

Chapter 3. EIR Comments and Responses

INTRODUCTION

Copies of the comment letters received on the draft EIR and individual responses to each comment are included in this chapter. The primary objective and purpose of the public review process is to obtain comments on the adequacy of the analysis of environmental impacts and the mitigation measures proposed. CEQA requires that the lead agency respond to all significant environmental comments at a level of detail appropriate to the comment (State CEQA Guidelines Section 15088). Comments that do not directly relate to the analysis in this document (i.e., that are outside the scope of this document) are not given specific responses. However, all comments are included in this chapter so that the City of Davis Planning Commission and City Council will know the opinions of the commenters.

MASTER RESPONSES

During the public review period for the draft EIR, several respondents asked for clarification on the General Plan Update's Policy Document and Fiscal Study, further environmental review of specific projects, analysis of Measure J, use of alternative University of California, Davis, (UC Davis) enrollment estimates, regional fair-share needs, the supply and demand for jobs and housing on a regional basis, and jobs-housing balance. The following information is provided in response to these questions.

- **A – General Plan Policies.** As previously discussed, the primary objective of this final EIR is to respond to comments received during the public review period that address concerns on the adequacy of the draft EIR analysis. Specific comments directed at the General Plan Update such as requested changes to or clarifications of general plan goals, policies, actions, or standards are not considered comments on the adequacy of the draft EIR analysis and, in most cases, responses have not been prepared for these comments. However, these comments have been identified and reviewed by the City and the DJUSD, and copies of these comments will be provided to and considered at future Planning Commission and City Council hearings.
- **B – Fiscal Impact Analysis.** Similarly, specific comments directed at the General Plan Update's fiscal study such as the identification of funding sources or the fiscal implications of the No-Project Alternative are not considered comments on the adequacy of the draft EIR analysis. These comments relate to the draft fiscal study prepared for purposes of assessing the potential fiscal impacts of the general plan update. CEQA does not require an EIR to consider economic or social impacts, except as they may relate to physical changes. These

comments are pertinent to the fiscal study, but not the EIR. However, these comments have been identified and reviewed by the City and the DJUSD and copies of these comments will be provided to and considered at future Planning Commission and City Council hearings.

- **C – Programmatic Nature of the EIR.** This draft EIR jointly evaluates, at a program-level, four alternative land use scenarios proposed for the General Plan Update and provides a more project-specific evaluation for the acquisition of a new junior high school site. As more fully described in the draft EIR, it is the intent of the DJUSD to use this EIR as the project-specific environmental assessment for the acquisition of a new school site only and a specific development proposal for the site will undergo separate environmental review.

The General Plan Update provides a planning framework for the types of projects that could be implemented within the City’s planning area in the future. As individual projects with specific site plans and facilities are planned, the City will evaluate each project to determine the extent to which this EIR covers the impacts of the project. If the project would create impacts not addressed in this EIR, additional environmental analysis would be prepared. Overall, this EIR is programmatic in nature and addresses the broad framework of the plan, with the understanding that additional project-level environmental documentation would be needed for some projects before they could be considered, approved, and implemented.

As part of the General Plan update, the City Council developed a range of reasonable land use options which include several sites being studied in addition to planned Citywide in-fill development that will be used to craft the final land use plan for the City. In this draft EIR, each alternative is evaluated at an equal level of detail so that the City can select any one of the land use options, a hybrid option, or a combination of options. The options provide a kind of “menu” from which to build a preferred land use diagram. After the environmental and fiscal impacts and potential mitigation measures are determined, the City can move forward to adopt the land use diagram along with the full complement of goals, policies, standards, and actions in the General Plan update. It is important to note that the actual land use map alternative selected may not look exactly like any of the alternatives described in Chapter 3 “Project Description”. These alternatives are meant to cover a comprehensive range of reasonable possibilities and will be used to develop the final land use plan. Depending on the land use options selected by City Council, additional environmental review, as well as, amendments to previously adopted specific plans, may be necessary.

- **D – Measure J.** Measure J, the “Citizens’ Right to Vote on Future Use of Open Space and Agricultural Lands Ordinance”, was approved by the voters on March 7, 2000, after release of the draft EIR. The measure includes a General Plan text amendment requiring citizens’ vote on changes to the land use map from an agricultural/open space or urban reserve designation. The text change, as approved by the voters, must remain in the General Plan through 2010, pursuant to provisions in Measure J.

The baseline condition for the General Plan update was January 1, 1998. The NOP was issued in June of 1999. Measure J was approved by the voters after these baselines were established. The draft EIR, which was released for public review in early January, referenced Measure J on Page 1-2. The discussion identified the mechanics of the proposed

Measure J, and various properties it would affect. Possible impacts on the General Plan update were also discussed.

Analyzing the impacts of Measure J at the time of the draft EIR was being prepared would clearly have been speculative. It was uncertain at the time if Measure J would be accepted or rejected by the voters. Determining impacts now that it has been approved is still speculative. The fundamental effect of Measure J is to require voter approval of land use proposals involving conversion of agricultural or open space lands within the City's planning areas to urban use. In other words, voter approval is generally required to authorize development on lands that have not been planned for urban use in either the current General Plan or the proposed update through 2010. Measure J does not preclude approval of such proposals nor does it encourage them. It simply gives the voters the final say in such matters.

Some have argued that Measure J will functionally constrain future growth because the voter approval process will discourage development proposals. However, precedent in the community does not validate this contention. In the past two decades, the only two major development proposals brought before the voters through the referendum process were approved. While this precedent certainly could be reversed in the future, it certainly does not reinforce the contention that the voter approval process will constrain all future growth.

There might be greater validity to the claim that the General Plan update itself will be a greater constraint on future growth needs and that Measure J is simply a reflection of this plan. No new peripheral lands are opened up to development under the update, except in Alternatives 4 & 5. However, even under the alternatives providing for less future residential growth, several thousand new residential units will be permitted through 2010. It simply does not allow continuation of peripheral growth patterns experienced over the past few decades. There is a conscious attempt to focus growth inward. Densities are increased to allow more growth in developed portions of the city. This is done to preserve valuable farmlands and habitat areas surrounding the community, which is consistent with local and state policies promoting good planning and conservation of resources.

Accordingly, Measure J simply allows direct citizens participation in future decisions affecting the General Plan and the City's new model for growth. Whether or not future demand for housing and other services can be met under this model cannot be reasonably forecast at this time. Measure J, by not explicitly precluding future growth, allows the voters to respond should the need arise for new housing in the city beyond what is currently planned for. To predetermine how voters will respond to these challenges is both speculative and presumptuous. Section 15145 of the CEQA Guidelines makes it clear "that, if after thorough investigation, an agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

Considerable investigation of the possible impacts of Measure J occurred through the discussion and debate prior to the election. Numerous impacts were discussed, including, but not limited to, possible future constraints on housing supply, increased home prices, and possible shifting of growth pressures on to surrounding communities. These impacts were all tied to a presumption that voters in the future would reject all growth proposals. There are

many factors that may affect the mood of the voters in future elections, making it difficult to forecast what voting tendencies may be. Needless to say, this would be too speculative to form a reasonable conclusion. Accordingly, no further evaluation of Measure J under the General Plan update was deemed necessary.

- **E – UC Davis Enrollment Projections.** Multiple commenters raised questions about lack of consideration of recent growth projections for UCD. The General Plan EIR relies upon UC Davis' current Long Range Development Plan (LRDP) in analyzing growth implications upon the City. It would be speculative for the City to consider other growth assumptions at this time. However, it is acknowledged that recent reports indicate that UCD will receive more growth than projected in the current LRDP. The General Plan EIR notes this fact on Pages 2-16 to 2-17 and 5B-1 to 5B-2. It also notes that varying projections on campus growth have been issued over the past few years. This makes it difficult for the City to structure its analysis on projections other than the currently adopted LRDP. It is appropriate, however to prepare for what appears to be the eventuality that campus growth will exceed the current LRDP in the policy framework of the General Plan. A new policy is recommended for incorporation into the Growth Management chapter as "Action LU 1.1h", which states:

Closely monitor and participate in any updates to UCD's LRDP, to determine and minimize impacts on the City's General Plan policies and land use map. Consider possible adjustments to the General Plan to address the new LRDP revision upon determination that a reasonable share of student and faculty growth will occur on campus.

The City's General Plan is not a static document. State law allows the City to amend it up to four times a year to address changing conditions, such as possible revisions to the LRDP. To try and forecast these impacts now would be premature, and would not necessarily result in the best long term planning solutions for the community.

The draft EIR describes the latest, unadopted enrollment projections for UC Davis in the "Evolving Issues" section which is located on pages 2-16 and 2-17 of Chapter 2, "Executive Summary" and on pages 5B-1 and 5B-2 of Chapter 5B, "Population and Housing".

A policy issue to be considered in the General Plan deliberations will be the extent to which the City should respond to the latest UC Davis enrollment projections.

- **F – Regional Fair-Share Needs.** The General Plan policies do not prohibit the City from meeting regional fair-share housing needs. The 1991-93 Housing Element update adequately identified sufficient sites to meet the need for housing at all income levels, including housing for low-income households. That Housing Element update was certified by the State of California Department of Housing and Community Development (HCD) as adequately meeting the requirements of state planning law. The inventory of available sites has been periodically updated since 1993 and the City continues to identify sites to accommodate the fair-share needs for housing. The updated site inventory will be submitted to HCD for its review, along with the proposed revisions to Housing Element policies.

Under current state law, the Sacramento Area Council of Governments (SACOG) is scheduled to issue preliminary fair-share estimates for 2005-2010 by June 30, 2001. These

estimates will be based upon the regional housing needs determined by HCD. As is discussed in EIR section 5B (pages 21-24) it is possible that the City may not have sufficient sites identified to meet regional fair-share needs, as determined by SACOG. Mitigation measure PH2.1, as amended, reduces this potential impact to a less-than-significant level by requiring the City to take steps to meet fair-share needs. It should also be noted that affordable housing necessary to meet fair-share needs is exempt from the voter approval requirements of Measure J.

- **G – Supply and Demand for Jobs and Housing on a Regional Basis.** The Cumulative Impacts section of the Draft EIR addresses the potential impacts of City of Davis General Plan policies on other communities in the region. Of particular import is the potential for other communities to absorb additional housing in response to slow-growth policies established by the City of Davis.

Master Response F addresses the issue of jobs-housing balance for the City of Davis and the University of California, Davis. The Growth Inducement section of the Cumulative Impact Analysis (see Chapter 7 of the draft EIR) discusses the potential growth-inducing impacts in other communities brought about by job development in Davis, and concludes that this is a significant impact.

Development resulting in the expansion of the Davis city limits will affect agricultural lands and contribute to the cumulative loss of open space, habitat, and agricultural land in the region. The continuing friction between the goals of preserving agricultural land and providing an adequate supply of housing is evident throughout the General Plan document and this EIR, as well as the goals and policies of the State of California and other jurisdictions in the region.

- **H – Jobs-Housing Balance.** The third significance criteria under PH-1 (page 5B-15) states that a jobs/housing imbalance would conflict with City policies and be a significant effect. Actually, the General Plan update does not establish a jobs/housing balance policy or acceptable ratio. The reference to a specific ratio is being removed.

Because jobs/housing balance seems to be of interest to several commenters, additional information is provided below to help clarify this issue.

Further examination of the City's projected job/housing balance, based on information from the State Economic Development Department's (EDD) *Labor Force Data for Sub-County Areas 1999 Benchmark* indicates that all of the alternatives would offer substantial improvements over the existing ratio (estimated at 0.38 for the City and 0.81 for the City plus UCD). Additionally, when including projected employment from UC Davis, all of the alternatives would fall within the 0.9:1 to 1.1:1 range, which is far better than most communities. Table 3-1 illustrates these findings.

Table 3-1. Projected Jobs/Housing Balance (by Alternative)

| Alternative | 2010 Jobs (City) a. | 2010 Jobs (City and UCD) b. | Employed City Residents c. | Jobs/Housing (City) d. | Jobs/Housing (City and UCD) d. |
|-------------|---------------------------|-----------------------------------|----------------------------------|------------------------------|--------------------------------------|
| 2 | 22,060 | 35,060 | 37,530 | 0.60 | 0.93 |
| 3 | 20,980 | 33,980 | 35,690 | 0.60 | 0.95 |
| 4 | 27,730 | 40,728 | 36,850 | 0.75 | 1.1 |
| 5 | 29,510 | 42,514 | 37,640 | 0.80 | 1.1 |

- a. This is based on the EDD's 1999 estimate of 11,618 jobs within the City, plus the additional jobs estimated to be generated under each of the alternatives, rounded to the nearest ten. This number assumes full buildout by 2010, which is unlikely to occur, simply for ease of comparison.
- b. UCD employment is estimated at 13,000 jobs, about midway between the low and high estimates contained in the 2010-11 estimate in the University's Long-Range Development Plan.
- c. This was estimated by multiplying the projected 2010 population under each alternative by 0.575, the 1999 ratio of employed City residents (32,230) to total residents (56,018), based on employment information from EDD. It does not include employed UC Davis students who live outside the City.
- d. The "jobs/housing" ratio is actually the ratio of jobs to employed City residents.

Jobs/housing balance is a poor indicator of potential air quality impacts when applied on a city-by-city basis. Davis exists in a regional employment and housing market that cannot be accurately described as a simple ratio between the number of jobs produced in the City and the number of people living there. The availability of housing at a range of costs commensurate with the profile and salaries of the jobs that are available, as well as perceived quality of life afforded by the community, number of workers in the household, commute time and distance to other employers, and school performance are among the factors that affect people's decisions about where to live and work.

