

March 13, 2000

HAND DELIVERY

Mr. Bob Wolcott
Planning and Building Department
23 Russell Blvd.
Davis, CA 95616

RE: Response to General Plan Update, Draft EIR and Fiscal Impact Analysis

Dear Bob:

We appreciate the opportunity to provide commentary during the public circulation of these documents. It is our hope that these comments are useful in providing a balanced picture for the City Council and public deliberations on the Davis Technology Campus (DTC).

The attached responses on our behalf from Tim Youmans and Walter Kieser of Economic & Planning System (EPS) and Michael Devereaux of the Law Offices of Gregory D. Thatch bring forward several fiscal and DEIR concerns. We would request the City of Davis and its consultant address with their own analysis the issues of 1) Operating Costs for Facilities Serving Existing Residents should not be 100 percent allocated to New Development and 2) Increase Police Operating Costs to Meet City Standards. EPS indicates that the Davis Technology Campus Alternative 5 would show approximately a \$1 million annual surplus at build out if these costs were reallocated. We request that the City update the Fiscal Impact Analysis to include an analysis in which the costs are spread to both existing and new residents and that service costs for police are based on actual levels.

24-1

The Davis Technology Campus was included within a broad Alternative #5 with substantial new housing development – Covell Center Partners Plan and over 500 units in the “Intervening Lands”. This inclusion masks any ability for the Planning Commission and City Council to directly analyze the Davis Technology Campus. The City’s build out

projection of 2066 and as a consequence the research park's fiscal benefits were pushed well past 2010. This situation does not reflect the great research park potential at Davis if we can just get it started. The absorption assumption that we provided from Grubb and Ellis to BAE, the City's consultant, indicated that the DTC "plan could easily absorb a minimum of 200 acres over a period of 10 years". We request the City analyze and present the fiscal impacts specifically of the DTC project plan within a 10 year build out given this information and represent these impacts as a percentage of Alternative 5 costs, revenues and fiscal balance or separately from Alternative 5.

24-1 cont.

We also request the City provide a more careful assessment of the types of jobs in the Davis Technology Campus and the propensity of existing Davis residents to fill these jobs in order to arrive at meaningful conclusions in regard to inconsistencies with General Plan policies. EPS makes note that the DEIR conclusion that Alternative 5 "provides insufficient housing" presumes that the existing jobs/housing ratio is causal when clearly it is not. We also request the City clarify the calculations presented on page 5B-23 or expand the evaluation of fair share housing in order to make the finding on meeting fair share housing requirements.

24-2

The Davis General Plan and Draft Environmental Impact Report fail to define the term "University-Related Research Parks". Lacking an accurate definition to clarify the difference between a University-Related Research Park and just another light industrial/office use zoned parcel (s) precludes the Planning Commission and City Council from meaningful discussion on strategic land use planning. This is a new economic development paradigm that benefits communities and their universities. We suggest the following definition/description:

24-3

University-Related Research Park: A planned land use with buildings designed for research and development facilities used by high technology and science companies as synergistic neighbors, and with a contractual or informal relationship with one or more universities and colleges; a land use that promotes research and development with the educational institutions in partnership with industry in order to assist with: (i) the growth of new ventures; (ii) the transfer of technology and business skills between the university, colleges and businesses in the Research Park; and (iii) the promotion of technology-led economic development for the community at large.

The discussion of the "Intervening Lands" in the DEIR Page 5A-30: Alternative 5/Land Use mentions that "from an environmental standpoint, this site does not appear well suited for residential development." The City staff and the EIR preparers chose to ignore the public/semi-public land uses for the "Intervening Land" that was prepared and submitted at their request last June. We request that the attached Mitigation Alternative Plan, dated June 1999 be analyzed to better deal with the non residential impacts and to provide greater clarity of these impacts in the environmental analysis performed.

24-4

The DEIR fails to show how many acres of agricultural lands each land use alternative proposes to conserve (Page 5A-31: Table 5A-7) and their location. The proposed DTC conservation location – adjoining the Davis Technology Campus and the Vic Fazio Wildlife Area is huge, and the significant 2.8:1 ratio or 888 acres of Prime farmland to be conserved is well above the proposed City 2:1 ratio in the General Plan Update. The EIR fails to note that this DTC agricultural preservation (Mitigation Plan dated June 1999 attached) would act as a permanent greenbelt around the City's southeastern edge. We request the City revise this table to provide a complete and visual picture of the agricultural land impacts for each alternative. This will provide the public and the decisionmakers with a true picture of each alternative's impacts on agricultural lands.

24-5

Again, we appreciate the opportunity to comment and look forward to a lively public discussion.

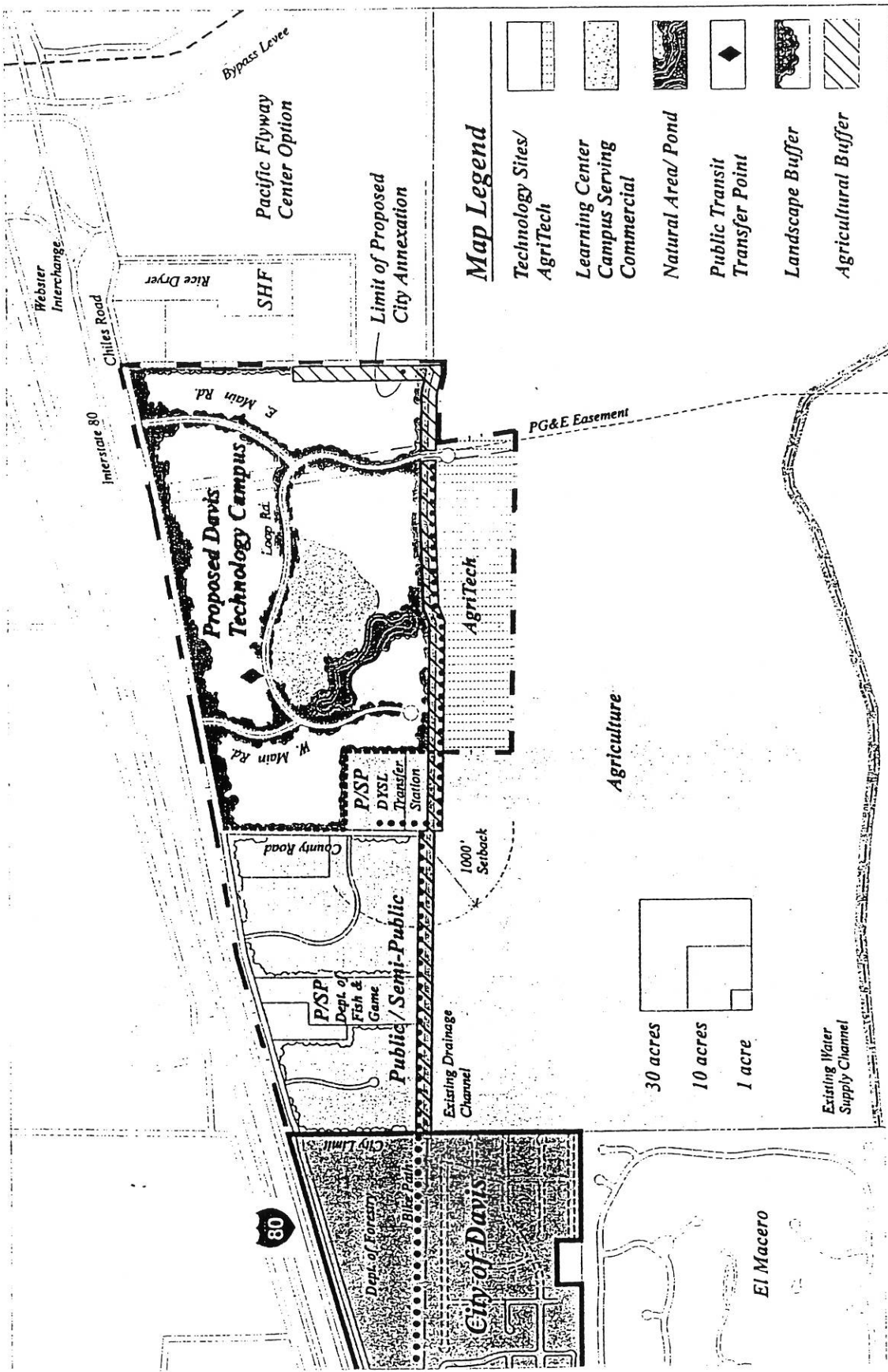
Sincerely,









Jeanne Barnhill Jones
General Manager

Attachments

Economic & Planning Systems Memo, March 10, 2000
Law Offices of Gregory D. Thatch Letter, March 10, 2000
Matt Kowta letter, October 1, 1999 with attached
Grubb and Ellis letter, August 28, 1998
Davis Technology Campus Mitigated Alternative Plan, June 1999
Davis Technology Campus Mitigation Plan, June 1999

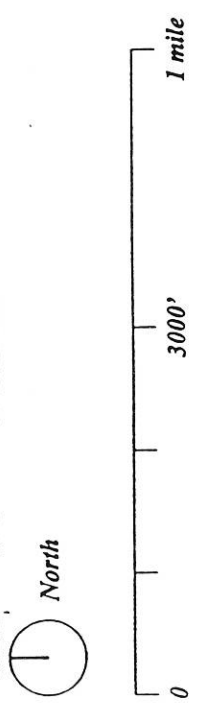


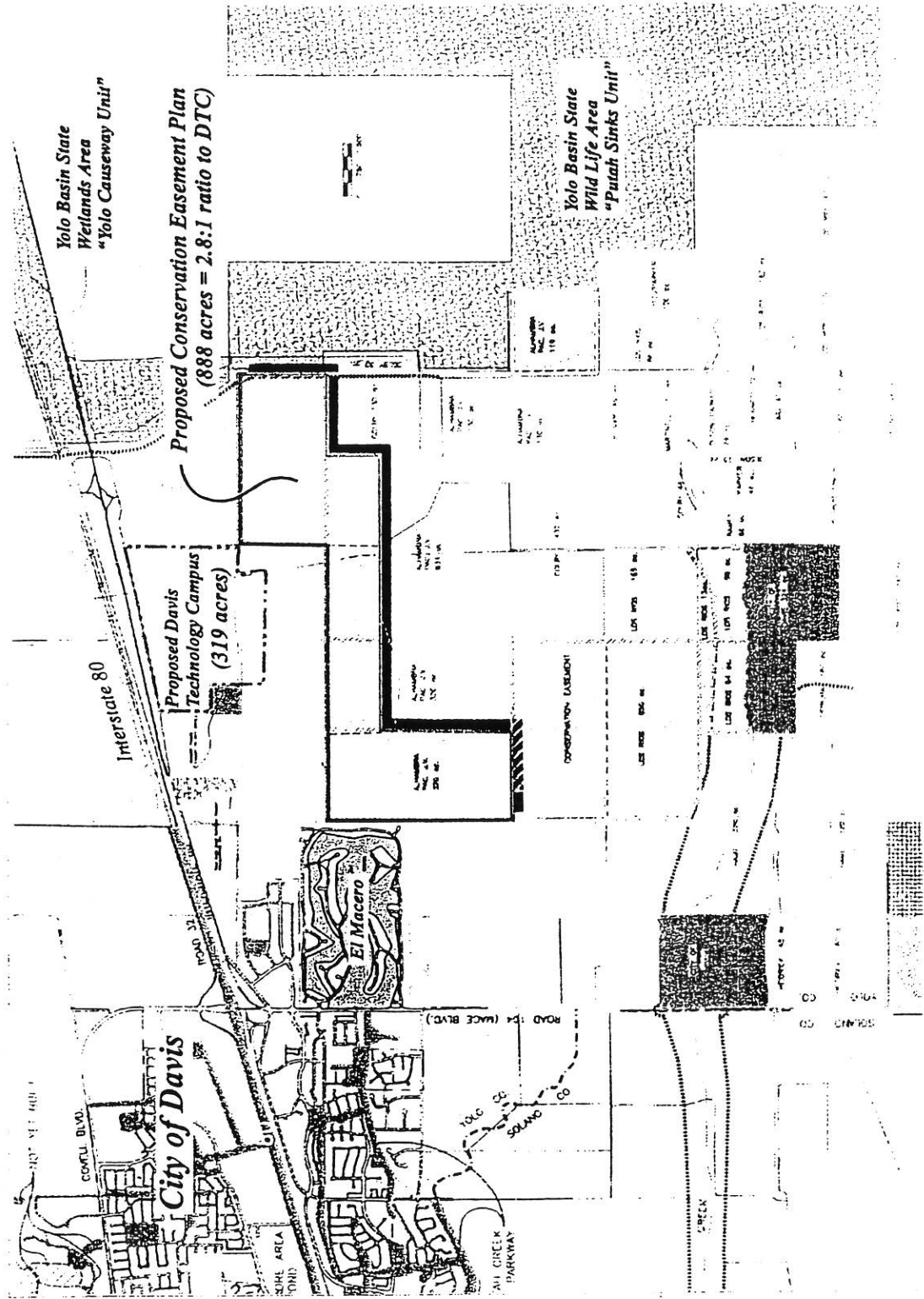
Map Legend

-  Technology Sites/
AgrITech
-  Learning Center
Campus Serving
Commercial
-  Natural Area/ Pond
-  Public Transit
Transfer Point
-  Landscape Buffer
-  Agricultural Buffer

Mitigated Alternative Plan
June 1999

DAVIS TECHNOLOGY CAMPUS





Notes

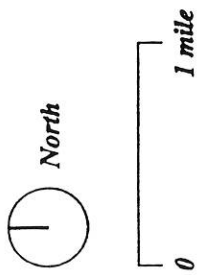
1. Base map courtesy of City of Davis, Department of Public Works South Fork Putah Creek-Property Ownership Map dated 2-1-99
2. Ownership is held under PG&E Properties and its solely owned Alhambra Pacific J.V. entity.
3. This graphic is intended to represent a possible location and extent of farmland mitigation. Viable options from community input will be considered prior to final layout.

Map Legend

[Symbol]	WETLANDS
[Symbol]	WILDLIFE
[Symbol]	WATER
[Symbol]	ROADS
[Symbol]	BOUNDARIES
[Symbol]	PROPOSED CONSERVATION EASEMENT
[Symbol]	PROPOSED DAVIS TECHNOLOGY CAMPUS

Mitigation Plan
June 1999

Davis TECHNOLOGY CAMPUS



ATTACHMENTS TO LETTER 24



FACSIMILE MEMORANDUM

To: Jeanne Jones, PG&E Properties *fax #: (530) 753-1920*
From: Tim Youmans and Walter Kieser *fax #: (916) 649-2070*
Subject: City of Davis General Plan Fiscal Impact Analysis; EPS #8116
Date: March 10, 2000

This is page 1 of 5. If you do not receive all pages clearly, please call (916) 649-8010.

On behalf of PG&E Properties, EPS has reviewed the Davis General Plan Draft EIR and the Davis General Plan Fiscal Impact Analysis prepared by Bay Area Economics dated November 1999. This memo presents our analysis of both documents. The first half of this memo focuses on the information provided in the Fiscal Impact Analysis concerning PG&E Properties' Davis Technology Campus (DTC). The second part of this memo summarizes EPS's review of the Davis General Plan Draft EIR and its potential socioeconomic (population, housing, and employment) and fiscal impacts.

DAVIS GENERAL PLAN FISCAL IMPACT ANALYSIS

The Fiscal Impact Analysis generally provides a reasonable approximation of the City's financial condition for the four General Plan alternatives. The purpose of the fiscal impact analysis was to evaluate the City's General Fund Budget picture in four time frames (2000, 2005, 2010, and Buildout) associated with the direct tax revenues and direct service costs associated with new development. EPS found two significant problems with the methodology used in the analysis. The significant problems with the methodology are the assignment to 1) new development of the full costs of the City's fourth fire station and the full costs of the Arroyo and Walnut Pools and 2) the increase in operating costs due to the increased service standards for police services without showing how the existing City could be brought to the same service levels.

24-6

In addition to general comments about the Fiscal Impact Analysis, EPS also believes the treatment of the Davis Technology Campus could have been dealt with better in order to provide greater clarity on the impacts of this 319-acre proposed "University Related Research Park" land use.

GENERAL COMMENTS ON THE FISCAL IMPACT ANALYSIS

As noted earlier, EPS has identified two significant issues that need to be addressed by the City in the Fiscal Impact Analysis that result in the assignment of more operating costs to new development than are appropriate. If these service costs were reallocated to both existing and new development and the current service levels of police were used in the study, all alternatives would produce essentially fiscal balances through 2010. For example, the Davis Technology Campus Alternative 5 would show approximately a \$1 million annual surplus at buildout if these costs were reallocated. *We recommend that you request the City to respond with their own analysis to address these issues.*

The following paragraphs describe in detail our comments regarding the Fiscal Impact Analysis methodology.

1. Operating Costs for Facilities Serving Existing Residents should not be 100 percent allocated to New Development

- **4th Fire Station:** Page 19 of the report clearly indicates that service to existing residents does not meet the City's five minute response time standard in large parts of Central Davis, most of North Davis, and large sections of East Davis and western South Davis. The City's 4th fire station is planned for and required to serve existing residents whether or not any new development occurs in the City. This cost should either be eliminated from the analysis or, at the most, new development should receive a pro-rated share of the costs.
- **New Swimming Pools in Arroyo and Walnut Parks:** These new pools are to be constructed in existing parks and will primarily serve existing residents. The pools will be constructed whether or not new development projects are added to the City. The operating cost for these two pools should either be eliminated from the analysis, or at the most, new development should receive a pro-rated share of the costs.

24-6 cont.

2. Increase Police Operating Costs to Meet City Standards

The Fiscal Impact Analysis increases police service costs over time to meet the City's General Plan goal of 1.0 officer per 1,000 residents. This is a 25% increase over the present service level of 0.8 officers per 1,000 residents. While this is an admirable goal, the added cost should not be assigned to new development unless there is a way for the rest of the City to fund a 25% increase in police costs. Funding additional police costs by the existing City could be accomplished through either increased taxes or cuts in existing programs. If the City took one of these two actions, then the Fiscal Impact Analysis for new development should be adjusted accordingly.

The Fiscal Impact Analysis addressed these same issues on Page 15. However, the study uses the assumptions in the analysis with the resulting deficits. *For a complete understanding of these issues for policymakers and the public, we recommend that you request that the City update the Fiscal Impact Analysis to include an analysis in which the costs are spread to both existing and new residents and that service costs for police are based on actual levels.*

COMMENT ABOUT THE EVALUATION OF THE DAVIS TECHNOLOGY CAMPUS- ALTERNATIVE 5

The discussion of the Davis Technology Campus in the Fiscal Impact Analysis provides little information regarding the true impact of the research park for the following reasons:

1. ***Inclusion within a broad alternative:*** The Davis Technology Campus is included within a broad alternative which includes substantial new housing developments - Covell Center and over 500 units in the "intervening land." The inclusion of residential units in the intervening land was the City's land use assumption, not the alternative proposal of June 16, 1999 from PG&E Properties that the Planning Staff requested. The inclusion of the research park within this broad alternative masks any ability to directly analyze the Davis Technology Campus.
2. ***Absorption Assumptions:*** On page 6, the study indicates that absorption of research park property will be 55,000 square feet per year increasing at 2.5% per year. This rate is based on historic growth rates and the Hammer, Siler, George Associates report comparing university owned parks in: Ithaca, NY, Lawrence, KS, Logan, UT, Madison, WI, and Iowa City, IA. However, the historic growth rates do not take into account the recent substantial increase in commercial building and corresponding reduction in vacant land due to the City's decision to bring development fees down to competitive levels.

