have a higher fliod potential than the rest of the development. How does a huge development next door impact Cannery in cases of large weather events?

**207-3** 3) Partial loss of Cannery Farm land/buffer. The EIR shows that part if the Cannery Farm (which the City has yet to fully maximize), will be removed to make room for Village. Cannery residents have been poorly served by the City as it is: Farm not being fully utilized for stated purpose, front area of Cannery sold off for apartments when it was supposed to be mixed use of owned residences and small offices/small biz retail to serve our residents, City forcing Cannery to accept homes being rented by 8+ non-related renters ans their friends, thus families needing housing have lost opportunities to buy or rent (and send kids to fill Davis schools) due to non-resident outside investors. Cannery residents have endured many plans and promises broken by both developer and the City. We do not trust that a huge development being built next door will be any better at fulfilling its plans.

**207-4** 3) Noise & lighting issues: with expansion of much more traffic on Covell, Pole Line, F street, J street, L street, and other spillover, car and street noise expands exponentially. At Cannery we already experience a lot of street noise from F street, Covell, Pole Line—especially during high traffic times— and of course from the trains. Our development is less than one quarter the size of Village. The added noise, plus more lighting, significantly decreases quality of life for all surrounding neighborhoods, where we already get a lot of noise.

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**Letter 207 Cont.**

**207-4 Cont.** The addition of firestation is also a concern, as we already get lots of sirens from F st, Covell, and Pole Line. Further noise from Village will also come from service trucks, garbagw trucks, delivery trucks, and years of construction noise & vehicles. The Cannery — a much smaller development— took years to complete. Cannery residents would endure almost a decade of constant noise and traffic disruption.

**207-5** 4) EIR does not address phases of construction nor timelines. Does not address who is paying for the huge amount of infrastructure improvements. The bike path connecting to Cannery assumes bikes will travel along the northern path near drainage ditch. This is actually not the case. Cannery residents observe that many cyclists ;primarily school students) travel the Cannery streets to access the Covell underpass—so once again, we would increase street traffic, increase safety risks with more school cyclists already at risk due to busy narrow Cannery streets (another reason to nor allow spillover access to Cannery via connecting road at rotary).

**207-6** 5) EIR shows large park at intersection of Covell and PoleLine southeast corner. Why put a park on such a busy loud corner? Better to put park at Southwest corner. This way it allows more noise buffer between Cannery and Village, allows Cannery to keep its entire Farm area, blocks any road from connecting to Cannery rotary, allows for pissible bike parh access near Park that leads to Covell underpass.

**207-7** 6) EIR shows incorrect bus access at J street and Covell. Map shows 5 bus routes at that intersection. The P/ Q City bus (goes downtown Davis and UCD—one goes clockwise, one goes counterclockwise=essentially same route)makes a stop there. The L line stips further down J, not Covell. The Yolo bus to Sac and Airport used to stop there but no longer does—have to pick it up at Safeway shopping center on Covell & Anderson. So there is not a lot of bus service that stops at J & Covell.

**207-8** As EIR stands now, the impact on Cannery is profound. Voters here are very active and will no doubt overwhelmingly reject it at the polls, primarily due to enormity of size, safety/environmental/traffic/noise and disregard for Cannery residents quality of life and devaluation of property value $ enjoyment

Thank you for considering my input.
Trudie Lerner
2045 Cannery Loop
Davis, CA

Sent from my iPhone

2

## LETTER 207: TRUDIE LERNER

### Response to Comment 207-1
Please see Master Responses 1 and 5.

### Response to Comment 207-2
The development of Village Farms Davis will not have an impact on the existing drainage conditions at the Cannery. As shown in Appendix N – Table 4, the peak stage water surface elevation at all upstream boundary conditions is equal to or less than the existing condition. Based on the results, the Proposed Project/BRPA would result in a net benefit to the surrounding areas in Davis upstream of the project area. Please see Master Response 4.

### Response to Comment 207-3
Please see Master Response 1.

### Response to Comment 207-4
Please see Response to Comment 17-8.

### Response to Comment 207-5
Please see Master Responses 1 and 5.

### Response to Comment 207-6
Please see Master Response 5. In addition, the effect of traffic noise on the future park is not relevant to CEQA, which is focused on the environmental effects of the project on the surrounding environment.

### Response to Comment 207-7
Figure 4.13-3 correctly shows bus stop locations and the segments of streets in the study area that are served by Unitrans and Yolobus bus routes in the study area. The comment is correct that not every bus route shown in the subsequent Table 4.13-1 operates on every street and serves every bus stop shown on Figure 4.13-3. The Proposed Project/BRPA would be accessible to bus stops near the Cannery on East Covell Boulevard immediately east and west of J Street-Cannery Avenue that are served by the Unitrans P and Q Lines, and Yolobus Route 43.

The figure also shows other lines that serve streets adjacent to the area. The Unitrans L Line and T Line have two stops on Pole Line Road north of E. Covell Boulevard along the project frontage. The Unitrans E Line has a stop on J Street south of the E. Covell Boulevard/Cannery Avenue-J Street intersection. The Unitrans F Line runs along F Street north of W. 14th Street with the nearest stop at W. Covell Boulevard.

### Response to Comment 207-8
Please see Master Response 1.

**Letter 208**

**Dara Dungworth**

**From:** Victor Justo <victorjusto@gmail.com>
**Sent:** Wednesday, February 12, 2025 11:43 AM
**To:** Planning Commission
**Subject:** Comments to the Village Farms Project

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Planning Commission,

My name is Victor Justo, father of two school-aged kids, who decided to make Davis our home in 2023 by purchasing a house in The Cannery neighborhood. Amongst the key reasons we chose Davis to raise our family were the City's commitment to create a livable and environmentally sustainable community with a high-quality of life through land-use policies that balance the need for housing, jobs, open space and essential services.

208-1

As a homeowner and taxpayer, I place special value in ensuring the City meets its commitments and stays true to its guiding principles. After reviewing publicly available information on the Village Farms project, I'm appalled to find that the Draft Environmental Impact Report fails to adequately highlight the massive impacts and costs this project would inflict to our community.

208-2 The Village Farms Project in its current form essentially goes against the principles of environmental sustainability, high quality of life and fair balance of needs that the City claims to follow. My main concerns are summarized below:

**Environmental and Habitat Impacts**

208-3
1.
Disruption to The Cannery Urban Farm: The EIR proposes paving a road through our urban farm, a core part of The Cannery community. This would undermine the essence of the homes we bought into.

2.
208-4 Flood Plain: The project lies within a FEMA-designated flood zone. Building on this land violates key planning principles and increases risks, especially given climate change.

3.
208-5 Landfill Toxics: The nearby unlined Old City Landfill has a history of toxic leaks, including PFAS chemicals and manganese, which contaminate groundwater. This poses health risks to future residents.

4.
208-6 Soil Toxics: The soil around the site, including the Urban Ag Transition Area, contains arsenic levels up to 70 times the safe threshold for residential areas.

5. 208-7 Disproportionate noise impacts to The Cannery neighborhood. From a review of the Draft EIR, it is clear that the most significant increase in traffic noise due to the Village Farms development will be experienced within The Cannery, due to the disproportionately large increase in anticipate traffic volumes on Cannery neighborhood streets. The developers and our City leaders should justify why such a large increase in traffic and noise is justifiable given the planned project's adjacency to major arterial roads including Pole Line Road and East Covell Boulevard, and L Street, a secondary arterial road.

**Traffic and Safety Concerns**

208-8
1.
Traffic Overload: The Village Farms project would more than double daily traffic on Cannery Loop, leading to gridlock and safety issues, especially for vulnerable residents. The DEIR's assumption that high-density housing will reduce traffic is unrealistic, given Davis' inadequate public transit system.

1

**Letter 208 Cont.**

**208-9**

2.
Access Issues: There are major access problems, including the lack of bicycle/pedestrian access from F and L Streets and questionable feasibility of an undercrossing at Pole Line Road. These infrastructure needs would strain city resources.

**208-10**

**Housing and Infrastructure**
1.
Unaffordable Housing: The project's homes will most likely be priced from $700,000 to over $1 million, making them unaffordable for many residents.

**208-11**

2.
Infrastructure Strain: The development would require extensive water and wastewater resources, imposing additional costs on Davis residents.

The DEIR is rushed and lacks crucial details, such as the feasibility of the undercrossing and the real environmental impacts. It **fails to present alternatives that would reduce harm**, and it dismisses significant consequences of the project.

**208-12**

**The 1,800 unit Village Farms project is too large and poses unacceptable risks to the environment, traffic safety, and infrastructure. I urge City leaders to rethink this proposal, considering the well-being and safety of The Cannery community in any analysis.**

Sincerely,

**Victor Justo**
**1669 Harvest St.**
**Davis, CA**

**P.S Kindly acknowledge receipt of this message.**

## LETTER 208: VICTOR JUSTO

### Response to Comment 208-1
Please see Master Response 1.

### Response to Comment 208-2
Please see Master Response 1.

### Response to Comment 208-3
Please see Master Response 5.

### Response to Comment 208-4
Please see Master Responses 1 and 4.

### Response to Comment 208-5
Please see Master Response 3.

### Response to Comment 208-6
Please see Master Response 3.

### Response to Comment 208-7
Please see Response to Comment 17-8.

### Response to Comment 208-8
Please see Master Response 5.

### Response to Comment 208-9
Please see Master Response 6.

### Response to Comment 208-10
Please see Master Response 1.

### Response to Comment 208-11
The commenter expresses concerns about potential costs to Davis residents as a result of the project requiring extensive water and wastewater resources. Costs are not relevant to CEQA review, which is focused on a project's impacts to the physical environment.

Please see Master Response 2.

### Response to Comment 208-12
Please see Master Response 1.

**Letter 209**

**Dara Dungworth**

**From:** VICKI LINK <narvlink@comcast.net>
**Sent:** Saturday, February 22, 2025 1:49 PM
**To:** Dara Dungworth
**Subject:** Village Homes proposal concerns

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Hello - I would like to give input about the proposed Village Homes development. I have a wide range of grave concerns and will address only the most pressing.

**209-1** 1) Size: why are we looking at such a HUGE development, shoe-horning it into an area that is not zoned for it and which is already impacted by traffic, noise and air quality concerns - not what was intended for this area. The amount of noise, visual disturbance, traffic, dust etc are shocking, and for what length of time?

**209-2** 2) Flooding: my understanding is that the proposed building is on a flood plane. Why choose this area, except that the developed got the land cheap? Is there not a real and significant risk of flooding?

**209-3** 3) **TRAFFIC**: It would be impossible to consider going forward with this without some VERY significant changes in traffic flow. To suggest putting another 1,800 homes onto an already-impacted single-lane road (Poleline/102) seems ludicrous. There is a multi-light wait at times, just to get across Covell - especially when I-80 has a problem and every uses WAZE to come through Davis (along Covell, Road 29, and down Poleline/102). And where will they shop? The already-crowded Nugget, presumably.

**209-4** 4) "Affordability": I am not sure how to verify this, but there was a loud rumor that the "affordable" houses in Covell village were sold at a lower-than-market cost, then flipped for a windfall profit a couple of years later. The "affordable" housing elements need to be affordable ongoing; we need to build in some kind of "in perpetuity" clause such that those home cannot be sold for profit - just for original price plus standard COLA (or something like that!).

**209-5** 5) Long-term cost to the city: Is it true that such development is like a short-term loan for the city. In other words it helps in the short run, but then all those 1800 new families need infrastructure and support, so it costs more in the long run.

**209-6** 6) Habitat distruction: this is probably my deepest concern. We already lost most of our burrowing owls (where did they go? Not to sound paranoid, but how convenient for any developers!). We still have a wealth of birds, rabbits, coyote, and a small but significant smattering of native plants and natural seasonal water, to support native species. The EIR is too long and complex for any layperson to get through, but this is a significant concern in this area.

Thank you!
Victoria Link
2945 Rockwell Court
Davis

1

## LETTER 209: VICTORIA LINK

### Response to Comment 209-1
Please see Master Response 1.

### Response to Comment 209-2
Please see Master Responses 1 and 4.

### Response to Comment 209-3
Please see Master Response 1.

### Response to Comment 209-4
Please see Master Response 1.

### Response to Comment 209-5
Please see Master Response 1.

### Response to Comment 209-6
Please see Master Response 1.

A detailed discussion regarding biological resources can be found in Chapter 4.4, Biological Resources, of the Draft EIR.

**Letter 210**

**Vijay Kumar, P.E., BCEE, PgMP®**
**Davis, CA 95618**
**Email: vijaykumardavis@gmail.com**

February 24, 2025

Dara Dungworth, Principal Planner
City of Davis Department of Community Development
23 Russell Boulevard, Suite 2
Davis, CA 95616
ddungworth@cityofdavis.org

Subject: Covell Farms Draft EIR (State Clearinghouse No. 2023110006)

Please address the following issues in the Final EIR.

**210-1**

1. Figure 3-3 on Page 3-6. As happened in Mace Ranch and Wildhorse Developments, the Developer is trying to circumvent the Measure J/R/D by including the 118.4 acres of Agricultural Transition area into the current project so that additional houses can be built on that area at a future date. It is the same tactic used by the Wildhorse developer to show there is a lot of open space to obtain Measure J/R/D approval and then came back and say that Palomino Place Development it is within the City limits and no additional Citizen approval is needed to build more homes.

   Since the above 118.4 acres of area is outside the SOI, there is no need to annex this area to the project or the City.

   Therefore, City must ask the developer to remove it from the Annexation request. If the developer wants fill material, it can be done without annexing into the City and creating a big hole that will be hard to maintain.

**210-2**

2. Appendix T --The Wastewater analysis is totally wrong. Due to water conservation over the past 20 years, the Solids loadings have increased to the Wastewater Treatment Plant where as the hydraulic loadings (or flows) have remained constant.
   Therefore, the wastewater treatment plant capacity MUST be done using Solids loadings. Using just the Average Dry Weather Flow is completely wrong and the City must provide detailed information on the following
   BOD Loading, Suspended Solids Loading, Ammonia and Nitrogen Loadings.
   Finally, City must analyze whether sufficient Digestion Capacity exists at the WWTP and ultimate Solids Disposal Capacity. There is insufficient capacity for Solids, Ammonia and Nitrogen treatment at the existing WWTP.

**210-3**

3. The Traffic Impact Study clearly states (see Page 53 of TIS) the mitigation measures proposed is not going to work. Then, why the City is creating significant traffic impacts to the current residents. Therefore, the TIS shall be revised to identify actual and realistic impact at the intersection of East Covell and Pole Line Road.

**Letter 210 Cont.**

**210-3 Cont.**

Previously, the actual vehicle volumes were used to analyze the traffic impact on local streets.
VMT can be used for assessing the Regional impacts whereas the Level of Service should be used to assess the impact on East Covell and Pole Line Roads. It appears that the EIR team used whatever is convenient instead of performing the traditional analysis.

**210-4**

4. The Traffic Impact Study didn't analyze the impact at the following intersections:

   a. Pole Line and Covell Blvd
   b. Pole Line and Moore Blvd

   And suggesting that Traffic Impact will be minimized by installing Pavement Markers is not realistic and the City should request Underground passage for major crossings along the Poleline and Covell Blvd.

**210-5**

5. Mitigation measures proposed in the Traffic Impact Study (Page 53) is completely inadequate. Also, the Traffic Impact Study incorrectly concludes the impact is less than significant without providing any backup data.
   There is no documentation or data in the Traffic impact study that the mitigation measure would reduce the VMT to match the Local and Regional Standards.

**210-6**

6. Since the City of Davis is deviating from the SACOG Traffic Standards in terms of VMT, there will be a major impact on the City's ability to obtain any funding for Traffic Calming Measures from SACOG. Why are you allowing one project to impact the entire City?

**210-7**

7. Page 4.3-49. The Draft EIR states that 1,000,000 cubic yards of dirt must be moved. Did the City realize the enormous impact on moving 1,000,000 cubic yards? That is 100,000 dirt truck loads. Therefore, the EIR should analyze the impact of 100,000 truck loads in terms of dust and diesel emissions.

**210-8**

8. Although the EIR states that the above 100,000 trips won't travel on the City roads, it is impossible to move the dirt without using the City streets. There is a large drainage channel with sensitive biological resources. Therefore, contractor is just going to drive on the Pole Line Road. It happened when the City build the Covell Blvd undercrossing just north of the Mace Ranch and East of Wildhorse development. I have seen construction equipment including dozers and backhoes use the City streets and damaged the City streets. Also, see Comment 15.

**210-9**

9. This is NOT a mixed use project. It is a 100% housing project although the Developer showed some small area for nonresidential. Similar to the Mace Ranch project, the developer would build homes and eventually convert the non-residential to residential. Therefore, the City should require the developer to build the non-residential when the project is about 25% developed. In other words, City should not allow non-residential beyond 25% completion unless the non-residential is complete. That is how to deal with the Traffic Impacts.

**210-10**

10. Page 2-105. Mitigation Measure 4.13-2(c). This mitigation measure Must be implemented prior to occupancy of the first residential unit since the Pole Line and Moore Blvd intersection has significant traffic. Also, a roundabout is not sufficient without two lanes since there is a substantial amount of traffic. Specify two lane turn around or a

**Letter 210 Cont.**

**210-10 Cont.** Traffic Signal. There is an existing Traffic signal with red lights flashing and if you review the original Wildhorse development plans, there was supposed to be a traffic signal at this intersection.

**210-11** 11. Page 2-114. Revise to state that the Applicant Must Contribute to the mitigation measures. This mitigation measure is useless unless the applicant contributes. Just signing an agreement does not mitigate the impact that is being caused on day 1. So, please change it to Prior to first residential occupancy, the Applicant MUST contribute to the mitigation measures.

**210-12** 12. Page 2-114. These mitigation measures appears to address the Citywide issue instead of the local impacts caused at the Pole Line and East Covell Blvd intersection. Please provide a detailed Description and require that the Pole Line and East Covell Intersection shall be modified prior to the first residential occupancy.

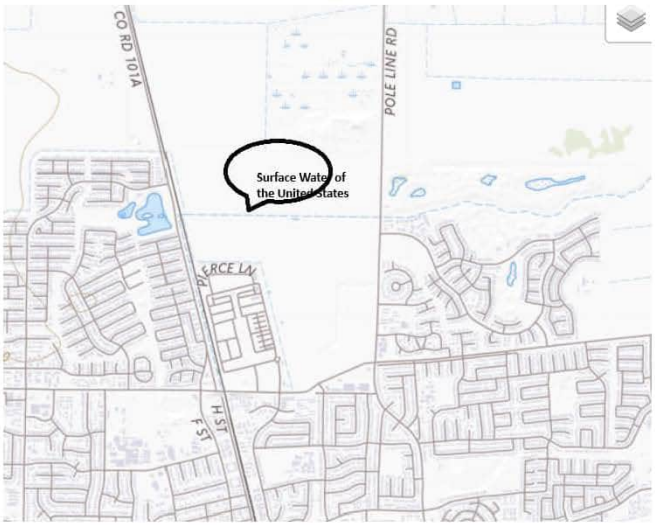
**210-13** 13. There should be an underground bike path between the Wildhorse development and Covell Farms if the project is approved. This will eliminate crossing the Pole Line Road which is extremely busy.

**210-14** 14. The proposed project is removing almost 1,000 trees located in the Riparian habitat. This is totally unacceptable. If you refer to the City of Davis' Climate Action Plan, you will realize that it is contrary to the Sustainability goals established by the City of Davis.

**210-15** 15. Refer to the USGS Map. The Covell Drain is clearly shown as the Surface Waters of the United States. Therefore, any work or any attempt to fill this portion of the Drain requires US Army Corps of Engineers 404 Permit. The EIR should discuss this issue and document how the applicant is going to cross the Covell Drain when 1,000,000 Cubic Yards of fill material needs to be transported.
Also, note that US Army Corps of Engineers 404 Permit requires a Biological Study specially addressing the Federal Requirements.
EIR failed to document the above requirement and it must be recirculated since this is a significant issue.

**Letter 210 Cont.**

**210-15**




**210-16**

16. Page 4.4-56. It is ridiculous that the City is allowing limited survey of trees on the important and environmental sensitive area such as Covell Drain. You cannot document the impact without a complete and detailed survey of the Biological Resources. Without a detailed survey, the EIR is incomplete and should not be processed.

**210-17**

17. Page 3-23 states that "If Feasible, one pedestrian/bicycle crossing would be provided……."
This is totally unacceptable. The City needs to determine the Feasibility before approving anything. Approving a large development without analyzing the feasibility of infrastructure is totally wrong and it should not take that long to determine the feasibility. I can tell you right now, it is NOT feasible since there is insufficient space on the Eastside of the proposed crossing since that property is owned by the School. So, please stop showing items that is NOT going to happen.

**210-18**

18. Page 3-24—City should ask the Developer to list Each Phase separately. Again, this is extremely poor planning on the City's side. Once the EIR is approved, the Developer is going to postpone all infrastructure projects into Phase 4 while the residents are suffering because of the significant impacts created by the proposed project. Why is City afraid of asking a detailed list from the Developer?

**210-19**

19. Since there is no feasible way to move 1,000,000 CUBIC YARDS of dirt from the UATA to the project site without going through the Pole Line, the Traffic Impact must be revised to account for 100,000 Truck Trips that is needed to move 1,000,000 Cubic Yards of dirt.

**210-20**

20. The structural pavement of Poleline is insufficient to handle 100,000 Truck Trips and there will be massive traffic jam on Poleline for years.

**210-21**

21. Page 1-3 Incorrectly states that "a new traffic signal at the intersection of East Covell Blvd and L Street. There is already an EXISTING traffic signal. Therefore, the proposed

**Letter 210 Cont.**

**210-21 Cont.**

project is using existing City infrastructure and wrongly taking credit for traffic signal costs paid by current residents.

**210-22**

22. Page 2-2 States that the "Proposed project also provides an opportunity to explore a grade-separated crossing at F Street". This means that the City recognizes the impact and there is a NEED for a grade separated crossing. So, why is the City not exploring it now instead of saying it will be done in the future. This is bad Planning.

**210-23**

23. California CEQA Regulations clearly require the EIR to develop feasible actions but the EIR currently fails in many aspects since most impacts are either ignored or mitigation measures are not identifies such as
    a. How the applicant plans to transport 1,000,000 cubic yards of dirt and its associated impacts.

**210-24**

b. Traffic impacts are not quantified at the Pole Line and Moore Blvd. But proposing a round about at a heavily travelled Regional Connector Road is not the solution.
c. Several significant impacts are either dismissed or postponed such as Pedestrial crossing, Improvements to East Covell and Poleline Intersection, Widening of Pole Line etc.

**210-25**

24. The City is rushing the project through the approval process without considering the significant impacts that is being created by the above project. Several mitigation measures are deferred or assumed to be implemented by the East Covell Corridor project but there is no definite timing or funding for the East Covell Corridor project. Therefore, City must insist that the Covell Farms project implement the mitigation measure before the project is about 25% complete.

Thank you
Sincerely,

Vijay Kumar

Vijay Kumar, P.E., BCEE, PgMP®

## LETTER 210: VIJAY KUMAR

### Response to Comment 210-1
Please see Master Response 1.

### Response to Comment 210-2
The comment refers to Appendix T, which is an April 2024 Technical Memorandum (TM) prepared by West Yost. The TM summarizes the findings and conclusions of an evaluation of impacts of the proposed Village Farms development on the City of Davis Wastewater Treatment Plant (WWTP), and relies on a previous, more comprehensive *Capacity Analysis Report* for the WWTP completed by West Yost in 2022.

Wastewater treatment plant capacity is further evaluated in the Partially Recirculated Draft EIR for the Village Farms Davis Project, which was released to the public for review and comment on November 17, 2025.

### Response to Comment 210-3
Please see Master Responses 1 and 5.

### Response to Comment 210-4
Please see Master Responses 1, 5, and 6.

### Response to Comment 210-5
Contrary to the claim of the commenter, as stated on page 53 of the Transportation Impact Study found in Appendix R of the Draft EIR, even with mitigation, VMT impacts associated with the Proposed Project and the BRPA are found to be significant and unavoidable.

### Response to Comment 210-6
Please see Master Response 1.

### Response to Comment 210-7
Please see Master Response 1 and 99-2.

### Response to Comment 210-8
Please see Response to Comment 102-4.

### Response to Comment 210-9
Please see Master Response 1.

### Response to Comment 210-10
The Proposed Project/BRPA would be conditioned to provide a phasing plan prior to any work commencing on the site. This plan will include additional traffic analysis for each phase to identify when Mitigation Measure 4.13-2(c) would be needed based on how the Proposed Project/BRPA is phased.

## Response to Comment 210-11

The mitigation measure in question on page 2-114 of the Draft EIR is a cumulative impact as evidenced by the bold title for Impact 4.13-11, "Substantially increase hazards due to a geometric design feature…associated with cumulative development of the Proposed Project or the BRPA in combination with future buildout of the City of Davis. Therefore, the commenter is incorrect by stating that the impact "…is being caused on day 1."

The current language of Mitigation Measure 4.13-11 has been left as-is due to the fact that the improvements at W. Covell/ SR 113, and Mace Boulevard/ Chiles Road/ I-80 Interchanges are unknown at this point. Having the applicant provide funding would leave the City at risk of not obtaining adequate fair share until the final design, and construction costs have been determined, which would be in the future after the Proposed Project/BRPA has been further developed.

## Response to Comment 210-12

Local effects at the Pole Line Road and East Covell Boulevard intersection would be addressed as part of the conditions of approval, and are beyond CEQA considerations, given their relation to congestion/LOS. The applicant proposes to construct additional improvements along Pole Line Road such as traffic signals and a roundabout.

## Response to Comment 210-13

Please see Master Response 6.

## Response to Comment 210-14

Please see Master Response 7.

## Response to Comment 210-15

Please see Response to Comment 210-8.

In addition, a detailed description of impacts to State or federally protected wetlands can be found in Chapter 4.4, Biological Resources, of the Draft EIR. As discussed in Impact 4.4-15, Mitigation Measure 4.4-15(c) requires the project proponent apply for a Section 404 permit from the U.S. Army Corps of Engineers prior to the commencement of construction.

## Response to Comment 210-16

Please see Master Response 7.

## Response to Comment 210-17

Please see Master Response 6.

## Response to Comment 210-18

Please see Response to Comment 96-1.

## Response to Comment 210-19

As discussed on page 4.3-49 of the Draft EIR, transport of the 1,000,000 CY of soil from the UATA (now referred to as "Northern Agricultural Area") to the proposed development area would occur on-site. As such, traffic associated with the soil movement would not occur on local roadways. Rather, the Draft EIR assumes that off-road construction equipment would be used on-site to haul the soils from the Northern Agricultural Area to the proposed development area. For further detail

regarding the assumptions associated with the on-site soil movement, please see Response to Comment 99-2.

## Response to Comment 210-20

Please see Response to Comment 210-19.

## Response to Comment 210-21

In response to the comment, page 1-3 of the Draft EIR is hereby revised as follows:

> In addition, the applicant is proposing to construct new intersection improvements along Pole Line Road and a new ~~traffic signal~~ north leg at the intersection of East Covell Boulevard and L Street.

In response to the comment, page 2-2 of the Draft EIR is hereby revised as follows:

> The Proposed Project would include various off-site improvements, including, but not necessarily limited to, new intersection improvements along Pole Line Road and a new ~~traffic signal~~ north leg at the intersection of East Covell Boulevard and L Street.

In response to the comment, page 3-24 of the Draft EIR is hereby revised as follows:

> The ultimate design of the improvements, as well as the installation of the new ~~traffic signal~~ north leg at the East Covell Boulevard/L Street intersection, would be developed in cooperation with traffic engineers and the City of Davis Public Works Department.

The foregoing revisions are for clarification purposes only, and do not affect the conclusions of the Draft EIR.

## Response to Comment 210-22

Please see Master Response 6.

## Response to Comment 210-23

Please see Response to Comment 210-19.

## Response to Comment 210-24

Please see Master Response 5 and Response to Comment 97-72.

## Response to Comment 210-25

Please see Master Response 1.