The 1997 BAE report estimated that about 43 percent of all employed Davis residents work outside the City. Certainly, large numbers of residents cross the causeway each morning and evening commuting to jobs in the Sacramento area. At the same time, approximately 36 percent of the jobs within the City and at UCD were filled by non-residents.

Given that people are free to choose where they live and work, and that those choices are based on a wide range of variables, jobs/housing balance is, from a practical standpoint, difficult to achieve through regulatory measures. Establishing a reasonable balance between land designated for housing and job-producing sites is the most tangible way to address this issue. Table 3-1 indicates that the City achieves a reasonable balance from a

statistical sense when employment from UC Davis is included in the calculation. This is a fair assessment given the university's physical integration with the Davis community. The additional jobs created under Alternatives 4 and 5 would increase the ratio although it is difficult to predict whether all jobs created would be filled by city residents. There are simply too many variables affecting individual live/work decisions. These cannot be regulated, which renders the jobs/housing balance an important goal but one that cannot be achieved to any significant degree through regulatory means.

State of California

The Resources Agency

MEMORANDUM

To: Project Coordinator
Resources Agency

Date: March 1, 2000

Mr. Tahir Ahad
Davis Joint Unified School District
526 B Street
Davis, CA 95616

RECEIVED
MAR 1 2000
City of Davis
Planning & Building

Mr. Robert Wolcott, Senior Planner
Planning and Building Department
City of Davis
23 Russell Boulevard
Davis, CA 95616

From: Department of Conservation
Office of Governmental and Environmental Relations

Subject: Draft Program Environmental Impact Report (DPEIR) for City of Davis General Plan Update and Project Draft Environmental Impact Report (DEIR) for Establishment of a New Jr. High School in the City of Davis - SCH# 99072014

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Department offers the following comments for your consideration.

A review of Division records indicates that in 1974 one well was drilled for the discovery of natural gas at the Signature School Site (See attached map for location of well). The well was not successful and was plugged and abandoned by the operator in accordance with Division requirements in effect at that time. To accurately locate the plugged and abandoned well with respect to proposed structures, the well should be uncovered and the location surveyed accurately to a known datum. The use of a metal detector and excavation with a backhoe are suggested to facilitate locating the well. In addition, the Division's district office in Sacramento should be notified when the well is uncovered so that a Division inspector can evaluate the condition of the well at the surface. Well location and other Information about the wells can be obtained from the Division.

1-1

If any structure is to be located over or in the proximity of a previously plugged and abandoned well, the well may need to be plugged to current Division specifications. In fact, it should be noted that the State Oil and Gas Supervisor (Supervisor) is authorized to order the reabandonment of a previously plugged and abandoned well when construction of a structure over or in the proximity of the well could result in a hazard (Section 3208.1 of the Public Resources Code). If reabandonment is necessary, the cost of operations is the responsibility of the owner/developer of the property upon which the structure will be located. Furthermore, if any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required.

The Division suggests that a diligent effort be made to avoid building over any plugged and abandoned well in the event that gas should leak from the well. However, if construction over a plugged and abandoned well is unavoidable, an adequate gas venting system should be placed over the well.

1-1
cont.

Written approval from the Supervisor is required prior to changing the physical condition of a well. The project applicant must consult with the Division's district office in Sacramento to conduct any of the work mentioned above. The Division also recommends the wells within or in close proximity to project boundaries be accurately plotted on all future maps of this project, and a legible copy of the final project map be submitted to the Division.

1-2

Topics relative to natural gas were not analyzed in detail in the DEIR. However, the DEIR does note on page 5-5 (Xa.) that general plan implementation will not preclude natural gas extraction should developable resources subsequently be found. The DEIR should discuss this issue in more detail. While general plan implementation may not physically preclude gas extraction, it may affect the ability of gas operators to obtain new well permits in order to explore for new natural gas resources.

1-3

Finally, numerous wells have been drilled within the Davis Planning Area and it is probable that more will be drilled, provided that new drilling is permitted. As noted in the comment above, prior to construction, building sites should be reviewed to determine well locations, plugging and abandonment histories, and whether there is a need to install gas venting systems. Again, well location and other information about the wells can be obtained from the Division.

1-4

Thank you for the opportunity to comment on the DPEIR and DEIR. If you have questions on our comments, or require technical assistance or information, please contact Bob Reid at the Sacramento district office: 801 K Street, 20th Floor, MS 22, Sacramento, CA 95814-3530; or, phone (916) 322-1110. You may also call me at (916) 445-8733.



for Jason Marshall
Assistant Director

Enclosure

cc: Bob Reid

Division of Oil, Gas, and Geothermal Resources, Sacramento
Linda Campion
Division of Oil, Gas, and Geothermal Resources, Sacramento

Letter 1: California Department of Conservation, Office of Governmental and Environmental Relations (Jason Marshall) – March 1, 2000

1-1 The information is noted. The Davis Joint Unified School District (DJUSD) is subject to Division of Oil, Gas, and Geothermal Resources regulations for well abandonment and the proper protocols will be followed prior to school construction. In addition, state law requires the DJUSD to have potential school sites inspected by a registered environmental assessor for the presence of hazardous materials and wastes before acquiring such sites. Remediation is required before a school may be built on any such site.

This is a project-level EIR for the siting and acquisition of a new junior high school site for the DJUSD. At this time, the project has not been designed. New impacts related to site design would be subject to additional environmental review subject to the provisions of CEQA. Information regarding facility design and handling of the abandoned gas well would be evaluated once specific site design information is available.

1-2 This is a project level EIR related to the acquisition of a site for a new junior high school. When subsequent environmental analysis is undertaken by the DJUSD for the site-specific junior high school plan, the location of wells can be identified and a map prepared. Please see also the response to Comment 1-1.

1-3 As stated in the comment, the General Plan does not contain policies that will preclude natural gas extraction. In addition, the General Plan update provides for new development in a limited number of areas that have not been previously planned for development under the existing General Plan, and for the most part, the General Plan update maintains the urban form of the existing community. The General Plan update also encourages infill development within the existing urbanized area, thereby reducing sprawl into undeveloped areas. Natural gas exploration and development have occurred in the past, and the General Plan update does not modify the ability for this exploration.

1-4 This is a program EIR and is not intended to provide site-specific detail for individual projects. When individual projects are proposed, all requirements of the Division will be enforced.

State of California

The Resources Agency

MEMORANDUM

RECEIVED
KAP
City of Davis
Planning & Building

To: Project Coordinator
Resources Agency

Date: March 2, 2000

Bob Wolcott, Senior Planner
Davis Planning and Building Department
23 Russell Boulevard
Davis, CA 95616

Mr. Tahir Ahad
Davis Joint Unified School District
526 B Street
Davis, CA 95616

From: Department of Conservation
Office of Governmental and Environmental Relations

Subject: Supplemental Comments on the Draft Environmental Impact Report (DEIR)
for the Davis General Plan Update and Establishment of a New Junior High
School - SCH# 99072014

The Department of Conservation's Division of Land Resources Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act. The Division has reviewed the above DEIR and has the following comment regarding the public land acquisition portion of the project. (Please note that this is a supplemental comment to the comments we forwarded to you yesterday regarding oil and gas well safety.)

The DEIR on page 5A-31 states that there are no lands with active Williamson Act contracts within the planning area, therefore impacts related to Williamson Act conversion will not be addressed. However, the DEIR, Table 5A-2, notes that there are two sites including the proposed acquisition site for the high school (Signature site) currently undergoing contract nonrenewal.

It should be noted that public acquisitions of lands under Williamson Act contract for public purposes require notice of the Department of Conservation and Yolo County, and specified findings (Government Code Sections 51291-51292). These requirements apply until expiration of the contract on the Signature site.

Thank you for the opportunity to comment on the DEIR. If you have questions on the Williamson Act's requirements, please contact the Division at 801 K Street,

2-2

Messrs. Wolcott and Ahad
March 2, 2000
Page 2

MS 13-71, Sacramento, CA 95814; or, phone (916) 324-0850. You may also call me
at (916) 445-8733.

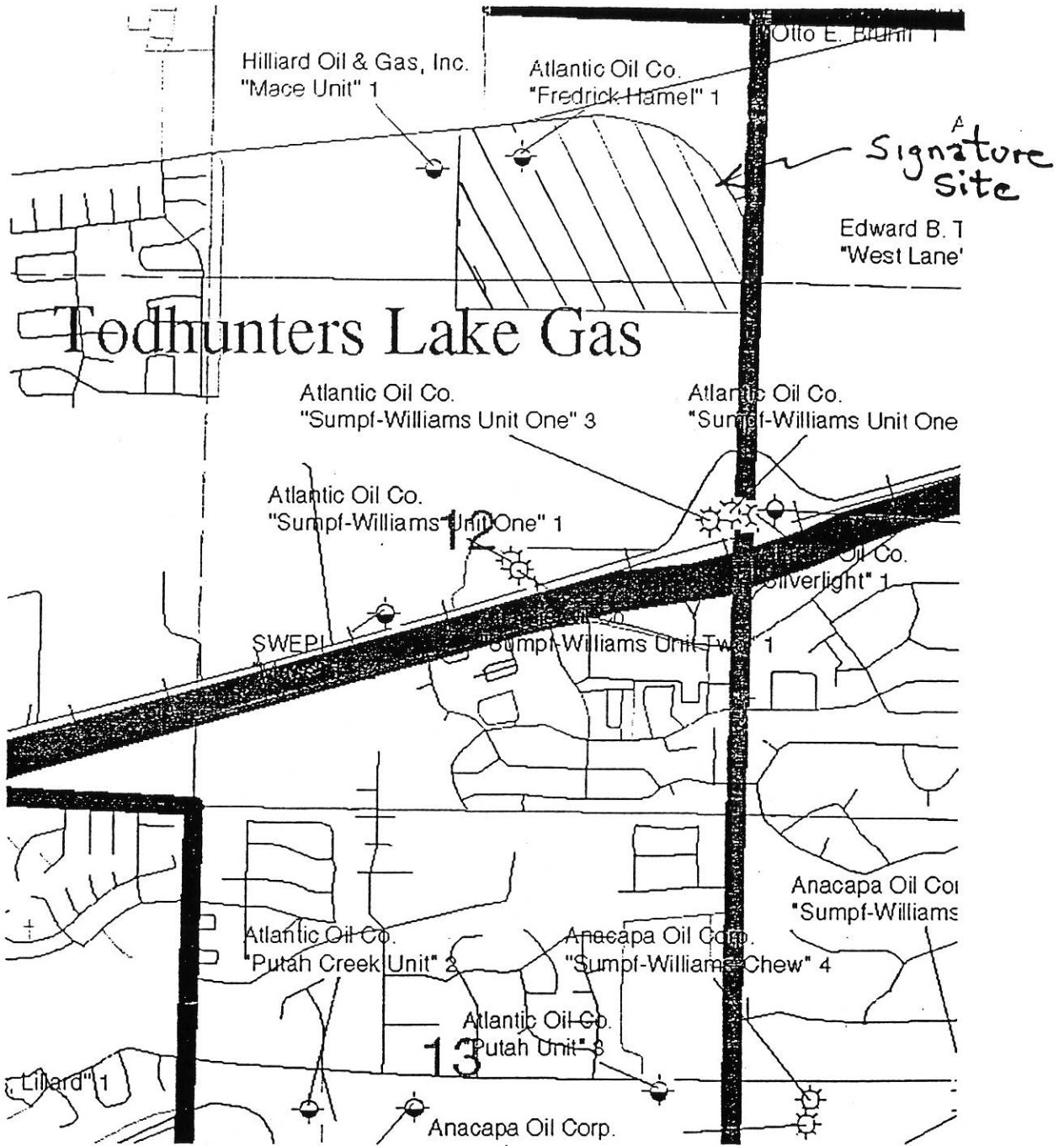


for Jason Marshall
Assistant Director

Attachment

cc: Luree Stetson, Assistant Director,
Division of Land Resource Protection

Yolo County Resource Conservation District



ATTACHMENT

Williamson Act Public Acquisition Provisions (Government Code 51291 - 51292)

51291.

(a) As used in this section and Sections 51292 and 51295, (1) "public agency" means any department or agency of the United States or the state, and any county, city, school district, or other local public district, agency, or entity, and (2) "person" means any person authorized to acquire property by eminent domain.

(b) Except as provided in Section 51291.5, whenever it appears that land within an agricultural preserve may be required by a public agency or person for a public use, the public agency or person shall advise the Director of Conservation and the local governing body responsible for the administration of the preserve of its intention to consider the location of a public improvement within the preserve. In accordance with Section 51290, the notice shall include an explanation of the preliminary consideration of Section 51292, and give a general description, in text or by diagram, of the agricultural preserve land proposed for acquisition, and a copy of any applicable contract created under this chapter. The Director of Conservation shall forward to the Secretary of Food and Agriculture, a copy of any material received from the public agency or person relating to the proposed acquisition. Within 30 days thereafter, the Director of Conservation and the local governing body shall forward to the appropriate public agency or person concerned their comments with respect to the effect of the location of the public improvement on the land within the agricultural preserve and those comments shall be considered by the public agency or person. In preparing those comments, the Director of Conservation shall consider issues related to agricultural land use, including, but not limited to, matters related to the effects of the proposal on the conversion of adjacent or nearby agricultural land to nonagricultural uses, and shall consult with, and incorporate the comments of, the Secretary of Food and Agriculture on any other matters related to agricultural operations. The failure by any person or public agency, other than a state agency, to comply with the requirements of this section shall be admissible in evidence in any litigation for the acquisition of that land or involving the allocation of funds or the construction of the public improvement.

This subdivision does not apply to the erection, construction, alteration, or maintenance of gas, electric, piped subterranean water or wastewater, or communication utility facilities within an agricultural preserve if that preserve was established after the submission of the location of those facilities to the city or county for review or approval.