24-6 cont.

Secondly, the historic growth rates do not take into account the marketing potential of a major research and technology center located on I-80 managed as a master-planned business campus as opposed to individual and visually fragmented properties. The DTC would take advantage of the UC Davis Connect and Technology Transfer programs which are aggressively marketing their services to bolster local business.

Thirdly, this absorption rate does not take into account the strategic location of Davis and its proximity to Sacramento and that it is within a two hour drive of the world's top concentration of high-tech and bio-tech firms.

3. ***Buildout Assumptions:*** The study correctly points out on page 4 that "the primary reason for not identifying a specific date for buildout is that it is difficult, if not impossible, to provide a reasonable estimate of the time it would take the non-

residential portions of the alternatives to build out." The study later makes statements that Davis Technology Campus would buildout by 2066. Given the studies first statement on page 4, the study should delete all specific year references to buildout. This misleads the public without any basis. Due to the unique characteristics of the research park, PG&E Properties, at the request of BAE, had earlier submitted a letter from Grubb and Ellis dated August 28, 1988 stating that under its present plans, it could "easily absorb a minimum of 200 acres over a period of 10 years." (See Attached)

4. *Impact of the Business Park:* As noted earlier the impact of the Davis Technology Campus is masked due the structure of the alternatives evaluation. However, if one looks at the land use assumptions for Alternative 5 (with the Davis Technology Campus), there is only about 750,000 square foot of office/business park development by 2010. Virtually, the entire Davis Technology Campus, about 2 million square feet, is built after 2010.

24-6 cont.

The Fiscal Impact Analysis of Alternative 5 shows the impact of the business park development of an additional 4 million square feet built between 2010 and buildout. This development brings a \$1.4 million deficit in 2010 to a \$1.2 million surplus at buildout or a gain of \$2.6 million in City revenues. Since the Davis Technology Campus is roughly half of this development at 2 million square feet it would account for roughly \$1.3 million of this net revenue gain to the City.

We recommend that you request the City to analyze and present the fiscal impacts specifically of the DTC. These impacts could be represented as a percentage of Alternative 5 costs, revenues, and fiscal balance or separately from Alternative 5.

DAVIS GENERAL PLAN DRAFT EIR

The following presents our comments on the potential socioeconomic and fiscal impacts of the General Plan Draft EIR. The review of socioeconomic impacts focuses upon the two impacts cited in Chapter 5B Population and Housing specifically as they relate to Alternative 5, the Alternative which includes the Davis Technology Campus.

IMPACT PH-1: INCONSISTENCIES WITH GENERAL PLAN POLICIES

Impact PH-1 states that there is an impact because Alternative 5 is "inconsistent with proposed General Plan policies", in essence because it either provides insufficient housing or it exceeds population limits under "Action e." Aside from the contradictory nature of the two concerns, both conclusions bear further scrutiny, as well as a need to draw some relationship of these impacts to any physical adverse effect that is the normal purview of an EIR.

24-7

The EIR correctly points out that the jobs/housing balance is not in and of itself an environmental effect but that it can indirectly cause such an effect if an induced imbalance causes changes to travel patterns that in turn have physical effects (e.g. traffic, air quality deterioration, etc.). Also, it is important to note that a jobs/housing ratio, whatever it may be numerically, is not causal, it's a quotient. Neither is it a policy. Moreover, it is a quotient, in its raw form, that ignores actual commuting patterns, i.e. a city could have "jobs/housing balance" and a large amount of in- and out-commuting at the same time due to variance in labor force and industry locations. In the Davis area (City and UC Campus), for example, there were some 24,000 jobs in 1990 (US Census Data). Roughly 20 percent of these jobs were held by in-commuters. There were some 27,000 employed residents, of which nearly 30 percent out-commuted to other locations, principally the Sacramento area.

24-7 cont.

The EIR conclusion that Alternative 5 "provides insufficient housing" presumes that the existing jobs housing ratio is causal, clearly it is not. Just as likely, an increase in local jobs, particularly jobs fitted to the characteristics of the local labor force, will capture existing resident employees resulting in no net increase in housing demand in Davis and reduced regional vehicle miles traveled. The value laden conclusions of the EIR simply ignore actual job and housing locations and the propensity for people to work nearby their place of residence and thus are unsupported by any factual consideration as written. *We recommend that you request the City to provide a more careful assessment of the types of jobs in the Davis Technology Campus and the propensity of existing Davis residents to fill these jobs in order to arrive at meaningful conclusions in regard to inconsistencies with General Plan policies.*

IMPACT PH-2: INABILITY TO MEET FAIR SHARE REQUIREMENTS.

This potential impact asserts that Alternative 5 would cause an additional shortage in low and moderate income units, despite the fact that Alternative 5 adds housing capacity. The conclusion regarding this impact is highly speculative and presumes just what the "fair share housing requirement" will be, as well as the City's overall ability to meet this requirement. The level of speculation regarding both of these topics makes it difficult to determine whether such an impact would in fact occur under Alternative 5. The real question should be "how might a given alternative affect the City's opportunity for meeting its housing requirements?" An argument could be made that opportunities for increasing affordable housing would increase given the additional territory included.

24-8

We recommend that you request the City to clarify the calculations presented on page 5B-23 or expand the evaluation of fair share housing in order to make the finding for this impact.

We hope those comments on the Davis General Plan Fiscal Analysis and General Plan Draft EIR are useful in providing a balanced picture for the City Council and public deliberations on the Davis Technology Campus.

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March 10, 2000

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

Re: Comments of the Draft
Environmental Impact Report
for the Davis General Plan Update

Dear Mr. Wolcott:

On behalf of PG&E Properties, Inc., the proponent of the Davis Technology Campus, we have been asked to review and provide comments on the January 2000 Draft Environmental Impact Report for the Davis General Plan Update (the "EIR"). We offer the within comments in order to correct and improve the adequacy of the EIR, as well as to prompt a fuller discussion of environmental impacts in certain areas. Comments are being provided on a chapter by chapter basis for your ease of reference.

By way of background, a review of the pertinent features of the Davis Technology Campus (the "DTC") proposal would be helpful. The concept for the Davis Technology Campus is to provide a high quality technology and research center for technology based firms starting or expanding in the City of Davis. Uses within the DTC are slated to include 136 acres of Ag Bio-Science, 90 acres of High-Tech Research and Development, 30 acres of Campus serving commercial, and 63 acres of on-site open space, a pond, bicycle links and roads. Out of a total gross acreage of 319 acres, this will result in a net developable total of 256 acres focused on regional agriculture, bio-science and emerging technologies, e.g. telecom, software, biomedicine. At build out of the DTC, it is expected to provide 3,751 new jobs which would increase career opportunities for the City's highly educated labor pool, as well as provide spousal employment opportunities and student internships. An integral feature of the DTC is its commitment to permanently set aside and protect in perpetuity a total of 888 acres of prime agricultural lands adjoining the DTC. This equates to an agricultural preservation ratio of 2.8:1, well in excess of the City's current 1:1 ratio and the proposed 2:1 ratio in the General Plan Update. Moreover, the land scheduled for preservation will be all Class I and Class II soils. This agricultural preservation area will result in 3 miles of

unobstructed and permanently protected open space adjoining the DTC and the southeast side of the City of Davis.

CHAPTER 2 - EXECUTIVE SUMMARY

Page 2-5: Table 2-1. "Sites Studied as Part of Each Alternative".

There is an error in Table 2-1 and its description of Alternative 4. The Table describes Alternative 4 as a "Community Expansion Scenario with Davis Technology Campus", when it should be labeled the "Community Expansion Scenario with the *Oeste Campus Project*."

24-9

Page 2-5: Reduced Buildout Alternative.

The title of the paragraph describing this alternative land use scenario should mention that it is Alternative 3, so the EIR's readers will understand what Alternative 3 means when it is used later in the EIR's subsequent chapters.

24-10

Page 2-6: Community Expansion Scenario with Oeste Campus Alternative.

The title of the paragraph describing this alternative land use scenario should mention that it is Alternative 4. The Executive Summary should also note that this alternative proposes development within the FEMA designated 100 year floodplain at the Oeste Campus location.

24-11

Page 2-6: Community Expansion Scenario with Davis Technology Campus Alternative.

The title of the paragraph describing this alternative land use scenario should mention that it is Alternative 5. The EIR should also indicate that the Davis Technology Campus is 256 acres "net". The gross acreage is 319 acres. The "Intervening Lands" are 142 acres in size, not 185 acres. (See, Table 3-1 following Page 3-24 of the EIR.)

24-12

Table 2-4: Summary of Mitigation Measures.

The discussion of mitigation measures for "Wastewater" on Page 4 of 9 for this Table should be revised to read:

"WASTEWATER

"GOAL WATER 5. Remain within the capacity of the City wastewater treatment plant or require funding of a fair share of any plant expansion.

"Policy WATER 5.1. Evaluate the wastewater production of new large scale development prior to approval to ensure that it will fall within the capacity of the plant or require the project to fund its fair share of additional treatment plant capacity."

24-13

12

Page 2-17: University-Related Research Parks.

The term "University-Related Research Parks" is used for the first time in the EIR on Page 2-17, as well as being used in the General Plan Update, but it is never defined. We suggest providing a definition for this term in a footnote to this page, since it is used many times in subsequent portions of the EIR. An accurate definition would clarify the difference between a University-Related Research Park and just another light industrial/office use development. As the proponent of the University-Related Research Park alternative, PG&E Properties proposes that the EIR and the General Plan Update use the following definition/description of what constitutes a University-Related Research Park:

24-14

"University-Related Research Park: A planned land use with buildings designed for research and development facilities used by high technology and science companies as synergistic neighbors, and with a contractual or informal relationship with one or more universities and colleges; which promote research and development with the educational institutions in partnership with industry in order to assist with: (i) the growth of new ventures; (ii) the transfer of technology and business skills between the universities, colleges and businesses in the Research Park; and (iii) the promotion of technology-led economic development for the community at large."

Page 2-18: Known Areas of Controversy

Insofar as the City of Davis has approximately 40% of its residents who must commute elsewhere to find employment commensurate with their level of education and job skills [See, 1990 Census data], we believe it would be more appropriate for the EIR to describe the jobs/housing issue as *How To Increase Jobs To Improve The Jobs/Housing Balance under Alternatives 4 and 5* rather than "Housing balance in relation to jobs growth under Alternatives 4 and 5".

24-1

Given the large area of prime agricultural land with Class I and Class II soils the Davis Technology Campus would permanently set aside and preserve in perpetuity for exclusively agricultural uses, the bullet point entitled "Agricultural land conversion associated with alternatives" should more properly be revised to read *Agricultural Preservation Associated with the Alternatives*.

24-1

CHAPTER 3 - PROJECT DESCRIPTION.

Table 3-2: Comparison Between Existing Land Use Conditions and Alternatives a Year 2010.

Table 3-2, which follows page 3-26 in the EIR, needs a new column added for targeted University-Related Research Park land uses. These are not the same as the typical office/business park land uses with which they have been lumped together in this Table. This is an important distinction between Alternative 5 and the other land use alternatives. Alternative 5 is the only one

24-

13

with a well defined University-Related Research Park component. The other alternatives simply contain standard office/business park proposals.

24-17
cont.

Figure 3-10: "Intervening Lands and Davis Technology Campus"

There are a number of mistakes in the various maps contained within Figure 3-10 which make them very misleading. On the maps for Alternatives 2, 3 and 4, they each show the Intervening Lands as currently being used for agricultural purposes. That is not the existing situation. A significant portion of the Intervening lands have been improved for Public/Quasi-Public use with soccer fields, an office building, equipment maintenance warehouse, and parking lot for the California Department of Fish and Game. To be accurate, the EIR should describe the actual number of acres which still remain in active cultivation, which we have been informed is approximately 111 acres. The current and existing Public and Quasi-Public land uses on the Intervening Lands must be shown on all of the maps in this Figure 3-10, not just the map for Alternative 5. To do otherwise is grossly misleading to the readers of the EIR. In addition, the map of Alternative 5 within Figure 3-10 fails to show the extensive 888 acre agricultural preservation area which is an integral part of the Davis Technology Campus proposal.

24-18

Figure 3-11: "Oeste Campus Site"

This Figure 3-11 shows an "urban agriculture transition area" at the Oeste Campus site, but never accounts for it in the size of the Oeste Campus Project or in the acreage and square footage numbers used throughout the EIR. Please provide an explanation of how this will work.

24-19

Figure 3-12: "Alternative 2. Buildout to 2010 Using Existing General Plan"

A correction needs to be made to Figure 3-12 to show the Davis Technology Campus and Intervening Lands as one of the "Potential Change Areas". The Oeste Campus is shown on Figure 3-12 as a Potential Change Area, even though it is not part of Alternative 2. The Davis Technology Campus and the Intervening Lands were not shown.

24-20

Figure 3-13: "Alternative 3. Reduced Buildout Scenario."

Once again, a correction needs to be made to Figure 3-13 to show the Davis Technology Campus as one of the "Potential Change Areas". The Oeste Campus is shown, even though it is not part of Alternative 3.

24-2

CHAPTER 4 - EIR ASSUMPTIONS AND METHODS

Page 4-2: Intervening Lands

The discussion of the future land uses for the Intervening Lands on this page fails to mention that an alternative to the residential uses was submitted to the City, but apparently rejected without explanation by the City staff or the preparers of the EIR. That proposal would have designated all of the Intervening Lands for Public/Quasi-Public uses. Such an alternative would have avoided many of the significant adverse environmental impacts of trying to designate those lands for residential uses.

24-22

Page 4-3: LAFCO

The EIR's discussion of LAFCO fails to mention that the Oeste Campus, Covell, Signature and Nishi Projects will also have to secure LAFCO approvals. It is not accurate to imply that only the Davis Technology Campus must obtain LAFCO approvals.

24-23

CHAPTER 5 - ENVIRONMENTAL ANALYSIS.

Page 5-5: Table 5-2. "Topics Not Analyzed in Detail in This EIR".

There appears to be a mistake in the Findings for Topic VIIg - "Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan" - with respect to the Oeste Campus Project. The Oeste Campus Project would result in LOS F on Covell Boulevard near the Sutter Davis Hospital. Since the City has policies which prevent any expansion of Covell Boulevard to a six (6) lane configuration in order to relieve that grid lock traffic situation, it is not accurate for the EIR to conclude that there would not be any physical interference caused to an emergency response plan or evacuation plan by Alternative 4. Emergency vehicles would not be able to respond within their customary response times when they travel on Covell Boulevard if Alternative 4 is built. This response situation appears true of Arlington Boulevard as well.

24-24

CHAPTER 5A - LAND USE, AESTHETICS AND HAZARDOUS MATERIALS.

Page 5A-3: Table 5A-2 "Existing Land Use and Aesthetic Character of the Sites Being Studied."

The Williamson Act contract at the Davis Technology Campus for which a nonrenewal was filed in 1991 was only for a 90 acre portion of the site south of the drainage ditch designated for AgriTech uses. This should be noted in Table 5A-2. Otherwise, the Table implies that the entire Davis Technology Campus is in a Williamson Act contract nonrenewal status, which is not the case.

24-2

15

Bob Wolcott
March 10, 2000
Page 6

The vast majority of the land at the Davis Technology Campus is not under any Williamson Act contract.

24-25
cont.

Page 5A-22: Impact LU-22: Change in Views.

The discussion in this paragraph concerning "Views" is contradictory and inconsistent. The third sentence thereof finds that development of the Intervening Lands would not have significant impacts to views. However, the last sentence of this paragraph concludes that the development of the Intervening Lands would have a significant and unavoidable impact on views. A correction is needed here to correct this contradiction.

24-26

Page 5A-23: Light and Glare.

Further explanation in the EIR is needed to support the conclusion in the first paragraph on this page that development of the Davis Technology Campus would have a significant amount of new light and glare in a predominately rural, undeveloped area. The Davis Technology Campus is adjacent to Interstate 80, one of the busiest freeways in Northern California, and in the immediate vicinity of an existing office building utilized by the California Department of Fish and Game and the soccer fields which are having high intensity night lighting installed.

24-27

Page 5A-27: Specific Plan

The discussion in the EIR of timing for the specific plan at the Davis Technology Campus is confusing. A specific plan is not being prepared prior to adoption of General Plan Update, it will be prepared afterwards. No other Alternative is being asked to prepare a specific plan in advance of the General Plan Update. Secondly, there is no reason to require a single specific plan for both the Davis Technology Campus and the Intervening Lands. The EIR cites to no authority for such a proposition, and it is not being required in other instances. For example, the Oeste Campus and Sutter-Davis Hospital, two other adjoining landowners, are not being required to prepare a single specific plan for both of their properties. Please explain this inconsistency.

24-28

Page 5A-28: Table 5A-5

Please explain why the EIR makes a finding in this Table 5A-5 that the Davis Technology Campus would have a "potential increase in the generation of hazardous materials" while the description of Alternative 4 and the Oeste Campus Project was found to have a less than significant impact on hazardous materials issues on Page 5A-26. They should both potentially increase the generation of hazardous materials if they are both being developed as university-related research parks.

24-29

16

Bob Wolcott
March 10, 2000
Page 8

Page 5B-18: Alternative 5/ City Population Increase.

There is a mistake in the estimated City population with Alternative 5 contained in the last paragraph on this page. The population should be 65,458, not 64,458.

24-34

Page 5B-19: Alternative 5/ Jobs.

There is a significant flaw in the EIR's approach to the jobs/housing impacts which will result from Alternative 5. The City has a major jobs/housing balance problem today caused by too few jobs, not too few housing units. Over 40% of all existing Davis workers must commute out of town to find jobs with suitable salaries and which are commensurate with their education and experience. (See, BAE - 1997 Jobs/Housing Balance Report, Table 2 - "Summary of Davis Cross Commuting.") Alternative 5 is the only proposal which would significantly address this problem.

24-35

Page 5B-23: Alternative 5/ Housing.

Please explain why the EIR is not applying the Housing Element Policy on Page 5B-22 ("If adequate sites are not available to meet the five-year need from housing at all income levels, the City must provide sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate low or moderate income housing") to redress the housing shortage the EIR perceives to result from Alternative 5. The City already has an existing deficit in housing units. If that Housing Policy were applied, the impact could be reduced to less than significant.

24-36

CHAPTER 5C - PUBLIC SERVICES AND UTILITIES.

Page 5C-7: Water. and Page 5C-8: Sewage and Wastewater.