Under CEQA, a lead agency may rely on future studies to devise the specific design of a mitigation measure when the results of later studies are used to tailor mitigation measures to fit on-the-ground environmental conditions.[1] Further, a lead agency may defer formulation of the details of a mitigation measure pending further study when necessary to do so, if the lead agency describes the mitigation actions that will be considered, adopts clear performance standards for measuring the effectiveness of the measures selected, and commits the agency to the mitigation plan. A

[1] See *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 524 (upholding mitigation measures, based on preconstruction surveys, requiring identified steps for avoiding impacts to biological resources to be implemented).

mitigation performance standard is sufficient if the mitigation identifies specific criteria the agency will apply in determining that the impact will be mitigated (See *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 525).

**Letter 211**

**Dara Dungworth**

**From:** Virginia Carton <vcarton@sbcglobal.net>
**Sent:** Monday, February 24, 2025 2:26 PM
**To:** Dara Dungworth
**Subject:** Village Homes Development project

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Dear Dara Dungworth,

211-1

I would like to voice my consternation and absolute rejection of the Village Homes Development Project. I will try to keep my email short and to the point. After all the circumvoluted reading that has been required to understand the inadequacies of the Village Homes Development Project I feel ready now to state that I have rarely seen such an undeveloped, ill-judged "professional" proposition in a town such as Davis. The fact that the City Council of Davis is willing to engage so seriously with the plans at hand is suspicious. The City Council is meant to work, amongst it's many intended duties & obligations, as a visionary organization for it's community...for the constituents, present and future.

My objections below are not those of someone who refuses all change...they are thoughtful, informed and respectfully measured objections to a poorly conceived, problematic builder's greed.Certainly other/alternate development propositions should have been, and BE considered...plans that do not involve illegality, (building on a flood plain and dangerously close to federally protected vernal lakes) which will assuredly involve a court battle, monstrous new traffic burden on a road system that is already stretched and cannot EVER adequately cope with 1800 new dwellings and the great number of new inhabitants and their cars. The proposed building site is hamstrung from the get-go! The land site includes wildlife habitat, vernal lakes, toxic "forever runoff & seepage", (old sewage treatment and old Davis landfill site), which is ongoing! The Davis City Council cannot continue to operate with any semblance of integrity on platforms which are so blatantly ill-conceived and wrong...it does start to smell of something.

I have lived in and out of Davis sporadically, for family reasons, since 1959...and seen some very tumultuous times in local politics but this is shameful and I am floored. I expect more of my City Council...more devotion to and respect for the community that puts them in their positions. Where are the clear administrative policies to guide this City Council?

The type of housing being offered in this developers "plans & dreams" are NOT the type of housing projects we need more of in Davis! The 200 acres of FEMA floodplain? What about those? The list is long and agonizing...put this to the public vote and Village Homes will be sent packing!!

Sadly dismayed,

Virginia Stewart-Carton
1019 Pierce Lane
Davis, CA 95616

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## LETTER 211: VIRGINIA STEWART-CARTON

### Response to Comment 211-1

Please see Master Responses 1, 3, 4, 5, and 7.

**Letter 212**

**Dara Dungworth**

**From:** Vong Toan <vtoan@sbcglobal.net>
**Sent:** Tuesday, February 25, 2025 3:17 AM
**To:** Dara Dungworth
**Subject:** DEIR for Village Farms

**Categories:** VFD Comment

CAUTION: External email. Please verify sender before opening attachments or clicking on links.

Hi Dara,

**212-1**

I strongly oppose to the development mentioned in the DEIR for Village Farms.

Building 1,800 housing units on a 500 acre land is a huge project. It is irresponsible to do so without adequately addressing the many impacts it causes and unknown costs it incurs. They are, for example, the toxic and chemical contaminants leak from the unlined Old City Landfill and Sewage Treatment Plant, the elimination of the vernal pool and wildlife habitat, the increased auto traffic, the need for pedestrian/bike overcrossing. A responsible development would not propose to build on the 200 acre flood plain. Building only below Channel A and having a much smaller housing units footprint may alleviate some of these issues but this alternative was not properly explored in the DEIR.

Overall, the DEIR seems to be hastily put together. I hope the FEIR, if pursued, would not be similarly incomplete.

Sincerely,

Vong

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## LETTER 212: VONG TOAN

### Response to Comment 212-1

Please see Master Responses 1 through 7.

**Letter 213**

**Dara Dungworth**

**From:** Yannis F Dafalias <jfdafalias@ucdavis.edu>
**Sent:** Tuesday, February 11, 2025 9:33 AM
**To:** Dara Dungworth
**Subject:** Village Farms Op-ed

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

Dear Ms Dungworth

213-1

I would like to express my concern about the planned Village Farms Op-ed development. As a Davis resident since 1975 and homeowner since 1981, but mainly as a Professor in the Civil and Environmental Engineering (CEE) Department of UC Davis for almost 50 years, I am seriously concerned about the environmental, traffic and infrastructure huge problems this project will create. It will be detrimental for the quality of life of both the current citizens of Davis as well as the newcomers who probably are unaware of the problems will be faced with. The city council should hear very carefully the opinion of citizens like me who for years supported the reasonable growth of our town and not succumb to the whims of large development companies that do not care about our well-being that they are eager to sacrifice in favor of their huge profits. This is the ethical obligation of every single member of the Davis city council.

213-2

Sincerely

Yannis F Dafalias
Distinguished Professor Emeritus
CEE Department
UC Davis

1

## LETTER 213: YANNIS DAFALIAS

### Response to Comment 213-1
Please see Master Response 1.

### Response to Comment 213-2
Please see Master Response 1.

**Letter 214**

February 22, 2025

Dara Dungworth

ddungworth@cityofdavis.org

# A Letter to City of Davis About Village Farms Development

Dear Ms. Dungworth,

We are UC Davis alumni and current residents of the Cannery neighborhood. We understand the importance of building more housing in Davis for city development and growth. However, the proposal of large projects like Village Farms requires extra careful assessment in terms of its impact on nearby neighborhoods and the city as a whole. **214-1**

The proposed Village Farms development represents a significant expansion of the city, increasing both the population and the city's size by about 8%. The sheer scale of the Village Farms project would make it one of the most significant expansions in Davis' history. After reviewing the Environmental Impact Report (EIR), we found that it fails to address critical citywide concerns, such as traffic. As Cannery residents, we also found that the EIR downplayed the negative impacts of Village Farms on our neighborhood.

## Citywide Concerns

### 1. Traffic

The Village Farms project is adjacent to Davis High School and Birch Lane Elementary School, meaning thousands of students, parents, and commuters already rely on E. Covell Blvd. during peak hours. The addition of 1,800 new housing units will overwhelm existing road capacity, leading to gridlock and safety hazards for students, bicyclists, and pedestrians. The Fehr & Peers traffic study, used in the EIR, fails to accurately assess the true burden, and GHD Group's traffic estimates have not been made public, making independent verification impossible. **214-2**

The EIR assumes high public transit use to justify lower traffic impact projections, which is a flawed assumption, as most families and students use private vehicles as their primary mode of transportation. **214-3**

### 2. Flood Risks

Two hundred acres of Village Farms are within a FEMA Zone A Special Flood Hazard Area. With climate change, extreme weather events are becoming more frequent. The EIR lacks comprehensive modeling of how climate change could exacerbate flood risks, an oversight that could have serious implications for future residents and the broader community. **214-4**

**Letter 214 Cont.**

### 3. Lack of affordable Housing Initiatives

214-5

The EIR states that approximately 1,000 medium-density homes will be "affordable-by-design" starter homes, with many units sized only at 800–1,200 sq. ft. However, public discussions and market trends indicate that these homes are expected to cost between $700,000 and $800,000, making them inaccessible to most first-time buyers. This high cost contradicts the project's "affordable" concept.

Given the high cost and small size, these homes may be unattractive to families looking for long-term residences and instead appeal to investors and rental property buyers, undermining the city's goal of increasing homeownership opportunities for Davis residents.

## Neighborhood-specific concerns

### 1. Traffic Safety

214-6

The Village Farms project proposes a direct road connection into Cannery Loop, significantly increasing cut-through traffic and safety risks for Cannery residents. The Cannery community has many seniors who take walks and children who ride bicycles. Given the narrow residential streets, the expected high volume of cut-through traffic from Village Farms would undoubtedly pose safety concerns for seniors and children living in Cannery.

### 2. Noise Impact

214-7

The noise study from GHD Group's traffic estimates predicts that Cannery Loop traffic will quadruple. The EIR acknowledges potential increases in noise but minimizes their significance by averaging data, which can obscure peak-hour disturbances that may significantly impact nearby residents.

### 3. Disruption of Urban Farm and Open Space

214-8

The DEIR falsely claims that the Village Farms project will not impact the Cannery Urban Agriculture Transition Area (UATA). However, plans clearly show a road cutting through the farm area, permanently altering it.

**Letter 214 Cont.**

## Conclusion

In summary, the EIR is inadequate in addressing critical concerns. This project represents a major shift in Davis' urban landscape and should not move forward without addressing the following:

**214-9**

1. Traffic congestion and school safety concerns on E. Covell Blvd.
2. Potential flood hazards under climate change
3. Lack of true affordable housing and risk of investor-driven sales
4. Unjustified disproportionate impacts, including traffic safety risks due to the direct road connection into Cannery Loop, underestimation of noise levels, and disruption of open space and urban farms

**Sincerely,**
Yuming Xu and Yujia Cai
UC Davis Alumni, Cannery Residents, and Davis Community Members

## LETTER 214: YUMING XU AND YUJIA CAI

### Response to Comment 214-1
Please see Master Response 1.

### Response to Comment 214-2
Please see Master Responses 1 and 5, as well as Response to Comment 17-5.

### Response to Comment 214-3
The Draft EIR trip generation estimates shown in Tables 4.13-4 and 4.13-5 conservatively assume that 1.8 percent of daily project trips for the Proposed Project and 1.5 percent of daily project trips for the BRPA would walk, bike, or take transit for trips external to the project.

### Response to Comment 214-4
Please see Master Response 4.

### Response to Comment 214-5
Please see Master Response 1.

### Response to Comment 214-6
Please see Master Response 5.

### Response to Comment 214-7
Please see Response to Comment 17-5.

### Response to Comment 214-8
Please see Master Response 5.

### Response to Comment 214-9
Please see Master Response 1.

**Letter 215**

**Dara Dungworth**

**From:** Zenna Mohr <2zenna@gmail.com>
**Sent:** Wednesday, February 19, 2025 11:33 AM
**To:** Dara Dungworth
**Subject:** Voting on Village Farms Development Project

**Categories:** VFD Comment

CAUTION: **External email. Please verify sender before opening attachments or clicking on links.**

**215-1** I am firmly voting NO to the Village Farms Development Project.

Zenna Mohr
1928 Cannery Loop
Davis, CA 95616

## LETTER 215: ZENNA MOHR

### Response to Comment 215-1

Please see Master Response 1.

**Letter 216**

**Dara Dungworth**

**From:** Ziv Lang <ziv.lang@gmail.com>
**Sent:** Monday, February 24, 2025 11:26 AM
**To:** Dara Dungworth
**Subject:** Proposed Village Farms Project Comment

**Categories:** VFD Comment

**CAUTION: External email. Please verify sender before opening attachments or clicking on links.**

Good Morning Dara,

My name is Ziv Lang, and I am a homeowner of a condominium situated across the street on Poleline Road from the proposed Village Homes project (2818 Bidwell Street).

**216-1** I am writing to voice my opposition to the project for several reasons. The first is that given the recent measures passed on the new public library, sales tax has already increased the cost of living on top of inflationary pressures.Recent fires and floods in California have also driven up insurance premiums and HOA dues (dues have jumped from $315 to $370 in the past year), and to build the Village Homes in an area designated as a floodplain will pass on the costs on residents that will make living in Davis much more difficult. Already some schools (specifically kindergartens) had to close down in Davis due to the high cost of living and property values making it difficult for new families to locate themselves in this town. This also has a knock on effect on reducing the tax base for the City of Davis.

**216-2** Second, the roads along Poleline and Covell are already congested as they are, and are not designed to handle the influx of additional traffic (especially during rush hours). This also presents a safety risk to cyclists given the narrow road width, and will not be solved by simply widening the roads (which has its own negative environmental impacts) or increasing stop signs and lighting. Relating to the earlier point of high cost of living, residents would not want to be saddled with an additional expense for infrastructure which would be seldomly utilized and maintained. This includes the proposed fire station which would not have the space to maneuver their fire trucks around the narrow and congested Poleline Road and Covell Blvd. Paired with the lack of frequent bus services in this part of Davis, this project wiil transformation Davis from a bicycle friendly community into a archetypical car centric American suburb.

**216-3** Thirdly, the new units proposed by the Village Homes project would not solve the affordable housing problem as demonstrated by the Cannery development. The new homes will still be financially out of reach for new graduates and hire, nor would these new units be multifamily home dwellings that would help house more households. Given the location will be exposed to contaminants from the Old City Landfill and Sewage Treatment Plant, the project is opening themselves up for future lawsuits from residents, and will be better off if the problem was avoided altogether by not building in this area.

Best Regards,
Ziv Lang

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## LETTER 216: ZIV LANG

### Response to Comment 216-1
Please see Master Responses 1 and 4.

### Response to Comment 216-2
Please see Master Responses 1 and 5.

### Response to Comment 216-3
Please see Master Responses 1 and 3.

**Letter 217**

## VILLAGE FARMS DAVIS PROJECT
## DRAFT EIR (DEIR) COMMENT HEARING SUMMARY

**Date:** February 12, 2025
**Time:** 7:00 PM
**Location:** City of Davis Planning Commission
Community Chambers at City Hall
23 Russel Boulevard
Davis, CA 95616

**Verbal Comments (arranged in order of "appearance" of commenter):**

### Commenter 1 (Jim Flannigan)

217-1
- Commenter stated that DEIR is deficient because it lacks a Reduced Footprint Alternative; the Reduced Footprint Alternative should restrict development south of Channel A, and should be in the range of 900 to 1,000 units.

### Commenter 2 (Alex Achimore)

217-2
- Commenter stated concerns regarding alternatives considered in the EIR.
- Commenter requested that alternatives offered by the Davis Citizens Planning Group at plandavis.org be considered in the alternatives analysis.
- Commenter expressed concerns about the proposed unit number and mix, heavy reliance on detached single-family housing, affordability, and impacts to traffic.

### Commenter 3 (Anthony Palmere)

217-3
- Commenter expressed concerns about added traffic congestion and vehicle miles traveled (VMT).
- Commenter expressed their view that Village Farms Davis Project is not designed to maximize utilization of bicycle and transit options, and expresses concerns about feasibility of transit use in the project site vicinity.
- Commenter recommended that more of the proposed housing should be built near Covell Boulevard and Pole Line Road, where transit services are located.

### Commenter 4 (David Thompson)

217-4
- Commenter expressed their view that regional housing needs are not addressed by the Village Farms Davis Project.
- Commenter expressed concerns about exclusion of low-income families from the community.

### Commenter 5 (Richard McCann)

217-5
- Commenter expressed concerns about environmental, housing, traffic, and traffic emissions impacts.
- Commenter expressed concerns about VMT from commuting into and out of the community, and the feasibility of VMT reduction as a part of the proposed project.
- Commenter expressed concerns about affordability of housing and middle market housing needs.

217-5 Cont.

- Commenter expressed concerns about housing and job balance in the City of Davis.
- Commenter stated the opinion that the City Council needs to push for alternatives addressing low-income housing needs.

### Commenter 6 (Gabriel Ehrlich)

217-6

- Commenter expressed concerns related to number and affordability of housing, and project's ability to contribute to the local housing need.
- Commenter expressed concerns related to changes in utility and roadway infrastructure in the City of Davis, as well as concerns about feasibility for the City to manage and pay for upkeep of utility improvements.
- Commenter stated a preference for an alternative prioritizing landscaping and park space under a multi-family unit model.
- Commenter stated a preference for a multi-family housing design that is placed where people can use transit, bikes, or walk to school, downtown, and UCD.
- Commenter expressed concern about energy and water impacts.

### Commenter 7 (Tim Keller)

217-7

- Commenter expressed concern about economic impacts, VMT impacts, and low ratio of people housed per unit resulting from the proposed project.
- Commenter expressed opinion that the City of Davis does not provide enough housing dedicated to students and lower-income families and that the single-family homes proposed do not serve medium-income families.
- Commenter expressed opinion that a transit-oriented development concept has not been properly assessed as an alternative, and expressed concern about assessment of more feasible alternatives.

### Commenter 8 (Susan Rainier)

217-8

- Commenter expressed concerns related to health, safety, and welfare of people living in the development due to the abandoned landfill in the project site vicinity, placement of the proposed project in Federal Emergency Management Agency (FEMA) Flood Zone A, and potential impacts of per- and polyfluoroalkyl substances (PFAS) in the project site area.
- Commenter expressed concerns related to impacts caused by removal of trees.
- Commenter proposed that alternative site size and placement be considered, including a smaller below channel site.
- Commenter expressed concerns related to potential traffic congestion.
- Commenter suggested that an attachment of living community guidelines be attached to the general plan as guide for developers.

### Commenter 9 (Ellen Kolarik)

217-9

- Commenter generally stated support for the proposed project and cited that the Village Farms project will provide housing and a 20% low-income housing mix.
- Commenter expressed concerns related to the housing shortage causing housing prices to exceed what is affordable for a teacher or general worker in the Davis workforce.

- Commenter requests that the developer commit to providing a higher percentage of multi-family type units such as duplexes, condos, and townhomes, and similarly reduce the number of single-family detached homes.
- Commenter points out that higher density development would allow for development of more open space areas and transit routes through the development to reduce impacts related to VMT.
- Commenter requested that developer increase the number of market rate apartments that include 3- and 4-bedroom options suitable for young families by scaling back single-family units.
- Commenter proposed an alternative where high-density housing is developed north of Covell Boulevard and green space be placed to the north side of the high density apartments so residents could more easily walk/cycle or utilize transit to access shopping areas and further reduce VMT.
- Commenter requested that the main artery of the Village Farms Davis Project development be designed with a width able to accommodate a transit route, with the goal that this main artery would connect to all of the future developments north of Covell Boulevard which are currently anticipated to be developed.

**217-9 Cont.**

## Commenter 10 (Unknown)

- Commenter expressed concern about safety, vehicle speeds, travel times, and traffic congestion in Davis, West Sacramento, and I-80 areas.
- Commenter expressed their view that Davis has a roadway infrastructure deficit.
- Commenter expressed concern related to feasibility for Davis to maintain roadways and public utilities.

**217-10**

## Commenter 11 (David McGlocklin)

- Commenter stated opinion that the proposed project is too large and has too many negative impacts.
- Commenter expressed concerns related to the number of proposed residential units, tree removal, drainage ditch in the project site vicinity, impacts to wildlife species, proximity to the old landfill and sewage treatment facility, leaching of PFAS, soil contaminated with arsenic, and development in the floodplain.
- Commenter expressed concerns related to soil contaminated with lead where the park is proposed.
- Commenter expressed concerns related to City liability for health issues caused to community members.
- Commenter stated their view that there is no safe access to the project by bikes and pedestrians by way of F street or Covell Boulevard.
- Commenter expressed concern that there would be no grade-separated crossing for kids to cross safely across Pole Line Road, Covell Boulevard, or F Street as part of the proposed project.
- Commenter expressed concerns related to the removal of 950 trees and habitat.
- Commenter stated opinion that the DEIR is inadequate and needs to offer a Reduced Acre Alternative that would build only below the channel, preserve the vernal pools, and downsize the housing units to a reasonable number.

**217-11**

**Commenter 12 (Marjorie Longo)**

217-12

- Commenter expressed concern related to downstream flooding issues, specifically concerns related to stormwater flows into the Wildhorse golf course from Covell drain, and the capacity to contain stormflows in the Wildhorse neighborhood and Covell drain areas.
- Commenter stated that Section 4.8 of the DEIR does not analyze or disclose in writing that stormwater flows will drain into an uninspected drain that flows into Wildhorse Golf Course, or the distance of existing homes in the Wildhorse neighborhood from all predicted increases in stormwater in the Wildhorse neighborhood.
- Commenter sited that page 4.8-38 of the DEIR states that the 100-year 24-hour storm event does show some isolated areas with larger increases (to storm flows) that would occur within drainage features along Covell Drain and the Wildhorse Golf Course area.
- Commenter stated that Section 4.8 does not analyze or disclose potential impacts related to erosion or other means on Wildhorse Golf Course in instances of the 100-year flood event.
- Commenter expressed their view that the Wildhorse Golf Course serves as a wildlife corridor in addition to being a source of recreation.
- Commenter expressed their view that mitigation measures starting on page 4.8-38 of the DEIR are vague, will be implemented too late in the review process, and do not specify that they will be aimed to eliminate flooding impacts to Wildhorse Golf Course and neighborhood.
- Commenter suggested a Build Below the Channel Alternative that includes avoidance of channel disruption or does not cause more water to flow into the Wildhorse community, requires that the City enter into an agreement with Wildhorse Golf Course for annual inspection of Covell Drain, and provides proof that all past and future hydrologic modeling takes into account poor maintenance of Covell Drain on Wildhorse Golf Course.

**Commenter 13 (Chris Carter)**

217-13

- Commenter expressed concerns related to impacts resulting from building on a flood plain, such as settling house foundations.
- Commenter expressed concerns related to increased traffic, and the safety of bikers along roadways in the project vicinity.

**Commenter 14 (Andrew MackElrone)**

217-14

- Commenter gave Cannery as an example of unfinished projects and expressed concerns about the City's lack of expertise and workforce necessary to finish the proposed project.
- Commenter expressed concerns related to overflow of traffic from Village Farms Davis Project into the Cannery neighborhood, as well as concerns relating to existing traffic problems on Covell Boulevard.
- Commenter noted that the local vernal alkaline pool area was recently plowed and worked over.

217-14 Cont.

- Commenter expressed concerns related to endangered species habitat, loss of green space and dedicated park space, the existence of a flood plain of the project site, and potential impacts caused by conversion of residential units to rental properties.

## Commenter 15 (Elizabeth Reay)

- Commenter expressed opposition to the proposed project, stating that the current DEIR is inadequate.
- Commenter expressed concerns related to potential impacts caused by the project being built on 200 acres of floodplain.
- Commenter stated that the proposed project does not contain a confirmed over or underpass at F Street, Covell Boulevard, or Pole Line Road for school children or bikes to safely pass.
- Commenter expressed concern related to lack of a school within the proposed development.

217-15

- Commenter stated the opinion that the DEIR does not address traffic issues on Pole Line Road.
- Commenter expressed concern related to the removal of 77% of mature trees on the project site, and potential resulting impacts to wildlife, especially nesting raptors.
- Commenter expressed concerns related to potential hazards including the potential arsenic in the fill dirt removed from the urban agricultural transition area, potential impacts resulting from proximity to the old landfill with a history of an open burn pit, leaking of toxics into groundwater, and properly informing future home buyers of potential hazards.
- Commenter requested that the developer and all future heirs be required to take liability for potential impacts created by the proposed project.

## Commenter 16 (Nancy Price)

- Commenter expressed concern related to toxics, cost of housing, relation of jobs to housing, and impacts caused by people commuting in and out of the City, generally.

217-16

- Commenter expressed opinion that there needs to be a 1,000-foot zone around the old landfill to protect from leachate of PFAS related to potential health impacts.
- Commenter asked if the proposed site, as an agricultural site, had a history of using sludge from the former off-site WWTP as fertilizer.
- Commenter expressed concern related to impacts resulting from potential contamination from potential historical use of toxic fertilizers.

## Commenter 17 (Dr. Glen Holstein)

217-17

- Commenter expressed their view that the project plans and mitigations do not properly protect sensitive or rare plant and wildlife species.
- Commenter expressed concern related to conflicting maps and consistency in presenting habitat types.
- Commenter expressed concerns related to the removal of soil and vegetation to build up houses.

217-17 Cont.

- Commenter expressed concerns related to potential toxic waste existing below the project site.
- Commenter expressed preference for the No Project Alternative or an alternative that proposed housing at an alternative site that does not contain rare species.

## Commenter 18 (Davis Community Action Network Team)

217-18

- Commenter requested that more transit planning be conducted.
- Commenter expressed concerns related to transit, VMT, high levels of GHG resulting from the proposed project, and accommodation of bike routes and busses on roadways in the project vicinity.
- Commenter expressed the view that an increase in proposed housing density along transit corridors would result in reduced pollution.
- Commenter expressed support for addition of a micro-grid, with full electrification using renewables.
- Commenter suggested a feasibility study be prepared for the proposed project demonstrating how a microgrid could reduce emissions of project overall and align with climate goals.
- Commenter stated a preference for alternatives including smaller units, increased attached units, and requested that the developer commit to the 20% affordable housing mix with down payment assistance even if the proposed project's residential density is altered in response to comments.
- Commenter requested that the wetlands be set aside in consideration of the alternatives.

## Commenter 19 (Sharon Montooth)

217-19

- Commenter expressed concerns related to traffic resulting from the proposed project, as well as concern for the safety of bike riders and kids along Covell Boulevard and Pole Line Road.
- Commenter expressed concerns related to the old City landfill and toxics leaking in the project vicinity.
- Commenter expressed concerns related to removal of trees along the channel, as well as impacts to hawks, owls, coyotes, and apex predators.

## Commenter 20 (Vijay Kumar)

217-20

- Commenter expressed concern related to annexation north of Covell drain, the long-term cumulative impacts related to annexation, the feasibility of dirt-moving activities related to the proposed project, and the potential for waters of the United States present in areas where dirt-moving activities are anticipated.
- Commenter states general concern that the mitigation measures proposed are not adequate.

## Commenter 21 (Norb Kumagai)

217-21

- Commenter expressed concern related to proximity of proposed project to emergency medical services and maintaining an emergency response time radius of 5 minutes or under.

217-21 Cont.

- Commenter stated support of the proposed project's inclusion of a dedicated public service area, police, and fire services.

## Commenter 22 (Mark Huising)

- Commenter stated a general need to meet climate resilience and GHG reduction goals, as well as the need to reduce car dependency and increase bike or Ebike facilities.

217-22

- Commenter expressed concerns related to roadway, bicycle, and pedestrian access between the Village Farm neighborhood, the Cannery neighborhood, North Davis, Covell Park, the Wildhorse neighborhood, Davis high, and the university area.
- Commenter expressed concerns related to inclusion of solid designs for pedestrian access in the project vicinity including access to the Covell Boulevard overpass.

## Commenter 23 (Juliette Beck)

- Commenter expressed concerns related to pedestrian, bicycle, and transit access, and incorporation of the 2030 climate goals and Yolo County approach to climate action and emergency as part of the proposed project.
- Commenter expressed concern related to VMT levels resulting from implementation of the proposed project.

217-23

- Commenter expressed the opinion that the VMT calculation is not present or transparent in the DEIR, as VMT is shown per capita but not for the project as a whole, and requested that the DEIR include VMT calculations for the project as a whole.
- Commenter expressed general concerns about housing models, and requested limited equity housing options alternatives, similar to the Dos Pinos development, which offers affordable housing opportunities for low- and moderate-income households that would reduce commuter impacts.

## Commenter 24 (Eileen Samitz)

- Commenter stated concerns related to high amount of environmental impacts compared to the previous Covell Village project, proximity to floodplain, proximity to the old landfill, potential for presence of PFAS and manganese, enforcement of the 1,000-foot buffer around the old landfill, potential presence of soil contamination such as high levels of arsenic, potential impacts caused by 1 million cubic yards of dirt moving, potential presence of toxaphene in 1.2 million Mg/KG and high levels of lead on the park site, safe access for bikes and pedestrians, a lack of infrastructure for pedestrian access under F street or Covell Boulevard, feasibility of the Pole Line Road undercrossing, increases in traffic and GHGs, and feasibility of public transit use in the project site vicinity.

217-24

- Commenter expressed the view that the DEIR lacks mitigation measures and resolutions for hazards.
- Commenter cited that CEQA requires a proposed project to offer alternatives with lesser impacts and states the opinion that this DEIR does not contain alternatives with lesser impacts.

217-24 Cont.

- Commenter expressed a preference for addition of a Reduced Acreage or Reduced Footprint Environmentally Superior Alternative, similar to what was in the Covell Village EIR with a modification protecting the vernal pools and reducing number of units proportionally on the site.