(c) When land in an agricultural preserve is acquired by a public entity, the public entity shall notify the Director of Conservation within 10 working days. The notice shall include a general explanation of the decision and the findings made pursuant to Section 51292. If different from that previously provided pursuant to subdivision (b), the notice shall also include a general description, in text or by diagram, of the agricultural preserve land acquired and a copy of any applicable contract created under this chapter.

(d) If, after giving the notice required under subdivisions (b) and (c) and before the project is completed within an agricultural preserve, the public agency or person proposes any significant change in the public improvement, it shall give notice of the changes to the Director of Conservation and the local governing body responsible for the administration of the preserve. Within 30 days thereafter, the Director of Conservation and the local governing body may forward to the public agency or person their comments with respect to the effect of the change to the public improvement on the land within the preserve and the compliance of the changed public improvements with this article. Those comments shall be considered by the public agency or person, if available within the time limits set by this subdivision.

(e) Any action or proceeding regarding notices or findings required by this article filed by the Director of Conservation or the local governing body administering the agricultural preserve shall be governed by Section 51294.

51291.5.

The notice requirements of subdivision (b) of Section 51291 shall not apply to the acquisition of land for the erection, construction, or alteration of gas, electric, piped subterranean water or wastewater, or communication facilities.

Public Acquisition Findings:

51292.

No public agency or person shall locate a public improvement within an agricultural preserve unless the following findings are made:

(a) The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve.

(b) If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement.

Letter 2: California Department of Conservation, Office of Governmental and Environmental Relations (Jason Marshall) – March 2, 2000

- 2-1 The comment is noted. The DJUSD will comply with all notification requirements prior to acquisition of Williamson Act lands that are under contract nonrenewal and make the required findings pursuant to Government Code Section 51291 et seq.

DEPARTMENT OF FISH AND GAME

SACRAMENTO VALLEY AND CENTRAL SIERRA
 1701 NIMBUS ROAD, SUITE A
 RANCHO CORDOVA, CALIFORNIA 95670
 Telephone (916) 358-2900



February 14, 2000

RECEIVED

FEB 16 2000

City of Davis
 Planning & Building

Mr. Bob Wolcott, Senior Planner
 City of Davis Planning and Building Department
 23 Russell Boulevard
 Davis, California 95616

Dear Mr. Wolcott:

The Department of Fish and Game (DFG) has reviewed the Draft Program Environmental Impact Report (EIR) for the City of Davis General Plan Update and the Project EIR for Establishment of a New Junior High School, (SCH # 99072014). The General Plan Update will guide growth within the 160 square-mile area of the City's planning area, located in Yolo and northeastern Solano Counties. The Project EIR for the establishment of a new junior high school details impacts and proposed mitigation measures for four (4) alternative school sites near the City of Davis, Yolo County. This document identifies and mitigates for impacts related to two distinct projects, one affecting the planning area as a whole, and one affecting several site-specific areas. In order to address impacts specific to each, separate comments for each project are provided below.

City of Davis General Plan Update

The EIR details impacts and proposed mitigation measures for five (5) different alternatives resulting from a comprehensive update of the City's 1987 General Plan, and identifies an "environmentally superior alternative" (Alternative #3-Reduced Buildout Scenario). Chapter 5H (Biological Resources) describes vegetation and wildlife resources present in the City's planning area, summarizes impacts resulting from the implementation of each alternative, and proposes mitigation measures where impacts are considered to be significant without mitigation.

Pages 5H-7, 8 describe four different habitats identified in the DEIR as "Nonsensitive Habitat." Agricultural fields, non-native grasslands, and ruderal areas are included in this category. These habitat types are described as having moderate (agriculture and non-native grasslands) to low (ruderal) wildlife values due to such factors as low biological diversity, human disturbance, and lack of native vegetation. The DEIR states that agricultural lands are the "most

3-1

common land use and habitat type in the planning area” (page 5H-7), and “Most nonurbanized land within the planning area is currently used for agriculture, or had been under cultivation in the past” (page 5H-2). It is inaccurate to state that these lands, as well as lands not under active cultivation at this time (non-native grassland and/or ruderal habitats), have only moderate to low wildlife value. Agricultural lands, whether actively cultivated or fallow, are often the only habitat available to certain wildlife species. For example, the Federally-listed Endangered giant garter snake (*Thamnophis couchi gigas*) utilize agricultural land and irrigation ditches within the planning area. The State-listed Swainson’s hawk (*Buteo swainsoni*) forage almost exclusively in agricultural fields. The burrowing owl (*Athene cunicularia*), a DFG Species of Special Concern, is often found in ruderal areas. A prime example of this is the colony of owls currently inhabiting the Mace Ranch park site. The DEIR should be modified to reflect that lands designated as “non-sensitive” habitats, often provide important wildlife resources.

3-1 cont.

Pages 5H-8, 9 contain a list of categories under which special-status plant and animal species are defined and protected. California Fish and Game Code Section 3503 (Birds of Prey) should be added to the bird section of Category 9 - Animals Fully Protected in California. This code section should also be added to the Regulatory Setting section described on pages 5H-15-18.

3-2

The DEIR correctly states that significant impacts (Impact Bio-2- 7, pages 5H-26-42) will occur to biological resources under each of the alternatives described. Mitigation proposed to address these impacts consists of modifying existing, and adding new standards to the habitat policies in the General Plan (BIO-2.1, pages 5H-27-29). Comments for these specific measures are:

1. Hab 1.1n, last paragraph. It should be noted that biological surveys may be required in the listed habitats before it is determined that “no further mitigation will be required.”
2. Hab 1.1o. Should be modified to read “. . . approved by the agency(s) with regulatory responsibility, to develop appropriate site specific mitigation measures and to monitor construction activities . . .”
3. Hab 1.1p. Mitigation requirements for avoidance of impacts for certain sensitive species are often more complex than described in this section. This measure should be modified to state that these are minimum requirements to be met. Specific mitigation requirements/plans within the plan will be the minimum standard.

3-3

3-4

3-5

Chapter 7 of the EIR addresses cumulative and growth-inducing impacts of the proposed project. Impacts to agricultural lands are deemed significant and unavoidable (page 7-9). Since many of the area's biological resources are found on, or in some way utilize agricultural lands, it is incorrect to state that implementing the proposed project "would not make a considerable contribution to cumulative impacts to biological resources" (page 7-14). Even with the proposed mitigation measures, the project's land use conversions will result in the permanent loss of available wildlife habitat. The document should be modified to reflect that region-wide impacts from this project may result in significant cumulative effects on the area's biological resources.

3-6

New Junior High School

The proposed project analyzed by the Program EIR is the establishment of a new junior high school on the Signature site. It will be constructed on 90-acre parcel located at the intersections of Mace and Covell Boulevard. An assessment of biological impacts and associated mitigation measures for the preferred and alternative sites is provided in BIO-2, Chapter 2, Tables 2-5 and 6.

Significant impacts to biological resources, primarily impacts to special-status species, are identified for each site. Since the Yolo County Habitat Conservation Plan has not been adopted, the project applicant will be required to, depending upon the site selected, consult with the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and/or DFG for any required permits or management authorization agreements applicable for each impacted species. For example, mitigation for lost foraging habitat for Swainson's hawk will be required for development at the preferred site. For this reason, each of these agencies should be added to the Monitoring Agency section of Table 2-6.

3-7

Because these projects will have an impact to fish and/or wildlife habitat, assessment of fees under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4 is necessary. Fees for both projects are payable by the project applicants upon filing of the Notice of Determination by the lead agency.

3-8

Pursuant to Public Resources Code Sections 21092 and 21092.2, DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

3-9

Mr. Bob Wolcott, Senior Planner
February 14, 2000
Page Four

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Craig Stowers, Associate Wildlife Biologist, telephone (916) 691-2122 .

Sincerely,



Larry L. Eng, Ph.D.
Assistant Regional Manager
Wildlife, Fisheries and Environmental Programs

cc: Mr. Tahir Ahad
Davis Joint Unified School District
526 B Street
Davis, California 95616

Ms. Patricia Perkins
Mr. Craig Stowers
Department of Fish and Game
1701 Nimbus Road
Rancho Cordova, California 95670

Letter 3: California Department of Fish and Game (Larry L. Eng, Ph.D.) – February 14, 2000

3-1* The discussion of non-sensitive habitat beginning on page 5H-7 states that although these types of habitat are common, they may provide habitat for species of concern. In addition, the discussion lists many of the species that may utilize non-sensitive habitats. Special status species that utilize these lands are identified in the discussions of the sites being studied.

In order to clarify this point, the discussion on pages 5H-7 and 5H-8 will be revised to include the species identified in this comment.

3-2* The comment is well taken. While these species were included in the impact analysis, they were not clearly defined in the draft EIR. The discussion on pages 5H-9 will be revised accordingly and discussion of fully protected animals added to page 5H-16.

3-3* This comment is well taken. Mitigation Measure BIO 2-1 of the EIR identifies changes to Policy HAB 1.1 needed to increase its effectiveness. In order to clarify the operation of these changes, the last paragraph of Standard HAB 1.1n on page 5H-28 will be revised to specify that determinations are to be based on a biological survey.

3-4* This comment is well taken. Mitigation Measure BIO 2-1 of the EIR identifies changes to Policy HAB 1.1 needed to increase its effectiveness. In order to clarify the operation of these changes, Standard HAB 1.1o on page 5H-28 will be revised to specify that biologists are to develop appropriate site-specific mitigation measures.

3-5* This comment is well taken. Mitigation Measure BIO 2-1 of the EIR identifies changes to Policy HAB 1.1 needed to increase its effectiveness. In order to clarify the operation of these changes, Standard HAB 1.1p on page 5H-29 will be revised to specify that these are minimum requirements.

3-6 The contribution of a project to cumulative impacts is considered significant if that contribution is “cumulatively considerable” (State CEQA Guidelines Section 15130). As described in Section 5H of the EIR, the potential effects of the project will be rendered less than significant as a result of mitigation measures and General Plan provisions. Because of that, the project’s contribution to cumulative impacts of habitat loss will be less than considerable.

3-7* The comment is well taken. Table 2-6 will be revised as suggested.

3-8 The California Fish and Game Code (Section 711.4) currently requires the payment of a \$850.00 fee to the California Department of Fish and Game (DFG) upon the filing of a Notice of Determination (NOD) signifying the approval of a project. The fee is paid only once for each EIR and need not be paid when the NODs are filed for later projects that rely on that EIR. The City will pay the DFG fee upon filing the NOD for the General Plan EIR with the Yolo County Clerk.

3-9 The City will provide notice to the Rancho Cordova office of DFG of all hearings on the General Plan and a copy of the responses to DFG's comments at least 10-days prior to action on this EIR.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Office of the Director
1800 Third Street, Suite 450
P. O. Box 952051
Sacramento, CA 94252-2051
(916) 445-4775
(916) 323-2815 FAX



March 13, 2000

Mr. Robert Wolcott, Senior Planner
Planning and Building Department
City of Davis
23 Russell Boulevard
Davis, California 95616

| | | |
|--|--------------------------------|----------------|
| Post-It™ brand fax transmittal memo 7671 | | # of pages ▶ 4 |
| To Bob Wolcott | From Robert Mous | |
| Co. City of Davis | Co. Housing Policy Development | |
| Dept. Planning and Building | Phone # (916) 323-3180 | |
| Fax # (530) 757-5660 | Fax # (916) 327-2643 | |

RE: Draft Program EIR for the City of Davis General Plan Update (State Clearinghouse #1999072014)

Dear Mr. Wolcott:

Thank you for supplying our Department with a copy of the draft Program Environmental Impact Report (EIR) for the City of Davis General Plan Update and the Project EIR for the Establishment of a New Junior High School. We appreciate the opportunity to comment on the Program EIR for the General Plan Update. We have limited our comments to the Program EIR; we have no specific comments on the Project EIR for the establishment of a new junior high school. This review is provided pursuant to our department's express authority pursuant to CEQA; this authority includes housing, congestion in urban areas, building displacement and environmental effects with special impact in low-income neighborhoods, and regional comprehensive planning. (CEQA Statutes and Guidelines, 1999, Section 15205 and appendix B). As you know, we are also responsible for reviewing local housing elements to determine conformity with the requirements of State housing element law (Article 10.6 of the Government Code).

The California Legislature has repeatedly indicated in statute that housing is an issue of statewide concern.¹ Entities at the local, regional, and state levels all have had statutory responsibilities to plan for the state's housing needs for approximately the last 25 years. Judicial interpretation of general plan laws has also found the need to provide adequate housing to be a matter of statewide concern.²

California is experiencing a severe housing shortage, resulting in extremely high housing cost burdens, overcrowding, homelessness, and labor shortages in high job growth areas.

¹ See, for example, Health & Safety Code Sections 33250, 5001-5004, 5010; Stats. 1984, Ch. 1691; Stats. 1982, Ch. 1440, Sec. 1, subd. (a); Stats. 1981, Ch. 974, Sec. 1; Stats. 1987, Sec. 1; Stats. 1979, Ch. 1043, Secs. 1, 2.; and Government Code, Article 10.6, commencing with Sec. 65580.

² See Marina Point, Ltd. v. Wolfson, 30 Cal.3d 721, 743, 180 Cal. Rptr. 496, 640 P. 2d 115; Green v. Superior Court, 10 Cal.3d 616, 625, 111 Cal. Rptr. 704, 517 P2d. 1168; Bruce v. City of Alameda, 166 Cal. App. 3d 18, 21-22, 212 Cal. Rptr. 304).