Please explain the difference between the current average water consumption number of 240 gallons/person/day and the average wastewater generation of only 90 gallons/person/day. There appears to be a lot of wastewater which is not being accounted for somewhere in the disposal system. We doubt that 150 gallons/person/day is simply evaporating.

24-37

Page 5C-26: Alternative 5/ Population Increase.

The EIR uses two (2) different numbers when it describes how much Alternative 5 would increase the City's population. On Page 5C-26, the EIR says the population would increase by 11,030 people, while on page 5C-24 it says the increase would be 10,030 people. Please identify which is the correct number.

24-38

18

Page 5A-30: Alternative 5 / Land Use

The discussion of Alternative 5, and the Intervening Lands in particular, mentions that "from an environmental standpoint, this site does not appear well suited for residential development." This incompatibility was created by the City staff and the EIR preparers themselves, not by the landowner of the Intervening Lands or by the project proponents of the Davis Technology Campus. There are many other land uses which could have been analyzed for the Intervening Lands, and a number were suggested, such as expanding the existing public/quasi-public uses, but the City chose to ignore them and look at residential uses only.

24-30

Page 5A-31: Table 5A-7 "Agricultural Land Conversion under each Land Use Map Alternative."

This table should be revised to show how many acres of agricultural lands each land use alternative proposes to conserve in order to provide the public and the decisionmakers with a true picture of each alternative's impacts on agricultural lands. A much more complete picture of the agricultural land impacts would arise if it were clearly indicated that the Davis Technology Campus will provide 888 acres of agricultural land preservation in perpetuity immediately adjacent to the City of Davis. This agricultural preservation would act as a permanent greenbelt around the City's southeastern edge. Such a greenbelt is consistent with the General Plan Update which contains a vision of a City surrounded by and containing farm lands. (See, Section 3, page 39 of the General Plan Update Final Draft, 1999).

24-31

Page 5A-37: Alternative 5/ Light and Glare.

The discussion of light and glare which would arise from Alternative 5 fails to accurately take into account the existing baseline condition for this area. The existing soccer fields are getting high intensity night lights and the Department of Fish and Game has a large lighted parking lot. The impacts of greenhouse development in Alternative 5 are also exaggerated and overstated by the EIR. There has never been a proposal for large scale lighted greenhouses made in any of the project submittals made for the Davis Technology Campus. Moreover, the City of Davis already has numerous greenhouses within the City limits operated by Monsanto/Calgene and AgraQuest. The EIR should also note that the Oeste Campus project would place greenhouses adjacent to an existing hospital, a senior retirement community and numerous homes, while the Davis Technology Campus would place greenhouses far from the urban core and residential neighborhoods.

24-32

Page 5B-15: Jobs/Housing Balance.

The penultimate paragraph on this page appears to have a mistake in it concerning the jobs/housing balance concept, wherein it states that a jobs/housing imbalance is a desirable planning goal. We believe this paragraph should provide that a balance between jobs and housing should be the goal, not the lack thereof.

24-33

17

Page 5C-28: Table 5C-15. "Existing and Proposed Coverage Under 5 Minute Response Criteria

Table 5C-15 describes whether a project is within the 5 minute response time from a fire station. We question whether it is accurate to find that the Oeste Campus is within the 5 minute response time of existing fire stations and proposed future fire stations when the Oeste Campus will cause Level of Service "F" ("LOS F") for all traffic using Covell Boulevard and Russell Boulevard in the vicinity of the Oeste Campus site. Please explain this inconsistency. The traffic impacts would appear to remove Oeste Campus from the 5 minute response zone.

24-39

Page 5C-29: Alternative 4/ Fire Response.

The discussion of fire response times on Page 5C-29 for the Oeste Campus is inconsistent with Table 5C-15. The text says the area will not have a 5 minute response time, and would only be partially covered by the response zone from Station 32 on Arlington Boulevard, which would be a significant impact. The Table says Oeste Campus would have full 5 minute response time coverage. Please explain how Sutter-Davis could be only partially within the 5 minute response zone while the adjoining Oeste Campus, which is farther to the west, would be completely within it. The LOS F caused by the Oeste Campus project appears to be a significant and adverse impact to response times in this area of the City which cannot not be mitigated.

24-40

Page 5C-30: Mitigation Measures/ Fire.

The discussion of mitigation measures for fire impacts has ignored two possible and very feasible mitigation measures: requiring new development in areas outside of the 5 minute response zone to install fire alarms and interconnected fire sprinkler systems. Such measures could reduce the fire response impact to a less than significant level.

24-41

Page 5C-31: Table 5C-16. "Additional Housing Units and Students Generated under Each Land Use Map Alternative".

There is a data gap in the EIR concerning the student yield rates and the numbers of new K - 12 students each land use alternative would generate. In Table 5C-16, the EIR analyzes student generation for low density, medium density and high density housing types. However, Table 5C-6 (at Page 5C-5) only shows the student yield rates for single family residential and multifamily residential. No student yield rate is shown for medium and high density residential types, although it apparently differs. Please provide the yield rate used by the EIR preparers to determine how many new K-12 students the medium and high density residential units would generate for the local school system. We also request an explanation of how the yield rate was affected by the fact that most of the high density units will probably be occupied by college-age students attending UC Davis, who are not likely to have started families yet. It is not clear to us how the EIR examined what impact they will have on the generation of new K-12 students for the local school district. As a town with

24-42

Bob Wolcott
March 10, 2000
Page 10

a substantial college student population and an apartment vacancy rate of less than 1%, the use of traditional K-12 student yield rates for single and multifamily residential housing units would not appear to be appropriate. 24-42 cont.

Page 5C-31 and 5C-34: Alternative 5/ Population.

Once again, the correct number for the population expansion resulting from Alternative 5 comes into question here. The discussion on these two pages says 11,030 new people will be added under Alternative 5, while the text on Page 5C-24 said 10,030 people. 24-4

Page 5C-36: Table 5C-18 "Additional Parkland Acreage Needed to Maintain City Standards"

The park lands shown as needed under Alternative 5 in Table 5C-18 appear to be based upon a population increase of 11,030 people. This Table may need revision if the population increase for Alternative 5 is really 10,030 people. 24-4

Page 5C-37: Alternative 5/ Park Acreage.

Same issue here with regard to the correct size of the population increase under Alternative 5 as being 11,030 or 10,030 people. The calculation of the need for parks will be impacted by the total number of people expected to create the need. 24-4

Page 5C-38: Table 5C-19. "Water Supply and Distribution Impacts under Each Land Use Map Alternative"

Once again, we question what number was used for the population increase under Alternative 5 to produce the number of new service connections shown in Table 5C-19 for Alternative 5. Was it 11,030 or 10,030? In addition, the EIR should point out that the expansion of the water distribution system to serve either Alternative 4 or Alternative 5 would most likely be paid for by the developers of those projects, not by the City of Davis. 24-46

Page 5C-39: Alternative 5/ Water.

Same issue here with the size of the population increase as being 11,030 or 10,030 people 24-47

Page 5C-40: Water Impact Mitigation Measures.

The EIR's discussion and analysis of mitigation measures for water impacts is somewhat illogical. While Alternative 2 would result in more additional water service connections than any of the other alternatives, the EIR found that to be a less than significant impact since the City had existing plans for those additional connections. If City approved plans are developed for the 24-48

Bob Wolcott
March 10, 2000
Page 11

additional water connections needed for Alternatives 4 and 5, we fail to see how the EIR could conclude that their water impacts would still remain significant and unavoidable. Implementation of Mitigation Measure PS-7.1 would reduce this impact to a less than significant level, since the EIR concluded that the City-approved plans for Alternative 2 reduced Alternative 2's water service impacts to a less than significant level.

24-48
cont.

Page 5C-42: Alternative 5/ Sewer.

Once again, the EIR's discussion of sewer impacts from Alternative 5 needs to be based upon the correct population figure. The text here states it to be 11,030 new people, while Page 5C-24 says 10,030 people. A clarification is also needed in the discussion of sewer impacts to make it clear that while there is adequate sewer treatment capacity at the wastewater treatment plant, new sewer lines will have to be built from Alternative 5 to tie into the treatment plant collection system.

24-49

Page 5C-43: Davis Technology Campus/ Sewer Study.

The EIR fails to mention the fact that the Davis Technology Campus has already prepared and submitted an engineering study prepared by Nolte & Associates to the City of Davis which addresses the project's sewer needs and impacts. In light of that engineering feasibility study, this wastewater impact should not remain significant and unavoidable for the Davis Technology Campus.

24-50

Page 5C-45: Alternative 5/ Population.

Once again, the EIR needs to determine the correct population increase which would result from Alternative 5 as being either 11,030 or 10,030. The Alternative's projected solid waste generation should be revised accordingly.

24-51

CHAPTER 5D - TRAFFIC AND CIRCULATION.

Page 5D-1 to 5D-16: Traffic and Circulation Setting.

We find a major oversight to have occurred in the preparation of the EIR because it failed to examine the cross-commuting issue. The BAE-1997 Jobs/Housing Balance Report, in Table 2: "Summary of Davis Cross-Commuting" indicates that 43.4% or 11,645 Davis Community Residents work outside of the Davis Community Area. The EIR also fails to look at the potential for those commuters to find new employment within the City of Davis at projects such as the Davis Technology Campus. There was no analysis in the EIR of the likely change to local commute patterns if high paying jobs with local career/employment opportunities are provided.

24-52

21

Bob Wolcott
March 10, 2000
Page 12

Page 5D-11: Table 5D-5. "Existing LOS on Roadways in Planning Area."

There is a mistake in Table 5D-5's analysis of traffic on Chiles Road. It incorrectly refers to "PG&E" instead of to the Davis Technology Campus (or "DTC"). PG&E is the public utility and is not the proponent of the Davis Technology Campus. PG&E Properties, Inc., is the proponent of the DTC. Please correct the EIR in this regard.

In addition, we do not understand the description of two sections of Chiles Road used in this Table. It refers to "Mace Boulevard to In-fill" and then to "In-fill to PG&E". Please define what is meant by that "In-fill" area. We assume it probably means the "Intervening Lands", but that must be confirmed.

24-53

Table 5D-5 on Page 5D-11 fails to mention the existing LOS on Covell Boulevard in an East to West direction from Anderson to Lake. As a major East-West thoroughfare in Davis, Covell Boulevard needs to be included, especially since it will be impacted by the Sutter-Davis and Oeste Campus developments. This data gap in the EIR needs to be corrected.

Page 5D-25: Table 5D-8 "Summary of Traffic and Circulation Impacts by Land Use Map Alternative"

We find it illogical for Table 5D-8 to conclude that the Oeste Campus would have less than significant impacts on transit services (Impact TC-4) and to truck routes (Impact TC-5) when it causes LOS "F" on Covell Boulevard and Russell Boulevard (See, Table 5D-11). If the LOS on those streets is "F", we do not understand how the EIR could conclude that trucks and buses are not being adversely impacted.

24-54

Page 5D-27: Alternative 4/ Traffic.

We are somewhat confused by the discussion of Alternative 4's traffic impacts at the bottom of Page 5D-27. The EIR has stated on Page 5D-18 that LOS F is acceptable only in the City's core area. The EIR concluded on Page 5D-27 that Alternative 4 would have a less than significant impact on the General Plan's traffic policies because it did not conflict with those traffic policies. However, Alternative 4 would create LOS F on both Covell Boulevard and Russell Boulevard, as mentioned in Table 5D-11(at Page 4 of 5 and Page 5 of 5). Please discuss in more detail whether the City has decided to adopt a policy accepting LOS F on Covell Boulevard and Russell Boulevard, which are located outside of the City's core area. LOS F as defined on Table 5D-3 of the EIR indicates that a rating of "F" is a total breakdown of traffic flow, with only stop-and-go operation and delays in excess of 60 seconds.

24-55

22

Page 5D-30: Alternative 4/ Russell Boulevard.

The EIR should look at the fact that the LOS F which Alternative 4 creates on Russell Boulevard between Lake and Arlington will have an adverse impact on the 5 minute response zone for the City's existing fire station in the vicinity of Lake and Arlington, as well as the impact of LOS F on Covell between F Street to Sycamore for the City's proposed new fire station. Such traffic conditions will also impact fire and emergency vehicle response times for the Covell Center.

24-56

Page 5D-36: Mitigation Measures/ Transit.

The EIR's discussion of mitigation measures for Alternative 5's impacts to transit services is inadequate and artificially abridged because: (1) The Davis Technology Campus is only a ten minute bike ride from Mace Ranch; (2) all businesses could be required to join the Transportation Management Association; (3) all businesses could be required to provide vanpool information to employees; (4) the Davis Technology Campus will promote the use of electric cars, provide preferred parking for electric cars and, to the extent feasible, provide electric vehicle recharging stations. All of those mitigation measures could be implemented to reduce Alternative 5's impacts to transit.

24-57

Page 5D-37: Impacts to Truck Routes by Alternative 4.

The EIR's discussion of the impacts to truck routes by Alternative 4 is inadequate. It fails to consider the fact that this Alternative will cause LOS F on both Covell and Russell Boulevards. Furthermore, it does not examine the fact that a new business park at Oeste Campus will create a new truck route and attract trucks to the development. In light of those factors, it is inconsistent for Table 5D-18 and the text on Page 5D-37 to conclude that Alternative 4 would have a less than significant impact on truck traffic and truck routes.

24-58

CHAPTER 5E - AIR QUALITY

Page 5E-14 Alternative 2

The discussion of Alternative 2's air quality impacts uses the wrong baseline for determining the significance of those impacts. Impacts to air quality must be compared to the currently existing physical conditions "on the ground", not to the theoretical policies of the General Plan. See CEQA Guideline 15125(a):

24-59

"An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting

23

will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. [emphasis added]

The analysis in the EIR should not just be a question of whether a particular alternative is consistent with the air quality policies enunciated in the General Plan, but whether the air quality impacts of each alternative, when compared with currently existing physical conditions, result in adverse significant impacts to air quality. Thus, it is misleading for the EIR to compare the air quality of each alternative with Alternative 2, since Alternative 2 is not the baseline condition. Tables 5E-9 and 5E-10 should be revised to compare air quality changes from each Alternative to the current environmental baseline, not to Alternative 2's air quality impacts. Only in this fashion would the public and the decisionmakers have the necessary information on what the environmental impacts would be if they continued to simply follow the currently adopted General Plan without any changes to it. In order to correct this situation, the air quality impacts should be compared to Alternative 1, which Chapter 4 of the EIR indicates to be the "Baseline Condition." (See Page 4-2 of the EIR.)

24-59
cont.

CHAPTER 5F - NOISE.

Page 5F-1: Noise

We find that the EIR has made little or no mention of the fact that the Oeste Campus Project would be located immediately adjacent to two sensitive noise receptors, the Sutter Davis Hospital and the University Retirement Center, a senior community. Noise impacts would occur to those sensitive noise receptors during construction activities at Oeste Campus and during its subsequent ongoing operation. A correction to the EIR needs to be made in this regard and Alternative 4's noise impacts on those sensitive noise receptors clearly evaluated.

24-60

Page 5F-2 to 5F-3: Table 5F-1 "Modeled Traffic Noise Level for Existing Conditions."

The description of noise levels along Chiles Road inaccurately refers to "PG&E". PG&E is the gas and electric utility company. The reference here should be to the Davis Technology Campus or to PG&E Properties, Inc. In addition, the reference to "In-fill" should probably be to the "Intervening Lands" in order to be consistent with the remainder of the EIR. Such a clarification will also remove any confusion it might cause to readers of the EIR who might consider In-fill to mean the development of sites already within the existing City limits.

24-61

We also question the accuracy of the description of the road segment as from "In-fill to PG&E". That segment should be called from "County Road 32B at Current City Limits to County Road 105". The segment called "PG&E to Webster Ramps" should be revised to read "County Road 32B at County Road 105D to Webster Ramps."

24

Page 5F-9: Table 5F-5 "Summary of Noise Impacts by Land Use Map Alternative"

This Table does not accurately portray Alternative 4's impacts to the sensitive noise receptors at the existing Sutter Davis Hospital and the University Retirement Center. Both of those sites will suffer from exposure to "Operations-Related Noise" from Alternative 4, yet this is not discussed in the EIR or shown in the Table.

24-62

Pages 5F-10 thru 5F-13: Alternative 5/ Noise.

The EIR fails to note that the proponents of the Davis Technology Campus proposed public/quasi-public land uses for the Intervening Lands, yet the EIR inexplicably decided to propose those lands for residential land uses. Thus, the inconsistency with General Plan policies on noise for the land uses on the Intervening Lands was an inconsistency made by the City's unilateral decisions. The EIR also should have examined the environmental impacts of public/quasi-public land uses on the Intervening Lands as one of the alternatives examined. Another shortcoming of the EIR is its failure to make note of the great concerns raised by Davis Waste Removal over residential uses on the Intervening Lands which would be within 100 feet of their property (See letter dated March 3, 1999 to the Davis City Manager from Davis Waste Removal).

24-63

CHAPTER 5G - HYDROLOGY AND FLOODING.

Page 5G-2: "Flood Hazards"

The discussion of flood hazards in the EIR fails to mention the flood hazards in the vicinity of the Oeste Campus which is part of Alternative 4. During large flows the West Pond and Stonegate storm water detention basin can exceed their capacities. Excess flows are pumped across Covell Boulevard into a ditch on the north side of Covell Boulevard, which then flows east to Channel A. Some mention also needs to be made in the EIR that the intersections of Lake/Covell and Denali/Covell are subject to localized flooding during large flood events.

24-64

Page 5G-3: "Groundwater Hydrology"

The EIR should indicate whether all twenty-one (21) of the City's wells are currently in operation, or if some of them are not operating for any reason.

24-65

Page 5G-4 Table 5G-1 "Summary of Surface Drainage and Flooding Information"

The discussion of drainage patterns in this Table is incomplete for the Sutter-Davis Hospital and the Oeste Campus sites. The Table merely states that they "drain east to the southern boundary of the site". The EIR needs to indicate where the drainage water goes from there, as it does for all

24-66

25

Bob Wolcott
March 10, 2000
Page 16

of the other alternatives. We suspect that those two sites drain into Channel A. The EIR also needs to examine the question of whether Channel A has the capacity to handle the flows from those two sites upon build-out of Alternative 4.

24-66
cont.

Page 5G-11: Table 5G-2. "Summary of Hydrology and Water Quality Impacts"

This Table has misidentified Alternative 4 as the "Community Expansion Scenario with Davis Technology Campus" when it should read "Community Expansion Scenario with *Oeste Campus Project*".

There are also significant errors in the Table's conclusions for the Oeste Campus Project's flooding impacts. Since the Oeste Campus is located within a 100 year floodplain designated by FEMA, we do not understand how this Table 5G-2 could say that project mitigation is "Not Required" and that there would be no exposure of people and property to flooding hazards. (Impact "HYD-3"). Please explain how such conclusions were reached in light of the fact that the map in Figure 5G-1 shows the entire Oeste Campus site and Sutter Davis Hospital within a 100 year floodplain. Moreover, if those two locations are to be removed from the 100 year floodplain by means of a protective levee system, then they would still subject people and property to flood hazards in the event of a levee break.