**Commenter 25 (Dave Bakay)**

- Commenter stated the opinion that the project is not good for Davis and supports a smaller footprint alternative.
- Commenter noted that the proposed project does not have a northern or western exit and all traffic resulting from the proposed project would go to Pole Line Road and Covell Boulevard.

217-25

- Commenter noted that the proposed project does not contain an overcrossing to the soccer fields.
- Commenter expressed that he does not understand VMT and that he does not get how having 2,700 units is better for VMT than 1,800.
- Commenter expressed concern related to potential hazards resulting in placement of a park in the corner, related to potential pollution and the safety of children in that area.
- Commenter expressed concern about connectivity of transit routes to the library or Mondavi Center, and questioned if the future residents will use the bus.
- Commenter expressed that he hopes the board will reject the current proposed project in favor of a better alternative.

**Commenter 26 (Ryan Samimi)**

217-26

- Commenter expressed general support for the project in the sense that it bridges a gap in the growth boundary of Davis, between Pole Line Road, The Cannery neighborhood, and L Street development.
- Commenter expressed support for overcrossing to be built around the railroad lines to allow contiguity between neighborhoods.
- Commenter expressed opinion that the current proposed mix of units is good but thinks it would make more sense to have higher density areas closer to Covell Boulevard.

**Commenter 27 (John Keller)**

217-27

- Commenter cited that CEQA sets requirements when thresholds are exceeded in environmental areas and stated that they wanted to emphasize that those thresholds are minimums.
- Commenter stated that they urge the Commission to aim higher than the minimum thresholds.

**Commenter 28 (Eva Speigel)**

217-28

- Commenter stated generally that they support the proposed project, especially the development of 1,800 units in the City of Davis, and the proposed project design.

**Commenter 29 (Ginga Strozyk)**

217-29
- Commenter expressed the opinion that the proposed project would have too much of an environmental impact, create too much traffic, cause dangerous flooding, be built on lands containing dangerous toxins, and cost too much in taxpayer dollars.
- Commenter asked who will take responsibility for flooding, or exposure to toxins, or gridlock of neighborhoods causing impacts on day-to-day life?

**Commenter 30 (Larry Stozyk)**

217-30
- Commenter expressed concern related to mitigating sewage in a flood zone, excessive use of water, potential impacts of housing density on fire risk, and traffic impacts.

**Commenter 31 (Timothy Hoban)**

217-31
- Commenter expressed concerns relating to growth-inducing impacts of the proposed project, traffic impacts, irreversible impacts resulting from the proposed project, potential for toxics in the project area including air particulate matter, the potential for global warming as a result of the proposed project, habitat destruction, removal of 1,000 trees, and risk of flooding.
- Commenter expressed opposition to the proposed project stating that the project merits rejection even with alternatives or mitigation measures provided.

**Commenter 32 (Mikey)**

217-32
- Commenter stated support of the proposed project especially regarding an increase in housing availability in the City of Davis.

**Commenter 33 (Les Portello)**

217-33
- Commenter expressed concern related to the proposed project's proximity to a flood plain, proximity to the old City landfill, traffic maneuverability on F Street and County Road 102, traffic congestion in general, and availability of feasible alternatives.
- Commenter requested a proposal for better transportation access including providing bicycle accessibility to F Street and downtown Davis.

**Commenter 34 (Unknown)**

217-34
- Commenter expressed support for the proposed project, stating that the 1,800-unit Village Farms Davis Project will provide housing opportunities to Davis allowing first time home buyers and Davis locals to buy homes in Davis.

**Commenter 35 (Judy Feldman)**

217-35
- Commenter expressed concerns related to traffic congestion at Covell Boulevard and Pole Line Road, increase in traffic resulting from an increase in residences, moving of the drainage ditch, proximity to the old landfill, potential impacts to wildlife and trees, potential for toxic waste to infiltrate groundwater, and encroachment upon the agricultural buffer.
- Commenter expressed the opinion that the DEIR does not adequately address impacts.

**Commenter 36 (Nicholas Pinter)**

- Commenter expressed concern related to potential hydrology impacts, stating that the hydrological modeling underestimates the potential downstream hydrological impacts and that there is a risk for significantly adding flow volumes and water levels in the Wildhorse neighborhood.

217-36

- Commenter recommended that independent water modeling be prepared for the proposed project and that the City of Davis request detailed engineering designs that prove mitigation of hydrological impacts provided to the standard of the Administration of State and Federal Floodplain Managers (ASFDM), which require zero adverse impacts.
- Commenter noted that the DEIR cites mitigation measures that will be designed and implemented in the future, but provides no details, timelines for the design or implementation of mitigation measures.

**Commenter 37 (Jackie)**

217-37

- Commenter expressed support for the proposed project stating that there is a need for homes for median income families in the City of Davis, and that the currently proposed project is the best match for density that would be desirable for families.

**Commenter 38 (Sarah)**

217-38

- Commenter expressed concern related to developing homes on a floodplain and disaster response if a flood were to happen where housing was developed.

**Commenter 39 (Callie Garritson)**

217-39

- Commenter expressed concern related to traffic impacts on Pole Line Road, Covell Boulevard, and connecting streets to Cannery loop, related to traffic congestion and potential hazards to pedestrians and bikers, especially kids walking and riding to school every day.
- Commenter expressed concern related to hydrology, including potential flooding at drainage basins north of the Cannery neighborhood, and impacts resulting from conversion of permeable surfaces to non-permeable surfaces, especially during 100-year flood event conditions.

217-39 Cont.

- Commenter expressed concern related to soil toxics, stating that there are known toxins such as PFAS and “forever chemicals” known to occur in soils not just near the landfill but throughout the proposed project site.
- Commenter asked how is it a good idea to dig up the (project site) soils and then have the wind blow contaminated soils on nearby uses such as neighborhoods, soccer fields, and preschools?
- Commenter noted that Montessori Country Day Preschool is steps away from the project site and that it is not considered in DEIR.
- Commenter expressed concern about the undercrossing and overcrossing projects not being fully scoped as part of the proposed project, the proposed square footage of the proposed residences, reliance of the school district on the success of the housing development, and location of the project on the opposite side of town from the University.

**Commenter 40 (Lynn)**

217-40
- Commenter expressed support for the proposed project, stating that they support development of more homes, and that they think this will support young families and "bring Davis back to life".

**Commenter 41 (Lauren Gary)**

217-41
- Commenter expressed support for the proposed project, stating that the proposed project is an opportunity for young families and first-time home buyers to buy homes in the City of Davis.

**Commenter 42 (Luanna Villanueva)**

- Commenter expressed concern related to the project site's proximity to a 200-acre floodplain, unlined old City dump, and sewage treatment plant.

217-42
- Commenter expressed concern related to potential toxic chemicals and PFAS leaks above maximum concentration allowed, contaminated groundwater, and a lack of safe access for bikes and pedestrians.
- Commenter expressed the opinion that the EIR is inadequate, and that there is a need to add a Water Channel Only Reduced Acreage Alternative.

**Commenter 43 (Jessica Chapman)**

217-43
- Commenter expressed support for the proposed project, stating that the proposed project would provide an opportunity for economic improvement for families, community connectedness, new schools, a new fire department, new police station, and an opportunity to provide a sense of community for individuals of different backgrounds professionals and families.

**Commenter 44 (Alan Pryor)**

217-44
- Commenter expressed their view that claims by other commenters that the old landfill is a substantial negative impact are unfounded.
- Commenter reiterates DEIR findings regarding groundwater wells, toxics, and PFAS, and generally agrees with the findings of the water board and the DEIR.

**Commenter 45 (Sherri)**

217-45
- Commenter expressed support for the proposed project, stating that the plan for 1,800 units is well planned, and that the analysis regarding noise, dust, and environmental studies was adequate.

**Commenter 46 (Laura McDonald)**

- Commenter expressed support for the proposed project, stating that the affordable housing program will make the proposed project affordable for median income families.

217-46
- Commenter stated that they support the proposed roadway improvements on Pole Line Road, south of Covell Boulevard, as well as the fair share (traffic) obligations outlined in the DEIR, and that they feel these improvements will support the safety of cyclists and drivers, pedestrians, and school age children that use the roads.

217-46 Cont.
- Commenter expressed that while they do not support development of open spaces, they acknowledge that there is a need for residential development in Davis and support a well thought out development plan, such as the proposed project.

**Commenter 47 (Cynthia)**

217-47
- Commenter expressed concerns related to dwelling units per acre, housing density, parking, water, and traffic.
- Commenter expressed preference for an alternative including three-story apartments with more parking provided.

**Commenter 48 (Jim Watts)**

217-48
- Commenter expressed concerns related to traffic impacts, suitability of the proposed project for the City, necessity of the proposed project related to the City's growth requirements, and the overall design and planning related to the proposed project.

**Commenter 49 (Kara)**

217-49
- Commenter expressed support for the proposed project stating that the public will benefit from the 1,800-unit design as proposed, and that they feel the proposed project was carefully planned.
- Commenter expressed support for design elements such as the urban agricultural transition area, valuable open green spaces, community access points, recreational and environmental opportunities provided by proposed project, as well as potential for the proposed project to help the local public school systems gain stability.

**Commenter 50 (Elizabeth Coolbrith)**

217-50
- Commenter expressed concerns related to potential impacts to the Cannery neighborhood, including development of a high-traffic road over the existing farm and potential changes the character of the Cannery neighborhood, transportation hazards resulting from increased traffic flow from the proposed project to the narrow Cannery neighborhood streets, potential increase in GHG, and potential hazards for pedestrians on J and L streets caused by the blind turn at the southwest edge of the Cannery loop near the dog park.

**Commenter 51 (Unknown)**

217-51
- Commenter expressed concern related to traffic on Pole Line Road around 5:00 P.M. going east on County Road 102, and potential impacts to traffic in the Wildhorse neighborhood at the Pole Line Road intersection resulting from the proposed project.
- Commenter expressed opinion that the proposed project and Planning Commission need to provide mitigation measures for traffic impacts resulting from the proposed project.

**Commenter 52 (Roberta Stewart)**

217-52
- Commenter expressed concerns related to potential increases in vehicular traffic, especially commuter traffic from Woodland, increased traffic resulting from the

217-52 Cont. proposed project, potential impacts to the Pole Line Road cross streets, and the capacity of existing roadway infrastructure in the project site vicinity.

## Planning Commission Final Comments

### Commenter 53 (Vince McLaughlin)

- Commenter expressed support for inclusion of a Reduced Footprint Alternative in the alternatives section, located south of the drainage channel with the elimination of the east village directly south of the dump and the closed sewage treatment plant.

217-53

- Commenter requested the inclusion of more explanation as to why it may or may not have been possible to create an ingress or egress on the F street side of the proposed project to alleviate traffic concerns with nearby examples of feasibility.
- Commenter expressed general concerns about groundwater migration and groundwater wells and states that more mitigation could be provided to address safety concerns regarding repositioning soil, the possibility of finding problems in the future, and the City possibly being held liable in some way after developer leaves.

### Commenter 54 (Georgina Valencia)

217-54

- Commenter expressed concerns regarding the stormwater control plan, stating that because a stormwater control plan has not been prepared and proper source control measures cannot be ensured at this time, the stormwater control plan needs to be prepared and reanalyzed within the DEIR.
- Commenter expressed concerns related to transportation hazards, including further analysis of the feasibility of an undercrossing or overcrossing for bikes and pedestrians, especially with the increased traffic flow potentially created by the proposed project.
- Commenter expressed concern related to the feasibility of the educational farm and stated that it needs to be well planned.

### Commenter 55 (Alan Benett)

217-55

- Commenter expressed agreement with other commenters that a Reduced Footprint Alternative would have been good to see.
- Commenter expressed the view that the description of proposed project and Biological Resources Preservation Alternative (BRPA) was confusing, and asked that if the BRPA is the preferred alternative for the proposed project, why is the BRPA not analyzed as the main proposed project to reduce confusion?

### Commenter 56 (Greg Rowe)

217-56

- Commenter asked the environmental consultant a question regarding the accuracy of their own method for calculating K-12 students generated by the proposed project. (Mr. Pappani replied with the methods used to calculate K-12 students generated by the proposed project as utilized within the DEIR).

- Commenter asked if the Environmentally Superior Alternative would result in an increase in students created by the proposed project as a result of the proposed increased housing density.
- Commenter expressed concern related to provision of a clearer presentation of project phasing within the DEIR, VMT and the feasibility of the California Air Pollution Control Officers Association (CAPCOA) standards, bicycle and pedestrian safety at Covell Boulevard and Pole Line Road, pedestrian safety at the crossings to schools and Nugget Field, inclusion of a grade-separated crossing in the proposed project design, the adequacy of the proposed traffic mitigations, and potential increases to traffic and travel times during peak hours.

**217-56 Cont.**

- The commenter expressed that they do not support the proposed project, stating they do not think the EIR addresses concerns correctly or contains correct alternatives, and if they were to vote on the project tonight, they would not vote to implement the proposed project.

## Commenter 57 (Catherine Brinkley)

- Commenter noted that the Draft EIR is tricky because the general plan process has not been started to discuss annexation or future development, and as a result, many of the comments might not have been about the DEIR or project but reflected frustration with the City's process.

**217-57**

- Commenter expressed concern that a viable and desirable alternative was not presented by the DEIR, and expressed that an alternative including high-density, multi-family housing with a reduced footprint would be desirable.
- Commenter expressed support for VMT as a metric and the benefits of increased housing density.
- Commenter expressed concern related to potential impacts to critical habitat that would be lost as a result of the proposed project, and stated support about concerns related to fairy shrimp, vernal pools and nesting birds.
- Commenter expressed concern related to water quality, specifically that the DEIR finding regarding water quality impacts was not significant even though plans to mitigate water quality impacts were not fully developed.

## Commenter 58 (Johanes Troost)

- Commenter expressed concerns related to potential transportation hazards and traffic congestion on Pole Line Road, Covell Boulevard, and the turn lane into Village Farms Davis Project.

**217-58**

- The commenter asked how many lanes on surrounding streets will be necessary for existing and project-related traffic.
- Intersection of F Street and Covell Boulevard is already problematic, particularly due to school-related traffic.
- Commenter expressed their view that the proposed project requires a traffic plan for the project and the City, including a way to cross to the north, including an over grade crossing, and a linkage between developments on north side.
- Commenter expressed support for developing more residences in the City of Davis.

**Commenter 59 (Michelle Weiss)**

217-59

- Commenter expressed concerns regarding the need for a grade-separated crossing as part of the proposed project, especially in the Pole Line Road and F Street areas.
- Commenter expressed support for increased housing in the City.
- Commenter expressed concerns related to analysis of transportation hazards, emergency service response times, specifically medical response services versus fire response services, drainage, number and location of tree removal, chemicals and hazards.

**Commenter 60 (Vince McLaughlin)**

217-60

- Commenter expressed concerns related to potential traffic impacts caused by existing narrow streets in the Cannery neighborhood and proposed project design on the Cannery neighborhood.
- Commenter requested that the proposed project include a thoughtful multipage or multi-paragraph analysis addressing construction of an ingress and egress encircling the Cannery neighborhood, stating how the concerns of the citizens of the Cannery neighborhood are going to be addressed, with mitigation measures.

**Commenter 61 (Greg Rowe)**

217-61

- Commenter expressed concern relating to leachates from the former landfill in the groundwater and the potential for increases in use of surface water to cause increases in the groundwater height, thus resulting in potential pollution of the new Channel A.
- Commenter expressed the opinion that the EIR is deficient if it does not look at potential habitat downstream.

## LETTER 217: DRAFT EIR COMMENT HEARING SUMMARY

**Response to Comment 217-1**
Please see Master Response 2.

**Response to Comment 217-2**
Please see Master Responses 1 and 2.

**Response to Comment 217-3**
Please see Master Response 5 and Responses to Comments 52-6 and 100-7.

**Response to Comment 217-4**
Please see Master Response 1.

**Response to Comment 217-5**
Please see Master Responses 1 and 2.

**Response to Comment 217-6**
Please see Master Responses 1 and 2.

**Response to Comment 217-7**
Please see Master Response 1.

**Response to Comment 217-8**
Please see Master Responses 1 through 4 and 7.

**Response to Comment 217-9**
Please see Master Responses 1 and 2.

**Response to Comment 217-10**
Please see Master Responses 1 and 5.

**Response to Comment 217-11**
Please see Master Responses 1, 3, 4, 6, and 7.

**Response to Comment 217-12**
Please see Master Response 4 as well as responses to Letters 158 and 159, authored by the same commenter.

**Response to Comment 217-13**
Please see Master Responses 4 and 5.

**Response to Comment 217-14**
Please see Master Responses 1, 4 and 5.

**Response to Comment 217-15**
Please see Master Responses 3 through 7, and Response to Comment 16-3.

**Response to Comment 217-16**
Please see Master Response 3 and Response to Comment 166-9.

**Response to Comment 217-17**
Please see responses to Letter 95, authored by the same commenter.

**Response to Comment 217-18**
Please see Master Responses 2 and 5 and Response to Comment 29-17.

**Response to Comment 217-19**
Please see Master Responses 3, 5, and 7.

**Response to Comment 217-20**
Please see Master Response 4 as well as responses to Letter 210, authored by the same commenter.

**Response to Comment 217-21**
Please see Response to Comment 30-4.

**Response to Comment 217-22**
Please see Master Response 6 as well as responses to Letter 160, authored by the same commenter.

**Response to Comment 217-23**
Please see Master Response 5 as well as responses to Letters 131 and 132, authored by the same commenter.

**Response to Comment 217-24**
Please see Master Responses 2 and 3 as well as responses to Letters 75 through 80, authored by the same commenter.

**Response to Comment 217-25**
Please see Master Responses 2, 3, and 6, as well as responses to Letter 66, authored by the same commenter.

**Response to Comment 217-26**
Please see Master Response 1.

**Response to Comment 217-27**
Please see Master Response 1, as well as responses to Letters 120 and 121, authored by the same commenter.

**Response to Comment 217-28**
Please see Master Response 1.

**Response to Comment 217-29**
Please see Master Responses 3 and 4, as well as responses to Letters 93 and 94, authored by the same commenter.

**Response to Comment 217-30**
Please see responses to Letter 142, authored by the same commenter.

**Response to Comment 217-31**
Please see Master Response 3, 4, and 7, as well as responses to Letter 203, authored by the same commenter.

**Response to Comment 217-32**
Please see Master Response 1.

**Response to Comment 217-33**
Please see Master Responses 2 and 5, as well as responses to Letter 146, authored by the same commenter.

**Response to Comment 217-34**
Please see Master Response 1.

**Response to Comment 217-35**
Please see Master Responses 3, 5 and 7, as well as responses to Letters 125 and 126, authored by the same commenter.

**Response to Comment 217-36**
Please see Master Response 4, as well as responses to Letter 169, authored by the same commenter.

**Response to Comment 217-37**
Please see Master Response 1.

**Response to Comment 217-38**
Please see Master Response 4.

**Response to Comment 217-39**
Please see Master Responses 3 through 6, as well as responses to Letter 45, authored by the same commenter.

**Response to Comment 217-40**
Please see Master Response 1.

**Response to Comment 217-41**
Please see Master Response 1.

**Response to Comment 217-42**
Please see Master Responses 2, 3, and 4.

**Response to Comment 217-43**
Please see Master Response 1.

**Response to Comment 217-44**
Please see Master Response 1.

**Response to Comment 217-45**
Please see Master Response 1.

**Response to Comment 217-46**
Please see Master Response 1.

**Response to Comment 217-47**
Please see Master Responses 1 and 2.

**Response to Comment 217-48**
Please see Master Response 1.

**Response to Comment 217-49**
Please see Master Response 1.

**Response to Comment 217-50**
Please see Master Response 5, as well as responses to Letter 81, authored by the same commenter.

**Response to Comment 217-51**
Please see Master Response 5.

**Response to Comment 217-52**
Please see Master Response 5.

**Response to Comment 217-53**
Please see Master Responses 2, 3, 5, and 6.

## Response to Comment 217-54

Please see Master Responses 5 and 6. Regarding the portion of the comment about the stormwater control plan, it is important to emphasize that drainage reports have already been prepared for the Proposed Project and the BRPA.[2] Mitigation Measure 4.8-2 pertains to the preparation of a final Stormwater Control Plan, which cannot be prepared at this time given the fact that the applicant is only seeking program-level entitlements for the project (e.g., annexation, General Plan land use and zoning changes, etc.). As such, the appropriate time for a Stormwater Control Plan will be when a tentative subdivision map has been prepared. The tentative subdivision map will include street, lotting, and utilities layouts, finished grades, etc., all of which will be needed to refine the programmatic drainage analysis that has been prepared for the Draft EIR.

Under CEQA, a lead agency may rely on future studies to devise the specific design of a mitigation measure when the results of later studies are used to tailor mitigation measures to fit on-the-ground environmental conditions.[3]

Mitigation Measure 4.8-2 includes sufficient performance standards, as follows:

> *4.8-2* *Prior to approval of final project improvement plans, a final Stormwater Control Plan shall be submitted to City of Davis Public Works – Utilities and Operations Department for review and approval. The final Stormwater Control Plan shall be in compliance with all applicable provisions of the National Pollutant Discharge Elimination System (NPDES) Phase II MS4 General Permit (NPDES General Permit No. CAS612008, Order No. R2-2022-0018) and shall meet the standards of the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment. Site design measures, source-control measures, hydromodification management, and Low Impact Development (LID) standards, as necessary, shall be incorporated into the design and shown on the improvement plans. The final plans shall include calculations demonstrating that the water quality BMPs are appropriately sized, using methodology in the CASQA Stormwater BMP Handbook for New Development and Redevelopment. The final plans shall also incorporate the proposed components for maintaining the stormwater-treatment facilities.*

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2 Cunningham Engineering. *Drainage System and Flood Control Analysis for Village Farms Davis*. August 8, 2024; Cunningham Engineering. *Drainage System and Flood Control Analysis for Village Farms Davis Biological Resources Preservation Alternative*. August 8, 2024; Rick Engineering Company. *Village Farms Project: 2-Dimensional Hydraulic Modeling*. July 8, 2024; Rick Engineering Company. *Village Farms Project: Biological Wetland Avoidance Alternative: 2-Dimensional Hydraulic Modeling*. July 8, 2024.

3 See *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 524 (upholding mitigation measures, based on preconstruction surveys, requiring identified steps for avoiding impacts to biological resources to be implemented).

In summary, Mitigation Measure 4.8-2 includes sufficient performance standards and is appropriately timed to when sufficient project-level design information is available to prepare a Stormwater Control Plan.

## Response to Comment 217-55

Please see Master Response 2. Chapter 3, Project Description, of the Draft EIR includes a separate description of both the Proposed Project and the Biological Resources Preservation Alternative, the latter of which was evaluated at an equal level to that of the Proposed Project. Inclusion of both a proposed project and an equal-level alternative in an EIR is allowable pursuant to CEQA, and in fact, was done for the 2004 Covell Village EIR that was certified by Davis City Council.

## Response to Comment 217-56

Please see responses to Letters 96 to 102, authored by the same commenter.

## Response to Comment 217-57

Please see Master Responses 2 and 5, as well as responses to Letter 51, authored by the same commenter.

## Response to Comment 217-58

Please see Master Responses 1 and 5.

## Response to Comment 217-59

Please see Master Responses 1, 5, and 6, as well as Response to Comment 30-4.

## Response to Comment 217-60

Please see Master Response 5.

## Response to Comment 217-61

Please see Master Response 3.

# 3. Revisions to the Draft EIR Text

# 3. REVISIONS TO THE DRAFT EIR TEXT

## 3.1 INTRODUCTION

The Revisions to the Draft EIR Text chapter provides all corrections, additions, and revisions made to the Draft EIR. The changes represent minor clarifications and amplifications of the analysis contained in the Draft EIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR. Please refer to the discussion of this topic provided in Section 1.8 of Chapter 1, Introduction and List of Commenters, of this Final EIR.

It should be noted that, in addition to the text revisions presented in Chapter 2 of this Final EIR in response to public comments, this chapter provides other text revisions to the Draft EIR initiated by the City of Davis based upon further review of the document since its release to the public.

## 3.2 DESCRIPTION OF CHANGES

New text is <u>double underlined</u> and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

### Table of Contents

Page 11 of the Draft EIR is hereby revised as follows:

4.4-8 Proposed Project Aquatic Resources Impacts ..... 4.4-96
4.4-9 Biological Resources Preservation Alternative Aquatic Resources Impacts ..... 4.4-98
4.4-10 Proposed Project ~~and Biological Resources Preservation Alternative~~ Tree Impacts ..... 4.4-103
<u>4.4-11 Biological Resource Preservation Alternative Tree Impacts ..... 4.4-104</u>

The above revision is made to maintain consistency with revisions to Chapter 4.4, Biological Resources, of the Draft EIR. It should be noted that the insertion of a new table would likely require changes to the page numbers throughout the rest of the chapter; however, rather than include the entirety of the Table of Contents with revisions shown where appropriate, only the new table and the estimated page location that has been revised are presented. The revisions to the Table of Contents are for clarification purposes only and do not change the conclusions of the Draft EIR.

### 1 Introduction

Page 1-3 of the Draft EIR is hereby revised as follows:

> In addition, the applicant is proposing to construct new intersection improvements along Pole Line Road and a new ~~traffic signal~~ <u>north leg</u> at the intersection of East Covell Boulevard and L Street.

The foregoing revision is for clarification purposes only and does not affect the analysis or conclusions of the Draft EIR.

# 2 Executive Summary

In response to the comment, page 2-2 of the Draft EIR is hereby revised as follows:

> The Proposed Project would include various off-site improvements, including, but not necessarily limited to, new intersection improvements along Pole Line Road and a new ~~traffic signal~~ north leg at the intersection of East Covell Boulevard and L Street.

The foregoing revision is for clarification purposes only and does not affect the analysis or conclusions of the Draft EIR.

For clarification purposes, Table 2-1 in Chapter 2, Executive Summary, of the Draft EIR is hereby revised to reflect minor revisions made to Mitigation Measures 4.3-7(b), 4.3-8, 4.5-2, 4.8-5, and 4.13-4 as part of this Final EIR, as presented throughout this chapter. Rather than include the entirety of Table 2-1 with revisions shown where appropriate, only the mitigation measures that have been revised are presented. The revisions to Table 2-1 are for clarification purposes only and do not change the conclusions of the Draft EIR. Please refer to the end of this chapter for Table 2-1.

# 3 Project Description

Page 3-2 in Chapter 3, Project Description, of the Draft EIR is hereby revised as follows:

> ## Project Site Setting
>
> The project site consists of generally flat, agricultural land. In addition, one agricultural structure is located in the southern portion of the site. The project site is bisected by a north-to-south private access road (L Street), which also pivots to proceed in an east-to-west direction through a portion of the site. A City of Davis drainage course (Channel A) also flows ~~east to~~ west to east through the site. Additionally, a Pacific Gas and Electric Co. (PG&E) easement occurs along the western and northern site boundaries.

Page 3-23 of the Draft EIR is hereby revised as follows:

> The Proposed Project would require the following approvals from Yolo LAFCo as part of the requested SOI Amendment and Annexation:
>
> 1. ~~Combined Municipal Service Review (MSR) and~~ SOI Amendment in order to bring the 114.88-acre portion of APN 042-110-029 within the City of Davis SOI (Government Code Section 56428).
> 2. Annexation of the entire 497.6-acre project site into the City of Davis (Government Code Section 56737).

Page 3-24 of the Draft EIR is hereby revised as follows:

> The ultimate design of the improvements, as well as the installation of the new ~~traffic signal~~ north leg at the East Covell Boulevard/L Street intersection, would be developed in cooperation with traffic engineers and the City of Davis Public Works Department.

Page 3-46 of the Draft EIR is hereby revised as follows:

> 1. ~~Combined MSR and~~ SOI Amendment in order to bring the 114.88-acre portion of APN 042-110-029 within the City of Davis SOI (Government Code Section 56428).
> 2. Annexation of the entire 497.6-acre BRPA site into the City of Davis (Government Code Section 56737).

The foregoing revisions are for clarification purposes only and do not affect the analysis or conclusions of the Draft EIR.