Because an inadequate supply of housing drives up housing costs and renders housing unaffordable and inaccessible to many Californians, increasing commute distances and traffic congestion and air pollution, housing supply is an issue of statewide concern, critical to the public health and safety.³

If adopted as proposed, the updated Davis General Plan will further constrain the City's limited ability to accommodate regional housing needs. We note that the Draft EIR (page 2-9) acknowledges "... population growth under each alternative is fairly similar (Alternative 2, 10,794; Alternative 3, 7,645; Alternative 4, 9,666; Alternative 5, 11,030), employment changes are more dramatic. This coupled with increasing enrollment at UC Davis will lead to difficulties in meeting housing demands under all alternatives."

4-1

Recent voter approval of Measure J will only exacerbate this situation. In fact, the draft EIR acknowledges that UC Davis enrollment projection and Measure J, the Citizen's Right to Vote on Future Use of Open Space and Agricultural Lands Ordinance "have the potential for a significant effect on the physical environment of Davis." While the General Plan update proposes new policies with certain outcomes "to establish a distinct and permanent urban boundary/limit line", a policy which is reinforced by the requirements of Measure J, the draft General Plan update does not identify the specific parcels which are targeted to implement the policy for "moderate increases in allowable residential densities and increases in maximum floor area ratios in commercial land uses (as part of encouraging a compact city)." The draft EIR should be revised to include the specific parcels and the planned density increases that are planned. While the uncertainty created by the Measure J requirement that conversion of agricultural and open space land is subject to a public vote, the impacts of such a vote also require analysis. In addition, the time impact of an election upon residential development costs should be analyzed.

4-2

Furthermore, the parcels slated for infill housing at moderately increased densities should be analyzed for consistency with the following ongoing policies: 1) rezoning to increase existing residential densities may be approved only if such rezoning would not adversely impact the character of the existing neighborhood (policy LU A.1), and 2) encourage in-fill projects, which respect setback requirements, preserve existing greenbelts, and maintain desirability of existing housing (policy LU A.2).

4-3

Limitations on the supply of housing have a demonstrable effect upon housing costs in Davis. In fact, the draft EIR states that: "The City's vacancy rate reflects an undersupply of housing resulting in an imbalance between housing demand and supply" (page 5B-4 of the draft EIR). Data supplied by the Yolo County Board of Realtors and reported in the October 3, 1999 edition of the Davis Enterprise indicates that the average sale price of homes in Davis during the summer

4-4

³ See "California's Housing Markets 1990 - 1997, Statewide Housing Plan Update, Phase II, State of California Department of Housing & Community Development, January 1999.

of 1999 was \$227,941. In contrast the price of for sale housing within other communities in Yolo County and the Sacramento region is much lower. The draft EIR should be updated to supply data more recent than 1996. The Woodland Democrat reported on December 29, 1999 that a survey of rental vacancies conducted by UC Davis in the City of Davis found the rental vacancy rate to be .3 percent, a further decline of the 1998 vacancy rate of .7 percent and the lowest rental vacancy rate in Davis in at least a decade. During 1999, average rents in Davis rose 3.51 percent.

4-4 cont.

The housing impacts of the general plan update also creates incongruities with general plan visions slated for continuance: 1) celebrate and encourage a diverse cultural community and 2) identify and promote changes of those social structures, which limit equal access or participation on the basis of race, ethnicity, culture, age, education, religion, gender, sexual orientation, disability, or socioeconomic background.

4-5

Rising housing costs have a greater impact upon low and very low-income households. A disproportionate percentage of ethnic minorities are lower income households. An impact of the land use and housing policies of the City of Davis will be to discriminate in housing opportunities against ethnic minorities, who are members of a federally protected class.

The draft EIR also fails to consider the housing needs of agricultural workers (an occupation where workers are almost entirely members of a minority) needed as a result of the farmland preservation policies created in this document. Changes in agricultural cropping patterns, such as increased viticultural operations already underway in other areas of the county and in adjacent Colusa County as a result of high land costs in Napa County may spread to the Davis area as a result of these land use policies. This would result in an additional need for low income housing for farmworkers. The failure of Davis to provide sufficient land and market incentives for housing will result in increased numbers of farmworkers commuting to the Davis area for work resulting in increased traffic congestion and air quality degradation.

4-6

To determine what the moderate increases in allowable residential densities being proposed, the draft EIR should be revised to identify While the draft EIR notes UC Davis enrollment projections contained in the current Long Range Development Plan (LRDP) of UC Davis, the draft EIR fails to acknowledge that current LCDPs for all UC campuses (including the new UC Merced campus) only plan for accommodating a total enrollment of 192,900 in 2010-2011 (a systemwide increase of 39,300 students over 1998-1999) while the University of California anticipates an enrollment demand of 220,400 in 2010-2011 (page 78 of Educating the Next Generations of Californians in a Research University Context: University of California Graduate and Undergraduate Enrollment Planning Through 2010, February 1999). UC further states: "Because of continuing enrollment pressures and other campus and community changes, campuses now must consider again the appropriateness of their LRDPs... However, as a rough estimate, it does appear reasonable to think that existing campuses have the physical potential to

4-7

Mr. Robert Wolcott
Page four

enroll about 10,000 to 12,000 students above their current LRDP targets by 2010, if necessary.” Since UC Davis is the existing UC campus with the largest vacant acreage, it seems reasonable to presume that UC Davis will be asked to enroll a portion of this anticipated enrollment growth, creating additional housing demand by more students, faculty and staff. It is a matter of statewide concern that Davis provide housing opportunities for anticipated enrollment increases at campuses like UC Davis.

4-7 cont.

As UC Davis enrollment needs are of statewide importance, so too are the legal requirements that local jurisdictions plan for accommodating the regional housing need for all income groups. The draft EIR acknowledges that if the regional share numbers to be released by the Sacramento Area Council of Governments “... are similar to those issued for the current planning period (2,346 total units and 1,203 very low- and low-income units) none of the four alternatives will produce housing sufficient to meet those projected needs. Further, the City’s Affordable Housing Ordinance alone will not be able to require sufficient housing in new projects to meet the very low- and low-income need under any of the alternatives.”

4-8

The regional impacts of the land use and housing policies of the draft General Plan update upon issues of statewide concern are so fundamental that it is not likely they can be adequately mitigated. The acknowledged inability of the Davis General Plan to accommodate the City’s share of the regional housing need risks significant impact upon the environment by redistributing housing demand from local growth to other communities, thereby increasing traffic congestion and air quality impacts. This situation will become even more pronounced if the City implements new general plan policies to encourage economic development and increase the maximum floor area ratios in commercial land uses (pages 3-20 and 3-21 of the draft EIR).

Please contact Robert Maus (916) 323-3180, of our staff, if we can be of assistance.

Sincerely,



Cathy E. Creswell
Acting Deputy Director

**Letter 4: California Department of Housing and Community Development
(Cathy E. Creswell) – March 13, 2000**

4-1 The distribution and density of residential development in the community is a required component of the General Plan by land use designation as shown on the land use diagram. While the Housing Element needs to provide an assessment of available parcels to ensure that Housing Element policies can be met, this analysis was prepared during the 1991-1993 update to the Housing Element, which was certified as adequate by the Department of Housing and Community Development. Minor amendments to the Housing Element policies (for consistency with the draft General Plan Update and the analysis of available sites will be forwarded to HCD for its review prior to consideration by the City Council. As will be demonstrated to HCD with the proposed Housing Element revisions (and as stated on pages 5B21-5B24), the City currently maintains adequate sites to meet the most recent adopted fair-share needs. None of the identified sites are subject to Measure J. Ability to meet any future fair-share needs is provided by mitigation measure. Given the exact location of infill development within the planning horizon of the General Plan is speculative in nature, the General Plan projected an expected amount of infill in the City using the density standards stated in the General Plan update. These were then distributed to assess locational impacts such as traffic.

4-2 As stated in the State CEQA Guidelines (Section 15125a) and Chapter 4 of the draft EIR, existing conditions are normally assessed “at the time the notice of preparation is published”. This section further states, “This environmental setting will normally constitute the baseline physical conditions by which the lead agency determines whether an impact is significant. [emphasis added]”. Although the NOP for the General Plan was published in June 1999, the City established that baseline physical conditions for the draft EIR were assessed as the conditions that existed in the planning area on January 1, 1998.

City voters enacted Measure J in March 2000, after the release of the draft EIR. Pursuant to Section 15125, Measure J need not be evaluated in this EIR.

The basic provisions of Measure J are discussed in the Executive Summary of the draft EIR beginning on page 2-17.

4-3 This is a program EIR and is not intended to provide site-specific detail for individual projects. The questions of whether the proposed General Plan policies are consistent with State Housing Element Law and whether the provisions of the General Plan are internally consistent, as required under State Planning Law are questions of law and outside the scope of this environmental analysis.

4-4 The EIR evaluates the environmental impacts associated with the implementation of the General Plan update. The discussion of home prices and vacancies was based on data provided in the Housing Element itself. The current City of Davis Housing Element has been determined to meet legal requirements. This General Plan update is not intended to be the revision to the Housing Element due June 30, 2002. The recommended policy amendments in this General Plan update will be transmitted to HCD in accordance with

state law. The comment relates primarily to whether the proposed General Plan policies are consistent with State Housing Element Law and whether the provisions of the General Plan are internally consistent, as required under State Planning Law. Questions of law on the adequacy of the Housing Element are outside the scope of this environmental analysis. The determination that the City's growth management policies will adversely affect housing prices is too speculative for consideration as a potential environmental impact. The price of housing in Davis is more affected by regional and national changes in the economy than it is by localized factors, such as growth management. On a local level, it is likely that Davis will continue to maintain higher housing costs than the remainder of Yolo County because of its reputation for good schools, parks and greenbelts, and safety. Moreover, housing cost is not an issue subject to CEQA, which addresses only the physical condition of the environment.

- 4-5 The comment states that policies leading to a rise in housing costs are discriminatory against ethnic minorities, a federally protected class. Please see the response to Comment 4-4 on the issue of City policies leading to an increase in housing prices. Although the City disagrees that a potential increase in housing prices is unlawful discrimination against ethnic minorities, this issue is not an issue subject to CEQA, which addresses only the physical condition of the environment. The California Department of Housing and Community Development will have the opportunity to raise issues of consistency with the requirements of Housing Element law when the proposed policy amendments are submitted for state review, in accordance with the requirements of general plan law.
- 4-6 See responses to Comments 4-4 and 4-5, regarding housing policies and CEQA review. The determination whether there will be a greater number of farmworkers in Yolo County as a result of revised cropping patterns is too speculative for consideration in this EIR. In addition, determining the impacts on traffic and air quality of farmworkers commuting from one non-Davis location to another non-Davis location is beyond the purview of the City of Davis or the scope of the EIR.
- 4-7 The enrollment figures used in the EIR come from the current UC Davis Long Range Development Plan. Other enrollment numbers are speculative in nature and need not be analyzed in the EIR. See Master Response E.
- 4-8 Please see Master Response F.

DEPARTMENT OF TRANSPORTATION
DISTRICT 3
P.O. BOX 911
MARYSVILLE, CA 95901
TDD Telephone (530) 741-4509
Facsimile (530) 741-4145
Telephone (530) 741-4455

Letter 5



March 10, 2000

LYOL002
Draft Program EIR for City of Davis General Plan Update and
Project EIR for Establishment of a New Junior High School
03-YOL113 PM 0.924
EIR
SCH #1999072014

Robert Wolcott
City of Davis
23 Russell Boulevard
Davis, CA 95616

Dear Mr. Wolcott:

Thank you for the opportunity to review and comment on the Draft Program EIR for City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School.

COMMENTS:

In the original letter of July 27, 1999 responding to the NOP there were five comments. The three that were not answered or addressed are still of concern (Attached is a copy of the previously sent letter).

- In the I-80/Richard's Boulevard area the extent of future traffic congestion should be described by estimating how far vehicles will be queued in relation to driveways and ramp intersections in the area. 5-1
- At the I-80/Mace Boulevard interchange, the intersections on the south side of the interchange, including the I-80 eastbound ramp intersection with Chiles Road, should be analyzed for AM peak hour traffic as well as PM peak hour. 5-2
- The future traffic volumes on I-80 on the east side of Davis should be described for both the AM and PM peak hour for each alternative. 5-3

Additional Comments:

- The City should reconsider their new LOS policy as described in Project Description Chapter 3, page 3-20, in the vicinity of State operated highway and freeway facilities. The peak hour criteria in the new policy does not recognize these interfaces with the local systems where the new policy is less restrictive in performance of the facilities. A transition area of 1/4 to 1/2 mile from interchanges should be recognized to allow service needs and policies of the state jurisdiction. This exception to the new policy should not prevent the City from achieving the overall goal of reducing vehicular traffic in the neighborhoods and downtown areas. 5-4

- In Chapter 5-D Traffic and Circulation - Standard MOB 0.2 item b. A limit on the number of through automobile lanes is set at four. There should be an allowance for the areas adjacent to State System routes. A transition area of 1/4 to 1/2 mile from interchanges should be recognized to allow for transition facilities between the interregional and local transportation systems. Safety in the interchange ramp areas is of the major concern. Queue lengths, created by the allowance of less restrictive LOS and underbuilt facilities in the local system, may create safety problems on the ramps. Exceptions in these areas should allow additional lanes to be provided to meet the safety and service level objectives of the State System. 5-4 cont.
- In Appendix B-2 Access Evaluation for the Proposed New Junior High School the impacts to the ramps on I-80/Mace Boulevard should also be evaluated. The existing performance of the eastbound ramp I-80 is already at LOS E as depicted on Table 5D-6, Chapter 5D Traffic and Circulation on page 5D-12. 5-5
- Chapter 5D, Traffic and Circulation, does not address the following two important transportation system improvements.
 - In association with the widening of the Mace Blvd. Overcrossing of Interstate 80, a Park & Ride lot will be built on the northeast side of the interchange. Caltrans did not find reference to this project in the document. The Park & Ride project is scheduled to begin immediately following the completion of the Overcrossing widening project, in the year 2001. It is expected that Yolo Bus will provide inter-city express and local bus service from this location. The project and likely bus services from the location should be addressed in the document. 5-6
 - The Sacramento Area Council of Governments 1999 Metropolitan Transportation Plan (MTP) includes High Occupancy Vehicle (HOV) Lanes on Interstate 80 between Richards Blvd. in Davis and the 50/I-80 split in West Sacramento. The Planned completion year, according to the adopted MTP is 2010, the end of the planning horizon for the subject General Plan Update. The HOV lane and likely usage by Davis commuters should be addressed in the document.