24-67

Page 5G-15: Table 5G-4 "Drainage and Surface Runoff Impacts"

We believe that the EIR is mistaken in its conclusion that Alternative 4 would not substantially alter drainage patterns, as reflected in Table 5G-4. Alternative 4 would allow the construction of significant projects within the 100 year floodplain at the Oeste Campus and Sutter-Davis Hospital sites. It is incorrect for the EIR to conclude that development would not substantially alter drainage patterns. These two sites would have to remove a total of 160 acres from the 100 year floodplain in order to allow their development to take place. How that would be done is never discussed in the EIR, so it is not possible for the EIR to conclude that it would be done without altering existing drainage patterns. Without any information on how these two sites would be removed from the 100 year floodplain and dispose of their drainage, there is no analytical framework for the EIR to reach its conclusions. The most that can be said about Alternative 4 in Table 5G-4 is that it has the "Potential to substantially alter drainage patterns".

24-68

Page 5G-16: Alternative 4 / Drainage Impacts.

Once again, we must reiterate our comments as noted above that the EIR has no foundation upon which to conclude in its discussion of Alternative 4's drainage impacts that it would not be expected to substantially alter drainage patterns in the planning area. Without any proposals for bringing substantial portions of this area out of the 100 year floodplain, the EIR has no data and no analytical framework to support its conclusion in this regard.

26

Page 5G-17: Alternative 5/ Drainage Impacts.

The EIR's conclusion about Alternative 5's impacts on drainage are unsupported by any evidence. If the buildings are constructed on elevated building pads to bring them above the 25 ft. elevation, that does not mean that drainage patterns would necessarily be adversely impacted off site. On site detention and storage of stormwaters on site in the proposed lake amenity could mitigate any offsite drainage to the same flow and level as existed prior to the project's construction. Stormwater will be discharged to the adjacent South Davis drainage channel, consistent with current drainage patterns.

24-69

Page 5G-19: Alternative 4/ 100 year floodplain

The EIR's discussion and conclusions concerning the construction of the Oeste Campus project and Sutter Davis Hospital in the 100 year floodplain are illogical. Construction on those sites is inconsistent with the City's policies which would prohibit and discourage development in the floodplain. We do not understand how the EIR can conclude that the Oeste Campus would have a less than significant flooding impact when the means to remove it from the 100 year floodplain are unknown. In addition, the EIR completely fails to mention FEMA regulations concerning development in floodplains and its new policies designed to discourage the removal of any additional areas from the natural 100 year floodplain.

24-70

CHAPTER 5H - BIOLOGICAL RESOURCES.

Page 5H-14: Special Status Species.

The discussion of special status species in the EIR fails to mention that two (2) Swainson's hawk nesting sites were found at the Oeste Campus Project during Jones and Stokes Associates' July 1998 "Comparative Evaluation of Research Park Proposals" which was performed for the City of Davis. In addition, the EIR fails to mention use of the 140 acre Oeste Campus site as foraging habitat by the Swainson's hawks which nest there.

24-71

Page 5H-14 Davis Technology Campus

There are several errors in the EIR's description of existing conditions at the Davis Technology Campus site. While the site contains land under agricultural cultivation, there is NO RICE being cultivated there. In addition, the land is not being currently left fallow, and the fallowing of this land is not being practiced as part of its agricultural management regime. There are no fallow areas on the site. The "large agricultural drainage ditch" which the EIR mentions as running east to west along the southern boundary of the site is actually the South Davis Drain, which carries runoff from both agricultural lands and urban runoff from South Davis to the Yolo Bypass.

24-72

Page 5H-21: Impact BIO-3. "Loss or Temporary Disturbance of Non-Native Grassland, Ruderal or Agricultural Areas."

The EIR's conclusion that Alternative 5 would have the "greatest relative potential impact" is not exactly accurate. Alternative 5 has proposed the highest mitigation ratio for the loss of agricultural lands at 2.8:1, which is far higher than any other alternative. This would yield approximately 888 acres of land permanently set aside in perpetuity for agricultural uses.

24-73

Page 5H-22: Impact BIO-7. "Impacts from Noxious Weeds"

The EIR's statement about Alternative 5 having the greatest relative impacts from noxious weeds is misleading. Land which is being actively cultivated, such as the lands in Alternative 5, have the noxious weeds, if present, under control. If the noxious weeds have been eradicated, there is a decreased potential for them to be spread when cultivation ceases and construction grading begins.

24-74

Page 5H-23: Table 5H-1 "Summary of Biological Resource Impacts"

There is a mistake in Table 5H-1 concerning the Davis Technology Campus. The area has been surveyed and there are no jurisdictional wetlands or waters of the United States on the site. Therefore the finding in "BIO-5. Loss or Temporary Disturbance of Wetlands and Other Waters of the U.S." that the Davis Technology Campus would have a "significant impact" is in error.

24-75

Page 5H-34: "Alternative 5 / Wetland Impacts"

The conclusion in the EIR that the Davis Technology Campus would have significant impacts to wetlands is in error. There site has been surveyed and there are no jurisdictional waters of the United States on the site.

24-76

Pages 5H-40 and 41: "Impacts from Noxious Weeds"

The EIR never fully explains the purported impacts from noxious weeds or where those weeds would come from. Page 5H-22 implies that noxious weeds would be spread through grading and site disturbance during construction., as does Table 5H-8 on page 5H-40. However, the discussion of noxious weeds under Alternative 2 (at Page 5H-40) implies that noxious weeds would also come from the landscaping activities and other land management activities associated with urban development. Please fully and adequately explain how any of those activities would create a noxious weed problem on the lands being developed. Have there been any scientific studies which lend credence to this hypothetical impact?

24-77

28

Bob Wolcott
March 10, 2000
Page 19

Page 7-9: Agriculture/Cumulative Impacts

The EIR's discussion of the cumulative impacts of development on agriculture needs to be made internally consistent. The first paragraph of this analysis on Page 7-9 concluded that : "Under Alternatives 2, 3, and 4, minimal land use conversions from agricultural to urban uses would occur in Davis." Since the Oeste Campus, Sutter Davis Hospital and Covell Center Projects would in the aggregate convert 546 acres of agricultural lands to urban uses, we question whether that should be considered a "minimal" conversion to urban uses by the EIR. The Oeste Campus and Sutter Davis Hospital projects alone would convert 160 acres from agricultural uses to development on the western edge of the City. In addition, the second paragraph on Page 7-9 discussing agricultural conversion to urban uses states: "Nevertheless, the Davis community considers conversion of any agricultural lands to have substantial implications for environmental resources, as well as the socioeconomic status of a community and its residents." [emphasis added] In light of that policy statement, it is difficult to understand how the EIR could characterize the conversion of 546 acres of farm land to urban uses under Alternative 4 as a minimal impact. Instead, that conversion should be acknowledged as a significant and unavoidable cumulative impact arising from Alternative 4.

24-78

Conclusion

Thank you for the opportunity to provide comments on the EIR for the General Plan Update. Our comments have been offered in the spirit of improving the environmental analysis in order to make it more comprehensive for all of the various alternatives being examined, as well as to avoid any inconsistencies and inadequacies in the environmental analysis performed for the EIR. We trust you will find our comments useful.

Very truly yours,

LAW OFFICES OF
GREGORY D. THATCH



MICHAEL DEVEREAUX

MD\tnk
D4294.ltr
enclosure

cc: Jeanne Jones, PG&E Properties, Inc.

29



October 1, 1999

4615 Cowell Boulevard
Davis, CA 95616-4367

530.753.8000
Fax: 530.753.1920

Matt Kowta
BAE
740 G Street
Davis, CA 95616

Via fax 750-2194

RE: Business Park Absorption Information

Dear Matt:

During our meeting on September 16th, you asked if we had any forecasts for the rate of absorption for the Davis Technology Campus project. This letter from Herb Grabell, Industrial Services Group from Grubb & Ellis Company answers your question.

Mr. Grabell writes, "It is my opinion, Davis Technology Campus under its present plan could easily absorb a minimum of 200 acres over a period of 10 years. As high tech and bioscience companies continue to experience higher costs within the bay area, they will be attracted to our area. The types of companies targeted usually require campus like settings in an open environment including potential expansion. In addition, a park of this caliber not only will create it's own synergy, it should produce additional business from suppliers and other related businesses in smaller surrounding Davis business parks."

The Davis Technology Campus project with 256 acres (tech site area subtotal) in the current EIR analysis appears to be appropriately sized given this real estate expert's comments from 1998.

Feel free to call me with any questions.

Sincerely,

Jeanne Barnhill Jones
General Manager

Enclosure- Letter dated August 28, 1998 Grubb & Ellis Company

30

SEP 03 1998

August 28, 1998

Ms. Jeanne Barnhill Jones
PG&E Properties, Inc.
4615 Cowell Boulevard
Davis, CA 95616-4367

**Re: Davis Technology Campus
Davis, CA**

Dear Jeanne:

It was great to see you recently regarding your proposed Davis Technology Campus project in Davis. Thank you for taking the time to further describe your proposed plan. I must say, I am extremely impressed with the scope, vision and insight the owners have developed for this project.

It is my opinion that the timing for this type of project is right on. The greater Sacramento area has experienced an increasing demand of high tech and bioscience companies with decreasing number of appropriate sites and facilities to house them.

Several of the larger prominent business parks are catering more to the larger warehouse operations, i.e Southport in West Sacramento, and Woodland. The Riverside Centre in West Sacramento offers a hodge podge of businesses creating an uncommon theme of different industry types, i.e. offices, food distribution, billing centers, multi-tenant industrial and a myriad of other industry types.

The Roseville/ Rocklin submarket of Sacramento comes a little closer to this sought after business park environment, but due to the large area land mass, there presently is not a central theme. Hewlett Packard and NEC and their suppliers continue to be the drivers of this market.

The largest asset I see with this proposed project, is the proximity to U.C. Davis. Increasingly throughout the country, companies related to the high tech and bioscience industry are looking at the synergy created by partnering with major Universities. This concept continues to offer many win-wins for all interested parties. The University offers their students valuable hands on experience, while in return the University offers another arrow in their quiver in attracting students. The companies also win with their ability to attract graduates.

31

The next largest asset is the strategic location and size of the project offering a signature park location directly off Interstate 80. Many companies in the market continually stress the importance of easy access and visibility for their projects. The farther a project is away from interchanges, services and other amenities, tends to lower the total score by decision makers relative to parks offering these amenities.

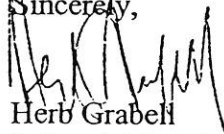
Other than the Highway 65 corridor, there presently does not exist, a major business park dedicated solely to high tech and bioscience companies within the Greater Sacramento Area. If a strategically located park did exist which offered many of the amenities including water features, outside recreation areas including walking and jogging paths, it should offer many comparative advantages relative to other parks. The quality of companies, who would show interest in this park, continually strive to offer their employees a better environment to work in. These companies require employees to remain stimulated and creative in order to keep a competitive edge in the marketplace. Employees also demand these quality of life environments when searching for positions within these companies

→ It is my opinion, Davis Technology Campus under it's present plan could easily absorb a minimum of 200 acres over a period of 10 years. As high tech and bioscience companies continue to experience higher costs within the bay area, they will be attracted to our area. The types of companies targeted usually require campus like settings in an open environment including potential expansion. In addition, a park of this caliber not only will create it's own synergy, it should produce additional business from suppliers and other related businesses in smaller surrounding Davis business parks.

For many of the above reasons, this proposed park offers all the right ingredients to attract the targeted industries. Companies related to both the high tech and the bioscience industry continue to look for easy access for customers and suppliers, quality of life for employees, park like environments with all the amenities, proximity to Universities, seismic stability, proximity to services, i.e. restaurants and hotels, and affordable housing. Again, this proposed park appears to have it all!

I wish you success as you continue to proceed through the entitlement process, and look forward to hearing about your continued progress.

Sincerely,



Herb Grabel

Industrial Services Group

32

Letter 24: PG&E Properties, Inc. (Jeanne Barnhill Jones) – March 13, 2000

24-2 As noted in response 14-3 above, the discussion of jobs/housing balance has been restated in the final EIR to better reflect City policy.

Comments related to the content and assumptions of the fiscal assessment will be considered by the City, but are not a comment on the adequacy of the EIR, since this study was not incorporated into the EIR. See also common response C.

Regarding the mix of sites included in each alternative, it should be noted that the purpose of the EIR is to assess the impacts related to the General Plan update, and not to assess individual projects. Information on a programmatic basis for each project site was included for each environmental resource evaluated in the draft EIR. See also Master Response C.

24-3 See the response to Comments 20-1 and 20-2.

24-4 See Master Response C.

There are environmental constraints on the residential use of the Intervening Lands. If residential uses were approved for this area, these constraints would need to be addressed during project review.

The EIR is required to analyze a reasonable range of feasible alternatives to the project. In discussions with City staff, it was determined that an alternative to residential uses should be evaluated. The public/semi-public category was not used since it was not clear that this would allow the property owners to have a viable economic use of the property. Therefore, the City decided not to analyze the Mitigation Alternative Plan. If Alternative 5 is selected for approval, the Mitigation Alternative Plan may be analyzed at such future time as development is proposed on the site, in keeping with Mitigation Measure LU-1.1 that requires preparation of a specific plan for the area.

24-5 The purpose of the EIR is to identify potential environmental impacts related to the proposed project and alternatives. The land proposed for conversion from agriculture to other uses is reflected in Table 5A-7. Loss of agricultural land is considered to be a significant impact in this EIR, one that is not fully mitigated by preserving other agricultural lands. The potential for conservation easements may be a factor in City Council land use decisions but would need to be confirmed through mechanisms such as a development agreement.

24-6 This comment relates to the Fiscal Impact study done in conjunction with the General Plan update. No EIR issues are raised and thus no response is needed.

24-7 See response to Comment 14-3.

24-8 Because SACOG has not released its fair share number for Davis, making a gross estimate of that share requires some speculation. SACOG's current *Housing, Population and Employment Projection Data* forecasts that the population of Davis will increase by approximately 7,350 people between 2000 and 2010. SACOG estimates that this would require approximately 3,510 additional housing units within that period.

On the basis of this level of growth and the expected need for additional low-cost housing to accommodate increased enrollment at UCD, a reasonable assumption can be made that the City's next regional fair share will be similar to its current fair share.

24-9* The referenced text has been corrected in the modifications included with Chapter 4 of this document.

24-10* The suggested revision is contained in the modifications included with Chapter 4 of this document.

24-11* The suggested revision is contained in the modifications to page 2-6. Impact HYD-3 on page 10 of Table 2-3 in the Executive Summary chapter does note that the Oeste Campus site is located within the FEMA-designated 100-year flood zone.

24-12* The suggested revisions are contained in the modifications to page 2-6.

24-13 This comment relates to the General Plan and is not pertinent to the EIR. No further response is needed.

24-14 The term University Related Research Park is defined in the General Plan update on page 72 (Land Use Category I). Further specification of this definition is an issue pertaining to the General Plan, and not the adequacy of the EIR. No further definition is necessary.

24-15 See response to Comment 14-3.

24-16 The referenced text refers to issues related to the General Plan, not Davis Technology Campus exclusively. Also, although the Davis Technology Campus proposal includes agricultural preservation, it also would result in the conversion of 319 acres of agricultural lands, as noted under Impact LU-3. This conversion is considered significant and unavoidable. No revisions to the draft EIR are proposed.

24-17 University Related Research Park uses are aggregated with other office/business park uses for purposes of convenience (similar to commercial uses being aggregated in commercial categories). No revision to the EIR is needed.

24-18* The commenter is correct that portions of the Intervening Lands are currently in public and quasi-public uses. Only a portion of this area is under agricultural cultivation. In fact, from Highway 80, the site's dominating feature is the DFG facility.

However, the figures in Chapter 3 of the EIR illustrate planned, not actual, land uses. The Intervening Lands are proposed to be designated as “Agricultural” on Alternatives 2, 3, and 4 and are presented accordingly in Figure 3-10. This reflects the current City General Plan designation for this area. Under Alternative 5, the Intervening Lands are proposed for annexation and additional development. The illustration in Figure 5 reflects the proposed land use designations.

If the Intervening Lands are incorporated into the City, the City’s General Plan will include designations reflective of existing uses, as well as designations anticipating new uses. If Alternative 5 is not chosen, then no change would be made to the current agricultural designation of this land.

24-19 At this stage, the minimum on-site agriculture buffer is assumed to be part of the difference between gross and net developable site areas. The actual amount of “urban agricultural transition area” would be identified when a specific proposal for development and conserved farmland is prepared.

24-20* Oeste Campus has been removed from Figure 3-12 in Chapter 4 of this document.

24-21* Oeste Campus has been removed from Figure 3-13 in Chapter 4 of this document.

24-22 See the response to Comment 24-4.

24-23* The commenter is correct in noting which sites would require annexation and LAFCO approval. Figure 3-3 of the draft EIR clearly shows the sites outside of the existing City limit. The purpose of the referenced text on pages 4-2 and 4-3 is to explain that there is a link between Davis Technology Campus and Intervening Lands even though they have different ownerships and are not being planned for development as a coordinated effort. A reference to the other sites requiring annexation has been added to the modifications to page 4-3.

24-24 The issue of emergency response times is analyzed under Impact PS-3B. The City’s 5-minute response zones, presented in Figure 5C-1 of the draft EIR, indicate that the Oeste Campus would be within the 5-minute response zone even without construction of the proposed new fire station. Impact PS-2 addresses law enforcement services and concludes that impacts related to the Oeste Campus would be less than significant.

24-25* The commenter is correct that most of the DTC site is not subject to the Williamson Act and that the portion that is under the Act’s restrictions has been in nonrenewal status. The modifications to Table 5A-2 will reflect this situation.

24-26* The referenced text has been corrected in the modifications to page 5A-22.

24-27 The text on page 5A-37 of the draft EIR explains that development of the Davis Technology Campus could include the use of large-scale lighted greenhouses, which could be lighted during the day and night introducing a substantial amount of nuisance

light into an area that currently has little artificial lighting since it is located at the urban edge. These greenhouses would also not be subject to the City's existing Outdoor Lighting Control Ordinance. No change to the EIR is proposed.

- 24-28 Mitigation Measure LU-1.1 does not require that a specific plan be prepared and approved prior to approval of the General Plan update. Rather, the measure requires that the General Plan be modified to require preparation and approval of a specific plan. This modification to the General Plan would need to occur prior to General Plan's adoption. The reason that this measure is recommended for Davis Technology Campus and not the other sites is explained on pages 4-2 and 4-3 of the draft EIR. Specifically, annexation of the Davis Technology Campus without the Intervening Lands would not promote logical and orderly development since the Davis Technology Center is not located adjacent to the City limit. Mitigation Measure LU-1.1 would provide for coordinated development of the two sites which the City views as being linked projects. This relationship does not exist with the Oeste Campus and Sutter-Davis Hospital as the Oeste Campus site is adjacent to the City limit.
- 24-29 Table 5A-5 identifies potential impacts related to implementing Mitigation Measure LU-1.2 which calls for changing the land use designation of the Intervening Lands from residential to non-noise-sensitive uses, such as commercial, office, business park, university-related research park, public/semi-public, or urban reserve. Some of these uses, such as business park and university-related research park uses could result in the generation of hazardous materials. This table does not relate to the impacts of the Davis Technology Campus.