Since release of the Draft EIR, as a result of negotiations with the City, additional changes and clarifications to the BRPA project description have been made. Appendix E to this Final EIR includes a strike-through/underline version of Chapter 3, Project Description, of the Draft EIR, showing revisions primarily to Section 3.3, Biological Resources Preservation Alternative. Please refer to Appendix E to review all proposed changes and clarifications. Among the changes, Master Response 4 of this Final EIR presents a summary description of the change regarding the proposed UATA. As discussed in Master Response 4, the Draft EIR notes that the overall project site would encompass 379.2 acres proposed for urban development and a 118.4-acre UATA, or Ag Buffer. The BRPA would include a request to amend the Davis SOI to adjust the City's SOI boundary lines and annex the 497.6-acre site, inclusive of the UATA, into the City of Davis. The UATA would extend 2,000 feet north between F Street and the Davis Paintball/Blue Max Kart Club. The expanded UATA would be excavated up to 10 feet deep after first removing the top layer of organics and 'top soil', which would be set aside prior to excavation. Soil excavations from the UATA would then be used for on-site fill within the project site to elevate the pads above the floodplain, as required. Following mass grading and excavation of the area, the organic soil would be replaced and spread across the UATA to aid in vegetative restoration.

Subsequent to the release of the Draft EIR, during negotiations, City staff expressed concern about General Plan consistency and maintaining such a large sunken area so close to urban areas, and Yolo County staff expressed concern about altering so many acres that are currently in active agricultural production. City staff concluded that the proposed borrow activities would not be permitted under the County's Agriculture land use designation, but would be under the City's Agriculture General Plan land use designation. Therefore, because the borrow material is needed to raise the residential lots, the City and the developer determined that the best solution was for the entire 118 acres to be annexed, for 107 acres to remain privately owned and restored to agricultural production, thereby retaining a land use designation of Agriculture and for just 11 acres to be dedicated to the City as a publicly accessible open space designated as an Urban Agricultural Transition Area. The 11-acre UATA would be 200 feet wide and comprised of a 50-foot agricultural transition area and a 150-foot agricultural buffer, which incorporates a storm channel.

The resultant 107.1-acre portion of the formerly proposed "UATA" is now referred to as the "Northern Agricultural Area", and similar to the original proposal, would be annexed into the City of Davis in accordance with a planned development pre-zoning that allows use of the property as agricultural land. The area would remain in private ownership with all costs of maintenance and operation to be borne by the landowner. Similar to the proposal evaluated in the Draft EIR, the Northern Agricultural Area would primarily be an excavated basin area with depths ranging from approximately eight (8) to ten (10) feet below original grade designed to support agricultural use. Farm access ramps would be constructed to allow vehicular and equipment access into the lowered area. The existing farm access road around the perimeter of the basin would be replaced or improved as part of the BRPA.

In order to reflect the above-described change, several exhibits in Section 3.3 of Chapter 3 have been updated, as shown in Appendix E.

Another result of Development Agreement negotiations is the specification that the Pole Line Road undercrossing would be built within Phase 1 of the BRPA and the F Street grade-separated



crossing would be built within Phase 3 of the BRPA. Accordingly, the Phasing description for the BRPA has been modified in Appendix E.

The City has reviewed all changes and clarifications to the BRPA, presented in Appendix E, and none of the changes would trigger the criteria for recirculation included in CEQA Guidelines Section 15088.5 Further substantial evidence to support this conclusion is provided in Master Response 6, Grade-Separated Crossings.

## 4.3 Air Quality, Greenhouse Gas Emissions, and Energy

Given the Development Agreement discussions that have occurred since the release of the Draft EIR, the construction timing of the grade-separated crossings is more certain, and the grade-separated crossings have been confirmed to be an overcrossing at F Street and an undercrossing at Pole Line Road. The Pole Line Road undercrossing would be constructed during Phase 1 of the project, and the F Street overcrossing would be constructed during Phase 3. As discussed on page 4.3-48 of the Draft EIR:

> Due to the size of the Phase 1 disturbance area, the backbone infrastructure proposed to be constructed as part of Phase 1, and certain level of development included in Phase 1, Phase 1 of the Proposed Project and the BRPA would represent the most emissions-intensive phase of construction.

Thus, the Phase 1 construction emissions analysis in the Draft EIR has been updated to include the Pole Line Road undercrossing.

In addition, the project applicant has indicated to the City Council that the BRPA is the preferred project alternative. Thus, the construction modeling conducted for the Draft EIR was updated to assume construction of Phase 1 of the BRPA and construction of the Pole Line Road undercrossing would occur concurrently. The additional modeling results are included as Appendix F to this Final EIR. The Draft EIR is hereby revised as follows:

The Construction Emissions section on page 4.3-49 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR is hereby revised as follows:

> In addition, the short-term construction emissions associated with the Pole Line Road undercrossing were modeled using CalEEMod. The off-road construction equipment assumptions included in the Pole Line Road undercrossing modeling were based on project-specific information provided by Cunningham Engineering. Construction of the Pole Line Road undercrossing was assumed to occur concurrently with BRPA Phase 1 construction.

Table 4.3-10 on page 4.3-51 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR is hereby revised, as follows, to reflect overlapping construction of BRPA Phase 1 with the Pole Line Road undercrossing.

**Table 4.3-10**
**Maximum Unmitigated Construction-Related Emissions – BRPA Phase 1**

| | ROG | $NO_X$ | $PM_{10}$ |
|---|---|---|---|
| ~~Project~~ BRPA Phase 1 and Pole Line Road Undercrossing Emissions | ~~2.67~~ 2.72 tons/yr | ~~3.61~~ 4.07 tons/yr | ~~21.6~~ 23.16 lbs/day |
| *YSAQMD Threshold of Significance* | *10.00 tons/yr* | *10.00 tons/yr* | *80.00 lbs/day* |
| **Exceeds Threshold?** | **NO** | **NO** | **NO** |

***Source: CalEEMod, November 2024; May 2025 (see Appendix C).***

As shown, the conclusions for the criteria pollutants analysis do not change with the updated analysis to reflect the overlapping construction of the Pole Line Road Undercrossing with BRPA Phase 1.

Table 4.3-16 on page 4.3-70 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR is hereby revised as follows:

**Table 4.3-16**
**Maximum Unmitigated Construction GHG Emissions ($MTCO_2e$/yr) – BRPA**

| | Project GHG Emissions | Threshold of Significance | Exceeds Threshold? |
|---|---|---|---|
| BRPA Phase 1 and Pole Line Road Undercrossing | ~~1,424~~ 1,525 | 1,100 | **YES** |

***Source: CalEEMod, November 2024; May 2025 (see Appendix C).***

Table 4.3-18 on page 4.3-71 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR is hereby revised as follows:

**Table 4.3-18**
**Maximum Mitigated Construction GHG Emissions ($MTCO_2e$/yr) – BRPA**

| | Project GHG Emissions | Threshold of Significance | Exceeds Threshold? |
|---|---|---|---|
| BRPA and Pole Line Road Undercrossing | ~~1,236.93~~ 1,278.81 | 1,100.00 | ~~**NO**~~ **YES** |

***Source: CalEEMod, November 2024; May 2025 (see Appendix C).***

As shown in the above table, the mitigated construction GHG emissions for BRPA Phase 1 would be increased as a result of overlapping construction of the Pole Line Road undercrossing. The "mitigated" values in Table 4.3-18 reflect the use of renewable diesel fuel in all off-road equipment greater than 25 horsepower, as required by Mitigation Measure 4.3-7(a). In order to further reduce, and fully mitigate the construction GHG impact, Mitigation Measure 4.3-7(b) of the Draft EIR, as modified below, would be required. Therefore, including the construction of the Pole Line Road undercrossing within BRPA Phase 1 would not trigger the recirculation criteria in CEQA Guidelines Section 15088.5.

The first paragraph of Mitigation Measure 4.3-7(b) on page 4.3-72 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR is hereby revised as follows:

*4.3-7(b)* *Prior to the initiation of construction of Phase 1 the BRPA, <u>including the concurrent construction of the Pole Line Road undercrossing</u>, the project applicant shall demonstrate that construction-related GHG emissions would be reduced to 1,100 $MTCO_2e$/yr and shall submit proof to the City of Davis Community Development Department.*

The foregoing revisions are for clarification purposes only and do not affect the analysis or conclusions of the Draft EIR.

Page 4.3-80 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR is hereby revised as follows:

*4.3-8* *The project proponent shall prepare and implement a GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. Prior to the approval of the entitlement for each phase of the Proposed Project or the BRPA, the project proponent shall indicate how to complete and implement the following steps:*

1. *Model ~~net non-mobile~~ operational GHG emissions using CalEEMod, or another method accepted for the purpose of modeling GHG emissions for the Proposed Project or the BRPA, taking into account applicable building standards and other regulatory requirements, as well as building design, use of renewable energy, etc. The updated modeling shall take into account any updated project design measures incorporated in compliance with this mitigation measure or as proposed in future project design details.*

Page 4.3-81 in Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, of the Draft EIR is hereby revised as follows:

3. *Should net operational emissions be shown to exceed the maximum emissions levels presented in the applicable table above, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled. Reduction measures may include, but are not limited to:*
    - *Use of energy-star appliances in all or part of the project;*
    - *Installation of on-site photovoltaic systems in excess of the City's or State standards in place at the time of this environmental analysis;*
    - *Construct on-site or fund off-site carbon sequestration projects (such as tree plantings or reforestation projects);*
    - *Implement Transportation Demand Management strategies, such as CAPCOA Handbook Strategy T-1~~6~~<u>5</u> and T-20-A, in accordance with Mitigation Measure 4.13-4 of this EIR;*
    - *Provide electric vehicle charging infrastructure in excess of existing Tier 1 CBSC requirements; and/or*
        - *Purchase carbon credits to offset project annual emissions. Carbon offset credits shall be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by CARB, YSAQMD, or the City of Davis. Off-site mitigation credits shall be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code Section 38562, subdivisions (d)(1) and (d)(2). The offsets shall*

> *be retired, and emissions must be offset through the year ~~2045~~ 2040. Such credits shall be based on CARB-approved protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the CCR, and shall not allow the use of offset projects originating outside of California, except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by the City of Davis and/or the YSAQMD. Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) any registry established by YSAQMD.*

The above revision is made to maintain consistency with revisions to Chapter 4.13, Transportation, of the Draft EIR, and does not affect the analysis or conclusions of the Draft EIR.

## 4.4 Biological Resources

Page 4.4-2 of the Draft EIR is hereby revised as follows:

> The City of Davis is located within the Central Valley region of California, within southeastern Yolo County. The Central Valley is a north-south oriented valley that extends approximately 430 miles from southern Tehama County to south-central Kern County in southern California. Elevations in the Central Valley range from approximately zero to 400 feet above mean sea level (amsl). In general, the borders of the Central Valley are areas where alluvial soils grade into bedrock features. Biological communities in the Central Valley once supported vast areas of grassland, marshes, and riparian woodland. The landscape is currently dominated by ~~woodland biological communities, typically referred to as the foothills, with land uses that are predominantly~~ agricultural uses.

Page 4.4-56 of the Draft EIR, under the Field Surveys header, is hereby revised for clarification purposes as follows:

- Burrowing Owl Surveys: Four non-breeding-season surveys were completed on October 3, November 7, and December 14, 2023 and January 17, 2024. Four breeding-season surveys were conducted on March 21, April 19, May 14, and June 20, 2024. Surveys were conducted in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (2012). A report is included as Attachment G to the BRA.

In addition, a revised BRA is included as Appendix A to this Final EIR, also reflecting the correct survey date of April 19.

Page 4.4-85 of the Draft EIR is hereby revised as follows:

> ~~Similar to the Proposed Project, the~~ The large trees throughout the BRPA site provide suitable nesting habitat to accommodate Swainson's hawk and white-tailed kite, both of which are Yolo HCP/NCCP Covered Species. In addition, Swainson's hawk and white-tailed kite have been observed foraging in suitable habitats throughout the BRPA site and off-site Western Program Study Area, including the Alkali Prairie, California Annual Grassland Alliance, Semiagricultural, and Grain and Hay Crops land covers. As discussed above, one active Swainson's hawk nest was documented within a tree in the riparian corridor surrounding Channel A within the BRPA site, and a second active nest was documented just north of the site (see Figure 4.4-6).

Under the BRPA, the active Swainson's hawk nests would be avoided, but approximately ~~952~~ 394 trees that could be used by Swainson's hawks and white-tailed kite for nesting throughout the BRPA site would be removed. If Swainson's hawks or white-tailed kite were nesting in trees removed during construction, incidental mortality of individuals of the species could occur. Additionally, although approximately ~~285~~ 901 trees would be avoided adjacent to the western boundary of the BRPA site, the western portions of Channel A, as well as in the new Heritage Oak Park in the southeastern portion of the site, that could be used by Swainson's hawks and white-tailed kite for nesting, if the species are nesting in avoided habitat in the vicinity of construction activities, such activities could cause the species to abandon their nests.

Pages 4.4-102 and 4.4-103 of the Draft EIR, under Impact 4.4-17, are hereby revised as follows:

The following discussion includes an analysis of potential impacts related to conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, associated with the development of the Proposed Project and the BRPA. Because the Proposed Project and the BRPA would both include components with potential to impact protected trees, the following evaluation applies to both development scenarios.

~~Proposed Project, Biological Resources Preservation Alternative~~

Approximately 1,~~266~~295 trees are present within the ~~project site/BRPA site~~ study area. ~~Under both the Proposed Project and the BRPA, approximately 952 trees would be removed and approximately 285 trees in avoidance areas along Channel A and in the new Heritage Oak Park would be avoided. Table 4.4-10 summarizes potential impacts to trees within the project site/BRPA site.~~ The Proposed Project and the BRPA would both impact on-site trees, as discussed in further detail below.

~~Additionally, indirect effects from construction could occur to any trees that are avoided. Indirect effects could include compaction from adjacent construction, altered hydrology, or exposure to fungi or other pathogens.~~

~~New trees would be planted as part of the Proposed Project and the BRPA, particularly along the enhanced Channel A. However, new trees would take time to mature and provide quality wildlife habitat, therefore resulting in a temporary loss of potential habitat.~~

## Proposed Project

Under the Proposed Project, approximately 952 trees would be permanently impacted and approximately 343 trees would be avoided along the northern portion of Covell Drain, in the Heritage Oak Park, and along the western edge of the project site. Table 4.4-10 summarizes the potential impacts to trees within the Proposed Project. In addition, approximately 36 trees that are proposed for avoidance may be removed due to poor health or structure if the trees are identified as hazardous. The condition of the avoided trees would be reviewed closer to project implementation, and formal recommendations regarding retention or removal would be developed at that time. Additionally, indirect effects from construction could occur to any avoided trees, including, but not limited to, compaction from adjacent construction, altered hydrology, and exposure to fungi or other pathogens.

New trees would be planted as part of the Proposed Project, especially along the enhanced Covell Drain Channel. However, the newly planted trees would take time to mature and provide quality wildlife habitat, thereby resulting in a temporary loss of potential habitat.

## Biological Resource Preservation Alternative

Under the BRPA, approximately 394 trees would be permanently impacted, and approximately 901 trees would be avoided along a portion of the Covell Drain, in the Heritage Oak Park, along the western edge of the project site, and along Covell Boulevard. Table 4.4-1 summarizes the potential impacts to trees within the BRPA. In addition, approximately 190 trees proposed for avoidance may be removed due to poor health or structure if the trees are identified as hazardous. The condition of the avoided trees would be reviewed closer to BRPA implementation, and formal recommendations regarding retention or removal would be developed at that time. Additionally, indirect effects from construction could occur to any avoided trees, including, but not limited to, compaction from adjacent construction, altered hydrology, or exposure to fungi or other pathogens.

## Conclusion

To address potential impacts to the existing trees within the study area, the Proposed Project and BRPA would be required to comply with the applicable provisions of Davis Municipal Code Chapter 37. As previously discussed, the City's Tree Ordinance protects various types of trees, including street trees, City trees, and trees of significance/private trees. Compliance with the City's Tree Ordinance would include a combination of preserving the existing healthy trees into the project design, planting of new trees to replace those removed, planting of new trees off-site in City-owned property, and/or payment of in-lieu fees into the City's Preservation Fund. Without compliance, a significant impact would occur.

**Table 4.4-10**
**Proposed Project ~~and Biological Resources Preservation Alternative Tree~~ Impacts**

| Tree Species | Number of Trees | | |
|---|---|---|---|
| | Permanently Impacted | Avoided | Total |
| Aleppo pine (*Pinus halepensis*) | 2 | 1 | 3 |
| Almond (*Prunus dulcis*) | 0 | 2 | 2 |
| American sycamore (*Platanus occidentalis*) | 2 | ~~0~~ 11 | ~~2~~ 13 |
| Arizona ash (*Fraxinus velutina*) | ~~370~~ 369 | ~~116~~ 134 | ~~486~~ 503 |
| Australian blackwood (*Acacia melanoxylon*) | 0 | 12 | 12 |
| Bald cypress (*Taxodium distichum*) | 1 | 0 | 1 |
| Black willow (*Salix gooddingii*)[1] | 2 | 0 | 2 |
| Boxelder (*Acer negundo*)[1] | 38 | 4 5 | ~~42~~ 43 |
| Bradford pear (*Pyrus calleryana*) | 4 | 0 | 4 |
| Cherry plum (*Prunus cerasifera*) | 1 | 0 | 1 |
| Chinese elm (*Ulmus parvifolia*) | 32 | ~~16~~ 17 | ~~48~~ 49 |
| Chinese hackberry (*Celtis sinensis*) | 8 | ~~0~~ 2 | ~~8~~ 10 |
| Chinese pistache (*Pistacia chinensis*) | 2 | ~~5~~ 6 | ~~7~~ 8 |
| Chinese tallowtree (*Triadica sebifera*) | 41 | ~~6~~ 8 | ~~47~~ 49 |
| Chinese wingnut (*Pterocarya stenoptera*) | ~~317~~ 316 | ~~35~~ 45 | ~~352~~ 361 |
| Cigar tree (*Catalpa bignonioides*) | ~~21~~ 22 | 6 | ~~27~~ 28 |
| Coast live oak (*Quercus agrifolia*)[1] | 2 | ~~3~~ 4 | ~~5~~ 6 |
| Cork oak (*Quercus suber*) | 18 | 2 | 20 |
| English walnut (*Juglans regia*) | 1 | 0 | 1 |
| Japanese privet (*Ligusticum japonicum*) | 7 | 1 | 8 |
| Kentucky coffeetree (*Gymnocladus dioicus*) | 1 | 0 | 1 |

**Table 4.4-10**
**Proposed Project ~~and Biological Resources Preservation Alternative Tree~~ Impacts**

| Tree Species | Number of Trees | | |
|---|---|---|---|
| | Permanently Impacted | Avoided | Total |
| London planetree (*Platanus x acerifolia*) | 6 | ~~9~~ 10 | ~~15~~ 16 |
| Mexican fan palm (*Washingtonia robusta*) | ~~0~~ 1 | ~~2~~ 1 | 2 |
| Narrow-leaved ash (*Fraxinus angustifolia*) | 1 | 0 | 1 |
| Northern California black walnut (*Juglans hindsii*)[1] | 14 | ~~1~~ 2 | ~~15~~ 16 |
| Olive (*Olea europaea*) | 0 | 1 | 1 |
| Pecan (*Carya illinoinensis*) | 1 | 0 | 1 |
| Persian silk tree (*Albizia julibrissin*) | 1 | 0 | 1 |
| Queen's crepe-myrtle (*Lagerstroemia speciosa*) | 4 | 0 | 4 |
| Red willow (*Salix laevigata*)[1] | ~~3~~ 2 | ~~1~~ 2 | 4 |
| Redwood (*Sequoia sempervirens*) | 2 | 0 | 2 |
| Siberian elm (*Ulmus pumila*) | 40 | ~~8~~ 9 | ~~48~~ 49 |
| Silver maple (*Acer saccharum*) | 2 | 0 | 2 |
| Sour cherry (*Prunus cerasus*) | 1 | 0 | 1 |
| Valley oak (*Quercus lobata*)[1] | 8 | ~~55~~ 62 | 70 |
| **Total** | **952** | **~~285~~ 343** | **1,~~237~~ 295** |

[1] Native species.

***Source: Madrone Ecological Consulting, ~~2024~~ 2025.***

**Table 4.4-11**
**Biological Resource Preservation Alternative Tree Impacts**

| Tree Species | Number of Trees | | |
|---|---|---|---|
| | Permanently Impacted | Avoided | Total |
| Aleppo pine (*Pinus halepensis*) | 2 | 1 | 3 |
| Almond (*Prunus dulcis*) | 0 | 2 | 2 |
| American sycamore (*Platanus occidentalis*) | 0 | 13 | 13 |
| Arizona ash (*Fraxinus velutina*) | 161 | 342 | 503 |
| Australian blackwood (*Acacia melanoxylon*) | 0 | 12 | 12 |
| Bald cypress (*Taxodium distichum*) | 0 | 1 | 1 |
| Black willow (*Salix gooddingii*)[1] | 0 | 2 | 2 |
| Boxelder (*Acer negundo*)[1] | 23 | 20 | 43 |
| Bradford pear (*Pyrus calleryana*) | 2 | 2 | 4 |
| Cherry plum (*Prunus cerasifera*) | 1 | 0 | 1 |
| Chinese elm (*Ulmus parvifolia*) | 17 | 32 | 49 |
| Chinese hackberry (*Celtis sinensis*) | 8 | 2 | 10 |
| Chinese pistache (*Pistacia chinensis*) | 1 | 7 | 8 |
| Chinese tallowtree (*Triadica sebifera*) | 32 | 17 | 49 |
| Chinese wingnut (*Pterocarya stenoptera*) | 89 | 272 | 361 |
| Cigar tree (*Catalpa bignonioides*) | 9 | 19 | 28 |
| Coast live oak (*Quercus agrifolia*)[1] | 1 | 5 | 6 |
| Cork oak (*Quercus suber*) | 12 | 8 | 20 |
| English walnut (*Juglans regia*) | 1 | 0 | 1 |

**Table 4.4-11**
**Biological Resource Preservation Alternative Tree Impacts**

| Tree Species | Number of Trees | | |
|---|---|---|---|
| | Permanently Impacted | Avoided | Total |
| Japanese privet (*Ligusticum japonicum*) | 4 | 4 | 8 |
| Kentucky coffeetree (*Gymnocladus dioicus*) | 0 | 1 | 1 |
| London planetree (*Platanus x acerifolia*) | 1 | 15 | 16 |
| Mexican fan palm (*Washingtonia robusta*) | 0 | 2 | 2 |
| Narrow-leaved ash (*Fraxinus angustifolia*) | 1 | 0 | 1 |
| Northern California black walnut (*Juglans hindsii*)[1] | 9 | 7 | 16 |
| Olive (*Olea europaea*) | 0 | 1 | 1 |
| Pecan (*Carya illinoinensis*) | 0 | 1 | 1 |
| Persian silk tree (*Albizia julibrissin*) | 0 | 1 | 1 |
| Queen's crepe-myrtle (*Lagerstroemia speciosa*) | 1 | 3 | 4 |
| Red willow (*Salix laevigata*)[1] | 0 | 4 | 4 |
| Redwood (*Sequoia sempervirens*) | 2 | 0 | 2 |
| Siberian elm (*Ulmus pumila*) | 15 | 34 | 49 |
| Silver maple (*Acer saccharum*) | 1 | 1 | 2 |
| Sour cherry (*Prunus cerasus*) | 1 | 0 | 1 |
| Valley oak (*Quercus lobata*)[1] | 0 | 70 | 70 |
| **Total** | **394** | **901** | **1,295** |

[1] Native species.

***Source: Madrone Ecological Consulting, 2025.***

Based on the above, without compliance with the City of Davis Tree Ordinance, the Proposed Project and the BRPA could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, a ***significant*** impact could occur.

The foregoing revisions are for clarification purposes only and do not affect the analysis or conclusions of the Draft EIR.

## 4.5 Cultural and Tribal Cultural Resources

Mitigation Measure 4.5-2 is hereby revised as follows:

*Proposed Project, Biological Resources Preservation Alternative*

*4.5-2* *If archaeological resources are encountered during subsurface excavation activities, the City and Yocha Dehe Wintun Nation (Tribe) shall be notified immediately and all construction activities within a 100-foot radius of the resource shall cease. In accordance with the Tribe's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation, treatment of all cultural items, including ceremonial items and archeological items shall reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at the project site shall be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The project proponent shall waive any and all claims to ownership of tribal ceremonial and cultural items, including archeological items, which may be found on the project site, in favor of the Tribe. If any intermediary is necessary (for*

*example, an archaeologist retained by the project proponent), said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.*

*If additional significant sites or sites not identified as significant in the project environmental review process, but later determined to be significant, are located within the project impact area, such sites shall be subjected to further archeological and cultural significance evaluation by the project proponent, the City of Davis, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner, consistent with CEQA requirements for mitigation of impacts to cultural resources. If human remains are present that have been identified as Native American, all work shall cease for a period of up to 30 days in accordance with federal Law.*

*The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of the foregoing requirements. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified cultural resources specialist and Native American Representative from the Tribe. If the resource is determined to be significant under CEQA, the City and Native American Representative from the Tribe shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the Native American Representative from the Tribe shall prepare and implement a research design and archaeological data recovery plan for the resource. The cultural resources specialist, in consultation with the Native American Representative from the Tribe, shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials. The Tribe shall be afforded the opportunity to review all documents before submission to the appropriate information center.*

The foregoing revisions are for clarification purposes only and do not affect the analysis or conclusions of the Draft EIR.

## 4.8 Hydrology and Water Quality

Mitigation Measure 4.8-5 is hereby revised as follows:

*Proposed Project, Biological Resources Preservation Alternative*

*4.8-5* *Prior to improvement plan approval, and if required by the Federal Emergency Management Agency (FEMA), the Yolo County Flood Control and Water Conservation District, or the ~~County~~ City Floodplain Administrator, the applicant shall obtain from FEMA a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Revision based on Fill (CLOMR-F) for fill within a Special Flood Hazard Area. A copy of the letter shall be provided to the City of Davis Public Works Engineering and Transportation Department. A Letter of Map Revision (LOMR), or a Letter of Map Revision based on Fill (LOMR-F) from FEMA shall be provided to the City of Davis Public Works Engineering and Transportation Department prior to acceptance of project improvements as complete.*

The foregoing revision is for clarification purposes only and does not affect the analysis or conclusions of the Draft EIR.

## 4.11 Population and Housing

Page 4.11-2 of the Draft EIR is hereby revised for clarification purposes:

> According to the City of Davis Housing Element, the average number of persons residing in a dwelling unit in Davis is 2.57. In 2010, the overall vacancy rate in the City was 3.9 percent. Between 2014 and 2018, the overall vacancy rate in the City increased to an average of 4.4 percent, with 1,135 vacant units.[5]

The foregoing revision is for clarification purposes only and does not affect the analysis or conclusions of the Draft EIR.

## 4.13 Transportation

The sixth bullet within Mitigation Measure 4.13-11 is hereby revised as follows:

- Mace Boulevard/I-80 Eastbound Slip On-Ramp: Extend the on-ramp and relocate the ramp meter 500 feet east of its current location. ~~Convert the HOV lane to a general purpose lane and control both lanes with the ramp meter.~~

As the implementation of the improvements in Mitigation Measure 4.13-11 are uncertain, the Draft EIR concluded that the impact is cumulatively considerable and significant and unavoidable. As such, the revision to the above measure does not change the conclusion of the Draft EIR.

Pages 4.13-41 and 4.13-42 are hereby revised as follows:

> The TIS identifies the following potential TDM strategies, including the associated VMT reduction potential, which represents raw VMT reduction percentages without adjustments for multiplicative dampening and/or category maximums:
>
> 1. **Unbundle residential parking costs from property costs (CAPCOA Handbook Strategy T-1~~6~~5)**: This measure would unbundle, or separate, a residential project's parking costs from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost. The measure would result in decreased vehicle ownership and, therefore, a reduction in VMT. The strategy would be relevant to any rental dwelling units that comprise the residential component of the proposed project. The revenue generated can also be used for supporting public transportation system operations and management.
>
>    According to CAPCOA, assuming an annual parking cost per space of $3,000 ($250 per month), the strategy would reduce residential VMT by 2.61 percent.
>
> 2. **Implement carshare program (CAPCOA Handbook Strategy T-20-A)**: This measure would increase carshare access in the project site by deploying conventional carshare vehicles. Examples include programs like Zipcar and GIG Car Share. Carsharing offers people convenient access to a vehicle for personal or commuting purposes, which helps encourage transportation alternatives and reduces vehicle ownership, thereby avoiding VMT. The project applicant shall partner with a carshare service provider and ensure that carshare vehicles are available to project residents prior to occupancy of the first phase of the project residential component.