If you have any questions regarding these comments, please contact Bruce de Terra at (916) 327-2135.

Sincerely,


JEFFREY PULVERMAN, Chief
Office of Regional Planning

Attachment

Cc: Tahir Ahad, Davis Joint Unified School District
Scott Sauer
Michael August
Bruce de Terra

ATTACHMENTS TO LETTER 5

DEPARTMENT OF TRANSPORTATION

DISTRICT 3, SACRAMENTO AREA OFFICE - MS 41
P.O. BOX 942974
SACRAMENTO, CA 94274-0001
TDD Telephone (916) 741-4509
FAX (916) 323-7969
Telephone (916) 324-8642



July 27, 1999

KYOL036
03-YOL-80 P.M. 0.233
Davis General Plan Update
Notice of Preparation
SCH#99072014

Mr. Bob Wolcott, Project Manager
Planning and Building Department
City of Davis
23 Russell Boulevard
Davis, CA 95616

Dear Mr. Wolcott:

Thank you for the opportunity to review the above referenced project. We have the following comments regarding the Davis General Plan update:

- Although the Transportation/Traffic section of the Notice of Preparation (NOP) proposes to analyze the traffic and circulation and impacts that may be generated by the General Plan update, the areas surrounding the Interstate 80 (I-80) and State Route (SR)113 freeways are not clearly depicted on the maps attached to the NOP. The existing transportation routes need to be more clearly defined and described in order to show where the various intersections and freeways to be studied (as indicated on the environmental checklist) are located.
- With reference to the Transportation/Traffic Analysis Methodology on Page 20, the effects of the various general plan alternatives on regional vehicle miles traveled (vmt) should be considered.
- In the I-80/Richard's Boulevard area the extent of future traffic congestion should be described by estimating how far vehicles will be queued in relation to driveways and ramp intersections in the area.
- At the I-80/Mace Boulevard Interchange, the intersections on the south side of the interchange, including the I-80 eastbound ramp intersection with Chiles Road, should be analyzed for AM peak hour traffic as well as the PM peak hour.
- The future traffic volumes on I-80 on the east side of Davis should be described for both the AM and PM peak hour for each alternative.

Mr. Bob Wolcott
July 27, 1999
Page 2

Please provide our office with the DEIR and the requested information regarding the General Plan update. If you have any questions regarding these comments, please contact Ken Champion at 916-324-6642.

Sincerely,

ORIGINAL SIGNED BY:

JEFFREY PULVERMAN, Chief
Office of Regional Planning

c: Jeff Loux, City of Davis Planning
Mosie Boyd, State Clearinghouse

bc: Jim Brake, Office of Traffic Operations
Mike Forga, Special Funded
Kome Ajise, Office of Advance and System Planning
Doug MacIvor, Office of Travel Forecasting
Karl Dreher, Project Manager - West
Susan Wilson, SACOG Liaison
Bruce de Terra, SACOG Liaison
Ken Champion, District 3 - Yolo County LDR Coordinator

**Letter 5: California Department of Transportation (Jeffrey Pulverman) –
March 10, 2000**

- 5-1 As the commenting agency is well aware, congestion in the Richard's Boulevard area near Interstate 80 has been extensively analyzed, particularly in 1996 when the City was evaluating adoption of the Gateway/Olive Drive Specific Plan, as well as the proposed widening of Richards Boulevard where it passes under the railroad. The City Council ultimately approved the Gateway/Olive Drive Specific Plan and rejected the Richards underpass widening. Based on a request from Caltrans at that time as related to the Gateway/Olive Drive Specific Plan EIR, the City commissioned a Queuing Analysis of the Richards Boulevard Corridor. It is reprinted in Appendix A of this final EIR.

In general, the Queuing Analysis demonstrated that in 2010, Richards Boulevard will not experience queuing problems worse than then-current conditions during the AM and PM peak. It was concluded, however, that queuing on side streets (southbound E Street at First Street and westbound First Street at Richards Boulevard) might worsen under specific assumptions. In both cases, however, the side streets were shown to have queuing capacities in excess of the predicted worst-case queuing. In summary, with full buildout of the General Plan and the Gateway/Olive Drive Specific Plan, the queuing analysis showed no significant impact on the freeway ramps or Caltrans operations.

Under all land use alternatives for the proposed General Plan currently under study, land use assumed for the Gateway/Olive Drive Specific Plan is substantively lower than the buildout assumption used in the 1996 Queuing Analysis. Alternatives 2, 4, and 5 assume 50 percent buildout at 2010. Alternatives 1 and 3 assume no development. In any case, the Queuing Analysis remains applicable and reflects a conservative prediction of future queuing.

- 5-2 The proposed General Plan examines alternative future land use scenarios; however, no construction-level entitlements are being sought at this time. As such, it is entirely appropriate to perform daily (ADT) analysis as opposed to peak period (AM/PM) intersection analysis, as suggested by the commenter. The Davis Technology Campus proposal has been factored into the ADT analysis for relevant land use alternatives.

To perform AM/PM peak hour intersection analysis would require identification of turning movements for all relevant intersection approaches. It would be entirely speculative to make assumptions regarding future movements of vehicles for each approach of potential relevant intersections, when in most cases no information is known regarding site design, land use, or occupancies of sites being considered for land use change. The only project that appears to carry the possibility of triggering worsened intersection analysis on the south side of the interchange is the Davis Technology Campus. Should a decision be made to designate this property for future development, a project-level CEQA analysis would be required that would provide the type of detailed information the commenter seeks.

- 5-3 Presumably the commenter is seeking an AM/PM peak hour analysis for the segment of I-80 between the causeway and Mace Boulevard. This is well beyond the scope of the ADT analysis performed for the EIR. Furthermore, the City is in no position to speculate as to future traffic on this portion, or any portion, of I-80. This would clearly be an analysis of regional scope, more appropriately performed by Sacramento Area Council of Governments (SACOG) or Caltrans. Furthermore, traffic in this segment of I-80 is likely multi-jurisdictional in both origin and destination.
- 5-4 The City is not planning to change their LOS policy identified in the General Plan to adhere to Caltrans' standard for the ¼- to ½- mile area near highway interchanges. While the City recognizes that the local street system interfaces with the state highway system interchanges, they feel that the limits of this interface end at the interchange intersections themselves. City standards are considered to apply at points beyond the intersections. Additionally, the City wants to maintain a character that is consistent with the community. To keep with this philosophy, the City does not wish to widen city streets beyond those widths identified in the General Plan.

Ultimately, in areas of adjoining jurisdiction or responsibility, a "line" must be drawn defining where the responsibility of one entity ends and another begins. The appropriate "line" in this case is the end of the ramps. Future traffic impact analyses will have to examine and describe existing and future conditions in these areas and apply the varying LOS standards, as appropriate. There are varying standards in effect now. The City currently uses LOS C and Caltrans uses LOS D. Furthermore, it should be pointed out that there is no evidence that the proposed new City standard would adversely affect the State's ability to maintain the State standard on State facilities. In other words, these are not mutually exclusive standards. It will be incumbent on both jurisdictions to continue to work together to achieve solutions to service problems.

The City has maintained a maximum limit of four lanes for local roadways since at least 1987. This aspect of the proposed General Plan may be worded slightly differently but is essentially the same as that governing policy for the last 13 years. In past site-specific traffic analyses, the City has always taken the approach of describing impacts but overriding them based on policy if the only feasible mitigation identified was widening beyond four lanes. For the same reasons stated above, the City does not support the concept of a "transition" mitigation zone on local streets. As shown by the last 13 years of experience, there is no evidence of decreases in safety as a result of the application of this policy on local roadways within ¼ to ½ mile of State facilities. There is also no evidence that the application of this policy locally has adversely affected State service objectives.

- 5-5 The I-80/Mace Boulevard ramps are currently being widened. This reconstruction, when completed, will improve traffic operations at this location. The ADT analysis performed for the project examined traffic over the freeway. The City does not anticipate that local traffic to and from a junior high school at the Signature site would have any affect on the Mace freeway ramps or the freeway mainline. However, it should be reiterated (and the EIR makes clear) that the School District will ultimately have to reexamine the issue of

CEQA impacts, including traffic and circulation, upon determination of location and site design for the new junior high. If it appears at that time, based on site-specific conditions, that there is a potential for significant traffic and circulation impacts, additional CEQA analysis would be required.

- 5-6 The Park and Ride lot to which the commenter makes reference is a programmed, long-planned public improvement. Prior plans assumed it would be located in the northwest quadrant of I-80/Mace, and it is identified as such on the land use plan for the proposed General Plan. The “revised” location to the west side of Mace would not be visible on the City’s proposed general Plan map, as that quadrant falls under the jurisdiction of the County, not the City. The appropriate CEQA clearance for the northeast location is presently under preparation by the City. Final site approval at the local level involves a complicated set of land exchanges that are not yet complete. It should be assumed that the land use designation on the northwest side will eventually be modified to reflect the relocation of the lot and new land uses at the original location, however, that must also go through a public review process and appropriate CEQA clearance.


As an origin and destination of vehicle trips, the site is assumed in the ADT analysis for the proposed project.

The HOV lane project to which the commenter refers is outside the scope of the General Plan EIR and outside the control and responsibility of the City. We assume the CEQA/NEPA analysis of the HOV lane project, or perhaps the MTP, addresses the question posed by the commenter. Nevertheless, as evidenced in the results of the ADT analysis, the proposed General Plan does not appear to include any projects that are likely to have any substantive affect on the freeway. All projects have been examined in the ADT analysis, and an approximation of daily trips has been made for the purposes of the EIR assessment. As noted earlier, project-level CEQA analyses will be required of future development projects, should any be so designated.

Memorandum

March 13, 2000

TO: Bob Wolcott, Senior Planner

FROM: Anne Brunette, Community Partnership Coordinator 

SUBJECT: General Plan EIR comments

I have the following comments that should be addressed in the Final EIR for the General Plan:

Page 5C-6, 7 and various other pages - The EIR makes reference to the city providing an additional 300 acres of park. Currently planned parks do not total 300 acres. I believe the discrepancy may be a result of the Golf Course expansion being removed from the Land Use Element. The expansion was removed from the map but not the tables.

6-1

Page 5C -6 and various other pages - The General Plan and EIR should be corrected to show Slide Hill Park as a neighborhood park. Based on the current Draft General Plan description Slide Hill Park no longer fits the category of Community Park. The correct designation should be reflected in the General Plan EIR. The Parks and Recreation Master Plan will be corrected following the adoption of the General Plan.

6-2

I have several comments about the Draft General Plan. The comments are minor corrections and edits and will not affect the EIR. They will be sent under separate cover.



Letter 6: City of Davis Community Partnership Coordinator (Anne Brunette) – March 13, 2000

- 6-1* Comment noted. The reference to 300 acres on page 5C-6 has been corrected. The General Plan land use map will be modified to change the designation of the municipal golf course site to “Agriculture/Golf Course”.
- 6-2* The commenter’s point regarding Slide Hill Park is well taken. However, the comment does not affect the overall adequacy of the EIR and the EIR’s evaluation of park and recreation facilities impacts. No further response is required.

Memorandum

March 13, 2000

TO: Bob Wolcott, Sr. Planner

FROM: Mike Goodison, Administrative Analyst II

MA

SUBJECT: Natural Resources Commission Comments on Draft Environmental Impact Report for the City of Davis General Plan Update

The Natural Resources Commission met on February 28, 2000 to review and comment on the final draft General Plan Update and the draft Environmental Impact Report (EIR). At that meeting the commission unanimously decided to submit the following EIR comments and specifically address one proposed General Plan goal:

General Plan
MOB 0.2 a., page 99

The Natural Resources Commission recommends the City Council reconsider the proposed policy of allowing Level of Service F to be acceptable during peak traffic hours due to the impacts on air quality and the uncertain benefits of noise reduction.

7-1

Environmental Impact Report

General Comments:

1. For the record, the commission wanted to highlight the fact that significant air quality impacts are notable for all growth alternatives shown in the EIR (except the No Project Alternative).

7-2

2. Although each alternative could be modified to include portions of other alternatives, it appears there could be an additional alternative modifying Alternative 2 (c.g., Alternatives 2-A) which would incorporate the Signature site. Also, why is the Signature site not part of Alternative 3. The need for a second junior High School is evident for any alternative.

7-3

3. Format comment: on pages 3-12 and 3-13, delete items GOAL MOB 8 through 11, since they duplicate items 4 through 7.

7-4

4. Word usage: search the text and verify the proper use of "effect" vs. "affect".

7-5

Specific Comments:

Chapter 5A. Land Use, Aesthetics, and Hazardous Materials:

Page 5A-2 Hazardous Materials

The text references a 1995 annual report, which refers to the status of 8 hazardous waste sites in Davis. The text then mentions that 5 of the sites are former or current underground storage tanks and the other 3 sites are government and industrial sites. The text continues to state that the condition and levels of remediation ranges from approval of work plans to almost complete remediation. This brief discussion of hazardous waste sites in Davis is inadequate or incorrect for several reasons:

1. No map is present in the body of the text nor in the appendix that indicates the location of the hazardous waste sites in Davis.
2. The proximity of the hazardous wastes sites to any of the General Plan sites being studied is not shown.
3. Hazardous waste sites in Davis have been monitored since 1995; current information is not referenced.
4. A discussion of the chemicals and nature and extent of contamination and potential impact on any of the General Plan sites is missing.
5. Remediation is far from complete at the Frontier Fertilizer site, which is in the proximity to three of the General Plan sites being studied (Under Second Street, Mace Ranch, and Signature Site).
6. EPA risk assessment data that is available for the Frontier Fertilizer hazardous waste site is not mentioned.
7. The contaminated ground water plume at Frontier Fertilizer and impact to the General Plan sites is not mentioned.