The less-than-significant conclusion on page 5A-26 relates to the impacts of policy changes in the General Plan update, not of developing the Oeste Campus. This same less-than-significant conclusion for this impact is also identified for Davis Technology Campus on page 5A-27 (second full paragraph).

- 24-30 The City is responsible for adopting a General Plan and the land use designations on that plan. The City may choose to make its own proposals for land uses. Residential use is being analyzed, although other uses may be appropriate.
- 24-31. See the response under comment 24-4.
- 24-32 This comment points out that there has been no proposal for lighted greenhouses at the Davis Technology Campus project site. The City considers research greenhouses to be a potential allowed use in this designation. Since no official project has been submitted for City review, the uses that could potentially exist were included. Beyond this, the Davis Technology Campus will introduce a range of urban light sources (streetlights, building lights, etc.) into an undeveloped area at the edge of the City, and will have a significant impact on light and glare with or without greenhouse uses. Therefore, no change in the findings has been included in the final EIR.

- 24-33* The final EIR will be revised. Also, see Comment 14-3 for a discussion of jobs/housing balance.
- 24-34* The EIR will be revised. The correction will be on a modification to page 5B-18 in Chapter 4 of this document.
- 24-35 The discussion of jobs/housing balance has been revised to provide further clarification on this issue. Also refer to the response to Comment 14-3.
- 24-36* The current Housing Element policy generally conforms to Government Code Section 65583(c)(1). The success of such a program depends in part upon the amount of vacant land available for such uses, existing development that would be economically attractive for demolition and conversion, and the market for these units. Including the current policy in the housing section of the General Plan update would help reduce the expected impact below a level of significance for Alternatives 3, 4, and 5.
- Mitigation Measure PH-2.1 will be amended to include this provision. See modification to page 5B-23.
- 24-37 The difference is made up of water usage that does not go into the wastewater treatment plant. This includes losses as a result of irrigation (evaporation), leaks in transmission lines, and so forth.
- 24-38* Based on the population estimates contained in Table 5B-2 on page 5B-8 of the draft EIR, the increase in population under Alternative 5 would be 11,030, not 10,030, from January 1998 to January 2010. This correction is made in the modifications to page 5C-24.
- 24-39 See the response to Comment 24-24.
- 24-40 See the response to Comment 24-24.
- 24-41 While such systems could be used, these would not change the compliance with the 5-minute response time required by City policy.
- 24-42 The student generation rates were provided by the DJUSD based on existing enrollment ratios for single- and multi-family residential uses.
- 24-43 See the response to Comment 24-38.
- 24-44 This table is correct since the population increase expected under Alternative 5 of 11,030 from January 1998 to January 2010 was used for this table.
- 24-45 See response to Comment 24-44.

24-46 The water needs presented in Table 5C-19 for Alternative 5 were based on the correct population increase.

Mitigation Measure PS-7.1 (Engineering Feasibility Study) states that the project proponent would be required to provide mitigation to offset impacts on the water system; this would include paying for their proportional share of the expansion of the water production and distribution system.

24-47 The analysis of Alternative 5 on page 5C-39 is correct.

24-48 The conclusion for Alternative 2 is based on known information (infrastructure planning to handle the existing General Plan). Such information is not available for Alternatives 4 and 5. Accordingly, the EIR takes the conservative approach of finding the impacts of Alternatives 4 and 5 to be significant. At such time as engineering assessments are submitted for the Sutter Davis, Oeste Campus, Intervening Lands, or Davis Technology Campus, the City may find in the project-specific CEQA documents that the impact is less-than-significant.

24-49 These numbers were based on the correct population figure for Alternative 5.

We do not have sufficient project-specific information to determine that the City's wastewater treatment plant contains sufficient capacity to serve the additional demand projected under Alternative 5. Mitigation Measure PS 8.1 calls for studies of any new large-scale development to ensure there is adequate capacity. However, new sewer lines would be needed to convey wastewater from the Intervening Lands and Davis Technology Campus sites.

24-50 The impact for Alternative 5 is the aggregate impact for the proposed development under that Alternative, including the Sutter Davis and Intervening Lands sites. At this time, no official application has been received for processing related to the Davis Technology Campus, and the sewer study has not been evaluated by City staff at this time. The EIR takes the conservative approach of finding the overall impact significant. A sewer impact study for Davis Technology Campus has not been validated by the City's Public Works Department. Such a study would not be validated until a later stage of the development review process. Current information indicates that adding development beyond the existing general plan (depending on the alternative selected) could exceed the capacity of the City's wastewater treatment plant.

24-51 These numbers were based on the correct population increase for this alternative.

24-52 With construction of a large employment center in the City, many City residents would be expected to find employment at such a facility. The model accounts for this internal capture of residences matching their trip end with employment within the City.

24-53 The PG&E reference is the same as the DTC. Currently PG&E Properties owns the land where the DTC is proposed for development. The land just to the west was referred to as

the infill area. This area is the same as the intervening lands. A correction will be made to Table 5F-1.

The existing daily traffic volumes on Covell Boulevard were inadvertently left out of the table. These traffic volumes are presented in the Appendix B of the draft EIR. As shown in the appendix, currently Covell Boulevard accommodates 11,200 ADT between Lake and Shasta with daily traffic volumes rising to 20,200 ADT between Shasta and SR 113 and to 21,100 between SR 133 and Sycamore.

- 24-54 Table 5D-14 identifies sections of Covell Boulevard and Russell Boulevard as operating at LOS F. Installation of the identified roadway widening will result in levels of service on these facilities to improve to LOS C or better. Additionally, the potential impacts of development of the Oeste Campus on transit services and truck routes were mitigated by general plan policies (e.g., MOB 4.1 through 4.3, MOB 1.6, and MOB 1.9), as described on pages 5D-35 and 5D-37 of the draft EIR.
- 24-55 Please see Master Response A. In addition, with installation of the identified roadway widening, acceptable traffic operations would result on Covell Boulevard and Russell Boulevard. Please see the response to Comment 24-54.
- 24-56 Please see the response to Comment 24-54. Table 5D-14 of the draft EIR identifies Russell Boulevard as needing to be widened to 4 lanes between Lake Boulevard and Arlington Road under Alternative 4. This roadway widening will result in LOS A roadway operations.
- 24-57 The City has adopted an ordinance pertaining to TSM requirements. This TSM ordinance is aimed at promoting alternative commute modes and reducing the total number of vehicle trips. The ordinance is broken into requirements for both minor and major employers and these requirements differ based on the size of the employer. All employers will have to comply with this ordinance. Currently, the TSM Administrator for the City is Willa Pettygrove.
- 24-58 Please refer to the response to Comment 24-54. Additionally, only trucks in excess of 3 tons of gross vehicle weight are required to travel on designated routes, to the fullest extent feasible, to avoid streets not suited for truck traffic. Allowances are made for trucks making local deliveries, such as to construction sites and businesses.
- 24-59 The current approach to air quality analysis is correct. Air quality analysis is different from most other impact analyses in that there are established regulatory standards for air quality. An air quality analysis is not prepared to determine how conditions under Alternative 2 would differ from the baseline established in Alternative 1, but whether the proposal would exceed established air quality standards. If, for example, the City currently exceeded air quality standards in some category, and Alternative 2 would result in no change to that condition, we cannot conclude that Alternative 2 would have no impact. The conclusion must be that Alternative 2 will have a significant impact because it will exceed the particular standard.

- 24-60 See Master Response C.
- 24-61* The comment is noted. Table 5F-1 will be corrected in the modifications section (Chapter 4) of this document.
- 24-62 The draft EIR is intended to provide an overview of potential impacts under the proposed General Plan update alternatives. The level of detail in the draft EIR reflects the level of detail found at the General Plan level. The draft EIR concludes that under Alternative 4 there may be areas for which noise levels will exceed standards and that there will be significant and unavoidable impacts. Further detail regarding the potential impacts of specific development projects on neighboring uses will be provided at such time as site-specific CEQA documents are prepared for those projects.
- 24-63 See the responses to Comments 23-1, 24-4, and 24-30.
- 24-64 The Oeste Campus is within the 100-year floodplain. This is disclosed in Figure 5G-1 as well as Table 5G-1 on page 5G-4 of the draft EIR.
- 24-65 This level of detail is not necessary to an evaluation of the potential impacts of the General Plan update. The City's available water supply is noted in the draft EIR on pages 5C-7 and 5C-8..
- 24-66 As part of a development proposal, an assessment of flood potential will be performed, and the General Plan update and draft EIR contain policies and mitigations requiring project to retain/detain flows onsite and not to adversely impact downstream users. Refer also to Master Response C.
- 24-67 See the response to Comment 9-9. The correction will be made to Table 5G-2 on page 5G-11. The potential impacts of development of the Oeste Campus were mitigated by General Plan policies (e.g., HAZ 1.1 and 1.2), as described on page 5G-19 of the draft EIR. A levee was not assumed to be part of the Oeste Campus project. If one were proposed in any future site-specific project application, its effects would be analyzed in the CEQA document for that project.
- 24-68 The potential impacts of development of the Oeste Campus on flooding were mitigated by General Plan update policies (e.g., HAZ 1.1 and 1.2), as described on page 5G-19 of the DRAFT EIR. In addition, on-site drainage requirements contained in policies WATER 3.1 and 3.2 and their associated standards and actions will mitigate impacts on the drainage system. Specific development plans are not included in the General Plan update and therefore are not addressed in the draft EIR. The cited policies of the General Plan update will be applied to the design of any project on the Sutter Davis and Oeste Campus sites in order to mitigate impacts on the floodplain. Appropriate hydrologic studies will be required once a project is submitted to the City for their consideration.
- 24-69 The EIR concludes that, with implementation of mitigation measure HYD-2.1, development under Alternative 5 would have a less-than-significant effect. This is a

program draft EIR that examines the impacts of the General Plan update as a whole and is not intended to provide a detailed project-specific assessment of potential development. At such time as specific developments are submitted for consideration, mitigating policies in the General Plan will be applied to the design of the project. These policies will ensure that the future project will not conflict with floodplain management requirements.

- 24-70 This is a program EIR that examines the impacts of the General Plan update as a whole and is not intended to be used for project-specific development approvals. At such time as specific developments are submitted for consideration, mitigating policies in the General Plan will be applied to the design of the project. These policies will ensure that the future project will not conflict with floodplain management requirements.

A brief discussion of FEMA regulations and the National Flood Insurance Program is found on page 5G-5 of the draft EIR. To expand on that discussion, the Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program which offers flood insurance for structures located within floodplains. Local communities may qualify for this insurance if they enact floodplain regulations that essentially limit new development within floodplains at elevations below the estimated base flood depth. As part of this program, FEMA produces maps of flood hazard areas which classify areas by their chance of flooding (location within a floodway, within a 100-year floodplain, etc.), the type of flooding, type of flood protection, or the level of confidence in the flood information.

- 24-71 The comment is noted. Under the discussion of special-status species found at the Oeste Campus site (page 5H-14), the draft EIR discloses that a Swainson's Hawk nest was found on the site and that the site provides suitable foraging habitat.

24-72* The information is noted. A modification to page 5H-14 makes these corrections.

- 24-73 The draft EIR bases its analysis of the impact on agricultural land on the principle that any loss of agricultural land is significant. Therefore, despite the potential protection of large areas of agricultural land, the loss of other agricultural land results in a significant effect.

24-74 The comment is well taken. Weed control and implementation of Mitigation Measure BIO 7.1 will substantially reduce the potential for noxious weed infestation due to construction activities. The proposed mitigation measure for noxious weeds should reduce the impacts under Alternatives 3, 4, and 5 to less-than-significance. Modifications to Table 2-3, Table 5H-1, and pages 5H-22 and 5H-41 will make this revision.

24-75* The City is unaware of any formal surveys by PG&E Properties or others. There is a drainage ditch on the property that may be a wetland. The EIR has taken a conservative approach to determining impacts.

24-76* See the response to Comment 24-75.

24-77 Noxious weeds are spread in a number of ways (wind, animals, and so forth), and often take advantage of disturbed areas (such as graded locations) due to their ability to outcompete native species.

See the response to Comment 24-74, above.

24-78 The discussion in the draft EIR is intended to explain that while the conversion of 546 acres of agricultural land appears minimal in light of the tens of thousands of acres of land currently in agricultural use, the City considers the loss of any amount of agricultural land to be significant. This is not an inconsistency in the draft EIR.

RECEIVED

Letter 25

MAR 13 2000

La Buena Vida Homeowners Association (LBVHA)
c/o: BJ Klosterman
2906 Pole Line Rd. Ste.4
Davis, CA 95616
(530) 756-3920

City of Davis
Planning & Building

12 March 2000

City of Davis, Planning and Building Department
City Hall, 23 Russell Blvd.
Davis, CA 95616
Attn. please: Mr. Bob Wolcott, Senior Planner

IN RE: Comments on DEIR General Plan Update and Establishment New Jr. High Site
also additional comments on fiscal study and other related matters.

The Draft Environmental Impact Report is not adequate in several ways, including but not limited to the consideration of a reasonable range of alternatives, the provision of information sufficient to allow decisionmakers to make informed choices, and the identification of significant impacts and feasible mitigations.

1. Critical information is often omitted, mislabeled, outdated, inaccurate, or inconsistently transferred or compiled. This can produce a misleading picture of issues and impacts for reviewers and lead to the institutionalization (approval) of unintended results.

25-1

A few examples of problem follow here. Interesting to find that a street that has increased in traffic in reality, on paper appears to have decreased over a thousand ADT between 1991 and "existing conditions" today. Intriguing to find we have an F street in west Davis as well as east Davis. Unsettling to note current land use designations for Covell Center Partners' proposal cut + pasted UN-updated into Land Use maps (4 + 5) with new increased density keys (allowing for about a 50% increase in proposed housing without necessarily new EIR?). Credulity stretched a bit to find roadways with noise problems affecting nearby residential in 1992, showing equal or lower noise levels at "existing conditions" (in spite of higher actual traffic levels, and perhaps in some cases higher current speed limits). Alarming to find inadequate reference information on one study? justifying lower residential trip yields for all dwellings except mobile homes. Saddening to see more realistic trip generations for schools and community (playing field oriented) parks NOT incorporated. Frustrating to see apparent 8 year old methodology errors related to green time at intersections still being used. Surprising to see areas, frequently flooded in reality, jumping out of the flood zones from current General Plan to Update. Irritating to Not see development projects' certified EIRs' information from mid 1990s included. Irritating to find DEIR analysis done based on a current General Plan table instead of Update's updated table 19 with critical footnote. Disconcerting to see critical footnotes or qualifying statements dropped as one goes from Update to DEIR (this error contributes to unnecessary, expensive and growth inducing widening of a roadway; encourages speeding), or from Fiscal analysis to Staff summary (this omission makes discounted financial benefits that are similar look like real financial goodies and significant differences between business park options). Confusing to find neighborhood apparently missing from existing data; and to find inappropriately long (doesn't take into account influence of intersecting minor arterials or collectors) or overlapping road segments going in

east-west and west-east direction simultaneously with differing noise or traffic levels; to find entire page of roadways left out of a table; to find some road segments within tables arranged north to south while others within same table arranged south to north.

A relatively few additional examples of things needing to be addressed follow here:

For Alternatives 4 + 5 in this Update and DEIR, all Covell Center DEIR and Supplemental DEIR information and documents, including impacts identified and mitigations, need to be incorporated, and all public comments thereon, incorporated as public comments on this DEIR for Alternatives 4 + 5. Relevant truck route revisions from those public comments (see LBVHA communication 17 March 1997 with two color graphics, cc to City Planning And Building Department) are also potentially applicable to Alternative 3 in this DEIR (Covell site business park) or any Preferred Alternative involving truck traffic related to Hunts rezoning / new uses, since along with Green Meadows Apartments and LBVHA residential, Wildhorse now has child-intense affordable multifamily housing and Elementary School / Interim youth sports fields along Pole Line Rd. Figure 22 and related matters in Update may need to be reworked.

25-2

Figure 31a and 31b in Update need to show Open Space for Public Health and Safety Zones around private waste disposal facility, Public Landfill and Sewerage Treatment Facility. Were omitted in transfer of info from current General Plan figure.

Figure 31a and 31b in Update need to show agricultural key symbol on ranch parcel (southeast corner Wildhorse). Due to omission, ranch, which is land use agriculture, looks like urban residential. This omission could easily lead to later misinterpretation of General Plan's intent for this site. Problem is computer-generated key symbols for agriculture are spaced too far apart, but this particular omission can be solved by filling in key symbol marks into ranch parcel by pen+hand.

25-3

Update still shows Alternative 2 (current General Plan) configurations on virtually all Update Figures in regards to the Covell Center site. These all need to be blanked out and labeled "Update in process" for the Covell Center area? See for example, Figure 11b.

Alternatively, street pattern shown for this site in various Update figures should show a street connection from Covell Center to Pole Line south of Donner or across from Picasso, as well as the one north of Donner across from Moore. Such connection reduces traffic-related noise and safety problems on Pole Line Road and on adjoining Wildhorse affordable housing, school site, Green Meadows Apartments and LBVHA homes (see Wildhorse EIR noise contour; Covell Center Draft and Supplemental DEIR; Update DEIR table 5F-1, page 2 Pole Line north of Covell Ldn and Noise contour info; Update Policy MOB 6.1 and MOB 10.1; Update DEIR Table 5D-11 Pole Line north of Covell; and Update DEIR Table 5D-4 ADT 24 hour maximum capacity with lower peak-hour % and same table Max ADT LOS D with lower peak hour % for Major arterial column 2 lane with center turn lane; also 3/16/98 letter Bill Hedberg, City of Davis, to BJ Klosterman, in re Pole Line Road Future Traffic Volume Estimates.)

25-4

Update still shows Figure 17 without footnote 7 from Table 8 (this led to one of the snafus in DEIR noted above). Update Table 8 still lacks footnote 7 reference (in addition to noted footnote 3) at end of roadway row #5, under "proposed condition". Also either north Pole Line in Update Figure 16 should be reclassified to minor arterial, or based on your DEIR traffic study info, Update Table 6 should include a 2+ lane subset for # of Lanes column in the Major arterial row.

25-5

Update Table 6 ROW width column: widths listed often not adequate to accommodate current greenstreet width polices/standards. Table 6 widths should be brought up to date and 1992 General Plan Policy Interpretation greenstreet polices/standards incorporated by clear reference in Table 6's footnote 5. Said greenstreet policies/standards reference should also be specifically referenced in "Notes" at bottom of Update Table 7.

25-6

Update Figure 23, please bring figure up to date for Wildhorse area to show greenstreet bike lanes and paths.