According to CAPCOA, this strategy would have a maximum reduction potential of 0.15 percent of residential VMT.

Incorporating one or more of the foregoing TDM strategies, the proposed project shall be subject to the following mitigation:

*Proposed Project, Biological Resources Preservation Alternative*

*4.13-4* *Prior to occupancy of the first residential unit, the project applicant shall implement TDM strategies to reduce the number of vehicle trips that would be generated by the residential component of the Proposed Project/BRPA, subject to review and approval by the City Engineer. The TDM strategies may include, but not necessarily be limited to, CAPCOA Handbook Strategy T-1~~6~~5 and T-20-A.*

The foregoing revisions are for clarification purposes only and do not affect the analysis or conclusions of the Draft EIR.

## 4.14 Utilities and Service Systems

Page 4.14-17 of the Draft EIR is hereby revised for clarification purposes:

For buildout conditions, several previously approved or pending developments need to be considered in the current analysis. These proposed developments include the following:

- Nishi development, located in the triangle between Interstate 80 (I-80), the Union Pacific Railroad (UPRR), and the western end of Olive Drive;
- Bretton Woods development, located in west Davis north of Covell Boulevard and west of Sutter Davis Hospital;
- Davis Innovation and ~~Security~~ Sustainability Campus (DiSC) 2022 development, which includes the Mace Triangle property and is located on the northeast side of the City, north of I-80 and east of Mace Boulevard;
- Shriners development, located north of East Covell Boulevard and east of the Wildhorse agricultural area; and
- Palomino Place project, located at the southeast corner of the Wildhorse Ranch.

The foregoing revisions are for clarification purposes only and do not affect the analysis or conclusions of the Draft EIR.

## 7 Alternatives

The legend on Figure 7-2 of the Draft EIR inadvertently labeled the agricultural preserve area as “Major Roads.” The figure has been revised to correct the label to “Agriculture,” as shown below. The revised figure is included for clarification purposes only and does not affect the analysis or conclusions of the Draft EIR.

## Revised Figure 7-2
## Agricultural Resource Preservation Alternative

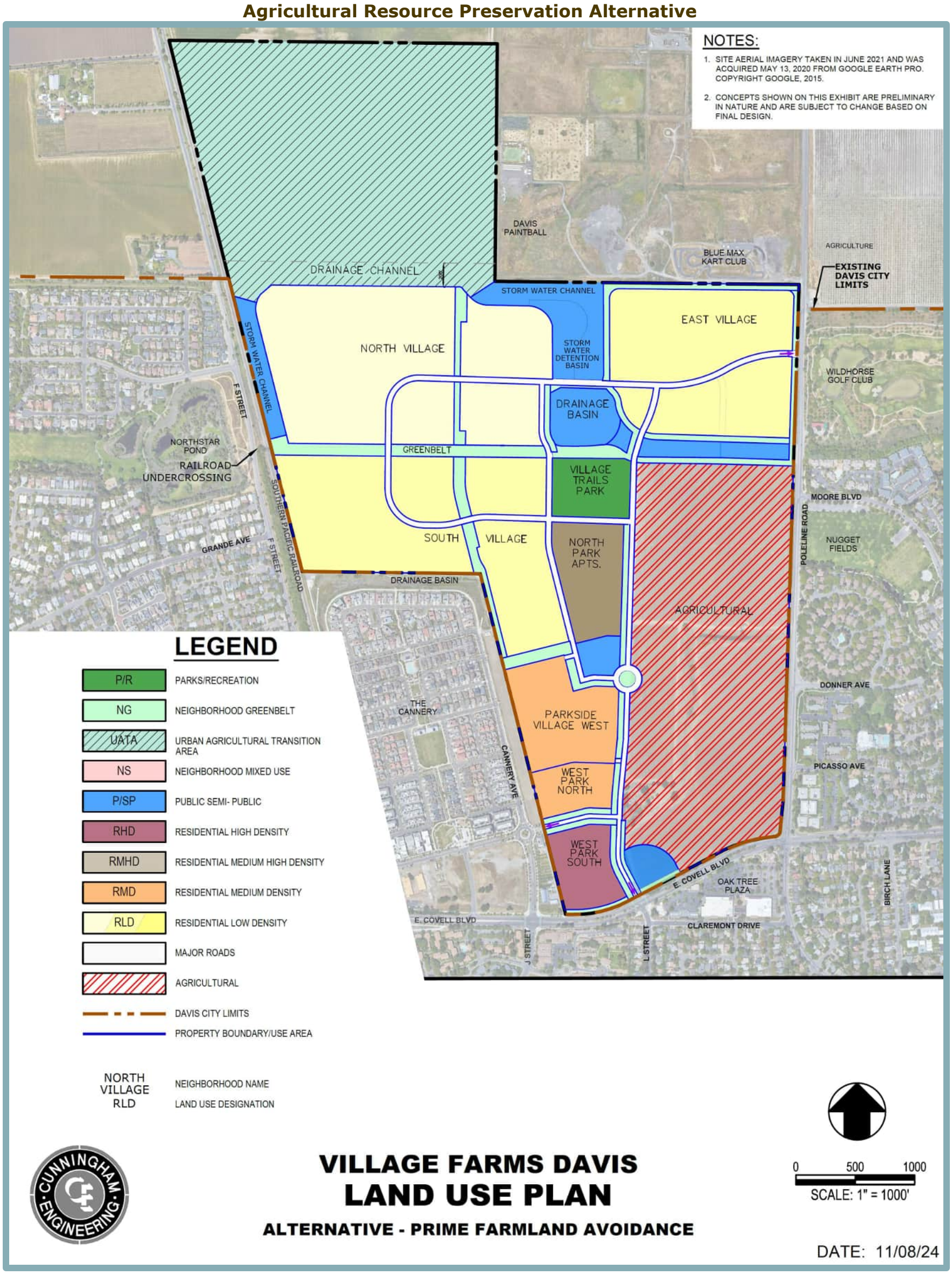


**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| **4.3 Air Quality, Greenhouse Gas Emissions, and Energy** | | | |
| **4.3-7 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs during construction.** | CC | *Biological Resources Preservation Alternative*<br>*4.3-7(b) Prior to the initiation of construction of Phase 1 the BRPA, <u>including the concurrent construction of the Pole Line Road undercrossing</u>, the project applicant shall demonstrate that construction-related GHG emissions would be reduced to 1,100 MTCO2e/yr and shall submit proof to the City of Davis Community Development Department.*<br><br>*Construction-related GHG emissions can be reduced through several options, including, but not limited to, the following:*<br><br>• *Modify the construction schedule to reduce the intensity of construction to lower emissions;*<br>• *Ensure that phases of development do not overlap;*<br>• *Improve fuel efficiency from construction equipment by:*<br>  ○ *Minimizing idling time either by shutting equipment off when not in use or reducing the time of idling to no more than three minutes (five-minute limit is required by the state airborne toxics control measure [Title 13, sections 2449(d)(3) and 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for* | LCC |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | *workers at the entrances to the site; and*<br>○ *Using equipment with new technologies (repowered engines, electric drive trains).*<br>• *Perform on-site emission reductions such as implementing on-site material hauling with trucks equipped with on-road engines (if determined to be less emissive than the off-road engines) or real, quantifiable, permanent, verifiable, and enforceable on-site emission reductions;*<br>• *Use alternative fuels for generators at construction sites such as propane or solar, or use electrical power;*<br>• *Use a CARB-approved low carbon fuel for construction equipment; (NOX emissions from the use of low carbon fuel must be reviewed and increases mitigated.)*<br>• *Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes;*<br>• *Reduce electricity use in the construction office by using LED bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones;*<br>• *Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75 percent by weight);*<br>• *Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building* | |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | *materials, and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products utilized should be certified through a sustainable forestry program;*<br>• *Minimize the amount of concrete for paved surfaces or utilize a low carbon concrete option;*<br>• *Produce concrete on-site if determined to be less emissive than transporting ready mix;*<br>• *Use SmartWay certified trucks for deliveries and equipment transport; and*<br>• *Develop a plan to efficiently use water for adequate dust control.*<br><br>*The project applicant may elect to implement any combination of the foregoing measures to reduce construction-related GHG emissions. All GHG emissions reductions must be quantified. Compliance with the aforementioned measures shall be ensured by the City of Davis Community Development and Public Works Department.*<br><br>*If the quantified reduction measures do not reduce construction-related GHG emissions associated with Phase 1 of the BRPA to below 1,100 $MTCO_2e/yr$, offsite carbon credits may be purchased to make up the difference. The purchase of off-site mitigation credits shall be negotiated with the City and YSAQMD at the time that credits are sought. Off-site mitigation credits shall be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code section 38562, subdivisions (d)(1) and (d)(2). The offsets shall be retired, and emissions must be offset through the year 2045. Such* | |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | *credits shall be based on CARB-approved protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the California Code of Regulations, and shall not allow the use of offset projects originating outside of California, except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by the City of Davis and/or the YSAQMD. Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) any registry established by YSAQMD.* | |
| **4.3-8 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs during operation.** | CC | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.3-8 The project proponent shall prepare and implement a GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. Prior to the approval of the entitlement for each phase of the Proposed Project or the BRPA, the project proponent shall indicate how to complete and implement the following steps:*<br>*1. Model ~~net non-mobile~~ operational GHG emissions using CalEEMod, or another method accepted for the purpose of modeling GHG emissions for the Proposed Project or the BRPA, taking into account applicable building standards and other* | SU |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

<table>
<tr><th>Impact</th><th>Level of Significance Prior to Mitigation</th><th>Mitigation Measures</th><th>Level of Significance After Mitigation</th></tr>
<tr><td></td><td></td><td>
regulatory requirements, as well as building design, use of renewable energy, etc. The updated modeling shall take into account any updated project design measures incorporated in compliance with this mitigation measure or as proposed in future project design details.<br>
2. Based on the construction and operational schedules proposed at the time of building permitting, the modeled emissions shall be compared to the maximum permitted emissions for the first year of occupancy, based on the applicable Table below:
<table>
<tr><th colspan="3">Proposed Project</th></tr>
<tr><th>Year</th><th>Maximum Permitted Net Project Emissions ($MTCO_2e$)</th><th>Emissions Reductions Achieved ($MTCO_2e$)</th></tr>
<tr><td>2033</td><td>18,160.00</td><td>0.00</td></tr>
<tr><td>2034</td><td>15,565.71</td><td>2,594.29</td></tr>
<tr><td>2035</td><td>12,971.43</td><td>5,188.57</td></tr>
<tr><td>2036</td><td>10,377.14</td><td>7,782.86</td></tr>
<tr><td>2037</td><td>7,782.86</td><td>10,377.14</td></tr>
<tr><td>2038</td><td>5,188.57</td><td>12,971.43</td></tr>
<tr><td>2039</td><td>2,594.29</td><td>15,565.71</td></tr>
<tr><td>2040</td><td>0.00</td><td>18,160.00</td></tr>
<tr><td colspan="2">Total Emissions Reductions</td><td>72,640.00</td></tr>
</table>
</td><td></td></tr>
</table>

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|

**BRPA**

| Year | Maximum Permitted Net Project Emissions ($MTCO_2e$) | Emissions Reductions Achieved ($MTCO_2e$) |
|---|---|---|
| 2033 | 19,206.00 | 0.00 |
| 2034 | 16,462.29 | 2,743.71 |
| 2035 | 13,718.57 | 5,487.43 |
| 2036 | 10,974.86 | 8,231.14 |
| 2037 | 8,231.14 | 10,974.86 |
| 2038 | 5,487.43 | 13,718.57 |
| 2039 | 2,743.71 | 16,462.29 |
| 2040 | 0.00 | 19,206.00 |
| *Total Emissions Reductions* | | *76,824.00* |

3. *Should net operational emissions be shown to exceed the maximum emissions levels presented in the applicable table above, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled. Reduction measures may include, but are not limited to:*
    - *Use of energy-star appliances in all or part of the project;*
    - *Installation of on-site photovoltaic systems in excess of the City's or State standards in place at the time of this environmental analysis;*

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | • *Construct on-site or fund off-site carbon sequestration projects (such as tree plantings or reforestation projects);*<br>• *Implement Transportation Demand Management strategies, such as CAPCOA Handbook Strategy T-1~~6~~5 and T-20-A, in accordance with Mitigation Measure 4.13-4 of this EIR;*<br>• *Provide electric vehicle charging infrastructure in excess of existing Tier 1 CBSC requirements; and/or*<br>  • *Purchase carbon credits to offset project annual emissions. Carbon offset credits shall be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by CARB, YSAQMD, or the City of Davis. Off-site mitigation credits shall be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code Section 38562, subdivisions (d)(1) and (d)(2). The offsets shall be retired, and* | |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | *emissions must be offset through the year ~~2045~~ 2040. Such credits shall be based on CARB-approved protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the CCR, and shall not allow the use of offset projects originating outside of California, except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by the City of Davis and/or the YSAQMD. Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) any registry established by YSAQMD.* | |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | *4. The emissions reductions resulting from implementation of the above measures shall be calculated, using methods acceptable to the City.*<br>*5. Proof of compliance with the maximum annual net emissions targets and the steps above shall be verified through the submittal of a Technical Memorandum of Compliance (TMC) to the City of Davis Department of Community Development. The TMC shall document the following minimum items: modeling (step 1); comparison of modeled emissions to maximum emissions levels identified in Mitigation Measure 4.3-8(a) (step 2); chosen feasible actions to achieve required reductions (step 3); and measurable GHG reduction value of each action (step 4). TMCs prepared in compliance with the foregoing steps may cover individual operational years or multiple operational years. Should a TMC be prepared for multiple operational years, the TMC shall demonstrate compliance with the maximum emissions levels for each year included in the TMC.*<br>*6. Implement the authorized actions and provide evidence of this to the City of Davis Department of Community Development. The City upon review and acceptance of implementation, shall issue the certificate of occupancy.* | |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| **4.5 Cultural and Tribal Cultural Resources** | | | |
| **4.5-2 Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5.** | S | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.5-2 If archaeological resources are encountered during subsurface excavation activities, the City and Yocha Dehe Wintun Nation (Tribe) shall be notified immediately and all construction activities within a 100-foot radius of the resource shall cease. In accordance with the Tribe's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation, treatment of all cultural items, including ceremonial items and archeological items shall reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at the project site shall be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The project proponent shall waive any and all claims to ownership of tribal ceremonial and cultural items, including archeological items, which may be found on the project site, in favor of the Tribe. If any intermediary is necessary (for example, an archaeologist retained by the project proponent), said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.*<br><br>*If additional significant sites or sites not identified as significant in the project environmental review process, but later determined to be significant, are located within the project impact area, such sites shall be subjected to* | LS |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | *further archeological and cultural significance evaluation by the project proponent, the City of Davis, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner, consistent with CEQA requirements for mitigation of impacts to cultural resources. If human remains are present that have been identified as Native American, all work shall cease for a period of up to 30 days in accordance with federal Law.*<br><br>*The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of the foregoing requirements. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified cultural resources specialist and Native American Representative from the Tribe. If the resource is determined to be significant under CEQA, the City and Native American Representative from the Tribe shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the Native American Representative from the Tribe shall prepare and implement a research design and archaeological data recovery plan for the resource. The cultural resources specialist, in consultation with the Native American Representative from the Tribe, shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information* | |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| | | *center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials. The Tribe shall be afforded the opportunity to review all documents before submission to the appropriate information center.* | |
| **4.8 Hydrology and Water Quality** | | | |
| **4.8-5 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows, or in flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation.** | S | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.8-5 Prior to improvement plan approval, and if required by the Federal Emergency Management Agency (FEMA), the Yolo County Flood Control and Water Conservation District, or the ~~County~~ City Floodplain Administrator, the applicant shall obtain from FEMA a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Revision based on Fill (CLOMR-F) for fill within a Special Flood Hazard Area. A copy of the letter shall be provided to the City of Davis Public Works Engineering and Transportation Department. A Letter of Map Revision (LOMR), or a Letter of Map Revision based on Fill (LOMR-F) from FEMA shall be provided to the City of Davis Public Works Engineering and Transportation Department prior to acceptance of project improvements as complete.* | LS |

**Table 2-1**
**Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|---|
| **4.13 Transportation** | | | |
| **4.13-4 Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).** | S | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-4 Prior to occupancy of the first residential unit, the project applicant shall implement TDM strategies to reduce the number of vehicle trips that would be generated by the residential component of the Proposed Project/BRPA, subject to review and approval by the City Engineer. The TDM strategies may include, but not necessarily be limited to, CAPCOA Handbook Strategy T-1~~6~~5 and T-20-A.* | SU |

# 4. Mitigation Monitoring and Reporting Program

# 4. MITIGATION MONITORING AND REPORTING PROGRAM

## 4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Village Farms Davis Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the EIR for the proposed project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

## 4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR prepared for the proposed project. This MMRP is intended to be used by the City of Davis staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR.

The EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Davis. The table attached to this report identifies the mitigation measures, the monitoring action for each mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and

effectively implementing the mitigation measures contained within the MMRP. The City of Davis will be responsible for monitoring compliance.

## 4.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
|---|---|---|---|---|---|
| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| **4.1 Aesthetics** | | | | | |
| 4.1-4 | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.1-4 In conjunction with submittal of the first tentative subdivision map for the Proposed Project or Biological Resources Preservation Alternative (BRPA), the developer shall submit a lighting plan for the review and approval of the Chief Building Official and the Community Development and Sustainability Director of the City of Davis. The lighting plan shall address limiting light trespass and glare on the project site/BRPA site through the use of shielding and directional lighting methods, which may include, but is not limited to, fixture location and height. The lighting plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control.* | City of Davis Chief Building Official and the Community Development and Sustainability Director | In conjunction with submittal of the first tentative subdivision map for the Proposed Project or BRPA | |
| 4.1-7 | Creation of new sources of light or glare associated with development of the Proposed Project or Biological Resources Preservation Alternative in combination with future buildout of the City of Davis. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.1-7 Implement Mitigation Measure 4.1-4.* | See Mitigation Measure 4.1-4 | See Mitigation Measure 4.1-4 | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
|---|---|---|---|---|---|
| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| **4.2 Agricultural Resources** | | | | | |
| 4.2-1 | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use or agricultural land as defined in the CKH Act (Government Code Section 56064). | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.2-1 Prior to initiation of grading activities for each phase of development, the project applicant shall set aside in perpetuity, active agricultural acreage in an amount consistent with the applicable agricultural mitigation requirements of the appropriate jurisdiction.*<br><br>*The agricultural land shall be located elsewhere in unincorporated Yolo County, through the purchase of development rights and execution of an irreversible conservation or agricultural easement, consistent with Section 40A.03.025 of the Davis Municipal Code. The location and amount of active agricultural acreage shall be subject to review and approval by the City of Davis Community Development Department. The amount of agricultural acreage set aside shall account for farmland lost due to the conversion of the project site. Pursuant to Davis Municipal Code Section 40A.03.040, the agricultural mitigation land shall be comparable in soil quality with the agricultural land being changed to nonagricultural use. The easement land must conform with the policies and requirements of Yolo Local Agency Formation Commission (LAFCo), including a LESA score that is a maximum of 10 percent below that of the project site. The easement instrument used to satisfy this measure shall conform to the* | City of Davis Community Development Department | Prior to initiation of grading activities for each phase of development | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
|---|---|---|---|---|---|
| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *conservation easement template of the Yolo Habitat Conservancy or to another conservation easement template acceptable to the City of Davis.* | | | |
| 4.2-4 | Involve changes in the existing environment which, due to their location or nature, could cumulatively result in loss of Farmland to non-agricultural use. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.2-4 Implement Mitigation Measure 4.2-1.* | See Mitigation Measure 4.2-1 | See Mitigation Measure 4.2-1 | |
| **4.3 Air Quality, Greenhouse Gas Emissions, and Energy** | | | | | |
| 4.3-2 | Conflict with or obstruct implementation of the applicable air quality plan during project operation. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.3-2 The following requirement shall be included in the Covenants, Conditions, and Restrictions (CC&Rs) for the residential subdivisions and all commercial and residential leases: Only zero-VOC paints, finishes, adhesives, and cleaning supplies shall be used for all buildings on the project site. Prior to approval of improvement plans for each small lot tentative map, draft language shall be provided to the City of Davis Community Development Department for review and approval.* | City of Davis Community Development Department | Prior to approval of Improvement Plans for each small lot tentative map | |
| 4.3-6 | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.3-6 Implement Mitigation Measure 4.3-2.* | See Mitigation Measure 4.3-2 | See Mitigation Measure 4.3-2 | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
|---|---|---|---|---|---|
| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). | | | | |
| 4.3-7 | Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs during construction. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.3-7(a) Prior to approval of any Improvement Plans and/or Grading Plans, the project applicant shall provide proof of compliance with the following to the satisfaction of the City of Davis Community Development Department:*<br><br>*The project applicant shall show on the plans via notation that the contractor shall ensure that all off-road vehicles 25 horsepower or more to be used in the construction of the Proposed Project, including owned, leased, and subcontractor vehicles, shall be fueled by renewable diesel.*<br><br>*In addition, all off-road equipment operating at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to five minutes or less in accordance with the In-Use Off-Road Diesel Vehicle Regulation as required by CARB. Clear signage regarding idling restrictions shall be placed at the entrances to the construction site.* | City of Davis Community Development Department and Public Works Department | Prior to approval of any Improvement Plans and/or Grading Plans | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *Portable equipment over 50 horsepower must have either a valid YSAQMD Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.*<br><br>*Proof of conformance with the foregoing requirements shall be submitted by the project contractor to the City of Davis Community Development and Public Works Departments for review and approval.*<br><br>*Biological Resources Preservation Alternative*<br>*4.3-7(b) Prior to the initiation of construction of Phase 1 the BRPA, including the concurrent construction of the Pole Line Road undercrossing, the project applicant shall demonstrate that construction-related GHG emissions would be reduced to 1,100 MTCO2e/yr and shall submit proof to the City of Davis Community Development Department.*<br><br>*Construction-related GHG emissions can be reduced through several options, including, but not limited to, the following:*<br><br>• *Modify the construction schedule to reduce the intensity of construction to lower emissions;*<br>• *Ensure that phases of development do not overlap;* | City of Davis Community Development Department | Prior to the initiation of construction of Phase 1 of the BRPA | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | • *Improve fuel efficiency from construction equipment by:*<br>  ○ *Minimizing idling time either by shutting equipment off when not in use or reducing the time of idling to no more than three minutes (five-minute limit is required by the state airborne toxics control measure [Title 13, sections 2449(d)(3) and 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site; and*<br>  ○ *Using equipment with new technologies (repowered engines, electric drive trains).*<br>• *Perform on-site emission reductions such as implementing on-site material hauling with trucks equipped with on-road engines (if determined to be less emissive than the off-road engines) or real, quantifiable, permanent, verifiable, and enforceable on-site emission reductions;*<br>• *Use alternative fuels for generators at construction sites such as propane or solar, or use electrical power;*<br>• *Use a CARB-approved low carbon fuel for construction equipment; (NOX emissions from the use of low carbon* | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *fuel must be reviewed and increases mitigated.)*<br>• *Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes;*<br>• *Reduce electricity use in the construction office by using LED bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones;*<br>• *Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75 percent by weight);*<br>• *Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products utilized should be certified through a sustainable forestry program;*<br>• *Minimize the amount of concrete for paved surfaces or utilize a low carbon concrete option;*<br>• *Produce concrete on-site if determined to be less emissive than transporting ready mix;*<br>• *Use SmartWay certified trucks for deliveries and equipment transport; and* | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | • *Develop a plan to efficiently use water for adequate dust control.*<br><br>*The project applicant may elect to implement any combination of the foregoing measures to reduce construction-related GHG emissions. All GHG emissions reductions must be quantified. Compliance with the aforementioned measures shall be ensured by the City of Davis Community Development and Public Works Department.*<br><br>*If the quantified reduction measures do not reduce construction-related GHG emissions associated with Phase 1 of the BRPA to below 1,100 $MTCO_2e$/yr, offsite carbon credits may be purchased to make up the difference. The purchase of off-site mitigation credits shall be negotiated with the City and YSAQMD at the time that credits are sought. Off-site mitigation credits shall be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code section 38562, subdivisions (d)(1) and (d)(2). The offsets shall be retired, and emissions must be offset through the year 2045. Such credits shall be based on CARB-approved protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the California Code of Regulations, and shall not allow the use of offset projects originating outside of California, except to the extent that the quality of the offsets, and their sufficiency* | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *under the standards set forth herein, can be verified by the City of Davis and/or the YSAQMD. Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) any registry established by YSAQMD.* | | | |
| 4.3-8 | Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs during operation. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.3-8 The project proponent shall prepare and implement a GHG Reduction Plan, to the satisfaction of the City, to demonstrate a downward trajectory in GHG emissions, towards the goal of zero net GHG emissions by the year 2040. Prior to the approval of the entitlement for each phase of the Proposed Project or the BRPA, the project proponent shall indicate how to complete and implement the following steps:*<br>*1. Model operational GHG emissions using CalEEMod, or another method accepted for the purpose of modeling GHG emissions for the Proposed Project or the BRPA, taking into account applicable building standards and other regulatory requirements, as well as building design, use of renewable energy, etc. The updated modeling shall take into account any* | City of Davis Department of Community Development | Prior to approval of the entitlement for each phase of the Proposed Project or the BRPA | |

**MITIGATION MONITORING AND REPORTING PROGRAM**
**Village Farms Davis Project**

| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
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*updated project design measures incorporated in compliance with this mitigation measure or as proposed in future project design details.*

2. *Based on the construction and operational schedules proposed at the time of building permitting, the modeled emissions shall be compared to the maximum permitted emissions for the first year of occupancy, based on the applicable Table below:*

| Proposed Project | | |
|---|---|---|
| **Year** | **Maximum Permitted Net Project Emissions ($MTCO_2e$)** | **Emissions Reductions Achieved ($MTCO_2e$)** |
| 2033 | 18,160.00 | 0.00 |
| 2034 | 15,565.71 | 2,594.29 |
| 2035 | 12,971.43 | 5,188.57 |
| 2036 | 10,377.14 | 7,782.86 |
| 2037 | 7,782.86 | 10,377.14 |
| 2038 | 5,188.57 | 12,971.43 |
| 2039 | 2,594.29 | 15,565.71 |
| 2040 | 0.00 | 18,160.00 |
| *Total Emissions Reductions* | | *72,640.00* |

**MITIGATION MONITORING AND REPORTING PROGRAM**
**Village Farms Davis Project**

| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
|---|---|---|---|---|---|

**BRPA**

| Year | Maximum Permitted Net Project Emissions ($MTCO_2e$) | Emissions Reductions Achieved ($MTCO_2e$) |
|---|---|---|
| 2033 | 19,206.00 | 0.00 |
| 2034 | 16,462.29 | 2,743.71 |
| 2035 | 13,718.57 | 5,487.43 |
| 2036 | 10,974.86 | 8,231.14 |
| 2037 | 8,231.14 | 10,974.86 |
| 2038 | 5,487.43 | 13,718.57 |
| 2039 | 2,743.71 | 16,462.29 |
| 2040 | 0.00 | 19,206.00 |
| *Total Emissions Reductions* | | *76,824.00* |

3. *Should net operational emissions be shown to exceed the maximum emissions levels presented in the applicable table above, the project applicant shall identify feasible actions to achieve sufficient emissions reductions for the year or years being modeled. Reduction measures may include, but are not limited to:*
    - *Use of energy-star appliances in all or part of the project;*
    - *Installation of on-site photovoltaic systems in excess of the City's or State*