7-6

Based on the text as written, the reader is left with the impression that hazardous waste sites in Davis are insignificant or remediated and have no potential impact on the General Plan sites being studied. The text should be corrected as indicated above.

Table 5A-3, page 5A-21
Summary of Land Use, Aesthetics, and Hazardous Material Impacts by Land Use Map
Alternate

Table 5A-3 contains a column, Project Impacts, and lists Impact LU-6: Exposure to Hazardous Materials with "S" indicated for all General Plan sites being studied. The letter "S" stands for "Significant, but can be reduced to less than significant with mitigations included." There is no discussion in the text that substantiates this statement. Page 5A-38, and Tables 5A-3 and 5A-10, includes a discussion of impact LU-6; this discussion focuses mostly on the current use of hazardous materials (such as fuels, cement, and construction related materials) at each General Plan sites being studied. The text does not mention the existence of the hazardous wastes sites

7-7

(referenced earlier on page 5A-2) or the potential impact of the hazardous waste sites to the General Plan sites being studied. The text does mention in one sentence that construction workers could be exposed to pesticides and herbicides during construction but there is no reference to how this is possible; it appears the text may be referring to the agricultural practices for those General Plan sites affected. However, due to the proximity of the Frontier Fertilizer hazardous waste site to some of the General Plan sites being studied, potential exposure to construction workers from the Frontier Fertilizer site should also be explored.

7-7 cont.

Exposure to hazardous materials does not appear equally likely at all General Plan sites being studied, nor for all the same reasons. It is not clear to the reader if the exposures discussed in this text and tables are related to the discussion of the eight hazardous waste sites mentioned on page 5A-2. Tables 5A-3, 5A-10, and the associated text should be revised to differentiate the current use of hazardous material or agricultural practices as opposed to the impact from the hazardous waste sites in Davis. Furthermore, the text does not seem to match the information in Attachment B in Appendix A on Hazards and Hazardous Materials. Therefore, the text should be revised to clarify which General Plan sites being studied are impacted by these two different scenarios of hazardous chemical exposure (current use hazardous materials or agricultural practices versus hazardous waste sites.) Both types of hazardous material exposure scenarios may not impact all General Plan sites being studied.

**Page 5A-41
Mitigation Measures**

The mitigation measure for hazardous materials does not include any consideration for worker exposure due to the hazardous waste sites in Davis. It is recommended that the following statement be added: "the City of Davis would provide up-to-date information on the nature and extent of contamination and risk assessment to any contractors, prior to construction, for those General Plan sites potentially impacted by the hazardous wastes sites in Davis".

7-8

Pages 5A-24 and 5A-26

Beginning with the last paragraph on page 5A-24 through the first 6 lines on page 5A-26, this discussion of policy changes is associated with Alternatives 3, 4 and 5 yet is included with only Alternative 3. This seems confusing. It is suggested that this becomes a separate section titled policy changes and the section referenced with the impacts of each alternative.

7-9

Also, the commission does not understand how Alternative 4 and 5 have a positive affect on land use and aesthetics as stated in the report. Each of these alternatives are expansive, especially Alternative 5 which extends beyond the City Limits. Alternative 5 would not be conducive to pedestrian traffic due to the lack of sidewalks, bike paths and the narrowness of Chiles Road. Alternative 5 also would require the expansion of public transit and infrastructure; while being far removed from any type of in-fill project. The commission does not agree that the policy changes provide a "less than significant" impact related to these two alternatives as they are contrary to some of those policy changes.

7-10

Chapter 5E, Air Quality:

Appendix C

The appendix is light on details. There is nothing on the emissions from area sources, for example, on page C-3, a mixing height of 1000m is winter under calm conditions with an inversion seems pretty high. Is there documentation to back it up? The meteorological conditions need to be documented or revise them as appropriate.

7-11

Page 5E-4

There is no mention of PM-2.5. Although the standards have been rejected by the courts, there probably should be some mention of PM-2.5 and the pending standards.

7-12

Page 5E-10

How do the assumptions affect the calculated air quality. Specifically, it is assumed that construction will take place 250 days per year. Does that mean 250 consecutive days, or not on Sunday, or not on weekends? If weekends are not included, it means construction occurs virtually all year. If only Sundays are excluded, construction lasts about 10 months. It's not clear how these scenarios may affect the emissions calculation. It's also unclear how the paving schedule was incorporated into the calculation.

7-13

Page 5E-16

Why is 82 pounds per day the criterion for significance?

7-14

Page 5E-17

Were the most recent construction emission factors used? They've been recently updated (within the past year or so) and are lower now than earlier.

7-15

General

The average daily traffic (ADT) on Sycamore Lane north of Covell is listed at 11,200. This seems very high. Is this just the segment from Covell to Alvarado or Covell to the Marketplace entrance?

7-16

Chapter 5F. Noise

**Page 5F-16, NOI-2.1.
Acoustic Studies**

“Acoustic studies for all proposed projects” will be expensive. There should be some attempt to balance the benefits to be gained against the fiscal burdens incurred by exhaustive studies. Criteria should be developed as to size and significance on the proposed project which would require an acoustic study.

7-17

**Page 5F-17, NOI-2.2.
Construction Mitigation**

This provision will give the City the power to enforce the specifically listed construction practices. Guidance should accompany the enforcement directives such as issuing warning or notices, prior to levying fines, etc., so as to protect against claims of “arbitrary enforcement.”

7-18

Chapter 5G. Hydrology and Water Quality

Figure 5G-1

Although this figure is correctly identified to show areas within the 100-year floodplain, it should also identify the significant drainage and receiving systems (i.e. North and West Ponds; retention/detention basins; creeks; sloughs; etc.) referenced throughout the text.

7-19

Page 5G-8

Goal HAZ. 1.1c calls for development measures with protect structures from floods. However, it does not specify whether this is protection for only on-site structures or whether it includes structures (i.e., residential; commercial; etc) in areas near the development. Any development in a flood plain would alter drainage patterns that could increase the likelihood of flooding in surrounding (up gradient or down gradient) areas. This policy is used to indicate that impacts would be “less than significant” for all alternatives. This would not be true if the policy is only reflective of structures on-site. If the development were to impact up gradient or down gradient structures, the impact would be significant; therefore requiring mitigation. This needs to be clarified on page 305 of the General Plan Update.

7-20

Figure 2-1

The I-80 symbol is misidentified in the southwest corner of the figure. It is shown on the railroad track rather than the freeway.

7-21

J:\pw\adm\nrc\General Plan Comments

**Letter 7: City of Davis Natural Resources Commission (Mike Goodison) –
March 13, 2000**

- 7-1 Comment noted. The EIR evaluates the LOS change as described in the draft General Plan. Since the comment requests a change to the draft plan and is not a comment on the adequacy of the environmental analysis, no further response is required.
- 7-2 Comment noted. As described in Section 5E of the draft EIR, Alternatives 3, 4, and 5 will result in significant and unavoidable impacts on air quality. Increases in emissions resulting from construction and from additional traffic at the buildout of the existing General Plan as amended (No Project Alternative) would have a significant and unavoidable impact on regional air quality.
- 7-3 CEQA and the CEQA Guidelines require the City to select a reasonable range of feasible alternatives to the project. Because the project in this instance is the City General Plan, the City has chosen to examine three feasible alternatives (Alternatives 3, 4, and 5) and the No Project Alternative (Alternative 2) at an equal level of detail.
- Alternative 2 (No Project Alternative) describes a scenario wherein the City would continue to develop under the existing General Plan. Because a junior high school would require a General Plan amendment in order to accommodate the necessary physical plant, it would not properly be included in a scenario where no land use map amendments are being considered.
- Alternative 3 (Reduced Buildout) describes a scenario where growth would be limited to that which is already entitled. Again, because the junior high school would require additional General Plan amendments, it would not properly be considered under this scenario. The City Council, however, may select a land use alternative that combines components from Alternatives 2 through 4, and the components could include a junior high school site such as the Signature site.
- 7-4 Comment noted. Goals MOB 8 through 11 and related policies, standards, and actions on pages 131-137 of the General Plan are inadvertent duplicates of Goal MOB 4 through 7 and related policies, standards, and actions on pages 123-131. This mistake is being corrected in the General Plan.
- 7-5 Comment noted. While the words “affect” and “effect” may have been used incorrectly in a few circumstances, this editorial change does not impact the findings presented in the EIR. Modifications are provided in Chapter 4 of this final EIR to provide clarification for wording that impacts the findings presented in this EIR. Since the word choice is a grammatical rather than substantive change, this comment is noted, but modifications are not included in Chapter 4 of this final EIR.
- 7-6* This is a program EIR and is not intended to provide site-specific detail for individual projects. When subsequent environmental analysis is undertaken for the site-specific

activities, the location of hazardous materials and waste sites will be specifically identified and remediation requirements described in detail.

However, the information provided by the Committee is pertinent to the generalized discussion of hazardous materials contained in the EIR. The Frontier Fertilizer property at 4303 and 4309 Second Street is a Federal Superfund clean-up site administered by the U.S. EPA. Groundwater beneath the site has come into contact with pesticide and fertilizer contaminants from operations at the site that continued into the late-1980s. Since 1995, the EPA has operated interim on-site filtration and injection wells to remove and clean contaminated groundwater. Monitoring wells have been installed on the Frontier Fertilizer site, as well as in the Mace Ranch development to the north, to define the extent of groundwater contamination. A final groundwater remediation system is expected to be in place by mid-2001. The City of Davis pumps domestic water from one of the aquifers that underlies the Frontier Fertilizer site, however, that aquifer is not affected by the contaminant plume. The text on page 5A-2 has been revised to reflect this general information about the site.

- 7-7* This is a program EIR and is not intended to provide site-specific detail for individual projects.

The text discusses the general levels of potential impact from hazardous materials and wastes. This discussion is not intended to be inclusive. As explained in Impact LU-6, the overall potential for exposure during construction or operations is similar among the alternatives. Mitigation Measure LU-6.1 on page 5A-41 is written to address both construction exposure and the need for Phase 1 or Phase 2 assessments of potential site contamination. The measure is being revised to clarify these requirements.

The initial study checklist identified the threat of hazardous materials exposure as "potentially significant." With the mitigation measure identified in the EIR, that threat is reduced to a less-than-significant level. Site-specific development may encounter conditions which pose a greater threat or that require remediation, however an investigation of the potential levels of contamination of all land within the City planning area is beyond the scope of this program EIR.

- 7-8* Exposure is not likely; however, Mitigation Measure LU-6.1 will be revised accordingly (see Chapter 4 in this document for changes).

- 7-9* The comment is well taken. To clarify the information presented, a new title will be inserted after the second paragraph under Alternative 3 to clarify that these policy changes apply to the later discussions of Alternatives 4 and 5. Since Alternative 3 is focused on development for which entitlements already exist, the discussion is not intended to apply to it.

- 7-10 The discussion under Alternatives 4 and 5 on pages 5A-26 and -27 does not conclude that these alternatives will have beneficial impacts. On the contrary, it concludes that their impacts will be significant and unavoidable. However, these discussions do state that the

proposed General Plan policies (not the land use diagram), by themselves would have beneficial effects.

- 7-11 Appendix C of the draft EIR describes the methodology and modeling used to analyze the prospective air quality impacts of the General Plan. The model incorporates climatological factors. General climatological information is included in the discussion of the environmental setting on page 5E-1 and 5E-2. The purpose of an EIR is to provide information for decisionmakers concerning the potential impacts of proposed actions. It is intended to be rapidly understood by decisionmakers and the public (State CEQA Guidelines Section 15140). Highly technical information is not required (State CEQA Guidelines Section 15147).
- 7-12* The discussion on page 5E-6 will be revised to briefly discuss the proposed PM 2.5 standard and its current status.
- 7-13 The 250-day assumption includes only workdays and excludes weekends and holidays from the year. It does not include "weather days" when construction is not feasible. While some construction will occur on weekends, this assumption was used since weekdays typically have the highest background pollution levels, and therefore, this yields a worst-case assessment. Since no project timetables are available at this programmatic level of analysis, a weekday assumption provides a good assessment of potential impacts related to implementation of the whole General Plan update.
- 7-14 This is the criterion established by the Yolo-Solano Air Quality Management District (AQMD).
- 7-15 The analysis uses the latest information and standards of the Yolo-Solano AQMD. As noted in the AQMD's letter of March 9, 2000 included in this final EIR, the AQMD expects to adopt new standards in the summer of 2000.
- 7-16 A total of 11,227 ADT reported by the City of Davis was rounded to 11,200 ADT for this report. The count was conducted on June 11, 1997, at the City of Davis' permanent count station number 512, which is located north of Alvarado.
- 7-17 Mitigation Measure NOI-2.1 provides a framework for the City to require acoustic studies for development projects. The actual requirement will be applied for projects that may exceed adopted standards. The mitigation, as written, provides City staff with flexibility in application based on the type of project proposed. No change to the mitigation measure is necessary.
- 7-18 Comment noted. Compliance with this mitigation will be handled similar to enforcement of other mitigations and City standards today. This mitigation does not require special rules for implementation.
- 7-19 The purpose of this figure is to illustrate the boundaries of the 100-year flood plain, as established by the Federal Emergency Management Agency on its Flood Insurance Rate

Maps and on the Yolo County Flood Control and Water Conservation District Map. Drainage and receiving systems are accounted for in the calculations upon which these maps are based. There is no reason to include the specific structures and features.