2. Predicting the future is an uncertain business. In some matters, for this DEIR, there have been significant assumptions, or changes in assumptions from the City's previous planning documents. Or important issues, such as changing demographics or lifestyles through time, may not be given adequate attention. And for analyses of infrastructure needs, margin of error can be very high (for example, on major arterial roadway traffic estimates, such estimates can easily be "off" 25%). Yet NO sensitivity analysis is included in the EIR? As in, if our assumptions turn out to be too high or too low, what might be the consequences, including environmental impacts? Where are the right areas in which to build-in flexibility or contingency options into our planning? (DJUSD also tends to not do these sensitivity analyses, so they've sometimes ended up with "We didn't expect that; we're unprepared" situations.)

25-7

3. Pre-Mitigation via General Plan Policies that are non-binding "goals", or standards or actions that contain loop-hole qualifying phrases such as: in general/generally; should (versus shall); shall strive; when/where feasible, or if feasible (as in, if we feel like this is a budget priority, not just if technically feasible) do NOT have the same legal teeth as a mitigation clearly identified and included in an EIR Mitigation Monitoring Program. Yet the DEIR erroneously assumes the same level of implementation. EIR MMP mitigations are not discretionary dependent on some future Council's or Staff's level of commitment. In contrast, many of the General Plan policies and related statements are written in a manner that intent may be more honored in breach than observance. (BJ note to Planning Staff: recall my "safe sex" metaphor to Planning Commission.) Because policies, as well as land use alternatives, can impact the environment, the final EIR should take into consideration the potential for "Pre-Mitigation" failure for those policies that are written in a non-binding manner.

25-8

4. Related to 3, above. Pre-Mitigation (avoidance of significant impact) may not be successful if the standards and actions (working objectives) do not get the city to its policy "goals". Sometime this is referred to as whether one has "sound causal theory" as in "If we do certain specific actions, do we get our intended and desired result"? Little EIR analysis seems to have been done on this. For example, we

have an Update goal of reducing per capita water consumption by 20%, but the stated polices are very general and the standards and actions related to Policy Water 1.1 are mostly old, already-done actions or are education programs, and the standards and actions related to Policy Water 1.2 include only city projects, model homes and a landscape ordinance dearly in need of updating. And most of our growth may be in nonresidential land uses (and water demand by these uses). Thus, the likelihood of reaching the goal or of the goal addressing the real issues of supply and demand is highly questionable. In contrast, proven technologies for water conservation (of 20% or more), such as application of Urban Water Best Management Practices (BMP); the use of CIMIS in irrigation scheduling; irrigation system distributional uniformity retrofit improvements; and use of Xeriscape principles in landscape design, installation and maintenance, are conspicuously absent from the General Plan Update and from the DEIR.

25-8 cont.

(See item 10, below for additional comments in re Water.)

5. CEQA requires that range of Alternatives considered include No Project/Program -- Existing Conditions. But this Alternative 1 seems absent from much discussion. See for example, DEIR "General Plan Alternatives" section, page 2-4 and Table 2-1, page 2-5; "Comparison of Alternatives" text on page 2-8 and Table 2-3 "Summary of Overall General Plan Impacts and Mitigation Measures by Alternative"; and "Environmentally Superior Alternative." text page 2-10. See also related fiscal analysis study Exhibit A.

25-9

A reasonable alternative such as Update with existing land use plus infill and densification, some commercial sites to apartment rezones, Hunts rezone/reuse and aggressive facilitation of increased number of home-based businesses, was not considered, though such might avoid boom / bust town environmental impacts?

6. Much of Update (and related DEIR) dealt with large business park options. But fiscal analysis suggests we may have been asking the wrong questions in the quest to find answers to how to avoid "bedroom community" residential tax burdens. So should we revisit this issue before continuing process of EIR? (See also comment 5, above and 13, below.)

25-10

7. Update policies encourage infill. Then, why so very little infill assumed in any of the land use options? We don't seem very committed.

25-11

8. School site:

a) The environmentally more appropriate site within Signature parcel, given considerations listed, is in SouthWest corner, with school site's long side in west-east orientation. Two shown options expose school and kids to more traffic noise and safety problems, and, given desire to locate campus central to service area, in compatible arrangement with adjoining land uses, and given DJUSD interest in potential later conversion to second high school, are potentially very growth inducing in direct exposure to Covell/Mace road / across from Shriners' and Signature north parcels.

25-12

b) Traffic assumptions need sensitivity analysis given range of trip yield per student noted in appendix, and need peak time discussion given drop off and pick up traffic problems at all level schools in Davis. Also, why was urban reserve assumed DEVELOPED to provide road improvements to this site when comparing school sites' impacts?

25-13

c) To analyze its environmental impacts, what development was assumed for this Signature site urban reserve "infill"?

25-14

d) In comparing sites: odd to assume Covell Center less good due to short term response time issue, since Junior High unlikely to be completed before 4th fire station, and Covell Center plan provides site for said fire station? Also questionable assessment in re subdistricting/distribution of students to three schools. Covell Center Partner's sponsored a consultant's study: results suggest Covell Center site could provide flexible (in time and geographically) and less divisive (to neighborhoods in planning areas) distribution. Study results shown at City/School 2X2 meeting by BJ Klosterman as member of public.

25-15

e) Shriners site chosen as alternative to make Signature site look better? Shriners site outside of intended service area. Both Shriners site and Signature site have potential to be grossly growth inducing into some of our better farmlands and sensitive habitat and flood areas north and east of town. Especially if Junior High convertible / expandable to second high school as DJUSD has intended. Junior High site demands defined so that Mace Interior site too small, even though it has good potential as Junior High, it doesn't meet convertible to high school agenda. So Mace interior site is window dressing alternative, not valid under CEQA (like South Davis site). Junior High site demands defined so that subdistricting lines are drawn down city in north/south direction to create three columns, making Covell Center window dressing alternative. In other words, there is no objective look at alternative sites as CEQA required, but rather a severe a priori conclusion built into the site demand description to favor the Signature site already desired by DJUSD. Discussion of growth inducement issues of going to second high school and locating of third junior high convertible to second high school must therefore be included in this DEIR, or it is inadequate.

25-16

9. Relation of Davis to region and important potential impacts not adequately considered? For example, Woodland's accepted General Plan has a Turn Of Century project now being planned which clearly will impact some of Davis roadways (such as Pole Line and Covell) and appears to involve tapping into the shared groundwater supplies that provide our water. How does our relationship with the I-80 corridor or the 113 connection, or the Amtrack line, affect our planning decisions about transportation or jobs/housing balance, and resultant environmental impacts?

25-17

10. Some of the impact level assessments or proposed mitigations seem quite questionable. For instance, DEIR proposes we help mitigate our traffic noise impact problem via relaxing our noise standards / ordinance. This not only misses the point as to how we are seeking to define ourselves as a "small-town" ambiance community, but also ignores technically feasible, already field-tested mitigations that in fact may help reduce noise pollution impacts. Such mitigations are important because we have an Update policy commitment to keeping indoor residential living spaces livable for existing residential areas that are being exposed to cumulative city street traffic noise problems, and because we are considering rezoning non-residential lands near the I-80 or 113 corridor to provide sites for multi-family (student) residential even though the sites are exposed to high traffic noise levels.

25-18

Another instance: Even if we can conserve 20% per capita water use, if we grow about 10 to 20% in population, have increased demand on our water supplies by

non-residential uses, have Woodland's growth demand on the groundwater supplies, and face some drought years (all VERY likely happenings), then a city staffmember's assurance that we haven't had a lot of drawdown problems in our wells recently is NOT cause for much confidence in the DEIR claim that there will be no significant impact on water supply. Especially since the city has recently looked into the sustainable capacity of deep aquifer/well supplies, and when an Update policy (Goal 2, Policy Water 2.1 Action a) continues the hunt for outside sources of supplemental/surface water supply (such as Sacramento River water?). And since rumor has it that the Wildhorse golf course well may have been tapped into and be supplied by the municipal potable water supply medium depth aquifer source (contrary to Wildhorse EIR Mitigation requirements, but approved by city staff? Check with Heidi Tschudin and Public Works). This later, if true, may gobble one half million gallons of water per irrigation day in summer, representing a demand on our supply that the city may not have taken into account in its long term or peak demand time water supply planning.
(See also item 4, above for discussion of weak causal theory in re Water conservation section.)

25-18 cont.

11. Land Use Alternative 3, especially as it relates to Covell Center site as Urban Reserve is NOT a reduced buildout scenario. Rather it is a "May be delayed but Increased" buildout scenario.

a) Increased acreage for development over Alternative 2, because acreage north of Channel A (roughly 135 acres?) has been converted from UrbanAgriculture Transition Area to Urban Reserve, the later which in accordance with Update Policy LU E.8 is higher priority for development than the former.

b) Increased Density of any potential residential build-out of acreage because Alternative 2 is under current General Plan densities, while Alternative 3 is under Update higher densities.

c) Update definition or stated "Intent" of Urban Reserve classification does not place development of this land after year 2010, but rather after other more specific buildout. Since for residential land uses, virtually all other specific buildout has already occurred or is in final stages, an urban reserve designation on the Covell Center site would NOT necessarily result in later buildout than a specific residential designation (such as shown within Land Use Alternative 4 and 5).

25-19

The Land Use Alternative 3 Urban Reserve Variation should show the area in the Covell Center site that is Channel A and northward to site's north border as UrbanAgricultural Transition Area, and DEIR impact assessment should be consistent. By the way, what urban uses if any were assumed for the urban reserve area in assessing impacts in the DEIR for this Land Use Alternative 3? And when the DEIR indicates the Environmentally Superior Alternative, page 2-10, which Land Use Alternative 3 Variation is being referred to should be clearly stated.

12. "Mix and Match" of land use options, as suggested in Land Use Document page 22, could well mean "new" environmental impacts specific to the specific Mix and Match chosen. City will need some additional environmental analysis/review to determine if this Update EIR will adequately cover those impacts.

25-20

13. DEIR assumed constrained non-residential buildout timing in assessing environmental impacts and appropriate mitigations (land use alternatives document page 23). Therefore, if reviewers, such as some on Planning

25-21

Commission have proposed, assume faster buildout, and assume this will make fiscal picture better, then must remember that faster buildout means need to deal with the additional impacts not considered by this DEIR, and also the need to consider the cost of accompanying appropriate mitigations to address those impacts in the newly estimated fiscal benefits/cost results. 25-21 cont.
(See also comment 6, above.)

14. Should Hunt's north vacant (ag/fallow, but zoned industrial) parcel remain farmland, and have south Hunt's area and perhaps south Covell Center area masterplanned together in the General Plan Update? Would this lessen site development impacts on farm use of remaining Covell Center parcel? Related question, in Land Use Alternative 3, is 60 acre business park parcel shape logical? Should it instead run more northerly on the west side, adjoining Hunt's parcel, and less northerly on the east side in order to better preserve view/scenic corridors? Update and Land Use Alternatives document and DEIR lack important information on where north border 60 acre business park would "intersect" Pole Line. Across from Picasso? Or across from Donner? This affects residential impacts, especially scenic vistas and may affect north Pole Line Road number of lanes (2+ versus 4+) (infrastructure expense and traffic impacts issues). Why 60 versus 40 or 50 acres? 25-22

15. Why look at new development proposals based on shape, size, location of private ownership parcels, instead of pro-actively approaching city land uses based on community-needs driven criteria? 25-23

16. Wildlife mitigations seem weak. Based heavily on controversial Habitat Plan or studying things a lot then sticking orange mesh fences around limited areas during construction. Later gives little consideration of timing and duration of disturbances/impacts relative to life cycle/development stage needs of specific species animals or plants? Nor of impacts on migratory patterns or access (ingress/egress) needs of species relative to critical habitat areas, or of interconnectedness of critical habitat parcels (that are in city areas rather than in Habitat Plan) to each other and to outlying areas? 25-24

Additional LBVHA concerns:

Is DEIR Table 5F-1, table page 2, Pole Line Road North of Covell Blvd. noise and noise contour distances information reasonable, given information on same topic in certified Final Wildhorse EIR, especially as it relates to intrusion of noise from curb and likely interior residential noise impacts? 25-2

In Update: Goal Noise 2, Policy Noise 2.1, to be consistent with Standard b, must be corrected in language to read "Take all technically feasible steps necessary to ensure" rather than "Take all feasible steps" since later implies city could excuse itself from responsibility for significantly damaging residential indoor living environments due to city's decisions -- simply because city could claim mitigation financially infeasible, without having to justify making mitigation low budget priority. 25-26

Update Figure 37 could have been updated with Wildhorse EIR noise contour information years ago; why released Update figure for public review on relating DEIR, with figure in such an outdated state? Please get updated, and include appropriate symbol on figure to denote Wildhorse elementary school site. 25-27

ATTACHMENTS TO LETTER 25

13 March 2001

Bob Wolcott,

In case these are hard to find
in city files

* 17 March 97 letter + 2 graphics
in re trace routes.

* 16 March 98 letter in re
road segment ADT

BJ Klinton

Copy FYI

La Buena Vida Homeowners Association
c/o: BJ Klosterman
2906 Pole Line Rd. Ste.4
Davis, CA 95616
(916) 756-3920

17 March 1997

Covell Center Partners
attn: Mr. John Whitcombe
3500 Anderson Rd.
Davis, CA 95616

Dear Mr. Whitcombe:

Pursuant to our discussion last week, included here are color copies illustrating two alternative routes for trucks serving the Hunt-Wesson facilities. The La Buena Vida neighborhood will submit these alternatives as part of its comments on the Covell Center Draft EIR.

One alternative would route trucks (2-way traffic) parallel to the railroad track (approximately 50 feet east of the tracks), within your railroad buffer area. The route would join F Street north of the city limits. The truck road would be about 30 feet wide -- two wide travel lanes within two narrow road shoulders. (Hunts plant manager indicated no need for wide shoulders if two full lanes.) The route would be about 150 feet or more from the residential property limits on the other side of F street south of the NorthStar pond, and at least 120 feet from the nearest residential property limits on the west side of Covell Center. I have discussed with you the noise mitigating effects and in some cases visual mitigating effects of distance, vegetation (present and planned), and the raised bed of the tracks.

No other changes are made to the plan map.

The second alternative is presented because at this time we do not know whether the railroad owners/managers will allow an at-grade, seasonal, selective traffic crossing of the tracks, and if so, under what "mitigating" conditions to address their concerns.

The second alternative is similar to the first, but then instead of joining F street, the truck road turns eastward and runs in an west/east direction just within the Covell Center border for the western portion of Covell Center's north side (north of a "relocated" habitat pond), then continues within the southern edge of the Old Landfill site (near border or about 300 feet within site) until reaching Rd. 102 (Pole Line) and connecting at a yellow flasher or signal. (La Buena Vida assumes the UniTrans route loops internally through Covell Center; e.g., per alternative routes previously laid out by Mike Corbett). For Covell Center residential near the northeast corner of your map, the route would be 150 to 450 feet away (depending on truck route layout in old landfill site).

The relocated habitat pond would be 300 feet wide and the drainage channel area would be 100 feet wide for a total "Davis Greenbelt" area of 400 feet from the agricultural land. The bike path would route along the south edge of the habitat

area. A new west/east neighborhood greenbelt about 90 feet wide would replace the prior habitat's central location in the west housing areas. A northward view corridor is created through this area from the main neighborhood park up to and through the habitat pond to the agricultural land beyond. A park-like area is set central to the south border of the new pond area. There is no loss in number of residential units. A two lane rather than four lane Pole Line north of Wildhorse intersection may be possible under either of the two truck route alternatives.

The two truck route alternatives are based on informal discussion with Hunt-Wesson's plant manager and on two pieces of 1996 correspondence by Hunt's (plant manager's and plant's attorney's) to City of Davis, said letters in City Planning files.

The modifications to Covell Center map lay-out are based on discussions with and guidance by Mike Corbett, with your kind permission.

POSITIVES TO DEVELOPERS: Some Examples

Increase acceptance of / reduce resistance to project by addressing one or more major concerns of key parties:

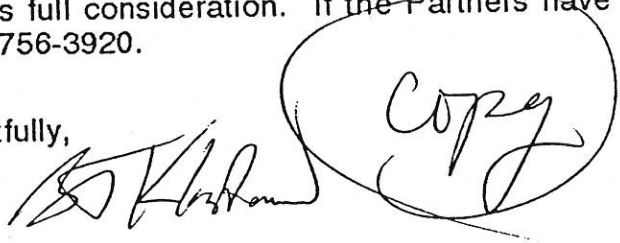
- Hunts (truck routing, urban/industry conflicts)
- La Buena Vida (urban / industry traffic safety
cumulative noise/air impacts)
- East Davis (traffic impacts Covell and Pole Line)
- City staff (Covell traffic capacity, fire station egress,
Covell / Pole Line intersection issues, Davis Greenbelt.)

Increase viability of Covell Center as site for Second High School or as location for sports facilities midway between High Schools on Covell Blvd. Route: therefore, increase acceptance of / reduce resistance to project by addressing one or more major concerns of key parties:

- Public (joint use of facilities gives any public
costs more bang for the buck)
- City Council, specifically Stan Forbes:
(second high school gets soccer facilities).

Mr. Whitcombe, La Buena Vida hopes Covell Center Partners will give these concepts full consideration. If the Partners have any questions, I welcome your calls at 756-3920.