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *standards in place at the time of this environmental analysis;*<br>• *Construct on-site or fund off-site carbon sequestration projects (such as tree plantings or reforestation projects);*<br>• *Implement Transportation Demand Management strategies, such as CAPCOA Handbook Strategy T-15 and T-20-A, in accordance with Mitigation Measure 4.13-4 of this EIR;*<br>• *Provide electric vehicle charging infrastructure in excess of existing Tier 1 CBSC requirements; and/or*<br>  • *Purchase carbon credits to offset project annual emissions. Carbon offset credits shall be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by CARB, YSAQMD, or the City of Davis. Off-site mitigation credits shall be real,* | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code Section 38562, subdivisions (d)(1) and (d)(2). The offsets shall be retired, and emissions must be offset through the year 2040. Such credits shall be based on CARB-approved protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the CCR, and shall not allow the use of offset projects originating outside of California, except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be* | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *verified by the City of Davis and/or the YSAQMD. Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) any registry established by YSAQMD.*<br>4. *The emissions reductions resulting from implementation of the above measures shall be calculated, using methods acceptable to the City.*<br>5. *Proof of compliance with the maximum annual net emissions targets and the steps above shall be verified through the submittal of a Technical Memorandum of Compliance (TMC) to the City of Davis Department of Community Development. The TMC shall* | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
|---|---|---|---|---|---|
| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *document the following minimum items: modeling (step 1); comparison of modeled emissions to maximum emissions levels identified in Mitigation Measure 4.3-8(a) (step 2); chosen feasible actions to achieve required reductions (step 3); and measurable GHG reduction value of each action (step 4). TMCs prepared in compliance with the foregoing steps may cover individual operational years or multiple operational years. Should a TMC be prepared for multiple operational years, the TMC shall demonstrate compliance with the maximum emissions levels for each year included in the TMC.*<br>*6. Implement the authorized actions and provide evidence of this to the City of Davis Department of Community Development. The City upon review and acceptance of implementation, shall issue the certificate of occupancy.* | | | |
| **4.4 Biological Resources** | | | | | |
| 4.4-1 | Have a substantial adverse effect, either directly or through habitat modifications, on special-status plant species. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.4-1(a) If construction does not commence by the end of 2027 (i.e., within three years from the date of Madrone's 2024 protocol-level plant surveys), protocol-level special-status plant surveys shall be conducted throughout the study area in accordance with the U.S. Fish* | City of Davis Community Development Department and Public Works Utilities | If construction does not commence by the end of 2027, at the appropriate time of year when plants are identifiable and | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
|---|---|---|---|---|---|
| **Impact Number** | **Impact** | **Mitigation Measures** | **Monitoring Agency** | **Implementation Schedule** | **Sign-off** |
| | | *and Wildlife Service (USFWS) Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants; the California Native Plant Society (CNPS) Botanical Survey Guidelines of the California Native Plant Society; and the California Department of Fish and Wildlife (CDFW) Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The protocols require conducting surveys at the appropriate time of year, when plants are identifiable and in bloom and/or in fruit (which may include multiple visits to capture blooming and/or fruiting periods for all target plants), and includes ensuring that habitats are not disturbed prior to the survey so that any plants that are present may be documented. A report summarizing the results of the protocol-level special-status plant surveys shall be submitted for review and approval to the City of Davis Community Development Department and Public Works Utilities and Operations Department.*<br><br>*If, based on whichever is approved, the Proposed Project or Biological Resources Preservation Alternative (BRPA) avoids the special-status plants through an associated "Avoidance Zone," then further mitigation is not necessary. The size of the Avoidance Zone needed to prevent impacts may vary based on the plant species and its habitat* | and Operations Department | in bloom and/or in fruit | |

| MITIGATION MONITORING AND REPORTING PROGRAM<br>Village Farms Davis Project | | | | | |
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| | | *requirements. If a special-status plant listed under the federal Endangered Species Act (FESA) or California Endangered Species Act (CESA) is found and is to be avoided, then an appropriate Avoidance Zone shall be developed in consultation with USFWS or CDFW, as applicable. If the species is not listed under FESA or CESA, an appropriate Avoidance Zone shall be developed by a qualified botanist in consultation with the City of Davis. Avoidance Zone areas may differ by species and site-specific conditions, and they shall be developed such that the avoided special-status plant population is likely to persist in perpetuity. Avoidance zones may be based on a fixed buffer distance from the special-status plant population, at the limit of a hydrologic break (such as Channel A), or as otherwise determined appropriate for the species in question. For plants associated with seasonal wetlands, the Avoidance Zone shall be 250 feet, but this zone may be as small as 50 feet for plant species that occur in uplands and do not appear to be associated with wetland hydrology.* | | | |
| | | *4.4-1(b) If any impacts (direct or indirect) would occur to special-status plants, a Special-Status Plant Mitigation Plan shall be developed and submitted to the City of Davis Community Development Department and Public Works Utilities and Operations Department (or USFWS or CDFW, as appropriate for FESA- or CESA-listed species). The Special-Status* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Prior to issuance of a grading permit if any impacts would occur to special-status plants | |

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| | | *Plant Mitigation Plan shall be subject to review and approval by the City, USFWS, or CDFW (as appropriate, based on listing status) prior to issuance of a grading permit that would impact the plants. The project proponent shall mitigate according to one or a combination of the options below. It should be noted that the options are minimum recommendations; the USFWS and/or CDFW may require additional mitigation if the plants are FESA- or CESA-listed.*<br><br>• *Indirect impacts: Indirect impacts would occur if the Proposed Project or BRPA avoids the mapped populations, but affects a portion of an Avoidance Zone. The project proponent shall mitigate for indirect impacts through a 0.5:1 mitigation ratio (mitigation-to-impact), based on the acreage or number of plants that have impacts within an Avoidance Zone. If there are dense populations, acreage may be a better metric for dense population, while mitigation based on number of plants may be better for relatively few, widely scattered plants.*<br>• *Direct impacts: Direct impacts would occur if grading or other direct disturbance occurs within mapped populations. The project proponent shall mitigate for direct impacts through a 1:1 ratio for preservation of* | | | |

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| | | *an existing population, or a 2:1 ratio for relocation/translocation of impacted plants/seeds. The ratios may be based on the acreage of occupied habitat or number of plants. The metric shall be clearly defined in the Special-Status Plant Mitigation Plan.*<br>○ *Preservation: Identify one or more existing, unprotected populations of the special-status plant that would be impacted by the Proposed Project or BRPA in the project vicinity and protect the population in perpetuity by establishing a preserve on the land that supports those populations. Once the proposed mitigation area is approved by the City of Davis and/or USFWS/CDFW (as appropriate, based on listing status, if any), the mitigation area shall be protected by a recorded conservation easement or deed restriction and managed in accordance with a long-term management plan that maintains the habitats the conservation easement was established to protect (including the special-status plants). Additionally, a* | | | |

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| | | *preserve management endowment shall be established to fund the long-term management outlined in the long-term management plan, or sufficient annual management funding shall be a condition of a Homeowner's Association, Community Services District, or other alternative as approved by the City of Davis or regulating agency.*<br><br>*As this option would preserve an existing, established population, temporal loss would not occur and the option would include low risk of failure. The 1:1 ratio may be based on the acreage of occupied habitat or number of plants; this metric shall be clearly defined in the Special-Status Plant Mitigation Plan. This option may be implemented at a mitigation/conservation bank if the target plant species is present at the bank. The Special-Status Plant Mitigation Plan shall describe how the purchase of bank* | | | |

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| | | *credits translates into appropriate 1:1 preservation.*<br>○ *Relocation and translocation: Mitigate impacts by establishment of a new special-status plant population or expansion of an existing special-status plant population. The proposed mitigation area may be on-site or off-site and shall be permanently protected by the recordation of a conservation easement or deed restriction, development of a long-term management plan that maintains the habitats that the conservation easement was established to protect, and establishment of a preserve management endowment or sufficient annual management funding as a condition of a Homeowner's Association, Community Services District, or other alternative, as approved by the City of Davis or regulating agency.*<br><br>*The project proponent shall locate and protect the mitigation area(s), translocate seeds or relocate perennial* | | | |

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| | | *plants to the mitigation area(s), monitor the translocated/relocated seeds/plants for a minimum of five years, and meet established success criteria as detailed in the Special-Status Plant Mitigation Plan. The minimum success criterion for this option shall be a 2:1 replacement of directly impacted plants and 1:1 replacement for indirectly impacted plants by year five of monitoring (or as otherwise required by the regulatory agencies). This ratio may be based on the acreage of occupied habitat or number of plants. This metric shall be clearly defined in the Special-Status Plant Mitigation Plan.*<br><br>*If the success criteria are not met, then additional habitat shall be set aside as set forth by the Preservation requirements or as agreed upon by the City of Davis and/or USFWS/CDFW, as appropriate. Because population sizes for annual plants can vary widely from year to year, for relocation or* | | | |

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| | | *translocation, population counts or acreage mapping shall be conducted in the last two years of monitoring, and the highest count or acreage shall be at least equivalent to the number of required replacement plants.* | | | |
| | | 4.4-1(c) *If construction does not commence by the end of 2027 (i.e., within three years from the date of Madrone's 2024 protocol-level plant surveys), the following measure shall be required:*<br><br>*Yolo HCP/NCCP AMM11: Palmate-bracted bird's-beak is covered by the Yolo HCP/NCCP only for the removal of suitable habitat and not for the removal of palmate-bracted bird's beak plants. This AMM ensures compliance with this provision. To determine if palmate-bracted bird's-beak is present and could be affected, the project proponent will conduct a planning-level survey for this species for any covered activities to be conducted within 250 feet of suitable habitat (as defined in Appendix A, Covered Species Accounts). The survey will be conducted during the period from May 31 to September 30 and will be consistent with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (California Department of Fish and Game 2009).* | Yolo Habitat Conservancy | If construction does not commence by the end of 2027 | |

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| | | *The project proponent will avoid occupied habitat where palmate-bracted bird's beak has been located within any of the last 15 years (seed viability could be as little as three years and as much as six years, as described in Appendix A, Section A.1.2, Species Description and Life History). The project proponent also will avoid any new occurrences of this species identified during planning-level surveys. Avoidance will require a 250-foot setback from the occupied habitat, or greater distance depending on site-specific topography to avoid hydrologic effects. A shorter buffer distance may apply if is determined to avoid effects and is approved by the Conservancy, USFWS, and CDFW. Mortality of palmate-bracted bird's beak individuals will be avoided, except as needed through management activities that provide an overall benefit to the species.* | | | |
| 4.4-2 | Have a substantial adverse effect, either directly or through habitat modifications, on Crotch's bumble bee. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.4-2 The provisions contained herein only apply if Crotch's bumble bee remains a candidate species or is listed under CESA at the commencement of construction. Following CDFW's status report on Crotch's bumble bee, if the California Fish and Game Commission finds that the petitioned action is not warranted, the provisions contained herein shall not be required.* | City of Davis Community Development Department and Public Works Utilities and Operations Department | If Crotch's bumble bee remains a candidate species or is listed under CESA, prior to the commencement of construction activities | |

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| | | *If feasible, initial ground-disturbing activities associated with the Proposed Project or BRPA (e.g., grading, vegetation removal, staging) shall take place between September 1 and March 31 (i.e., outside the colony active period) to avoid potential impacts on special-status bumble bees. If completing all initial ground-disturbing activities between September 1 and March 31 is not feasible, then at a maximum of 14 days prior to the commencement of construction activities, a qualified biologist with 10 or more years of experience conducting biological resource surveys within California, and familiar with Crotch's bumble bee life history, shall conduct a preconstruction survey for special-status bumble bees in the area(s) proposed for impact.*<br><br>*The survey shall occur during the period from one hour after sunrise to two hours before sunset, with temperatures between 65 degrees Fahrenheit and 90 degrees Fahrenheit, with low wind and zero rain. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present within the* | | | |

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| | | *area proposed for impact, and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera Eriogonum and Penstemon.*<br><br>*At a minimum, preconstruction survey methods shall include the following:*<br><br>• *Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present;*<br>• *If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest;* | | | |

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| | | • *Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat;*<br>• *If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of a minimum of four inches to assist with locating the nest;*<br>• *Look for concentrated special-status bumble bee activity;*<br>• *Listen for the humming of a nest colony; and*<br>• *If bumble bees are observed, attempt to photograph the individual and identify it to species.*<br><br>*The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a list of bumble bee species observed, a description of any vegetation removed to facilitate the survey, and their determination of if survey observations suggest a special-status bumble bee nest(s) may be present or if construction activities could result in take of special-status bumble bees. The report shall be submitted to the City of Davis Community Development Department and Public Works Utilities and* | | | |

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| | | *Operations Department prior to the commencement of construction activities.*<br><br>*If bumble bees are not located during the preconstruction survey or the bumble bees located are definitively identified as a common species (i.e., not special-status species), then further mitigation or coordination with the CDFW is not required.*<br><br>*If any sign(s) of a bumble bee nest is observed, and if the species present cannot be established as a common bumble bee, then construction shall not commence until either (1) the bumble bees present are positively identified as common (i.e., not a special-status species), or (2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include, but not be limited to, waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit (ITP) from CDFW.*<br><br>*If special-status bees are located, and after coordination with CDFW take of special-status bumble bees cannot be avoided, the project proponent shall obtain an ITP from CDFW, and the project proponent shall implement all conditions identified in the ITP. Mitigation required by the ITP may include, but not be limited to, the project proponent translocating nesting substrate in accordance with the latest scientific research to another suitable location* | | | |

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| | | *(i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the project site/BRPA site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.* | | | |
| 4.4-3 | Have a substantial adverse effect, either directly or through habitat modifications, on special-status branchiopods | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-3 If occupied aquatic habitat is located in planned development areas associated with the Proposed Project or BRPA, the project proponent shall consult with the USFWS regarding impacts to federally listed vernal pool tadpole shrimp prior to the approval by the City of Davis of any permit authorizing construction.*<br><br>*The project proponent shall obtain and comply with any conditions of the appropriate take authorization from the USFWS. The conditions in the take authorization may include, but shall not be limited to, fencing off avoided habitat; worker awareness training; preservation, restoration, or enhancement of habitat on- or off-site to compensate for indirect and/or direct effects; purchase of habitat credits (the mitigation ratio for habitat preservation is generally 2:1) from an agency-approved mitigation/conservation bank; working with a local land trust to preserve land; or any other method acceptable to USFWS.* | City of Davis Community Development Department | If occupied aquatic habitat is located in planned development areas associated with the Proposed Project or BRPA, prior to the approval of any permit authorizing construction | |

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| 4.4-4 | Have a substantial adverse effect, either directly or through habitat modifications, on monarch butterfly. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-4 The provisions contained herein only apply if monarch butterfly remains proposed for listing under FESA at the commencement of construction.*<br><br>*If construction occurs during the time when milkweed plants may host monarch eggs or caterpillars (approximately mid-March through late September), a preconstruction survey shall be conducted by a qualified biologist within the proposed impact area and a 50-foot buffer in accessible areas for the presence of eggs, larvae (i.e., caterpillars), or pupae, at most, 14 days prior to plant removal. Additionally, other plants immediately adjacent to milkweed plants shall also be searched for chrysalises. If eggs, caterpillars, or pupae are not detected, additional protection measures are not necessary.*<br><br>*A report summarizing the results of the survey shall be submitted for review and approval to the City of Davis Community Development Department and Public Works Utilities and Operations Department.*<br><br>*If eggs, caterpillars, or pupae are found, the plants shall be avoided with a 50-foot buffer until metamorphosis is completed and adult butterflies emerge and leave the host plant. If the eggs, larvae, or chrysalises cannot be* | City of Davis Community Development Department and Public Works Utilities and Operations Department | If monarch butterfly remains proposed for listing under FESA, prior to construction if construction occurs during the time when milkweed plants may host monarch eggs or caterpillars (approximately mid-March through late September) | |

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| | | *avoided, all eggs, larvae, and chrysalises, including the portion of the plant to which they are attached, shall be translocated to an alternative location. The location must be a minimum of 50 feet outside of the impact area and contain a similarly sized or larger population of larval host plants. The portions of the plants supporting eggs or chrysalises shall be tied to the live stem of the avoided larval host plant while caterpillars shall be placed directly on a stem or leaf of a larval host plant. Should the species be listed under FESA in the future, coordination with USFWS shall be conducted prior to translocation.* | | | |
| 4.4-5 | Have a substantial adverse effect, either directly or through habitat modifications, on VELB. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-5 <u>Yolo HCP/NCCP AMM12</u>: The project proponent will retain a qualified biologist who is familiar with valley elderberry longhorn beetle and evidence of its presence (i.e., exit holes in elderberry shrubs) to map all elderberry shrubs in and within 100 feet of the project footprint with stems that are greater than one inch in diameter at ground level. To avoid take of valley elderberry longhorn beetle fully, the project proponent will maintain a buffer of at least 100 feet from any elderberry shrubs with stems greater than one inch in diameter at ground level. AMM1, Establish Buffers, describes circumstances in which a lesser buffer may be applied. For elderberry shrubs that cannot be avoided with a designated buffer distance as described* | Yolo Habitat Conservancy | Prior to the commencement of construction | |

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| | | *above, the qualified biologist will quantify the number of stems one inch or greater in diameter to be affected, and the presence or absence of exit holes. The Conservancy will use this information to determine the number of plants or cuttings to plant on a riparian restoration site to help offset the loss, consistent with Section 6.4.2.4.1, Valley Elderberry Longhorn Beetle. Additionally, prior to construction, the project proponent will transplant elderberry shrubs identified within the project footprint that cannot be avoided.*<br><br>*Transplantation will only occur if a shrub cannot be avoided and, if indirectly affected, the indirect effects would otherwise result in the death of stems or the entire shrub. If the project proponent chooses, in coordination with a qualified biologist, not to transplant the shrub because the activity would not likely result in death of stems of the shrub, then the qualified biologist will monitor the shrub annually for a five-year monitoring period. The monitoring period may be reduced with concurrence from the wildlife agencies if the latest research and best available information at the time indicates that a shorter monitoring period is warranted. If death of stems at least one inch in diameter occurs within the monitoring period, and the qualified biologist determines that the shrub is sufficiently healthy to transplant, the project proponent will transplant the shrub as described in the following paragraph, in coordination with the* | | | |

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| | | *qualified biologist. If the shrub dies during the monitoring period, or the qualified biologist determines that the shrub is no longer healthy enough to survive transplanting, then the Conservancy will offset the shrub loss consistent with the preceding paragraph.*<br><br>*The project proponent will transplant the shrubs into a location in the HCP/NCCP reserve system that has been approved by the Conservancy. Elderberry shrubs outside the project footprint but within the 100-foot buffer will not be transplanted.*<br><br>*Transplanting will follow the following measures:*<br><br>1. *Monitor: A qualified biologist will be on-site for the duration of the transplanting of the elderberry shrubs to ensure the effects on elderberry shrubs are minimized.*<br>2. *Timing: The project proponent will transplant elderberry plants when the plants are dormant, approximately November through the first two weeks of February, after they have lost their leaves. Transplanting during the non-growing season will reduce shock to the plant and increase transplantation success.*<br>3. *Transplantation procedure:* | | | |

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| | | *a. Cut the plant back three to six feet from the ground or to 50 percent of its height (whichever is taller) by removing branches and stems above this height. Replant the trunk and stems measuring one inch or greater in diameter. Remove leaves that remain on the plants.*<br>*b. Relocate plant to approved location in the reserve system, and replant as described in Section 6.4.2.4.1, Valley Elderberry Longhorn Beetle.* | | | |
| 4.4-6 | Impacts to western spadefoot either directly (e.g., cause a wildlife population to drop below self-sustaining levels, threaten to eliminate an animal community) or through substantial habitat modifications. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-6 Prior to the commencement of construction, one nocturnal acoustic survey of all areas within 300 feet of suitable aquatic habitat shall be conducted during the spring prior to construction of the Proposed Project or BRPA. Acoustic surveys shall consist of walking through the area and listening for the distinctive snore-like call of the species. Timing and methodology for the aquatic and acoustic surveys shall be based on those described in Distribution of the Western Spadefoot (Spea hammondii) in the Northern Sacramento Valley of California, with Comments on Status and Survey* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Prior to the commencement of construction | |

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| | | *Methodology. If both the aquatic survey and the nocturnal acoustic survey are negative, further mitigation shall not be necessary. A report summarizing the results of the aquatic survey and nocturnal acoustic survey shall be submitted for review and approval to the City of Davis Community Development Department and Public Works Utilities and Operations Department.*<br><br>*If western spadefoots are identified within the study area during the surveys and the species is not a federally listed species or candidate species and is still a California Species of Special Concern, the following shall be conducted:*<br><br>• *The tadpoles (as many as are reasonably possible to capture) shall be captured and relocated either to aquatic habitat to be avoided on-site (and implement the fencing requirement outlined below), or to an off-site open space preserve with suitable habitat in the vicinity of the project site/BRPA site. If western spadefoot are observed within aquatic habitat proposed for avoidance, then the project proponent may either relocate the tadpoles to an off-site open space preserve with suitable habitat in the vicinity of the project site/BRPA site, or install silt fence along the edge of the proposed impact* | | | |

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| | | *area within 300 feet of the occupied aquatic habitat to prevent metamorphosed individuals from dispersing into the construction area.*<br><br>*If western spadefoots are identified within the study area during the surveys and the species is a federally listed species or a candidate for listing, the following shall be conducted:*<br><br>• *The project proponent shall consult with the USFWS regarding impacts to western spadefoot from the Proposed Project or BRPA. The project proponent shall obtain and comply with any conditions of the appropriate take authorization from the USFWS. The conditions in the take authorization may include, but not necessarily be limited to, fencing off avoided habitat; worker awareness training; preservation, restoration, or enhancement of habitat on- or off-site to compensate for indirect and/or direct effects; purchase of habitat credits from an agency-approved mitigation/conservation bank; working with a local land trust to preserve land; or any other method acceptable to USFWS.* | | | |

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| 4.4-7 | Have a substantial adverse effect, either directly or through habitat modifications, on northwestern pond turtle. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-7 Yolo HCP/NCCP AMM14: There are no specific design requirements for western pond turtle habitat, however, project proponents must follow design requirements for the valley foothill riparian and lacustrine and riverine natural communities described in AMMs 9 and 10, which require a 100-foot (minimum) permanent buffer zone from the canopy drip-line (the farthest edge on the ground where water will drip from the tree canopy, based on the outer boundary of the tree canopy). If modeled upland habitat will be impacted, a qualified biologist must be present and will assess the likelihood of western pond turtle nests occurring in the disturbance area (based on sun exposure, soil conditions, and other species habitat requirements). If a qualified biologist determines that there is a moderate to high likelihood of western pond turtle nests within the disturbance area, the qualified biologist will monitor all initial ground disturbing activity for nests that may be unearthed during the disturbance, and will move out of harm's way any turtles or hatchlings found.* | Yolo Habitat Conservancy | Prior to the commencement of construction | |
| 4.4-8 | Have a substantial adverse effect, either directly or through habitat modifications, on tricolored blackbird. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-8 Yolo HCP/NCCP AMM21: The project proponent will retain a qualified biologist to identify and quantify (in acres) tricolored blackbird nesting and foraging habitat (as* | Yolo Habitat Conservancy | Prior to the commencement of construction | |

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| | | *defined in Appendix A, Covered Species Accounts) within 1,300 feet of the footprint of the covered activity. If a 1,300-foot buffer from nesting habitat cannot be maintained, the qualified biologist will check records maintained by the Conservancy (which will include CNDDB data, and data from the tricolored blackbird portal) to determine if tricolored blackbird nesting colonies have been active in or within 1,300 feet of the project footprint during the previous five years. If there are no records of nesting tricolored blackbirds on the site, the qualified biologist will conduct visual surveys to determine if an active colony is present, during the period from March 1 to July 30, consistent with protocol described by Kelsey (2008).*<br><br>*Operations and maintenance activities or other temporary activities that do not remove nesting habitat and occur outside the nesting season (March 1 to July 30) do not need to conduct planning or construction surveys or implement any additional avoidance measures.*<br><br>*If an active tricolored blackbird colony is present or has been present within the last five years within the planning-level survey area, the project proponent will design the project to avoid adverse effects within 1,300 feet of the colony site(s), unless a shorter distance is approved by the Conservancy, USFWS, and CDFW. If a shorter distance is approved, the* | | | |

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| | | *project proponent will still maintain a 1,300-foot buffer around active nesting colonies during the nesting season but may apply the approved lesser distance outside the nesting season. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.* | | | |
| 4.4-9 | Have a substantial adverse effect, either directly or through habitat modifications, on burrowing owl. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-9 The project applicant shall comply with Yolo HCP/NCCP AMM18. However, should the Yolo HCP/NCCP be modified with respect to burrowing owl coverage in the future given the recent change in the species' status, the project applicant shall comply with the Yolo HCP/NCCP provisions pertaining to burrowing owl as they exist at the time of permit issuance.*<br><br>*Yolo HCP/NCCP AMM18: The project proponent will retain a qualified biologist to conduct planning-level surveys and identify western burrowing owl habitat (as defined in Appendix A, Covered Species Accounts) within or adjacent to (i.e., within 500 feet of) a covered activity. If habitat for this species is present, additional surveys for the species by a qualified biologist are required, consistent with CDFW guidelines (Appendix L).*<br><br>*If burrowing owls are identified during the planning-level survey, the project proponent* | Yolo Habitat Conservancy | Prior to the commencement of construction | |

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| | | *will minimize activities that will affect occupied habitat as follows. Occupied habitat is considered fully avoided if the project footprint does not impinge on a nondisturbance buffer around the suitable burrow. For occupied burrowing owl nest burrows, this nondisturbance buffer could range from 150 to 1,500 feet (Table 4-2, Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls [incorporated as Table 4.4-7 of this chapter]), depending on the time of year and the level of disturbance, based on current guidelines (California Department of Fish and Game 2012). The Yolo HCP/NCCP generally defines low, medium, and high levels of disturbances of burrowing owls as follows.*<br><br>• *Low: Typically 71-80 dB, generally characterized by the presence of passenger vehicles, small gas-powered engines (e.g., lawn mowers, small chain saws, portable generators), and high-tension power lines. Includes electric hand tools (except circular saws, impact wrenches and similar). Management and enhancement activities would typically fall under this category. Human activity in the immediate vicinity of burrowing owls would also constitute a low level of disturbance, regardless of the noise levels.* | | | |

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| | | • *Moderate: Typically 81-90 dB, and would include medium- and large-sized construction equipment, such as backhoes, front end loaders, large pumps and generators, road graders, dozers, dump trucks, drill rigs, and other moderate to large diesel engines. Also includes power saws, large chainsaws, pneumatic drills and impact wrenches, and large gasoline-powered tools. Construction activities would normally fall under this category.*<br>• *High: Typically 91-100 dB, and is generally characterized by impacting devices, jackhammers, compression ("jake") brakes on large trucks, and trains. This category includes both vibratory and impact pile drivers (smaller steel or wood piles) such as used to install piles and guard rails, and large pneumatic tools such as chipping machines. It may also include large diesel and gasoline engines, especially if in concert with other impacting devices. Felling of large trees (defined as dominant or subdominant trees in mature forests), truck horns, yarding tower whistles, and muffled or underground explosives are also included. Very few covered activities are expected to fall under this category, but some* | | | |

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*construction activities may result in this level of disturbance.*

**Table 4.4-7**
**Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls**

| Time of Year | Level of Disturbance (feet) from Occupied Burrows | | |
|---|---|---|---|
| | Low | Medium | High |
| April 1-August 15 | 600 | 1,500 | 1,500 |
| August 16-October 15 | 600 | 600 | 1,500 |
| October 16-March 31 | 150 | 300 | 1,500 |

***Source: Yolo Habitat Conservancy. Yolo County Habitat Conservation Plan/Natural Community Conservation Plan [Table 4-2]. April 2018.***

*The project proponent may qualify for a reduced buffer size, based on existing vegetation, human development, and land use, if agreed upon by CDFW and USFWS (California Department of Fish and Game 2012).*

*If the project does not fully avoid direct and indirect effects on nesting sites (i.e., if the project cannot adhere to the buffers described above), the project proponent will retain a qualified biologist to conduct preconstruction*