- 7-20 Since this comment is directed at the General Plan, a response on environmental analysis adequacy is not required.
- 7-21 The commenter is correct, the I-80 shield is misplaced on Figure 2-1. I-80 is represented by the bold line to the left of the symbol.

This change is editorial in nature, and does not modify the findings of the EIR. Modifications are provided in Chapter 4 of this final EIR to provide clarification for wording or graphics that impact the findings presented in this EIR. This comment is noted for the record, but modifications are not necessary in Chapter 4 of this final EIR.

With this description, no change to the figure is necessary.



Memorandum

March 2, 2000

TO: Bob Wolcott
FROM: Esther Polito on behalf of the Historical Resources Management Commission
SUBJECT: General Plan D.E.I.R. Comments

This memo is to transmit comments of the Historical Resources Management Commission regarding the General Plan Draft Environmental Impact Report. These comments were approved by a unanimous vote of the Commission at their meeting on February 28, 2000.

Also included are two comments from the Commission that are pertinent to the General Plan document rather than the environmental analysis. Please contact me if you have any questions.

Draft Environmental Impact Report Comments

1. The cultural resources summary gives a fair description of prehistoric time periods, although it focuses on ethnographic content and doesn't mention what types of physical resources might expect to be found, especially along the Putah Creek corridor where several projects are located. The cultural resources section could be tightened and made more useful with minimal addition of expanded explanation and inclusion of a better discussion of historic archeology and continued historic building survey. A better summary of the manifestation of what could be seen on the land would be useful.

8-1

2. (Page 5J6-Table 5J-1): Doesn't discuss the high potential (recently demonstrated) for buried sites along the Putah Creek Corridor. There ought to have been some sensitivity maps proposed or displayed. These are not hard to do by computer.

8-2

The Table also doesn't discuss the potential for discovery of household trashpits and other historic deposits during new construction within the developed part of town, especially the core. There were several trash areas uncovered during the Hunt-Boyer construction.

3. (page 5J-7) There is mention of the small mortuary plaque at the Covell Center property. Does the E.I.R. have a recommendation for handling it? Should it be excavated by an archaeologist?

8-3

4. (Pages 5J7-8): Discussion doesn't take into account the potential for continued survey of historic buildings, etc. It acts as if the current survey is all that will be done. It also doesn't mention that the City of Davis is a certified local government and that we do have a city ordinance for some aspects of historic preservation. 8-4

5. (Page 5J8): The 106 process is rather simplified and not especially germane to most work in town. It would have been better to summarize the steps of the CEQA process first and then mention the possibility of Section 106 if federal permitting or federal funds will be involved. A paragraph discussion of the Secretary of the Interior's Standards for Historic Properties would be useful as well. 8-5

6. (Page 5J11): Again, there needs to be an emphasis on the possibility of buried sites and a strategy for mitigating them during construction. 8-6

7. Although a records search and surface survey may be all that is required, it is not unreasonable to suggest that an archaeological monitor be present during earth-moving activities if the project is in an area of archaeological sensitivity. It is common knowledge in archeological circles that most prehistoric deposits are buried under the alluvial soils (sometimes only a meter deep). Most prehistoric sites in the area are discovered during construction. The recent Native American burial discovered on campus was in an area that had been surveyed with negative results. It wasn't until an archaeologist stopped by to check on the construction that the site was identified. The construction workers did not recognize the bones and artifacts as a site even though the site was in an area identified as archaeologically sensitive (e.g., near a creek). The Commission recommends an archaeologist monitor construction excavation in previously undisturbed areas. Another alternative would be to require that construction personnel (backhoe drivers, etc.) participate in cultural resource sensitivity training. One Cultural Resources consulting firm in town has done these training sessions for large utility projects. The training session is less than an hour. 8-7

8. The E.I.R. appears to be lacking a request to the Native American Heritage Commission to check their Sacred Lands File to see if there are any sites near the proposed projects. Commission Chair Wendy Nelson believed this may be a relatively new CEQA requirement. Usually the NAHC sends the list of names of Native Americans who should be contacted and notified about the project. 8-8

General Plan Comments

1. Some local cities in California have approved resource identification below the CEQA level. Davis should consider establishing a protocol to going beyond CEQA requirements by establishing a local protocol for archeological study of all development, including projects that comply with the General Plan and not subject to further CEQA analysis. The first step would be to evaluate a project location's potential for as an archeological site. The city would need a good inventory and 8-9

sensitivity maps. The historic part would be relatively easy, since we've already identified old dumpsites. Prehistoric sites, especially the earlier sites (2000 years old) would be near water sources (creeks, etc.). If the city does not already know where the old creeks were (prior to irrigation and other water diversion tactics), then the city should have a geomorphologist check out the areas where construction is proposed. In the opinion of Chair Wendy Nelson, much of Davis was close to a water source prehistorically and therefore sensitive.

8-9 cont.

2. The introduction to the Chapter 16, Historic and Archaeological Resources (page 281) should be amended to insert the following: "The City of Davis has shown its commitment to preservation by becoming a Certified Local Government (CLG), and thus is eligible to compete for special federal funds. This funding can be used for various preservation activities in the community. The State of California's Office of Historic Preservation and CLGs work in partnership to promote historic preservation efforts."

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**Letter 8: City of Davis Historical Resources Management Commission
(Esther Polito) – March 2, 2000**

8-1 Please see Master Response A.

A brief discussion of the City's historic resources and ongoing preservation efforts is found in Chapter 5J starting on page 5J-5.

In addition, the City has adopted a Historic Resources Management ordinance that identifies, protects, and enhances historic structures, signs, features, sites, places, and areas within the City. The ordinance is administered by an appointed Historical Resources Management Commission which maintains the local inventory of historical resources, recommends designations of historic resources to the City Council, considers alteration permits, and reviews and comments on environmental documents. The Commission undertakes ongoing surveys of historic buildings and resources. Once a historical resource has been so designated, no exterior alterations may be made to the resource (including activities within a historic district) without prior approval of an alteration permit by the Commission. The Historic Resources Management ordinance establishes the criteria for the Commission to apply to alteration permits.

8-2 See Master Response C. The General Plan contains policies and measures that require the City to maintain a database of site, ensure that later projects will be required to undergo appropriate additional review, and how to deal with unknown resources found during construction. Specific policies include Policies HIS 1.1 and 1.2. (Incorporate measures to protect and preserve historic and archaeological resources into all planning and development).

8-3 See the response to Comment 8-2.

8-4 All future projects will still be subject to a CEQA review, and if additional site-specific studies have been completed or are required to assess impacts, the City has the ability to require these studies. See also the responses to Comments 8-1 and 8-3 above.

8-5 To clarify the regulatory setting section beginning on page 5J-8:

The City is required by the CEQA to analyze the potential significant adverse impacts of proposed projects on the environment, including adverse impacts on historic resources. The City is required to impose feasible measures that would reduce or avoid these impacts. An EIR must be prepared for any project that would have a significant effect on a historic resource that cannot be mitigated to a less than significant level.

Section 106 of the National Historic Preservation Act is a federal law that requires an analysis of historic resources and an assessment of a project's potential effects on those resources. Section 106 only applies where the project is being undertaken by a federal agency, where federal funding is involved, or where a federal permit is required. The Secretary of Interior has issued standards for the treatment of historic structures that

describe accepted methods of preservation, restoration, and rehabilitation. In recognition of these federal provisions, a development that complies with the Secretary of Interior's standards may be exempted from further review under CEQA. An overview of the Section 106 process was included in Chapter 5J of the draft EIR.

8-6 See the response to Comment 8-3.

8-7 See the response to Comment 8-3.

8-8* Mitigation Measure CR-2.1 will be revised to include this provision.

8-9 The proposed General Plan update already contains a number of policies that require the City to maintain a database on cultural resources.

The commenter's suggestion for adding additional regulations is noted. See Master Response A. The Historical Resource Management Commission (HRMC) can pursue the local archaeological requirement at the appropriate time without a reference being added to the General Plan. City staff is adding the HRMC's suggestion in the Background Section on page 281 of the General Plan.



Memorandum

March 13, 2000

TO: Richard Rust, Jones and Stokes Associates
FROM: Bill Emlen, Planning and Building Director
Bob Wolcott, Senior Planner *BW*
SUBJECT: Comments by the Planning and Building Department on the General Plan Update Draft EIR

The City of Davis Planning and Building Department have the following comments on the Draft EIR.

- | | | |
|----|--|-----|
| 1. | Page 5B-15, Second to last paragraph, last sentence: Correct error by replacing the word “balance” with “imbalance” to read: “... a jobs/housing <u>balance</u> is generally considered to be a desirable planning goal.” | 9-1 |
| 2. | Page 5B-20, mitigation measure PH 1.2. Modify heading and first line to read: “Revise Action LU 2.1g” (not 2.1e). | 9-2 |
| 3. | Page 5B-20, mitigation measure PH 1.3. Modify the first line to read: “... by amending Action LU 1.1e...” (not Policy LU 1.1). | 9-3 |
| 4. | Page 5B-21, mitigation measure PH 1.3½. Why use number of 1.3 ½? Why not use 1.4? | 9-4 |
| 5. | Page 5H-28, proposed revision to Standard HAB 1.1a: Change the proposed term of “signature trees” to “landmark trees” to read: “Heritage oak trees and City-designated <u>landmark trees</u> shall be protected.”. The terms “landmark trees” and “heritage oak trees” are used and defined in the General Plan Update, but the term “signature trees” is not. | 9-5 |
| 6. | Page 2-5, Table 2-1, Sub-title of Alternative 4: Change to read: “Community Expansion Scenario <u>with Oeste Campus</u> ” (not with Davis Technology Campus). | 9-6 |
| 7. | After page 5A-6, Figure 5A-2, top photo caption: Should read: ”Facing northwest.” | 9-7 |

- 8. After page 5A-8, Figure 5A-5, bottom photo caption: Should read: "Facing southeast." | 9-8
- 9. Page 5G-11, Table 5G-2, Alternative 4 heading should read: "With Oeste Campus" (not with Davis Technology Campus). | 9-9
- 10. Page 3-13, Delete Goals MOB 8 through 11 as they duplicate Goals 4 through 7 (this will be corrected in the General Plan document, as well). | 9-10

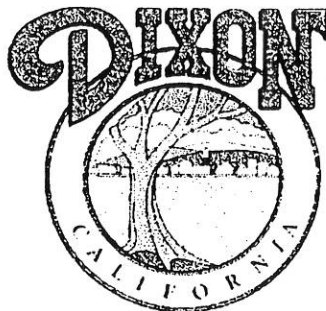
O\bwolcott\genplan\deircom P&b

Letter 9: City of Davis Planning and Building Department (Bill Emlen and Bob Wolcott) – March 13, 2000

The comments in this letter reflect editorial changes needed for clarification or to fix typographical errors in the draft EIR. These changes are reflected in Chapter 4 of the final EIR, but were found to not change the findings presented in the draft EIR.

- 9-1* The suggested change was made as part of the final EIR.
- 9-2* The suggested change was made as part of the final EIR.
- 9-3* The suggested change was made as part of the final EIR.
- 9-4* The suggested change was made as part of the final EIR.
- 9-5* The suggested change was made as part of the final EIR.
- 9-6* The suggested change was made as part of the final EIR.
- 9-7* The suggested change was made as part of the final EIR.
- 9-8* The suggested change was made as part of the final EIR.
- 9-9* The suggested change was made as part of the final EIR.
- 9-10* The suggested change was made as part of the final EIR.

MAYOR DON ERICKSON
VICE MAYOR MARY ANN COURVILLE
COUNCILMEMBER RICHARD L. HUGHES



COUNCILMEMBER CHRIS MANSON
COUNCILMEMBER GIL VEGA
CITY TREASURER GARY RIDDLE

March 13, 2000

City of Davis
Planning and Building Department
Bob Wolcott, Senior Planner
23 Russell Boulevard
Davis, CA 95616

Subject: Draft EIR for General Plan Update and Junior High School Site

Dear Mr. Wolcott:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Davis General Plan Update and the Junior High School Site. The General Plan Update and the Draft EIR is silent to the recent approval of Measure J on the March ballot. Dixon is specifically concerned that the Davis General Plan does not adequately address the needs of the University of California given their recent announcement of expansion and large increases in the student population. Please address how the enactment of Measure J, along with the University's expansion will affect the growth pressures on the surrounding communities, particularly Dixon.

10-1

In addition, it should be noted that Figure 6 in the General Plan Update and Figure 3-1b of the Draft EIR do not include the correct development areas or the correct sphere of influence for the City of Dixon. We also suggest that the Davis Planning Area be reduced to areas which are more proximate to the Yolo County line.

10-2

If you have any questions please call me at (707)678-7000.

Sincerely,

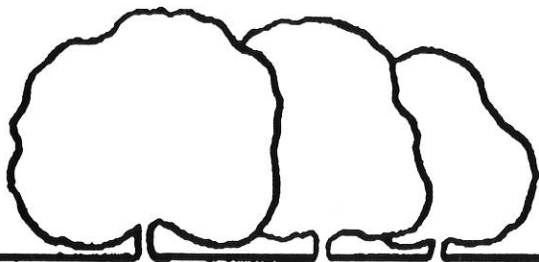
CINDY GNOS
Senior Planner

City of Dixon

600 East A Street • Dixon, California • 95620-3619
(707) 678-7000 • FAX (707) 678-0960 • TDD (707) 678-1489

Letter 10: City of Dixon (Cindy Gnos) – March 13, 2000

- 10-1 Please see Master Responses D and E and responses to comments 4-1 and 4-2.
- 10-2* A corrected Figure 3-1b is included in Chapter 4 of this document, “Modifications to the Draft EIR”. The Davis Planning Area is not limited to areas within the Yolo County line. Government Code Section 65300 allows a city to include “any land outside its boundaries which in the planning agency’s judgment bears relation to its planning.” The boundaries shown in Figure 3-1b are for regional context only and are not precise and subject to amendments.