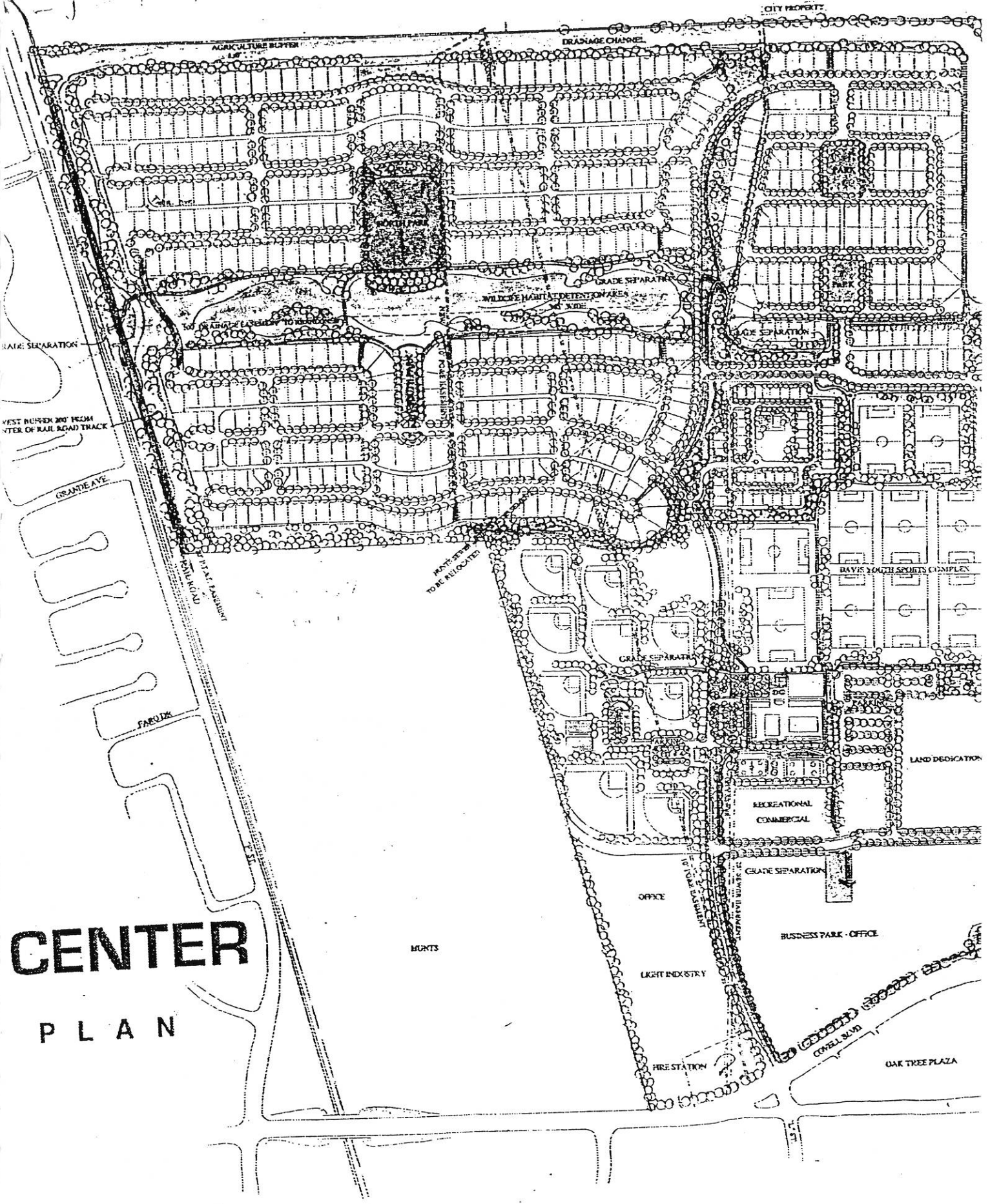
Respectfully,



BJ Klosterman, for
La Buena Vida Homeowners Association

cc: Hunt-Wesson, Plant Manager
City of Davis, Planning & Building Department

CENTER PLAN



PUBLIC WORKS DEPARTMENT

Mail: 23 Russell Boulevard - Davis, California 95616
Office: 1717 Fifth Street
916/757-5686 - FAX: 916/758-4738 - TDD: 916/757-5666



March 16, 1998

Ms. B.J. Klosterman
2906 Pole Line Road, #4
Davis, CA 95616

Subject: Pole Line Road Future Traffic Volume Estimates

Dear BJ:

We have finally had the opportunity to look at the segment volumes on Pole Line Road between Covell Boulevard and the north city limits. The estimates are as follows:


Covell to Picasso	21,800
Picasso to Donner	17,000
Donner to ^{Moore} Wildhorse Boulevard	15,000
^{Moore} Wildhorse Boulevard to city limits	11,400

These estimates were derived from the traffic analysis in the Covell Center project EIR and the city's traffic model. As such, they are dependent upon the assumptions inherent in each.

This particular section of Pole Line Road is sensitive to the assumptions used for the Covell Center project, and in particular, the locations of roadway connections to the existing street system. Of equal importance is the street pattern within the project. For example, if Covell Boulevard were planned and constructed so that it would provide a good through route from Pole Line Road to Covell Boulevard, then it might tend to reduce the estimates on Pole Line Road. Similarly, the provision of a connection opposite Picasso tends to slightly reduce traffic on Pole Line Road north of that location, compared to only one connection opposite Wildhorse Boulevard.

While a four-lane roadway is not needed right away on this arterial street, we still recommend that an easement for such a future widening be obtained now. Experience has shown that the failure to consider long term future needs may result in disruption of property improvements, less than optimal site plans, and excessive costs when a future roadway improvement is needed.

Sincerely,


Bill Hedberg
Associate Engineer

bh/mb

CITY OF DAVIS
3-165

J:\PWDEV\CCENTER\BJ-TRF01.BH

**Letter 25: La Buena Vida Homeowners Association (BJ Klosterman) –
March 12, 2000**

25-1 The draft EIR is intended to provide an overview of the potential impacts of development occurring consistent with the proposed General Plan update and the various alternative land use maps. It is not intended to provide project-specific information at a level of detail sufficient to allow project-specific development projects to be approved. See Master Response C.

The General Plan update EIR states that the volume of traffic on Pole Line Road north of Covell Boulevard is 6,900 vehicle trips per day. The Final EIR for the Wildhorse project stated that the 1991 volume was 8,081 trips per day. The City does not maintain that there is now less traffic on Pole Line Road than in 1992. In fact, there is undoubtedly more traffic today. The discrepancy relates to the methodology used in taking these counts. The information on existing traffic levels in the General Plan update EIR (Table 5D-5) is based on actual traffic counts made by the City of Davis Public Works Department in 1997 at a location on Pole Line Road north of Picasso. The 1991 count was taken at a location between Covell Boulevard and Picasso. The difference in counts is the result of any or all of the following factors: (1) traffic levels along Pole Line Road are generally heavier south of its intersection with Picasso than north of that intersection, so traffic counts taken on either side can vary significantly; (2) both the 1991 and 1997 counts were one day counts and do not necessarily reflect the traffic levels present on the road averaged over a longer period (e.g., they may be a non-representative spike or dip in average traffic levels); and (3) different traffic count machines tend to produce different results.

The traffic counts in the General Plan update EIR are intended to be used for gross comparative purposes and to offer a view of existing conditions. They are not intended to be used for comparison to past individual projects. The projected future traffic levels shown in Table 5D-11 are based on the City's re-calibrated traffic demand model and are not directly dependent upon traffic counts. As explained in Appendix B, the model relies upon planned land uses, trip generation rates, trip distribution assumptions, and other factors to generate projected traffic levels along roadway segments. Selected traffic counts are used to provide a general check of the model's accuracy. The traffic demand model provides consistent estimates of long-term average traffic levels, which can be used to determine the significance of the proposed policies of the General Plan update and make comparisons between the alternative scenarios.

Table 5F-1 relating to modeled traffic noise levels contains an error. As shown in Chapter 4 "Modifications to the Draft EIR", the reference to "F Street" will be deleted and the proper reference to State Highway 113 will be substituted at the bottom of the second page.

The General Plan update is proposing higher maximum densities within the "Low Density" residential designation (3.0 to 7.99 units per gross acre) than does the current General Plan (maximum 4 units per acre). The proposed maximum density is similar to

the density allowed under the "Medium Density" residential designation of the current General Plan. Although the maximum density is higher, actual densities allowed for future projects under the General Plan update will depend on a variety of factors that will be considered at the project level such as zoning requirements, environmental constraints, development agreement provisions, and subdivision design. The EIR for the General Plan update analyzes the provisions of the proposed plan at a broad level of detail. Site-specific project applications will undergo their own site-specific environmental analyses before they are considered by the City.

Should the Council approve urban development on sites such as the Covell Center, Oeste Campus or the DTC as part of its deliberations on the General Plan update, it will add additional language to the text of the General Plan update describing its intentions for that future development. The statement of intent will guide future zoning decisions and other actions to ensure that higher densities will not be approved at Covell Center, for example, absent full consideration and additional environmental analysis. An example of this sort of intent statement is found at the bottom of page 73 of the General Plan update, where development is defined for the Sutter Davis site.

The noise levels presented in Table 5F-1 are equal to or less than those described in a 1992 noise wall study prepared by Public Works. Table 5F-1 reflects the results of noise modeling prepared in conjunction with the traffic study done for the General Plan update. The 1992 noise wall study was prepared for the purpose of determining the need for noise walls and utilized Federal Highway Administration methodology. New noise estimates were prepared for the General Plan update in order to provide consistency throughout the City between the levels of traffic projected by the recalibrated traffic demand model and the estimated noise levels that would result.

The trip generation rates of the recalibrated model were derived by checking the original model rates against actual, 1998 traffic counts collected by the Public Works Department. The original rates were taken from the U.S. Department of Transportation, Federal Highway Administration's 1990 Nationwide Personal Transportation Survey, Early Results published in August 1991 and, when run through the model using the 1998 land use base, resulted in estimates that exceeded actual traffic counts. In order to improve the accuracy of the model, rates were adjusted to better reflect Davis' citywide conditions. Traffic generation rates are an aggregate of community activities; they take into account normal changes in population.

The recalibrated traffic model uses the same generation rate that was applied to parks by the original traffic model. As illustrated in Table 4 of Appendix B, the rate of 6 trips per acre is considerably higher than the 0.65 to 2.28 daily trip per acre rate suggested in Traffic Generation, 6th Edition by the Institute of Transportation Engineers. In the professional opinion of the traffic consultant, 6 trips per acre is a reasonable estimate of the traffic generated by all types of parks within Davis. As noted in Appendix B, the traffic consultant did not change the trip generation rate for high schools from that used in the original model because these types of trips account for only a small percentage of the total traffic volume on Davis streets. The traffic study for the General Plan update is

neither intended, nor designed to provide site-specific traffic projections. Its purpose is to provide a general picture of traffic conditions that would result from the alternative update scenarios. Its level of detail is consistent with the level of land use detail provided in the General Plan.

The assumptions made of the percentage of “green time” (i.e., the period during which a traffic signal is green) that are represented in Table 5D-4 are based on the professional judgment of the traffic consultant and are, as discussed on page 5D-7, very general estimates. Again, the purpose of the traffic study is to provide a general understanding of the impacts of the General Plan update on the Davis street network. It is not intended to provide the site-specific analysis that is associated with individual development projects.

The flood hazard map in the General Plan update EIR shows the latest information from the Federal Emergency Management Agency (FEMA) and Borcalli study referenced in the EIR. This 100-year floodplain does not include areas that may be subject to localized flooding due to inadequate storm drains. The 100-year floodplain describes the areas, such as the Covell Center site, which have a statistical probability of one percent of being flooded in any given year. This so-called 100-year flood event may actually occur more often than every 100 years. In particularly wet years or in heavy, sustained storms that exceed the 100-year event, flooding will actually occur outside the mapped flood areas. The DTC site is shown on the existing general plan not as a 100-year floodplain area, but as land subject to existing open space policy 3.2B (“designated lands below 25-foot elevation as floodplain and wildlife habitat to be maintained in agricultural use and wildlife refuge restoration areas”). There is no new information that indicates that it is within a 100-year floodplain.

Certified EIRs from past projects such as Evergreen and Wildhorse were not used for traffic, noise, and other data or for comparison purposes because they were not based on the land use and policy assumptions of the General Plan update. In order to provide consistent analyses of noise, traffic, and other impacts, the City has utilized a common set of assumptions based on the proposed land use densities, policies, and patterns. Although occasional references are made to other EIRs, the General Plan update EIR generally limits these references to avoid presenting a confusing array of information that is not necessarily based on a set of consistent assumptions and therefore does not assist in making comparisons between alternatives.

The noise impact analysis was based on the standards set out in Table 19 of the General Plan update, as stated on page 5F-5 of the General Plan update EIR. Table 5F-1 of the EIR is essentially a graphic illustration of the Table 19 standards. The discussion on page 5F-5 explains the one difference between Table 5F-1 and the standards on Table 19 resulting from the General Plan update. The footnote in Table 19 explains that the City Council has the discretion to exceed the noise standards under some circumstances. There is insufficient information on when, how, and to what extent the Council may use its discretion in the future for the EIR to analyze any potential impacts.

The planned widening of Pole Line Road north of Covell Boulevard is analyzed in the General Plan update EIR at the full potential for 4 lanes. This reflects the proposed conditions described in Table 8 and Figure 17 of the General Plan update. Whether the City will make later planning decisions that would eliminate the need for this width is currently unknown. The language of footnote 7 of Table 8 reflects this uncertainty (“The final configurations for the segment of Pole Line Road from Covell Boulevard to North City Limits shown in this table ... and in Figure 17 ... shall be influenced by planning decisions regarding the 386-acre land site northwest of the Covell Boulevard/Pole Line Road intersection ... and by County Road 102 configurations. The land configuration of 4+ shown in this table and in Figure 17 may need to be only 2+ lanes.”). The EIR for the General Plan update is evaluating the general potential for development that is represented by the Plan and its policies. At such time as the City decides upon specific development projects such as the Covell Center, additional environmental analysis will be performed at the project level. The need for widening to the full width contemplated in the General Plan update will be re-evaluated at that future time on the basis of project-specific information.

Except for those areas identified as “sites being studied” (i.e., Nishi/Gateway, Covell Center, Signature Site, etc.) the General Plan update EIR does not separately identify neighborhoods in the analysis. This is in keeping with the level of detail contained in the General Plan update. The La Buena Vida neighborhood is aggregated with the information for the rest of the city shown in Table 3-2.

Pole Line Road north of Covell Boulevard to the City limits is presented as a single segment for purposes of the general analysis prepared for the General Plan update. Although the road could have been broken into segments in the General Plan update EIR to provide more detailed information about traffic conditions, that level of detail is not required for the General Plan update. The entire segment is proposed to be designated as a “major arterial” in the General Plan update and is analyzed as such. As individual site-specific projects are considered along that segment, additional environmental reviews will be required and the specific road improvements will be specified. Whether the level of traffic warrants the improvement of Pole Line Road to major arterial width along its full length between Covell Boulevard and the north City limit is a policy question subject to future determinations by the City and is not pertinent to the General Plan update EIR. As discussed above, the General Plan update provides the City with the discretion to re-evaluate the need for 4+ lanes at a later time.

Noise Table 5F-1 (modeled traffic noise level) encompasses the same streets that appear in traffic Table 5D-5 (existing LOS). Where Table 5D-5 begins with north-south streets and proceeds to east-west streets, Table 5F-1 begins with east-west streets and proceeds to north-south streets. The actual streets are the same.

In Table 5F-1, some of the streets are arranged north to south, others south to north. The information presented in the table is correct. The City declines to make the editorial change suggested by the commenter.

There are two errors in Table 5F-1 wherein, under Covell Boulevard, "F Street" is identified in place of "Highway 113" in the description of existing noise levels. There is no overlap in the road segments when the references to F Street are deleted and the proper references to Highway 113 is substituted. The modifications to Table 5F-1, as shown in Chapter 4 of this document, will remedy these errors.

- 25-2 See the response to Comment 25-1. This is not a general plan programmatic EIR for the entire city, not a project EIR for the Covell Center site. Should the City Council select the land use alternative proposed by the developer for the Covell Center site, the generalized land uses would be added to the general plan land use map. Subsequently, a more detailed development plan and environmental analysis would be required.
- 25-3 These comments relate to the General Plan update and do not require an EIR response. Concur with Figure 31a and 31b revisions to add safety zone and clarify agricultural designation.
- 25-4 These comments relate to the General Plan update and do not require an EIR response. Should the City Council select the land use alternative proposed by the developer for the Covell Center site, the generalized land uses would be added to the general plan land use map. Subsequently, a more detailed development plan and environmental analysis would be required.
- 25-5 These comments relate to the General Plan update and do not require an EIR response. Concur that the notes in Figure 17 should refer to the footnotes in Table 8. Concur that a note should be added to Figure 16 indicating that the 2+/4+ decision will be influenced by the land uses on the Covell Center site.
- 25-6 These comments relate to the General Plan update and do not require an EIR response. Concur that Figure 23 should be updated to show Greenstreet bike lanes and paths. Suggest that a note should be added to Tables 6 to state that right of way widths may need to be wider to accommodate Greenstreet interpretations.
- 25-7 The comments are noted. An EIR is not expected to engage in speculation. Changes in demographics and lifestyles cannot be accurately forecasted and are largely speculative. The EIR bases its assumptions on known information. Basing assumptions on speculation simply increases the potential margin of error. The needs of different lifestyles are addressed to a greater extent in the General Plan sections including Human Services; Youth and Education; and Parks, Recreation, and Open Space.
- 25-8 The commenter is incorrect. General Plan goals and policies are enforceable through the City zoning and subdivision ordinances, both of which must be consistent with the General Plan. When the project is a plan, mitigation measures are not enforceable unless they are included in the plan's policies and implemented through consistency requirements. CEQA provides an agency with no additional powers over those it already exercises (Public Resources Code Section 21004), so mitigation measures must be integrated with the agency's existing implementation authority. For this reason, CEQA

requires that mitigation measures be included in plan policies (Public Resources Code Section 21081.6(b)).

The mitigation monitoring program that will be adopted upon approval of the General Plan update and certification of the EIR is intended to provide feedback as to the implementation of the mitigation measures. The monitoring program provides oversight, but it does not have the “legal teeth” provided by General Plan policies and City ordinances.

The purpose of mitigation monitoring is to provide the City with information regarding the implementation of mitigation. This offers the City the opportunity to apply adaptive management to the General Plan, adopting or revising policies as may be necessary in the future to meet its fundamental goals.

The various sections of the General Plan contain actions that are specific tasks to carry out the policies. Concur that actions related to Policy WATER 1.2 could be strengthened and specific suggestions could be considered prior to the adoption of the General Plan update.

- 25-9 The State CEQA Guidelines provide that the No Project Alternative is to address baseline conditions as they may be expected to change in accordance with current General Plan provisions (i.e., the City not going ahead with updating their existing General Plan). This is the premise for Alternative 2. Pursuant to CEQA Guidelines Section 15126.6, the baseline conditions alone (Alternative 1) are not the No Project Alternative. Restricting buildout to existing conditions is not possible given existing entitlements including development agreements. Alternative 3, Reduced Buildout, is based on development through 2010 only to the extent it is already entitled.
- 25-10 This comment relates to the General Plan’s Fiscal Study and the mix of land uses being proposed by the General Plan update. It is not a comment on the adequacy of the EIR, which is intended to analyze the proposed update, and therefore no further comment is needed.
- 25-11 Infill is assumed in all of the alternatives. The population estimates are based on potential build out to the year 2010. No assumption is made, however, regarding the success of infill policies at increasing densities beyond General Plan provisions through general plan amendments, zone changes, or density bonuses and other incentives. Such assumptions would be purely speculative. The amount of infill that should be planned is a General Plan issue.

The amount of infill to be planned is a General Plan issue. Infill assumed in the alternatives includes major approved developments within the city with approved zoning (such as Mace Ranch, Wildhorse, Evergreen, Juniper Point, and various other vacant sites); 80 new residential units in the Core Area; 50 percent of the non-residential development approved in the Core Area Specific Plan; and moderate increases in existing neighborhood shopping centers to .27 FAR. As one of the issues in the General Plan

update, the City Council will consider whether additional or different kinds of infill should be studied/planned on additional sites and whether additional incentives should be established.

- 25-12 Comment noted. The school district's project objectives, which determined the proposed variations for the Signature site, included a balancing of efficient vehicular access, noise and safety concerns, and minimization to existing neighbors.

An option of establishing a school is the southwest corner of the Signature site could be considered by the school district. At the general plan adoption hearings, the City is expecting that the school district will provide input on which site (and variation, if the Signature site) they prefer. The option of establishing a school in the southwest corner would a determination whether additional environmental review would be required.

- 25-13 As discussed in Appendix B, the traffic analysis was based on information on school traffic from the Institute of Transportation Engineers, as well as observations and information from other junior high schools. These estimates provide a recognized means of assessing potential traffic impacts. No additional sensitivity analysis is necessary.