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| | | *surveys and document the presence or absence of western burrowing owls that could be affected by the covered activity. Prior to any ground disturbance related to covered activities, the qualified biologist will conduct the preconstruction surveys within three days prior to ground disturbance in areas identified in the planning-level surveys as having suitable burrowing owl burrows, consistent with CDFW preconstruction survey guidelines (Appendix L, Take Avoidance Surveys). The qualified biologist will conduct the preconstruction surveys three days prior to ground disturbance. Time lapses between ground disturbing activities will trigger subsequent surveys prior to ground disturbance.*<br><br>*If the biologist finds the site to be occupied by western burrowing owls during the breeding season (February 1 to August 31), the project proponent will avoid all nest sites, based on the buffer distances described above, during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups that forage on or near the site following fledging). Occupancy of burrowing owl habitat during preconstruction surveys is confirmed at a site when at least one burrowing owl or sign (fresh whitewash, fresh pellets, feathers, or nest ornamentation) is observed at or near a burrow entrance. Construction may occur inside of the disturbance buffer during the* | | | |

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| | | *breeding season if the nest is not disturbed and the project proponent develops an AMM plan that is approved by the Conservancy, CDFW, and USFWS prior to project construction, based on the following criteria:*<br><br>• *The Conservancy, CDFW, and USFWS approves the AMM plan provided by the project proponent.*<br>• *A qualified biologist monitors the owls for at least three days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).*<br>• *The same qualified biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.*<br>• *If the qualified biologist identifies a change in owl nesting and foraging behavior as a result of construction activities, the qualified biologist will have the authority to stop all construction related activities within the non-disturbance buffers described above. The qualified biologist will report this information to the Conservancy, CDFW, and USFWS within 24 hours, and the Conservancy will require that these activities immediately cease within the non-disturbance buffer. Construction cannot resume within the buffer until* | | | |

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| | | *the adults and juveniles from the occupied burrows have moved out of the project site, and the Conservancy, CDFW, and USFWS agree.*<br>• *If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, the project proponent may remove the nondisturbance buffer, only with concurrence from CDFW and USFWS. If the burrow cannot be avoided by construction activity, the biologist will excavate and collapse the burrow in accordance with CDFW's 2012 guidelines to prevent reoccupation after receiving approval from the wildlife agencies.*<br><br>*If evidence of western burrowing owl is detected outside the breeding season (December 1 to January 31), the project proponent will establish a non-disturbance buffer around occupied burrows, consistent with Table 4-2 (incorporated as Table 4.4-7 of this chapter), as determined by a qualified biologist. Construction activities within the disturbance buffer are allowed if the following criteria are met to prevent owls from abandoning important overwintering sites:*<br><br>• *A qualified biologist monitors the owls for at least three days prior to construction to determine baseline* | | | |

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| | | *foraging behavior (i.e., behavior without construction).*<br>• *The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.*<br>• *If there is any change in owl roosting and foraging behavior as a result of construction activities, these activities will cease within the buffer.*<br>• *If the owls are gone for at least one week, the project proponent may request approval from the Conservancy, CDFW, and USFWS for a qualified biologist to excavate and collapse usable burrows to prevent owls from reoccupying the site if the burrow cannot be avoided by construction activities. The qualified biologist will install one-way doors for a 48-hour period prior to collapsing any potentially occupied burrows. After all usable burrows are excavated, the buffer will be removed and construction may continue.*<br><br>*Monitoring must continue as described above for the nonbreeding season as long as the burrow remains active.*<br><br>*A qualified biologist will monitor the site, consistent with the requirements described above, to ensure that buffers are enforced and owls are not disturbed. Passive relocation* | | | |

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| | | *(i.e., exclusion) of owls has been used in the past in the Plan Area to remove and exclude owls from active burrows during the nonbreeding season (Trulio 1995). Exclusion and burrow closure will not be conducted during the breeding season for any occupied burrow. If the Conservancy determines that passive relocation is necessary, the project proponent will develop a burrowing owl exclusion plan in consultation with CDFW biologists. The methods will be designed as described in the species monitoring guidelines (California Department of Fish and Game 2012) and consistent with the most up-to-date checklist of passive relocation techniques. This may include the installation of one-way doors in burrow entrances by a qualified biologist during the nonbreeding season. These doors will be in place for 48 hours and monitored twice daily to ensure that the owls have left the burrow, after which time the biologist will collapse the burrow to prevent reoccupation. Burrows will be excavated using hand tools. During excavation, an escape route will be maintained at all times. This may include inserting an artificial structure, such as piping, into the burrow to prevent collapsing until the entire burrow can be excavated and it can be determined that no owls are trapped inside the burrow. The Conservancy may allow other methods of passive or active relocation, based on best available science, if approved by the wildlife agencies. Artificial burrows will be constructed prior to exclusion* | | | |

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| | | *and will be created less than 300 feet from the existing burrows on lands that are protected as part of the reserve system.* | | | |
| 4.4-10 | Have a substantial adverse effect, either directly or through habitat modifications, on Swainson's hawk or white-tailed kite. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-10 <u>Yolo HCP/NCCP AMM16</u>: The project proponent will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.*<br><br>*If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent, with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 15 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will,* | Yolo Habitat Conservancy | Prior to the commencement of construction | |

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| | | *along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks.*<br><br>*For covered activities that involve pruning or removal of a potential Swainson's hawk or white-tailed kite nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the* | | | |

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| | | *young have fledged and the nest is no longer active.* | | | |
| 4.4-11 | Have a substantial adverse effect, either directly or through habitat modifications, on northern harrier, other nesting birds, and other raptors protected under the MBTA and CFGC. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-11 If construction activities take place during the typical bird breeding/nesting season (February 15 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified biologist throughout the project site/BRPA site and all accessible areas within a 500-foot radius of proposed construction areas, at most, 14 days prior to the commencement of construction. If a break in construction activity of more than 14 days occurs, then subsequent surveys shall be conducted. A report summarizing the survey(s) shall be provided to the City of Davis Community Development Department and Public Works Utilities and Operations Department within 30 days of the completed survey and is valid for one construction season. If nests are not found, further mitigation is not required.*<br><br>*If active raptor nests are found, construction activities shall not take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot non-disturbance buffer shall be established. The non-disturbance buffers may be reduced if a smaller, sufficiently protective buffer is approved by the City after taking into consideration the natural history of the species* | City of Davis Community Development Department and Public Works Utilities and Operations Department | If construction activities take place during the typical bird breeding/nesting season (February 15 through August 31), no more than 14 days prior to the commencement of construction | |

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| | | *of bird nesting, the proposed activity level adjacent to the nest, the nest occupants' habituation to existing or ongoing activity, and nest concealment (i.e., whether visual or acoustic barriers occur between the proposed activity and the nest). A qualified biologist may visit the nest, as needed, to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.*<br><br>*If the nest buffer is reduced but construction activities cause a nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop the agitated behavior. The revised non-disturbance buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the City.*<br><br>*Construction activities may only resume within the non-disturbance buffer after a follow-up survey by the biologist has been conducted and a report has been prepared indicating that the nest (or nests) are not active any longer, and that new nests have not been identified.* | | | |

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| 4.4-12 | Have a substantial adverse effect, either directly or through habitat modifications, on special-status roosting bats. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-12 A preconstruction roosting bat survey shall be conducted by a qualified biologist within 14 days prior to any tree or structure removal that would occur during the breeding season (April through August). A report summarizing the results of the preconstruction roosting bat survey shall be submitted for review and approval to the City of Davis Community Development Department and Public Works Utilities and Operations Department. If preconstruction surveys indicate that roosts of special-status bats are not present, or that roosts are inactive or potential habitat is unoccupied, further mitigation shall not be required. If roosting bats are found, exclusion shall be conducted by the qualified biologist in coordination with CDFW. Methods may include acoustic monitoring, evening emergence surveys, and the utilization of two-step tree removal supervised by the qualified biologist. Two-step tree removal involves removal of all branches that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Building exclusion methods may include such techniques as installation of passive one-way doors, or the installation of netting when the bats are not present to prevent their reoccupation. Once the bats have been excluded, tree or building removal may occur.* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Within 14 days prior to any tree or structure removal that would occur during the breeding season (April through August) | |

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| 4.4-13 | Have a substantial adverse effect, either directly or through habitat modifications, on American badger. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-13 Within 48 hours prior to the commencement of construction, a preconstruction survey for American badger shall be conducted by a qualified biologist. A report summarizing the results of the preconstruction survey shall be submitted for review and approval to the City of Davis Community Development Department and Public Works Utilities and Operations Department. If American badger or burrows with American badger are found on-site during the preconstruction survey, consultation with CDFW shall occur prior to the initiation of any construction activities, to determine an appropriate burrow excavation and/or relocation method. If American badger is not found, further mitigation shall not be required.* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Within 48 hours prior to the commencement of construction | |
| 4.4-14 | Have a substantial adverse effect on any riparian habitat or other Sensitive Natural Community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-14(a) <u>Yolo HCP/NCCP AMM9</u>: The buffers for each sensitive natural community are as follows:*<br>• *Alkali prairie and vernal pools: The area necessary to provide the hydrologic conditions needed to support the wetlands within these natural communities (250 feet). Covered activities will avoid vernal pools or alkali seasonal wetlands by 250 feet, or other distance based on site specific topography to avoid* | Yolo Habitat Conservancy | Prior to the commencement of construction | |

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| | | *indirect hydrologic effects. A buffer of less than 250 feet around vernal pools or alkali seasonal wetlands will be subject to wildlife agency concurrence that effects will be avoided. Considerations that may warrant a buffer of less than 250 feet may include topography (i.e., if the surrounding microwatershed extends less than 250 feet from the pool or wetland), intervening hydrologic barriers such as roads or canals, or other factors indicating that the proposed disturbance area does not contribute to the pool's hydrology. Other considerations may include temporary disturbance during the dry season where measures are implemented to avoid disturbance of the underlying claypan or hardpan, and the area is returned to pre-project conditions prior to the following rainy season.*<br>• *Valley foothill riparian: One hundred feet from canopy drip-line. If avoidance is infeasible, a lesser buffer or encroachment into the sensitive natural community may be allowed if approved by the Conservancy and the wildlife agencies, based on the criteria listed in AMM1. Transportation or utility crossings may encroach into this sensitive natural community* | | | |

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| | | *provided effects are minimized and all other applicable AMMs are followed.*<br>• *Lacustrine and riverine: Outside urban planning units, 100 feet from the top of banks. Within urban planning units, 25 feet from the top of the banks.*<br>• *Fresh emergent wetland: Fifty feet from the edge of the natural community.* | | | |
| | | *4.4-14(b) Prior to the commencement of ground-disturbing activities, the project proponent shall apply for a Section 1600 Lake or Streambed Alteration Agreement (LSAA) from CDFW. The information provided shall include a description of all the activities associated with the Proposed Project or BRPA, not just those closely associated with the drainages and/or riparian vegetation.*<br><br>*Impacts shall be outlined in the application and shall be in substantial conformance with the impacts to biological resources outlined in the Biological Resources Assessment prepared for the Village Farms Davis Project by Madrone Ecological Consulting. Impacts for each activity shall be broken down by temporary and permanent impacts, and a description of the proposed mitigation for biological resource impacts shall be outlined per activity and then by temporary and permanent. Information regarding project-specific drainage and hydrology changes* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Prior to the commencement of ground disturbing activities | |

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| | | *resulting from project implementation shall be provided, as well as a description of stormwater treatment methods.*<br><br>*Minimization and avoidance measures shall be proposed, as appropriate, and may include preconstruction species surveys and reporting, protective fencing around avoided biological resources, worker environmental awareness training, seeding disturbed areas adjacent to open space areas with native seed, and installation of project-specific stormwater best management practices (BMPs).*<br><br>*Mitigation for impacts to riparian vegetation may include restoration or enhancement of resources on- or off-site, purchase of off-site habitat credits from an agency-approved mitigation/conservation bank, working with a local land trust to preserve land, or any other method acceptable to CDFW. Mitigation shall result in no net loss of riparian vegetation. Written verification of the Section 1600 LSAA shall be submitted to the City of Davis Community Development Department and Public Works Utilities and Operations Department.* | | | |
| 4.4-15 | Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-15(a) Implement Mitigation Measure 4.4-14(a).* | See Mitigation Measure 4.4-14(a) | See Mitigation Measure 4.4-14(a) | |

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| | through direct removal, filling, hydrological interruption, or other means. | 4.4-15(b) *Yolo HCP/NCCP AMM10: Project proponents will comply with stormwater management plans that regulate development as part of compliance with regulations under National Pollutant Discharge Elimination System (NPDES) permit requirements. Covered activities that result in any fill of waters or wetlands will also comply with requirements under Section 404 of the Clean Water Act, State Water Resources Control Board (State Board), Fish and Game Code Section 1602, and Regional Board regulations. Other than requirements for buffers, minimizing project footprint, and species-specific measures for wetland-dependent covered species, this HCP/NCCP does not include specific best management practices for protecting wetlands and waters because they may conflict with measures required by the USACE, State Board, Regional Board, and CDFW.* | Yolo Habitat Conservancy | Prior to the commencement of construction | |
| | | 4.4-15(c) *Prior to the commencement of construction, the project proponent shall apply for a Section 404 permit from the U.S. Army Corps of Engineers (USACE). Waters that will be impacted shall be replaced or rehabilitated on a "no-net-loss" basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods acceptable to the USACE. Written verification of the Section 404 permit shall be submitted to the City of Davis Community Development Department and Public Works Utilities and Operations Department.* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Prior to the commencement of construction | |

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| | | *4.4-15(d) Prior to the commencement of construction, the project proponent shall apply for a Section 401 water quality certification/waste discharge requirement from the Regional Water Quality Control Board (RWQCB), and adhere to the certification conditions. Written verification of the Section 401 permit shall be submitted to the City of Davis Community Development Department and Public Works Utilities and Operations Department.* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Prior to the commencement of construction | |
| 4.4-17 | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, or have a substantial adverse effect on the environment by converting oak woodlands or impacting individual trees. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-17 Prior to the commencement of construction, the project proponent shall retain a certified arborist to conduct a tree inventory throughout the study area, the results of which shall be submitted for review and approval to the City of Davis Community Development Department and Public Works Utilities and Operations Department.*<br><br>*If the project would result in impacts to city trees, street trees, and/or trees of significance, as defined by Davis Municipal Code Chapter 37, the potential impacts to such trees shall be mitigated in accordance with the City's Tree Ordinance. Final mitigation requirements shall be determined by the City of Davis and may include the following options:*<br><br>• *Incorporation of existing healthy trees into the design of the project;*<br>• *Replanting of trees on-site;* | City of Davis Community Development Department and Public Works Utilities and Operations Department | Prior to the commencement of construction | |

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| | | • *Replanting of trees off-site in City-owned open space or park; and/or*<br>• *Payment to the City's Tree Preservation Fund in lieu of replacement.* | | | |
| 4.4-18 | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-18(a) <u>Yolo HCP/NCCP AMM3</u>: Where natural communities and covered species habitat are present, workers will confine land clearing to the minimum area necessary to facilitate construction activities. Workers will restrict movement of heavy equipment to and from the project site to established roadways to minimize natural community and covered species habitat disturbance. The project proponent will clearly identify boundaries of work areas using temporary fencing or equivalent and will identify areas designated as environmentally sensitive. All construction vehicles, other equipment, and personnel will avoid these designated areas.*<br><br>*4.4-18(b) <u>Yolo HCP/NCCP AMM4</u>: To prevent injury and mortality of giant garter snake, western pond turtle, and California tiger salamander, workers will cover open trenches and holes associated with implementation of covered activities that affect habitat for these species or design the trenches and holes with escape ramps that can be used during non-working hours. The construction contractor will inspect open trenches and holes prior to filling and* | Yolo Habitat Conservancy<br><br>Yolo Habitat Conservancy | Prior to the commencement of construction<br><br>Prior to the commencement of construction | |

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| | | *contact a qualified biologist to remove or release any trapped wildlife found in the trenches or holes.* | | | |
| | | 4.4-18(c) *Yolo HCP/NCCP AMM5: Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands.* | Yolo Habitat Conservancy | Prior to the commencement of construction | |
| | | 4.4-18(d) *Yolo HCP/NCCP AMM6: All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by a qualified biologist. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. A pre-recorded video presentation by a qualified biologist shown to construction personnel may fulfill the training requirement.* | Yolo Habitat Conservancy | Prior to the commencement of construction | |
| | | 4.4-18(e) *Yolo HCP/NCCP AMM7: Workers will direct all lights for nighttime lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.* | Yolo Habitat Conservancy | Prior to the commencement of construction | |
| | | 4.4-18(f) *Yolo HCP/NCCP AMM8: Project proponents should locate construction staging and other* | Yolo Habitat Conservancy | Prior to the commencement of | |

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| | | *temporary work areas for covered activities in areas that will ultimately be a part of the permanent project development footprint. If construction staging and other temporary work areas must be located outside of permanent project footprints, they will be located either in areas that do not support habitat for covered species or are easily restored to prior or improved ecological functions (e.g., grassland and agricultural land). Construction staging and other temporary work areas located outside of project footprints will be sited in areas that avoid adverse effects on the following:*<br><br>• *Serpentine, valley oak woodland, alkali prairie, vernal pool complex, valley foothill riparian, and fresh emergent wetland land cover types.*<br>• *Occupied western burrowing owl burrows. [Occupied for the purpose of AMM8 means at least one burrowing owl has been observed occupying the burrow within the last three years. Occupancy of a burrow may also be indicated by owl sign at the burrow entrance, including molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site]*<br>• *Nest sites for covered bird species and all raptors, including noncovered raptors, during the breeding season.* | | construction | |

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| | | *Project proponents will follow specific AMMs for sensitive natural communities (Section 4.3.3, Sensitive Natural Communities) and covered species (Section 4.3.4, Covered Species) in temporary staging and work areas. For establishment of temporary work areas outside of the project footprint, project proponents will conduct surveys to determine if any of the biological resources listed above are present. Within one year following removal of land cover, project proponents will restore temporary work and staging areas to a condition equal to or greater than the covered species habitat function of the affected habitat. Restoration of vegetation in temporary work and staging areas will use clean, native seed mixes approved by the Conservancy that are free of noxious plant species seeds.*<br><br>*4.4-18(g) Implement Mitigation Measures 4.4-1(c), 4.4-5, 4.4-7, 4.4-9, 4.4-10, 4.4-11, 4.4-14(a), and 4.4-15(b).* | See Mitigation Measures 4.4-1(c), 4.4-5, 4.4-7, 4.4-9, 4.4-10, 4.4-11, 4.4-14(a), and 4.4-15(b) | See Mitigation Measures 4.4-1(c), 4.4-5, 4.4-7, 4.4-9, 4.4-10, 4.4-11, 4.4-14(a), and 4.4-15(b) | |
| 4.4-19 | Cumulative loss of habitat for special-status species. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.4-19 Implement Mitigation Measures 4.4-14(a), 4.4-14(b), 4.4-15(a), 4.4-15(b), 4.4-15(c), and 4.4-15(d).* | See Mitigation Measures 4.4-14(a), 4.4-14(b), 4.4-15(a), 4.4- | See Mitigation Measures 4.4-14(a), 4.4-14(b), 4.4-15(a), 4.4-15(b), 4.4-15(c), and 4.4-15(d) | |

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| | | | 15(b), 4.4-15(c), and 4.4-15(d) | | |
| **4.5 Cultural and Tribal Cultural Resources** | | | | | |
| 4.5-1 | Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.5-1 Prior to construction of any off-site improvements that could alter the railroad segment (P-57-000977), improvement plans shall be reviewed by an architectural historian to ensure that the improvements are designed consistent with the guidelines outlined in The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings. Proof of compliance with the aforementioned standards shall be submitted to the City of Davis Department of Community Development for review and approval.* | City of Davis Department of Community Development | Prior to construction of any off-site improvements that could alter the railroad segment | |
| 4.5-2 | Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.5-2 If archaeological resources are encountered during subsurface excavation activities, the City and Yocha Dehe Wintun Nation (Tribe) shall be notified immediately and all construction activities within a 100-foot radius of the resource shall cease. In accordance with the Tribe's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation, treatment of all cultural items, including ceremonial items and archeological items* | City of Davis and Yocha Dehe Wintun Nation (Tribe) | During construction if any archaeological resources are encountered | |

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| | | *shall reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at the project site shall be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The project proponent shall waive any and all claims to ownership of tribal ceremonial and cultural items, including archeological items, which may be found on the project site, in favor of the Tribe. If any intermediary is necessary (for example, an archaeologist retained by the project proponent), said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.*<br><br>*If additional significant sites or sites not identified as significant in the project environmental review process, but later determined to be significant, are located within the project impact area, such sites shall be subjected to further archeological and cultural significance evaluation by the project proponent, the City of Davis, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner, consistent with CEQA requirements for mitigation of impacts to cultural resources. If human remains are present that have been identified as Native* | | | |

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| | | *American, all work shall cease for a period of up to 30 days in accordance with federal Law.*<br><br>*The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of the foregoing requirements. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified cultural resources specialist and Native American Representative from the Tribe. If the resource is determined to be significant under CEQA, the City and Native American Representative from the Tribe shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the Native American Representative from the Tribe shall prepare and implement a research design and archaeological data recovery plan for the resource. The cultural resources specialist, in consultation with the Native American Representative from the Tribe, shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials. The Tribe* | | | |

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| | | *shall be afforded the opportunity to review all documents before submission to the appropriate information center.* | | | |
| 4.5-3 | Disturb any human remains, including those interred outside of dedicated cemeteries | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.5-3 In accordance with the Tribe's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation, if Native American human remains are found during the course of the proposed Project, the determination of Most Likely Descendant ("MLD") under California PRC Section 5097.98 shall be made by the Native American Heritage Commission ("NAHC"), upon notification to the NAHC of the discovery of said remains at the project site. If the location of the site and the history and prehistory of the area is culturally-affiliated with the Tribe, the NAHC shall contact the Tribe. A tribal member shall be designated by the Tribe to consult with the landowner and/or project proponents. Should the NAHC determine that a member of an Indian tribe other than Yocha Dehe Wintun Nation is the MLD, and the Tribe is in agreement with this determination, the terms of this protocol relating to the treatment of such Native American human remains shall not be applicable; however, that situation is very unlikely.*<br><br>*In the event that Native American human remains are found during development of the* | Native American Heritage Commission | If Native American human remains are found during the course of the Proposed Project | |

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| | | *proposed project and the Tribe or a member of the Tribe is determined to be MLD pursuant to the above requirements of the Protocol, the following provisions shall apply. The Medical Examiner shall immediately be notified, ground-disturbing activities in that location shall cease, and the Tribe shall be allowed, pursuant to California PRC Section 5097.98(a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.*<br><br>*The Tribe shall complete its inspection and make its MLD recommendation within 48 hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site, or reburial on tribal or other lands that will not be disturbed in the future.*<br><br>*The Tribe may wish to rebury said human remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with the California PRC Sections 5097.98(a) and (b).* | | | |

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| | | *The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods, and animals. Ashes, soils and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.* | | | |
| 4.5-4 | Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.5-4(a) Prior to commencement of ground disturbing activities, the applicant shall arrange for a member of Yocha Dehe Wintun Nation to conduct Cultural Sensitivity Training to the construction crew. Generally, the training would consist of a presentation to the construction crew about types of resources and evidence thereof, role of the Tribe, what to do if resources are uncovered, etc. To schedule Cultural Sensitivity Training prior to commencement of construction, the applicant shall contact the Cultural Resources Department Administrative Staff, Yocha Dehe Wintun Nation, Office (530) 796-3400, Email: THPO@yochadehe-nsn.gov. Proof of compliance with this measure shall be provided to the Davis Community Development Department.* | City of Davis Community Development Department | Prior to the commencement of ground disturbing activities | |

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| | | *4.5-4(b) Prior to commencement of construction activities, the applicant shall retain an archaeologist to prepare a written monitoring plan that describes the role of the tribal monitors, archaeological monitors, and developer's representatives, timelines for advanced notification to Yocha Dehe Wintun Nation prior to grading, and the procedures to follow in the event archaeological/tribal remains are uncovered. The procedures shall comply with Yocha Dehe Wintun Nation's "Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation." Proof of compliance shall be provided to the Davis Community Development Department.* | City of Davis Community Development Department | Prior to commencement of construction activities | |
| | | *4.5-4(c) During grading, excavating, and trenching of soils within the project site, a tribal monitor and archaeological monitor shall be present on-site, as determined in the monitoring plan.*<br><br>*During deep excavation/trenching for sewer mains, storm drains, waterlines, etc. in all portions of the project site, a tribal monitor and archaeological monitor shall be present on-site, as determined in the monitoring plan.*<br><br>*The foregoing measures shall be included in the project's written monitoring plan, required in Mitigation Measure 4.5-4(b).* | See Mitigation Measure 4.5-4(b) | During grading, excavating, and trenching of soils within the project site | |

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| **4.6 Geology and Soils** | | | | | |
| 4.6-3 | Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse, or be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code, creating substantial risks to life or property. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.6-3 Prior to final design approval and issuance of building permits for the Proposed Project or BRPA, the project applicant shall submit a design-level geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer to the City of Davis Community Development Department and Public Works Department, for review and approval. The report shall include the results of a site-specific subsurface exploration, laboratory testing, and engineering analysis. The design-level report shall be performed after site configuration/layout has been established. The investigation shall include several exploratory borings and test pits throughout the project site/BRPA site to evaluate the potential presence of undocumented fill, tilled/disturbed soil thickness, liquefaction potential, and excavation characteristics. The design-level geotechnical engineering report shall evaluate soil expansion potential and include the results of a laboratory plasticity index and expansion index testing. The report shall include the geotechnical recommendations specified in the Preliminary Geotechnical Evaluation prepared for the Proposed Project and BRPA, unless it is determined in the design-level report that one or more recommendations need to be revised.* | City of Davis Public Works – Engineering and Transportation Department and the City of Davis Community Development Department – Building Division | Prior to final design approval and issuance of building permits for the Proposed Project or BRPA | |

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| | | *The design-level geotechnical engineering report shall address, at a minimum, the following:*<br><br>• *Compaction specifications and subgrade preparation for on-site soils;*<br>• *Structural foundations;*<br>• *Grading practices;*<br>• *Liquefaction potential; and*<br>• *Expansive/unstable soils, including fill.*<br><br>*Prior to issuance of any improvement plans, the foundation and improvement plans shall incorporate design-level recommendations. All foundation and improvement plans shall be reviewed and approved by the City of Davis Public Works – Engineering and Transportation Department, and the City of Davis Community Development Department – Building Division prior to issuance of any building permits.* | | | |
| 4.6-4 | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.6-4 Should paleontological resources be discovered during ground-disturbing activities, work shall be halted in the area within 50 feet of the find. Construction may continue in areas outside of the buffer zone. The applicant shall notify the Public Works Department and the City of Davis Community Development Department and retain a qualified paleontologist to inspect the discovery. If* | City of Davis Public Works – Engineering and Transportation Department and the City of Davis Public Works – | If paleontological resources are discovered during ground-disturbing activities | |

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| | | *deemed significant under criteria established by the Society for Vertebrate Paleontology with respect to authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., University of California Museum of Paleontology [UCMP] or Sierra College), where the discovery would be properly curated and preserved for the benefit of current and future generations. The language of this mitigation measure shall be included on any future grading plans, utility plans, and improvement plans approved by the City of Davis Public Works – Engineering and Transportation Department and the City of Davis Public Works – Utilities and Operations Department for the Proposed Project or BRPA, where excavation work would be required.* | Utilities and Operations Department | | |
| **4.7 Hazards and Hazardous Materials** | | | | | |
| 4.7-2 | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.7-2(a) Prior to issuance of a demolition permit by the City for the on-site two-story tank house, shallow soil impacted by toxaphene at the former barn, shed, and trailer locations within the project site/Biological Resources Preservation Alternative (BRPA) site shall be removed and disposed of off-site in accordance with federal, State, and local regulations at an appropriate Class I or Class II facility permitted by the Department of Toxic* | City of Davis Department of Community Development and Public Works Utilities and Operations Department | Prior to the issuance of a demolition permit by the City for the on-site two-story tank house | |