City of Woodland

COMMUNITY DEVELOPMENT DEPARTMENT 300 FIRST STREET WOODLAND, CALIFORNIA 95695 (916) 661-5820
 FAX (916) 661-5844

March 13, 2000

City of Davis
 Planning and Building Department
 23 Russell Blvd
 Davis CA 95616
 Attn: Robert Wolcott, Senior Planner

RE: Davis General Plan

Dear Bob,

Thank you for the opportunity to comment on the General Plan and accompanying EIR.

The General Plan and EIR appear to be thorough and thoughtful documents, providing clear alternative directions for the community, over the next decade. It is clear from the materials reviewed that the community has taken a very cautious approach towards growth within the City of Davis, over the next decade. This policy framework generally has little direct effect upon the City of Woodland and other surrounding communities in the region. One significant exception to this general observation, which could have profound indirect effects upon policies of other cities, has to do with the likelihood that Davis will be unable to meet its fair share of the regional housing needs.

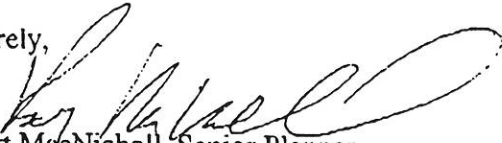
Within the General Plan EIR, there is a lengthy discussion over this issue. The EIR summarizes for alternatives 2,3,4,and 5 that there is a potential inability to comply with policies contained within the General Plan concerning housing, and that the policies of the General Plan and provision for housing may be inconsistent with each other. (Table 5B-4) Although this would not appear to be of direct interest to the City of Woodland (or other cities in the region), this could have a profound effect on future residential proposals in Woodland, and their ability to "make up" for deficiencies resulting from Davis' imbalance. An even more compelling question is whether it is fair or appropriate for such impacts to be diverted to surrounding municipalities.

Although not part of the environmental framework for analysis, the recent passage of measure J by the citizens of Davis will only make more problematic, the construction of residential projects which could help to ameliorate the fair share housing impact likely from these plan alternatives.

Should you have any further questions or responses to these comments, please contact me through the City of Woodland Community Development Department.

11-1

Sincerely,

A handwritten signature in black ink, appearing to read "Robert MacNicholl". The signature is fluid and cursive, with a large loop at the end.

Robert MacNicholl, Senior Planner
Woodland Community Development Department
RJM:rjmDavis GP EIR comments.doc

Letter 11: City of Woodland (Robert MacNicholl) – March 13, 2000

11-1 Please see Master Responses D and F.



YOLO COUNTY DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SERVICES

10 Cottonwood St.
Woodland, CA 95695
(530) 666-8646

RECEIVED
FEB 24 2000

LAND USE PROJECT EVALUATION
PROJECT DESCRIPTION

Title: DAVIS GENERAL PLAN UPDATE

Type: ENVIRONMENTAL IMPACT REPORT

Location: CITY OF DAVIS AND SURROUNDING AREAS

Applicant: CITY OF DAVIS APN: NUMEROUS

Date Received by E.H.: JANUARY 12, 2000

Environmental Health has evaluated/reviewed the above referenced project proposal and would like to comment as follows:

AS CITY GROWS TO NORTH WEST, SHOULD STRIVE TO EXTEND CITY SERVICES (WATER & SEWER)
TO EXISTING USES SUCH AS BINNING TRACT.

12-

-Continued on Next Page-

Environmental Health Recommends:

Approval of Project.

Approval with Conditions:

EIR ND

No Recommendation until the following additional information is available for evaluation:

Other:

This project requires no further review or evaluation by Environmental Health.

Our office has has not previously reviewed an application on any portion of this project.

PROJECT EVALUATED BY: PAUL FITZMAURICE **DATE** FEBRUARY 23, 2000

TSF:Juforn

**Letter 12: Yolo County Department of Public Health (Paul Fitzmaurice) –
February 23, 2000**

- 12-1 The City will extend City services to new development planned for areas to be annexed within the General Plan. Regarding proposed extension of services, this would be a City policy change that is outside the scope of this EIR and subject to additional environmental review. Also see Master Response A.



YOLO COUNTY DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SERVICES
10 Cottonwood St.
Woodland, CA 95695
(530) 666-8646

LAND USE PROJECT EVALUATION
PROJECT DESCRIPTION

Title: DRAFT EIR - DAVIS JR HIGH SCHOOL SITE
Type: DRAFT EIR
Location: FEW POSSIBLE SITE
Applicant: DAVIS JOINT UNIFIED SCHOOL DISTRICT APN: N/A
Date Received by E.H.: JANUARY 28, 2000

Environmental Health has evaluated/reviewed the above referenced project proposal and would like to comment as follows:

ALL SITES DESCRIBED APPEARS SATISFACTORY WILL REQUIRE PLAN CHECK FOR FOOD
FACILITIES, SWIMMING POOL. IN ADDITION TO ALL REQUIREMENTS OF STATE ARCHITECT
OFFICE. ANY WELLS, SEPTIC SYSTEMS FOUND ON ANY PROPOSED SITE NEED TO BE PROPERLY
ABANDONED.

13-1

13-2

-Continued on Next Page-

Environmental Health Recommends:

Approval of Project.

Approval with Conditions:

PLAN CHECK AND PERMIT REQUIRED FOR FOOD FACILITIES AND POOLS

EIR ND

No Recommendation until the following additional information is available for evaluation:

Other:

This project requires no further review or evaluation by Environmental Health.

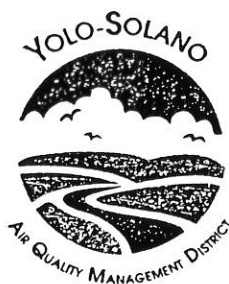
Our office has has not previously reviewed an application on any portion of this project.

PROJECT EVALUATED BY: PAUL FITZMAURICE DATE: FEBRUARY 10, 2000

TSF:luform

Letter 13: Yolo County Department of Public Health (Paul Fitzmaurice) – February 10, 2000

- 13-1 Comment noted. No revision to the EIR is necessary.
- 13-2 Comment noted. The DJUSD will be responsible for meeting all Health Department requirements as part of the department's review and review by the State Architect's Office.



March 9, 2000

RECEIVED
MAR 10 2000
City of Davis
Planning & Building

Bob Wolcott
Project Manager
City of Davis
Planning and Building Department
23 Russell Blvd.
Davis, CA 95616

Subject: City of Davis General Plan update Draft EIR and Davis Joint Unified School District New Junior High School Draft EIR

Dear Mr. Wolcott

The Yolo-Solano Air Quality Management District (YSAQMD) has reviewed the Draft Program Environmental Impact Report (EIR) for the City of Davis General Plan update and Draft Project EIR for a new Junior High School.

The YSAQMD commends the City of Davis and the community for updating and revising the General Plan through a comprehensive public participation process. The document shows development of several new, expanded, and modified goals and policies. The General Plan update includes policies that encourage infill, pedestrian and transit-oriented developments and increases in residential densities and commercial intensities. These land use and transportation strategies can reduce vehicle trips and vehicle miles traveled, and thus help reduce the air pollution produced by automobiles.

14-1

By creating environments that are more conducive to alternative transportation modes, we can create more "livable" communities; communities with increased personal mobility and consequently cleaner, healthier air. Therefore, we have included comments on impact categories such as Land Use, Population and Housing, and Traffic and Circulation, and Air Quality. We present our comments by impact category in the order as presented in the EIR.

Land Use

The Davis Technology Campus would make a considerable contribution to urban sprawl by extending the City of Davis over a mile east, thereby resulting in a significant impact on resources including air quality. Implementation of mitigation measure LU 1.2 Modify General Plan Direction (Alternative 5) proposes mitigating significant impacts by providing a noise buffer for adjacent residences on the intervening land. We argue (as agreed by authors of the EIR) that any gain in lowering trips under this measure would be negated by the imbalance in jobs/housing ratio, which would require additional commuting to the site. We feel this measure would further degrade air quality.

14-2

Population and Housing

The YSAQMD has concerns with the City's ability to provide sufficient housing to meet projected needs. We agree a job/housing ratio of between 0.8:1 to 1.2:1 is considered a desirable planning goal. As correctly stated in the EIR, a jobs/housing imbalance can precipitate additional local and regional air quality impacts resulting from in-commuting. The absence of jobs/housing ratio figures in the impact analysis section make comparison of alternatives difficult and determination of measures effectiveness questionable.

14-

In addition, we encourage the City consider additional measures such as:

1. developing a watchdog committee to ensure that the new policies are vigorously implemented, fine-tuned when necessary and challenged when violated;

2. requiring the University meet the 25% on campus housing goal as stated in their LRDP; and
3. trading University land for income producing development such as retail space for housing. (Income generated from the retail space could provide for affordably priced student housing to fulfill the 35% student housing agreement in the 1989 MOU between the City and University.)

14-3
cont.

Transportation and Circulation - Bicycles

We suggest rewording Policy MOB 3.3 Action G, where it states that the City maintains its outreach program to the City expand and improve its outreach program. This would direct City staff to take a stronger advocacy role particularly with the assessment that higher level of automobile traffic may cause additional conflict between automobiles and bikeway/pedestrian systems. Education is an important measure that improves the skill and knowledge of bicyclists and increased law enforcement to prevent high-risk behaviors (e.g. wrong-way riding or failure to yield the right of way) and should be expanded. The challenge of cycling education is not so much the material to be taught but (1) overcoming the fear of riding in traffic, (2) overcoming the tradition that bicyclists do not have to obey traffic laws, and (3) overcoming the idea that knowledge of balancing and steering equals bicycle riding competence. People who are afraid of riding in traffic might be persuaded to take a training class that helps them gradually build their confidence. It may be more difficult to reach those who ride in a dangerous manner. For this group, law enforcement is needed to prevent dangerous riding. We believe changing bicyclist's behavior complimented with excellent facilities would incrementally reduce the number of potential accidents.

14-

We suggest the General Plan update Policy MOB 3.1 Action D include other neighboring communities such as Dixon, West Sacramento, and Winters regarding bikeway network regional connectivity. The EIR should evaluate the Davis' bikeway network in respect to these other regional communities.

Air Quality

A revision is required to paragraph five of Chapter 20 in the General Plan update to accurately describe the pollutants monitored and stations location. The paragraph should read:

14-

"The California Air Resources Board (CARB) monitors ozone, carbon monoxide, and nitrogen dioxide levels near Davis. The AQMD monitors ozone, particulate matter smaller than 10 microns in diameter (PM₁₀) and fine particulate matter (PM_{2.5}) in Woodland. Also, the AQMD monitors PM₁₀ in West Sacramento."

Again, revisions are required to correct the acronym APCD to AQMD in the General Plan update as well as in the EIR.

14-

The YSAQMD is confused with Policy AIR 1.1 "Take appropriate measures to reach and exceed the AQMD's thresholds for air pollution levels." We interpret threshold as a standard used to compare the environmental setting of the resource with and without the project impact to determine whether the impact is significant. To reach and exceed our thresholds would contradict the stated goal "...strive to improve air quality." If the policy is to support the stated goal then we recommend rewording this policy, for example "...meet the AQMD's goals for improved air quality."

14-

As requested in our response to the NOP (7/23/99 letter), we encourage the EIR evaluate the conflict of residential and associated uses adjacent to agricultural operations, such as potential impacts of dust, fumes, and smoke.

14-

The YSAQMD disagrees with the impact assessment of the Davis Technology Campus (Alternative 5) as consistent with General Plan Policies. The Davis Technology Campus extends the City of Davis over a mile east. This is inconsistent with General Plan's vision to maintain Davis as compacted community where transit and air pollution impacts are minimized.

14-

In addition, we disagree with the statement that the General Plan update does not include goals and policies as guidance on project locations in relation to air quality issues. The Land Use, Mobility, Urban Design, Computer & Technology, Art & Culture, and Energy chapters include goals and policies that implement transit- and pedestrian-oriented land use and design strategies, which are integral to the long-term improvement of air quality. 14-1

The YSAQMD recommends the discussion on page 5E-15 about the reduced level of service for roads include Goal MOB 2. Goal MOB 2 considers balancing the needs of parking in developments with the desire to limit auto use. Parking requirements can be an effective transportation demand management technique. 14-1

Mitigation measure AQ-2.1 requires Policy AIR 1.1 Action D include specific fugitive dust-control, ROG, and NOx measures to reduce both construction and operations related emissions of these pollutants. We understand Action D requires the City to develop educational materials about air quality and include such materials in the local school curriculum. We are unclear of the emission reduction measures relationship with Action D. We recommend construction and operations related emissions reduction measures be included in the General Plan update as a separate action. 14-1

As information about our current efforts, we are in the process of updating the Air Quality Handbook and revising the thresholds for air pollution levels. We anticipate the YSAQMD Board approval of thresholds by the end of this year. As an additional action to meet improved air quality, the City may want to consider adopting the new thresholds, after they become approved. 14-1

The YSAQMD appreciates the opportunity to review and comment on the EIR for the City of Davis and Davis Joint Unified School District. If we can be of further assistance, please contact me at 757-3677.

Best regards,



Daniel P. O'Brien
Associate Air Quality Planner

cc: Dave Rosenberg, Supervisor Yolo County, Fourth District
Lois Wolk, Supervisor Yolo County, Second District