Development of the school was seen as a growth inducing feature on this site. The urban reserve was assumed for traffic analysis purposes to ensure that traffic impacts would not be underestimated.

- 25-14 The draft EIR assumed that the urban reserve adjacent to the proposed school would develop as low-density residential within the time frame of the General Plan update (see discussion on page 6-13 of the draft EIR) for the purpose of the school site analysis (see discussion on page 6-13 of the draft EIR). The intent was to not underestimate the impacts due to the growth inducing nature of the school being established on roughly half of the Signature site.

- 25-15 Comment noted. As stated in Chapter 6 of the draft EIR, the Covell Center site was not considered as suitable as other sites due to the close proximity of the existing Holmes Junior High. The EIR analysis is reasonable in that the timing of the fire station in relation to the junior high school cannot be assured that and in that the Covell Center plan with a fourth station will be approved.

The school district will consider various factors in the selection of a school site, including input from the commenter and implications for possible enrollment boundaries.

- 25-16 There are only a limited number of sites available for the construction of a new junior high school. Davis' policies for compact growth have eliminated most likely sites within the City (Mace Ranch being the exception). Other potential sites, including the Signature, Covell, and Shriners are located adjacent to, but outside the City limits and within the City's sphere of influence.

The proposed junior high school is intended to meet existing needs and those anticipated as part of the General Plan update. Construction of the school is not grossly growth inducing in that it does not remove barriers to growth or otherwise result in the construction of additional housing, except with respect to the non-school portion of the Signature property. Chapter 7 addresses the growth inducing aspects of the Signature study site. It states that the junior high school this site would put additional pressure on the urban reserve remainder for urban development. Table 7-3 shows the Signature site land uses would be growth inducing.. The proposed junior high school is precipitated by increased demand as a result of community growth, but is not growth inducing in itself.

- 25-17 The comments are all factors in the proposed land uses in the General Plan update. The relation of the City's plan to surrounding plans is primarily addressed in the cumulative impacts in Chapter 7 of the draft EIR.
- 25-18 Several mitigation measures modify policies in the General Plan update, but these mitigation measures increase the strictness of the policies. For example, Mitigation Measure NOI-2.1 expands noise restrictions to include construction impacts. Mitigation Measure NOI-2.3 would require revising the City's noise ordinance to make it more realistic in evaluating typical construction noise. The measure is not claimed to provide full mitigation and the draft EIR concludes that the impact will remain significant and unavoidable (page 5F-17).

The City's water conservation activities will allow more efficient use of its supplies, enabling it to accommodate a larger population for a given amount of water. During the planning period, the City will not exceed its service capacity and the impact of new growth will be less than significant (see Impact PS-7, beginning on page 5C-37).

See Master Responses F, G, and H.

- 25-19 Alternative 3 is identified as a reduced buildout scenario because it limits development to currently approved entitlements. A comparison of the 2010 population projections illustrates that this alternative would result in less development than the others during the 10 year term of the General Plan: Alternative 2 – 65,222; Alternative 3 – 62,073; Alternative 4 - 64,094; and Alternative 5 – 65,458.

The commenter expresses their opinion regarding the choice of designations for a portion of the Covell Center property. The City has chosen to consider a different designation; but this comment will be provided to City decision makers for consideration in the General Plan update. The City could elect to modify Alternative 3 and designate the land north of the channel as Urban Agricultural Transition Area, but this can also be done at the time of specific project proposal and review.

Urban reserve lands are unavailable for development until other lands have been developed. The EIR assumes that the Covell Center will not be developed until after 2010. Although this alternative is limited to entitled land uses, it still provides for approximately 2,600 new dwelling units. These would have to be built before the Covell

Center could be taken out of urban reserve. No urban uses were assumed for the Covell Center site in Alternative 3 with the Urban Reserve variation. Should development be proposed prior to 2010, a project-specific CEQA document would be required.

Alternative 3 is the environmentally superior alternative with any of the three variations for the Covell Center property.

- 25-20 The Executive Summary of the draft EIR states that the City Council may choose to adopt some combination of the land use options presented in the document (page 2-4). The analysis contained in the draft EIR is intended to offer sufficient information about the major new projects being considered for addition to the General Plan to allow a combination of these projects to be considered without requiring additional review. If a new alternative (combination) is desired by the City Council, findings will need to be prepared showing the consistency of the alternative with the draft EIR findings. It is possible that additional environmental analysis may be necessary if Council selects a combined alternative that has not been adequately analyzed.
- 25-21 Impacts have been analyzed on the basis of the proposed land uses, patterns of development, and expected rate of development. The analysis has been done on a general plan (as opposed to project-specific) scale, commensurate with the level of detail set forth in the General Plan. The environmental analysis has assumed 100 percent buildout of the Mace business park land and the proposed university-related research park land, although the fiscal analysis assumed a longer buildout scenario in part to be fiscally conservative.
- 25-22 In general, reducing the level of development will result in a reduced level of environmental impact. However, this issue relates to the choices made in the General Plan update, not the EIR. No further response is needed on this topic.

Regarding the business park, the comment is unclear as to which proposal the commenter is referring. Assuming that it is the 60-acre University Related Research Park shown on Variation 3 of the reduced buildout scenario for Covell Center, no specific point of access to Pole Line Road is being specified. This is a program EIR evaluating a general plan and that level of detail is reserved for site-specific development proposals. Should a proposal for a 60 acre research park be submitted to the City for consideration at some future date, the locations of access points will be specified and potential impacts analyzed in detail. At this point in time, any analysis would be speculative.

- 25-23 This comment relates to the General Plan update and is not pertinent to the EIR. No further response is needed.
- 25-24 Additional environmental documents will be required for site-specific projects. This will likely include more detailed mitigation, tailored to the situation of the project. The mitigations in the draft EIR are designed to provide necessary guidance to reduce potential impacts to less than significant levels. See also Master Response C.

25-25 To allow consistent comparisons along roads, the noise impacts described in Table 5F-1 were developed using a single noise model (see page 5F-1 in the draft EIR). The noise analysis reflects existing and expected traffic patterns.

This is a program EIR intended to provide general information about the potential impacts of the General Plan update. Appropriate site-specific information will be developed for later projects as they are proposed.

25-26 This comment relates to the General Plan update and is not pertinent to the EIR. No further response is needed. The City prefers to retain the wording as is because "feasible" meaning capable of being accomplished taking into account economic, environmental, social and technological factors. Technically feasible is only one part.

25-27 This comment relates to the General Plan update and is not pertinent to the EIR. Concur that the Wildhorse school site be added to Figure 37. The noise contour map will be updated when the General Plan update is adopted. The map will be based on the data in tables in Chapter 5F, Noise of the draft EIR depending on the land use alternative selected.

Attachments 1 and 2 to Letter 25 are provided for information, and do not comment directly on the adequacy of the EIR. Therefore, no additional response is required.

MARGARET MILLIGAN
2522 Bombadil Lane
Davis, CA 95616
Tel: (916) 756-5138

Letter 26

RECEIVED

JAN 13 2000

City of Davis
Planning & Building

1/14/00

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

As a member of the General Plan Housing Committee, I am making a recommendation regarding the Draft Environmental Impact Report.

During the time I was on the Housing Committee for the General Plan, I attempted, without success, to get some firm language included regarding the need for senior housing and care facilities.

At present there is no official way to determine the needs and to begin the process of answering those needs. Only low-income housing needs are embedded into the City Planning process by the requirement of developers to include a certain amount of such housing in their market rate ventures. Through this requirement, a small amount of low-income housing for seniors has been built.

Because of this lack of attention to such needs, the University Retirement Community became only a high income market rate project, with the required low-income government subsidized units merely a forced addition.

I have wished that the General Plan had (and wish now it could) included provision for the senior housing and care that has been ignored. This would consist mainly of suitable housing for medium income seniors (those who qualify neither for market rate nor for government subsidized housing) and for assisted living and nursing care for all the elderly who are unable to afford the market rate accommodations.

Therefore, I would suggest that the property north of Sutter Davis Hospital be considered for such an affordable assisted living and nursing care project, and that at least one 5-acre parcel within a neighborhood be allocated to housing for the medium income seniors.

This kind of housing and care is urgently needed. Within the next ten years, the influx of seniors resulting from the baby boom following World War II will be flooding us with this kind of need. It is irresponsible for the City to ignore it now.

Margaret Milligan
Member, Senior Commission

26-1

Letter 26: Margaret Milligan - January 14, 2000

26-1 The commenter has two suggestions: (1) that the Sutter Davis north site be considered for an affordable assisted living and nursing care project, and (2) that a 5-acre parcel in a neighborhood be allocated to housing for medium-income seniors. Both suggestions are relevant to General Plan policy decisions and do not comment on the adequacy of the EIR.

814 Kestrel Place
Davis, CA 95616
530 • 757 • 1600

March 10, 2000

Mr. Bob Wolcott
City of Davis
Building and Planning Department
Davis, CA 95616

RECEIVED
MARCH 10 2000
CITY OF DAVIS
PLANNING B. BUILDING

RE: Comments, Draft Program EIR for the City of Davis General Plan Update and Project EIR for the Establishment of a New Junior High School

Dear Bob;

The following are comments on the Draft Program EIR for the Davis General Plan Update. They relate to the descriptions of the Alternatives or to the potentially significant impacts associated with *not having the General Plan provide enough appropriately designated land for housing* (refer to the Draft Program EIR, starting on page 5B-13). Please have my comments responded to in the Final EIR and make any suitable changes to the General Plan Update.

Regarding the Alternatives. It is not completely accurate to call Alternative 2, a "No Project Alternative" (DEIR, page 2-5). It is true that the way the Alternatives have been put together, that Alternative 2 uses the same Land Use map as the current General Plan. But it is also true that Alternative 2 should, can, and does incorporate many of the ideas and concepts that have come out of the going on seven-year update process. Maybe for analysis purposes, there should be an Alternative 2 a true "No Project" and Alternative 2A, which uses the same Land Use map but updates the text. Additionally, the General Plan Update EIR Land Use Alternatives booklet, published November refers to an Alternative 1 and Alternative 2. This is very similar to my 2 and 2A. Why isn't there consistency between the Alternatives booklet, the Fiscal Analysis, and the Draft Program EIR?

27-1

Regarding Impact PH-1: Inconsistency with General Plan Policies. The suggested mitigation measures PH-1.1 through 1.3½ cannot realistically be assumed to reduce this potential impact to a *less-than-significant* level. For example, just by developing guidelines for infill projects *does not insure* that they will be built. The neighborhoods, Planning Commission, and City Council have a history of not supporting very many infill projects. By just *developing* guidelines for future actions, does not eliminate the inconsistency or reduce it to a less-than-significant level. More realistic mitigation measures would be to provide appropriate land with General Plan designations and appropriate zoning as a right, to meet the internal housing needs. Otherwise, *the concept of meeting internal needs may have to be discarded*. Additionally, rather than stating "a jobs/housing imbalance can lead to air quality and traffic impacts from in-commuting plus impacts on other communities" (page 5B15), these impacts *need* to be quantified. Furthermore, even though the City previously adopted findings of overriding consideration for the

27-2

current General Plan (page 15B-16), the impact from Alternative 2 is significant and should be stated as such. Therefore, the impact from **all the Alternatives are significant.**

27-2 cont

Regarding Impact PH-2: Inability to Provide Housing to Meet Fair-Share Requirements. Suggested mitigation measure PH-2.1 will not reduce this potential impact to a *less-than-significant* level. Relying on a future action to reduce this potential significant impact is **not** an acceptable course of action. The impacts of having a Housing Element that does not meet the SACOG fair-share allocations needs to fully explained. For example, if the fair share allocations are not met, the State Housing and Community Development Department will **not certify** the City's Housing Element. All the ramifications of this, including possible funding loss and stoppage of all construction and its related impacts, needs to be identified.

27-3

Regarding Impact PH-3: Inability to Comply with the City/County Pass-through Agreement. Please verify and document the population numbers referred to on page 5B-24. Also, please review the discussion regarding the potential to void the City/County Pass Through Agreement that took place during the Measure J campaign and related litigation.

27-4

Regarding Measure J. Even though it has been stated that having Measure J on the ballot did not require environmental review; now that it has passed, its consequences on the General Plan Update *must be* reviewed. Measure J has the potential *to increase the severity* of Impacts PH-1, PH-2, and PH-3. Additional analysis of possible additional or more severe impacts should be undertaken. A possible scenario with the adoption of Measure J is the further inability to meet the internal housing needs and an increase in the jobs/housing imbalance.

27-5

What is the impact of requiring voter approval before certain new development is approved? Will Measure J tend to favor larger builders/developers who can more easily finance a ballot campaign and spread the costs over larger and more quickly developed projects? Additionally, what is the impact of larger projects by non-local builders/developers, which have tended in the past to more heavily cater to external housing needs? Doesn't Measure J increase the likelihood, severity, and potential of the three identified housing impacts? Additionally, Measure J may force the University to develop some of its land to meet housing demand. What are the impacts to the City (without the related fiscal impact) if the University were to develop some of their prime agricultural land, such as the Hamel property? Specifically, what are the possible land use, traffic, air quality, noise, and economic etc. issues that are impacted by Measure J and what would be the suggested mitigation measures to reduce these impacts?

Thank you for the opportunity to comment on the Draft Program EIR. I look forward to the responses to my comments.

Sincerely,



Barry Munowitch, AICP

Letter 27 - Barry Munowitch, AICP (March 10, 2000)

- 27-1 See the response to Comment 25-9.
- 27-2 The City is committed to complying with these mitigation measures through its General Plan policies. Whether these policies will be sufficient to ensure infill development will be seen with greater certainty once the policies are applied. If the policies are insufficient, the City may revise its General Plan.

The jobs/housing balance discussion has been revised to clarify the analysis. See the response to Comment 14-3.

Alternative 2 represents development under the existing General Plan. Although it will result in significant impacts, those have been addressed in the previous action to approve the existing General Plan. Selecting Alternative 2 is essentially the same as taking no action. No additional environmental findings are needed if the City decides not to update the General Plan.

- 27-3 Although the City is updating its General Plan and including a section on housing in that update, the City's Housing Element is not due for revision and pre-adoption submittal to HCD until June of 2002. The housing section in the General Plan update is not the complete Housing Element for purposes of meeting the revision deadline. Mitigation Measure PH 2.1 will require that the City prepare and submit an adequate Housing Element for review and adopt an element that is in compliance with State Housing Element Law. Revisions to the land use map and policy may be considered through the update process.
- 27-4 The population numbers used on page 5B-24 match those used throughout the EIR and are based on the City's 1999 population estimate from the Department of Finance.
- 27-5 See Master Response D.

Covell Center Partners
3500 Anderson Road
Davis, CA 95616

March 13, 2000

Mr. Bob Wolcott
City of Davis
Building & Planning Department
Davis, CA 95616

RE: Davis General Plan Draft Environmental Impact Report

Dear Mr. Wolcott:

First, we are concerned that the Draft EIR fails to adequately assess the closing of the Hunt-Wesson Plant. This closure potentially affects development of Covell Center and development of lands identified for industrial and research park uses. It also carries quantifiable fiscal impact.

28-1

We are concerned about the way the Covell Center site is analyzed in the various land use alternatives in both the General Plan Draft EIR and the Fiscal Impact Analysis. The way the Covell Center Partners' plan is grouped with the development of either the Oeste Campus or the Davis Technology Campus (Alternatives 4 and 5) does not provide a true fiscal and environmental analysis of several alternatives for this site. This analysis does not make sense to us.

28-2

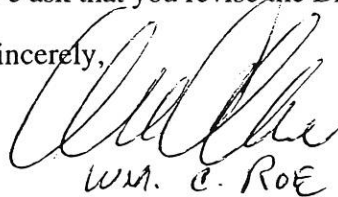
A stand-alone fiscal comparison and environmental analysis of the current General Plan designation, the reduced 60-acre research park alternative, and the Covell Center Partners' plan should be included in the General Plan Update EIR. Much of this information is readily available from the General Plan Draft EIR and project's Draft EIR and should be pulled into the General Plan Update process.

28-3

The way the information is currently presented does not allow an independent review of the Covell Center project. The current analysis also does not allow the public or the decision makers to make a reasonable and well-informed review, analysis, and ultimately a decision on individual sites.

We ask that you revise the Draft EIR accordingly.

Sincerely,



For Covell Center Partners

Letter 28: William C. Roe, Covell Center Partners - March 13, 2000

28-1. To develop an EIR, it is necessary and appropriate to set a date at which existing conditions are reflected. This EIR reflects the setting as of January 1, 1998 (see the response to Comment 4-2 for an explanation of this date).

The EIR analyzes, on a gross scale, the potential environmental impacts of the development scenarios represented by the land use designations on the General Plan update's land use diagram (Alternatives 2, 3, 4, and 5). The Hunt-Wesson site is designated as "industrial" on the land use map and was analyzed accordingly. Because the future uses of the plant are currently unknown, attempting to analyze any changes in impact would be overly speculative. Although the closure of the plant may have a fiscal impact, analysis of fiscal impacts is beyond the scope of this EIR.

28-2. The General Plan update is being examined with four alternative land use diagrams that are intended to cover a range of options for consideration by the City Council. The Covell Center site has been included in Alternatives 2, 4, and 5 to offer the Council alternative scenarios reflecting various levels of land use. See also the response to Comment 24-69.

28-3. See the response to Comment 28-2.

NORCAL LAND
COMMERCIAL REAL ESTATE SERVICESTIM RUFF
OWNER/BROKER

February 18, 2000

City of Davis
Mr. Bob Wolcott, Senior Planner
23 Russell Blvd.
Davis, CA 95616

Re; Draft EIR - 25 acres east of Wildhorse

Dear Mr. Wolcott,

I am requesting that the land use map in the draft general plan EIR designate my 25 acre property as "horse ranch". The general plan designation would then be consistent with the zoning and more accurately describe the property.

The Draft General Plan; Land Use and Growth Management defines:

Infill as "urban development or redevelopment on vacant or "underutilized" land within the city's boundaries, as an alternative to accommodating growth through expansion of city boundaries." This definition perfectly describes the horse ranch.

Agriculture "to protect Class I and II soils, allow for productive agriculture use in the immediate vicinity of Davis, and to ensure a permanent buffer between jurisdictions." The horse ranch is not productive agriculture. It is also not located in the strategic buffer areas between jurisdictions.

29-1

The property is developed and has not been used for agriculture in 16 years. Due to the numerous improvements and roads on the property there are not any areas larger than 6 acres to "farm." There is no irrigation for farming. Since the property is in the City limits, any new agriculture well will be required to built at drinking water standards which could cost over \$35,000. The property is not viable for agriculture. In addition the property is adjacent to residential development. The property certainly should not be in the same land use category as real agriculture that produces food and fiber. Thank you for your consideration.

Sincerely,



Tim Ruff

Letter 29: Tim Ruff, Norcal Land - February 18, 2000

29-1. This comment relates to the General Plan document and is not pertinent to the adequacy of the draft EIR. No further response is needed.