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| | | *Substances Control (DTSC), or other options implemented as deemed satisfactory by Yolo County Environmental Health Division (YCEHD) and/or DTSC. The removal and off-site disposal of soil impacted by toxaphene shall concurrently address the limited area where lead was detected at concentrations exceeding the screening level for residential soil in the Urban Development Area Phase II Environmental Site Assessment (ESA) prepared for the Proposed Project by Geocon Consultants, Inc. (Geocon). The soil removal shall be performed under the oversight of the YCEHD, unless the YCEHD defers oversight to a State agency. Verification soil sampling and laboratory analysis shall be required to demonstrate that the impacted soil was removed, and a completion report shall document the proper handling and disposal of the impacted soil. Results of soils sampling, analysis, and the completion report shall be submitted for review and approval to the City of Davis Department of Community Development and Public Works Utilities and Operations Department (PWUO).* | | | |
| | | *4.7-2(b) Prior to issuance of a demolition permit by the City for the on-site two-story tank house, the interior of the water tank house shall be surveyed for asbestos-containing materials (ACMs) in accordance with applicable Yolo-Solano Air Quality Management District (YSAQMD) regulations, including, but not necessarily limited to, Rule 9.9, Section 401.* | City of Davis City Engineer | Prior to issuance of a demolition permit by the City for the on-site two-story tank house | |

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| | | *Written notification to YSAQMD shall be provided a minimum of 10 working days prior to commencement of any demolition activity, whether asbestos is present or not. The structure interior shall also be inspected for deteriorated (peeling/flaking) lead-based paint (LBP) prior to demolition activities. If LBP is found, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with California Air Resources Board recommendations and OSHA requirements. The demolition contractor shall be informed that all paint on the interior of the structure shall be considered as containing lead.*<br><br>*The contractor shall follow all work practice standards set forth in the Asbestos National Emission Standards for Hazardous Air Pollutants (Asbestos NESHAP, 40 CFR, Part 61, Subpart M) regulations, as well as Section V, Chapter 3 of the OSHA Technical Manual. Work practice standards generally include appropriate precautions to protect construction workers and the surrounding community, and appropriate disposal methods for construction waste containing lead paint or asbestos in accordance with federal, State, and local regulations subject to approval by the City Engineer.* | | | |
| | | *4.7-2(c) Prior to commencement of construction activities, the locations of the geophysical* | City of Davis Department of | Prior to commencement of | |

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| | | *anomalies identified at the former barn and residence locations identified in the Urban Development Phase II ESA prepared for the Proposed Project by Geocon shall be investigated through exploratory trenching. The results of the investigation and any soil sampling and analysis that occurs shall be submitted for review and approval to the City of Davis Department of Community Development and Public Works Utilities and Operations Department (PWUO). If evidence of underground storage tanks (USTs) is not found, further mitigation shall not be required.*<br><br>*If USTs are identified, the project applicant shall submit an Authority to Remove Underground Storage Tanks Application to the YCEHD for review and approval, pursuant to the requirements set forth in Yolo County Code Section 6-11.12.8. As part of the Authority to Remove Underground Storage Tanks Application, the project applicant shall also pay associated fees. At minimum, the Authority to Remove Underground Storage Tanks Application shall detail the following:*<br><br>• *The proposed schedule for collection and sampling of soils beneath the on-site USTs and along piping runs;*<br>• *The DTSC and U.S. Environmental Protection Agency (USEPA) standards against which collected on-site soils shall be tested;* | Community Development and Public Works Utilities and Operations Department | construction activities | |

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| | | • *Applicable work practice standards, in accordance with the Occupational Safety and Health Administration (OSHA) Technical Manual, that shall be implemented to ensure appropriate precautions are incorporated to protect construction workers and the surrounding community during removal of the on-site USTs and associated piping runs;*<br>• *The proposed disposal methods for on-site soils associated with the USTs and piping runs;*<br>• *The proposed date of UST closure inspection; and*<br>• *The methods with which soils shall be remediated on-site, if contaminants in tested soils exceed applicable standards. If on-site remediation is not possible, the methods and routes in which contaminated soils shall be hauled to an appropriate facility for disposal.*<br><br>*In accordance with California Code of Regulations (CCR) Title 22, Division 4.5, Chapter 32, the existing on-site USTs and primary piping shall be managed as hazardous waste upon removal, unless such facilities are cleaned on-site and certified by a YCEHD representative as non-hazardous in accordance with DTSC hazardous waste regulations. UST removal and sampling* | | | |

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| | | *activities shall be witnessed by a YCEHD representative.* | | | |
| | | *4.7-2(d) Prior to commencement of construction activities, the project applicant shall hire a licensed well contractor to obtain a well abandonment permit from YCEHD for all on-site water supply wells, and properly abandon the on-site water supply wells in accordance with Department of Water Resources Bulletin 74-81 (Water Well Standards, Part III). Verification of abandonment shall be submitted for review and approval of the City of Davis Department of Community Development and YCEHD.* | City of Davis Department of Community Development and Yolo County Environmental Health Division | Prior to commencement of construction activities | |
| | | *4.7-2(e) Prior to commencement of construction activities, the project applicant shall consult with the Central Valley Regional Water Quality Control Board (RWQCB) and YCEHD to determine if on-site monitoring wells can be abandoned. Confirmation shall be obtained from the YCEHD documenting that the proposed development is not subject to landfill post-closure requirements associated with CCR Title 27 Section 21190(g). If additional soil vapor monitoring is not anticipated to be performed, soil vapor monitoring wells VP1 and VP2 shall be abandoned under permit from the YCEHD.*<br><br>*If the Central Valley RWQCB and YCEHD confirm that all or a portion of on-site monitoring wells may be abandoned, the* | City of Davis Community Development Department, City of Davis Public Works Utilities and Operations Department, Central Valley Regional Water Quality Control Board, and Yolo County Environmental Health Division. | Prior to commencement of construction activities | |

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| | | *project applicant shall hire a licensed well contractor to obtain a well abandonment permit from YCEHD for the identified on-site monitoring wells to be abandoned, and properly abandon the wells in accordance with Department of Water Resources Bulletin 74-81 (Water Well Standards, Part III). Verification of abandonment shall be submitted for review and approval of the RWQCB, City of Davis Department of Community Development and Sustainability, and YCEHD.*<br><br>*If the Central Valley RWQCB and YCEHD prohibit the abandonment of all or a portion of the on-site monitoring wells, the project applicant shall ensure that the improvement plans show that all project improvements comply with applicable minimum setback distances established by the YCEHD Water Well Program. Verification that the improvement plans properly document minimum setback distances shall be subject to review and approval of the Public Works Utilities and Operations Department (PWUO), RWQCB, and YCEHD.* | | | |
| | | *4.7-2(f) Prior to commencement of grading and construction, the construction contractor, a representative from Pacific Gas & Electric Company (PG&E), and a representative from the City of Davis Public Works Department shall meet on the project site/BRPA site and the applicant shall prepare site-specific safety* | City of Davis Public Works Department | Prior to commencement of grading and construction | |

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| | | *guidelines for construction in and around the buried natural gas pipeline to the satisfaction of the Public Works Department . The safety guidelines and field-verified location of the on-site buried natural gas pipeline shall be noted on the improvement plans and included in all construction contracts involving the project site/BRPA site.* | | | |
| **4.8 Hydrology and Water Quality** | | | | | |
| 4.8-1 | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during construction. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.8-1 Prior to commencement of construction, the applicant shall obtain a NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit), which pertains to pollution from grading and project construction. Compliance with the Permit requires the project applicant to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to ground disturbance. The SWPPP would incorporate Best Management Practices (BMPs) in order to prevent, or reduce to the greatest extent feasible, adverse impacts to water quality from erosion and sedimentation. A copy of the SWPPP including BMP implementation provisions shall be submitted to the City of Davis Public Works – Utilities and Operations Department.* | City of Davis Public Works – Utilities and Operations Department | Prior to commencement of construction | |

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| 4.8-2 | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during operations. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.8-2 Prior to approval of final project improvement plans, a final Stormwater Control Plan shall be submitted to City of Davis Public Works – Utilities and Operations Department for review and approval. The final Stormwater Control Plan shall be in compliance with all applicable provisions of the National Pollutant Discharge Elimination System (NPDES) Phase II MS4 General Permit (NPDES General Permit No. CAS612008, Order No. R2-2022-0018) and shall meet the standards of the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment. Site design measures, source-control measures, hydromodification management, and Low Impact Development (LID) standards, as necessary, shall be incorporated into the design and shown on the improvement plans. The final plans shall include calculations demonstrating that the water quality BMPs are appropriately sized, using methodology in the CASQA Stormwater BMP Handbook for New Development and Redevelopment. The final plans shall also incorporate the proposed components for maintaining the stormwater-treatment facilities* | City of Davis Public Works – Utilities and Operations Department | Prior to approval of final project improvement plans | |

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| 4.8-4 | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. | *Proposed Project, Biological Resources Preservation Alternative*<br><br>*4.8-4 In conjunction with submittal of the first tentative subdivision map for the Proposed Project or BRPA, a design-level drainage report shall be submitted to the City of Davis Public Works – Utilities and Operations Department for review and approval. The drainage report shall identify specific storm drainage design features to control the 200-year, 10-day increased runoff from the project site to ensure that the rate of runoff leaving the developed site does not exceed the pre-project condition. This may be achieved through: on-site conveyance and detention facilities, storage within the on-site UATA, or equally effective measures to control the rate and volume of runoff.*<br><br>*The design-level drainage report shall perform an updated net impact evaluation of downstream East Davis Ponding, taking into consideration the final on-site storm water system design, when the downstream flow is blocked by high water levels in the Willow Slough Bypass. The final amount of runoff volume to be detained would be determined with the design-level drainage report. This could result in detaining run-off volume for an extended time period.* | City of Davis Public Works – Utilities and Operations Department | In conjunction with submittal of the first tentative subdivision map for the Proposed Project or BRPA | |

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| | | *Design-level recommendations provided in the drainage report shall be included in the improvements plans prior to their approval by the City of Davis Public Works – Utilities and Operations Department.* | | | |
| 4.8-5 | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows, or in flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation. | *Proposed Project and Biological Resources Preservation Alternative*<br>*4.8-5 Prior to improvement plan approval, and if required by the Federal Emergency Management Agency (FEMA), the Yolo County Flood Control and Water Conservation District, or the City Floodplain Administrator, the applicant shall obtain from FEMA a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Revision based on Fill (CLOMR-F) for fill within a Special Flood Hazard Area. A copy of the letter shall be provided to the City of Davis Public Works Engineering and Transportation Department. A Letter of Map Revision (LOMR), or a Letter of Map Revision based on Fill (LOMR-F) from FEMA shall be provided to the City of Davis Public Works Engineering and Transportation Department prior to acceptance of project improvements as complete.* | City of Davis Public Works Engineering and Transportation Department | Prior to the improvement plan approval and if required by the Federal Emergency Management Agency, the Yolo County Flood Control and Water Conservation District, or the County Floodplain Administrator | |
| **4.10 Noise** | | | | | |
| 4.10-1 | Generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.10-1 Prior to the approval of grading and/or building permits, the following requirements shall be noted on Improvement Pans, subject to review and approval of the City of Davis Community Development Department:* | City of Davis Community Development Department | Prior to the approval of grading and/or building permits | |

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| | or noise ordinance, or applicable standards of other agencies | • *The proposed project shall incorporate eight-foot-tall temporary sound barriers between the existing sensitive receptors and construction activities, as determined by a qualified acoustical consultant prior to commencement of construction (reference locations in Table 4.10-10 of the Village Farms Draft EIR). The sound barrier fencing shall consist of 0.5-inch plywood or minimum Sound Transmission Class (STC) 27 sound curtains placed to shield nearby sensitive receptors. The plywood barrier shall be free from gaps, openings, or penetrations to ensure maximum performance;*<br>• *Construction activities shall only take place between the hours of 7:00 AM and 7:00 PM, Monday through Friday, and 8:00 AM and 8:00 PM, on Saturday;*<br>• *All construction equipment powered by internal-combustion engines shall be properly muffled and maintained;*<br>• *Quiet construction equipment, particularly air compressors, are to be selected whenever possible;*<br>• *All stationary noise-generating construction equipment, such as generators or air compressors, are to be located as far as practical from existing residences. In addition, the* | | | |

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| | | *project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site/BRPA site;*<br>• *Unnecessary idling of internal-combustion engines is prohibited; and*<br>• *The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest to the project site/BRPA site during all project construction.* | | | |
| **4.13 Transportation** | | | | | |
| 4.13-1 | Conflict with a program, plan, ordinance, or policy addressing the circulation system during construction activities | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-1 Prior to any construction activities for the project site/BRPA site, the project applicant shall prepare a detailed Construction Traffic Control Plan (CTCP) and submit it for review and approval by the City Department of Public Works. The applicant and the City shall consult with Yolo County, Caltrans, Unitrans, Yolobus, and local emergency service providers for their input prior to approving the CTCP. The CTCP shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained during construction. A copy of the CTCP shall be submitted to local emergency response agencies and the agencies shall be* | City of Davis Department of Public Works | Prior to any construction activities for the project site/BRPA site | |

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| | | *notified at least 14 days prior to the commencement of construction that would partially or fully obstruct roadways. At a minimum, the CTCP shall include:*<br><br>• *The number of truck trips, time, and day of street closures;*<br>• *Time of day of arrival and departure of trucks;*<br>• *Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting;*<br>• *Provision of a truck circulation pattern that minimizes effects on existing vehicle traffic during peak travel periods and maintains safe bicycle circulation;*<br>• *Prohibition on use of public roads by haul trucks transporting soil from the Uban Agricultural Transition Area (UATA) to the development portion of the project site;*<br>• *Resurface and/or repair any damage to roadways that occurs as a result of construction traffic;*<br>• *Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas);* | | | |

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| | | • *Maintain safe and efficient access routes for emergency vehicles;*<br>• *Manual traffic control when necessary;*<br>• *Proper advance warning and posted signage concerning street closures; and*<br>• *Provisions for pedestrian safety.* | | | |
| 4.13-2 | Conflict with a program, plan, ordinance, or policy addressing the circulation system, including pedestrian and bicycle facilities | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-2(a) In conjunction with submittal of a tentative map, the Project applicant shall submit a focused traffic impact study to determine if any of the intersection and roadway mitigations are required based on the additional traffic generated by the subject development phase. The focused traffic study shall address the impact of adding the individual phase of development to existing plus other approved/pending development projects. The project applicant shall construct physical improvements as identified in the focused traffic study.*<br><br>*4.13-2(b) Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA, the project applicant shall implement modifications to improve the East Covell Boulevard/Pole Line Road intersection as follows, to the satisfaction of the City of Davis City Engineer:* | City of Davis Community Development Department<br><br>City of Davis City Engineer | In conjunction with submittal of a tentative map<br><br>Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA | |

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| | | • *Install marked crosswalks and accompanying pedestrian crossing signals on the north and west legs to provide temporal separation between pedestrians and conflicting vehicular movements.*<br>• *Eliminate the eastbound and westbound channelized right-turn lanes and replace them with standard right-turn pockets. Alternatively, modify the eastbound and westbound channelized right-turn lanes to reduce the speed of turning vehicles and to reduce pedestrian/bicycles exposure to conflicting vehicular traffic.*<br>• *Install high visibility bike lane conflict markings at the intersection approaches.*<br><br>*Implementation of the foregoing improvements, or a set of improvements of equal effectiveness as determined by the City Engineer, would reduce the potential for conflicts involving bicyclists and pedestrians that would otherwise be caused by the project and promote bicycle and pedestrian travel to and from the project site. Improvements that would further enhance safety for people walking and biking would include the conversion of the intersection into a protected intersection (similar to East Covell Boulevard/L Street) or a roundabout.* | | | |

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| | | *4.13-2(c) The project applicant shall construct a roundabout with pedestrian and bicycle crossings on all legs at the Pole Line Road/Moore Boulevard intersection. Bicycle and pedestrian crossings shall be placed through the splitter islands for each roundabout approach to minimize the number of multi-lane crossings, and shall be designed to the satisfaction of the City Engineer. In addition, the project applicant shall install traffic signals and pedestrian crossings on all legs at the Pole Line Road/Donner Avenue and Pole Line Road/Picasso Avenue intersections.*<br><br>*Implementation of the foregoing improvements, or a set of improvements of equal effectiveness as determined by the City Engineer, would reduce the potential for conflicts involving bicyclists or pedestrians that would otherwise be caused by the project and promote bicycle and pedestrian travel to and from the project site/BRPA site.* | City of Davis City Engineer | The project will be conditioned to provide a phasing plan prior to any work commencing on the site. This plan will include additional traffic analysis for each phase to identify when these mitigation measures would be needed based on how the project is phased | |
| | | *4.13-2(d) Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA, the project applicant shall install bicycle and pedestrian crossing improvements at the East Covell Boulevard/Birch Lane intersection, consistent with the planned improvements identified in the East Covell Corridor Plan (ECCP), to the satisfaction of the City Engineer. The improvements shall include: installation of* | City of Davis City Engineer | Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA | |

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| | | *high visibility bike lane conflict markings in the northbound and southbound direction across both East Covell Boulevard and Denison Drive; high visibility marked crosswalks across the east leg of the East Covell Boulevard/Birch Lane intersection and across the east and south legs of the Birch Lane/Denison Drive intersection; and installation of a bike lane with conflict markings at the northbound approach of the East Covell Boulevard/Birch Lane intersection.*<br><br>*Implementation of the foregoing improvements, or a set of improvements of equal effectiveness as determined by the City Engineer, would reduce the potential for conflicts involving bicyclists or pedestrians that would otherwise be exacerbated by the project and promote bicycle and pedestrian travel to and from the project site/BRPA site.* | | | |
| | | *4.13-2(e) Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA, the project applicant shall install bicycle and pedestrian crossing improvements at the Cannery Loop elbow adjacent to Cannery Dog Park, to the satisfaction of the City Engineer. Improvements shall include the installation of high visibility crosswalk markings and the installation of a rapid-rectangular flashing beacon (RRFB) at the existing diagonal crossing.* | City of Davis City Engineer | Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA | |

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| | | *Implementation of the foregoing improvements, or a set of improvements of equal effectiveness as determined by the City Engineer, would reduce the potential for conflicts involving bicyclists or pedestrians that would otherwise be caused by the project and promote bicycle and pedestrian travel to and from the project site/BRPA site.* | | | |
| | | *4.13-2(f) Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA, the project applicant shall install high visibility bicycle and pedestrian crossing markings and accompanying signage at the three Oak Tree Plaza driveway intersections with the East Covell Boulevard shared-use path, consistent with the ECCP, to the satisfaction of the City Engineer.*<br><br>*Implementation of the foregoing improvements, or a set of improvements of equal effectiveness as determined by the City Engineer, would reduce the potential for conflicts involving bicyclists or pedestrians that would otherwise be exacerbated by the project and promote bicycle and pedestrian travel to and from the project site/BRPA site.* | City of Davis City Engineer | Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA | |
| | | *4.13-2(g) Prior to occupancy of the first residential unit during Phase I of the Proposed Project/BRPA, to the satisfaction of the City Engineer, the project applicant shall install Class III bike route pavement markings (e.g., green-backed sharrows) and accompanying signage on* | City of Davis City Engineer | Prior to occupancy of the first residential unit during Phase I of the Proposed Project/BRPA | |

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| | | *Birch Lane between East Covell Boulevard and Pole Line Road.*<br><br>*Implementation of the foregoing improvements, or a set of improvements of equal effectiveness as determined by the City Engineer, would reduce the potential for conflicts involving bicyclists or pedestrians that would otherwise be exacerbated by the project and promote bicycle and pedestrian travel to and from the project site.* | | | |
| 4.13-3 | Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit facilities and services. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-3(a) Implement Mitigation Measure 4.9-4.*<br><br>*4.13-3(b) Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA, the project applicant shall fund a Transit Service and Facilities Plan for the area encompassing the project site and other development along the north side of the Covell Boulevard and Mace Boulevard corridor between the westerly city limits and the I-80 interchange. The plan shall be led either by Unitrans and Yolobus, or by the City with Unitrans and Yolobus participating as active project partners. The plan shall be guided by the Unitrans and Yolobus service development processes, and shall be subject to approval by the City of Davis Transportation Department. The Transit Service and Facilities* | See Mitigation Measure 4.9-4<br><br>City of Davis Transportation Department | See Mitigation Measure 4.9-4<br><br>Prior to occupancy of Phase 1 of the Proposed Project/BRPA | |

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| | | *Plan shall identify transit service and facility improvements required in accordance with Unitrans and Yolobus policies related to unmet transit needs, timing for improvements, transit service warrants, and performance standards.*<br><br>*The applicant shall fund the implementation of transit service and facilities improvements to the extent that they are identified in the aforementioned Transit Service and Facilities Plan with the explicitly focus of implementing improvements that would address Proposed Project/BRPA-related contributions to unmet transit needs and project-related deficiencies with respect to transit service warrants and performance standards. The Proposed Project/BRPA shall not be responsible for funding improvements that address existing deficiencies. Potential transit improvements include the following:*<br><br>*1) Modifying existing transit routes or adding new routes to serve the project site, adding service capacity (through increased headways and/or larger vehicles) to prevent overcrowding and maintain productivity standards.*<br>*2) Constructing transit priority treatments to improve on-time performance (i.e., transit signal priority and/or Intelligent Transportation Systems (ITS) upgrades at East Covell Boulevard* | | | |

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| | | *traffic signals, transit queue jumps at East Covell Boulevard intersections, etc.).*<br>*3) Improving terminal facilities (i.e., stops) to accommodate additional passengers and transit vehicles.*<br>*4) Implementing transit pass/fare subsidies for residents and employees.*<br><br>*Improvements shall be selected based on relevant performance data and targeted to address those areas not meeting established Unitrans performance standards. Transit facility improvements shall be designed and constructed pursuant to applicable City of Davis, Unitrans, and Yolobus standards.*<br><br>*To implement this mitigation measure, the Proposed Project/BRPA shall establish an appropriate funding mechanism (e.g., Community Facilities District or other mechanism determined acceptable by the City), to fund transit service and facilities improvements to adhere to Unitrans and Yolobus policies related to unmet transit needs, transit service warrants, and performance standards. The funding mechanism shall provide funding for capital costs and on-going operation of transit services. On-going annual fees would be identified and paid by the applicant to fund necessary transit service and facility improvements. Fees would be assessed on all* | | | |

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| | | *future project land uses that generate an increased demand for transit services, including residential, commercial, civic, and recreation land uses. The project's funding contributions allocated through the funding mechanism shall be limited to improvements and/or portions of improvements that are attributable to the project's contributions to deficient transit service and/or operations. The project shall not contribute funding towards improvements needed to address existing deficiencies and/or improvements needed to address deficiencies attributable to other future land use projects.*<br><br>*Prior to establishing the funding mechanism, the applicant shall submit to the City for review and approval a complete and adequate report supporting the level of assessments/fees necessary for the establishment and continuation of the funding mechanism. The report shall be prepared by a registered engineer, in consultation with a qualified financial consultant. The report shall identify the transit services intended to be funded by the mechanism, the cost to establish and operate these services, the portion of the overall costs to be funded by the applicant, and the assessment/fees to obtain the necessary funding, including a methodology for calculating fee increases over time. A transit service to be explicitly funded by the mechanism and included in the report would be the implementation of transit service and* | | | |

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| | | *facilities improvements necessary to adhere to Unitrans and Yolobus policies related to unmet transit needs, transit service warrants, and performance standards. Project contributions towards on-going operating costs shall consider other regular established transit funding sources, such as the State of California Local Transportation Fund (LTF) and State Transit Assistance (STA) fund, as well as potential contributions from other future development that would benefit from these transit improvements.* | | | |
| 4.13-4 | Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-4 Prior to occupancy of the first residential unit, the project applicant shall implement TDM strategies to reduce the number of vehicle trips that would be generated by the residential component of the Proposed Project/BRPA, subject to review and approval by the City Engineer. The TDM strategies may include, but not necessarily be limited to, CAPCOA Handbook Strategy T-16 and T-20-A.* | City of Davis City Engineer | Prior to occupancy of the first residential unit | |
| 4.13-7 | Conflict with a program, plan, ordinance, or policy addressing the circulation system, including pedestrian and bicycle facilities, associated with cumulative development of the Proposed Project or the BRPA in | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-7 Implement Mitigation Measures 4.13-2(a) through (f).* | See Mitigation Measures 4.13-2(a) through (f) | See Mitigation Measures 4.13-2(a) through (f) | |

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| | combination with future buildout of the City of Davis. | | | | |
| 4.13-8 | Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit facilities and services, associated with cumulative development of the Proposed Project or the BRPA in combination with future buildout of the City of Davis | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-8 Implement Mitigation Measures 4.13-3(a) and (b).* | See Mitigation Measures 4.13-3(a) and (b) | See Mitigation Measures 4.13-3(a) and (b) | |
| 4.13-9 | Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) associated with cumulative development of the Proposed Project or the BRPA in combination with future buildout of the City of Davis. | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-9 Implement Mitigation Measure 4.13-4.* | See Mitigation Measure 4.13-4 | See Mitigation Measure 4.13-4 | |
| 4.13-11 | Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) associated with | *Proposed Project, Biological Resources Preservation Alternative*<br>*4.13-11 Prior to occupancy of the first residential unit during Phase 1 of the Proposed Project/BRPA, to the satisfaction of the City of Davis, the project applicant shall enter into an agreement to contribute fair share funding, as* | City of Davis Public Works Engineering and Transportation | Prior to occupancy of the first residential unit during Phase 1 of | |

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| | cumulative development of the Proposed Project or the BRPA in combination with future buildout of the City of Davis. | *determined by the City of Davis Public Works Engineering and Transportation Department, to cover their proportionate cost of the following improvements at the West Covell Boulevard/SR 113 and Mace Boulevard/Chiles Road/I-80 interchanges:*<br><br>• *Covell Boulevard between Shasta Drive/Risling Court and Birch Lane: Coordinate traffic signals, optimize signal timings, and operate with a 140 second cycle length during the a.m. peak period and a 150 second cycle length during the p.m. peak period. Note that these improvements may require controller or communications upgrades.*<br>• *Mace Boulevard between Alhambra Drive and Cowell Boulevard: Coordinate traffic signals, optimize signal timings, and operate with a 150 second cycle length during the a.m. and p.m. peak periods. Note that these improvements may require controller or communications upgrades.*<br>• *West Covell Boulevard/SR 113 Southbound Ramps: Construct a second westbound left-turn lane and a second receiving lane on the southbound on-ramp.*<br>• *West Covell Boulevard/SR 113 Northbound Ramps: Modify the northbound off-ramp to consist of* | Department | the Proposed Project/BRPA | |

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| | | *three lanes approaching West Covell Boulevard, including one left-turn lane, one shared left/through/right lane, and one right-turn lane. Construct a second eastbound left-turn lane.*<br>• *Mace Boulevard/Second Street/County Road 32A: Modify the northbound approach to consist of five lanes, including two left-turn pockets, two through lanes, and a right-turn pocket.*<br>• *Mace Boulevard/I-80 Eastbound Slip On-Ramp: Extend the on-ramp and relocate the ramp meter 500 feet east of its current location.*<br>• *Mace Boulevard/Chiles Road: Modify the southbound channelized right-turn lane to a standard right-turn lane.*<br>• *Chiles Road/I-80 Eastbound Off-Ramp: Modify the westbound approach to consist of a single through lane. Modify the eastbound approach to consist of two through lanes and begin the second through lane at the Hanlees Davis Toyota driveway.*<br>• *Mace Boulevard between Second Street/County Road 32A and Chiles Road: Construct bicycle and pedestrian facility improvements on this segment of Mace Boulevard. Potential improvement options* | | | |

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| | | *include a Class I shared-use path, Class II bike lanes, or Class IV separated bikeways. Bicycle facility improvements should reduce the potential for conflicts involving bicyclists at intersections, crossings, and other mixing zones, including (but not limited to) appropriate pavement markings, signage, and physical separation. Pedestrian facility improvement options include modifications to pedestrian crossings of free/channelized vehicular movements to reduce the speed of turning vehicles and to reduce pedestrian exposure to conflicting vehicular traffic.* | | | |