

# YOLO LOCAL AGENCY FORMATION COMMISSION

## Regular Meeting AGENDA

**March 28, 2024 - 9:00 a.m.**

BOARD OF SUPERVISORS CHAMBERS  
625 COURT STREET, ROOM 206  
WOODLAND, CA 95695

### COMMISSIONERS

OLIN WOODS, CHAIR (PUBLIC MEMBER)  
BILL BIASI (CITY MEMBER)  
LUCAS FRERICHs (COUNTY MEMBER)  
GLORIA PARTIDA (CITY MEMBER)  
OSCAR VILLEGAS (COUNTY MEMBER)

### ALTERNATE COMMISSIONERS

RICHARD DELIBERTY (PUBLIC MEMBER)  
TANIA GARCIA-CADENA (CITY MEMBER)  
JIM PROVENZA (COUNTY MEMBER)

CHRISTINE CRAWFORD  
EXECUTIVE OFFICER

ERIC MAY  
COMMISSION COUNSEL

Meetings of the Yolo Local Agency Formation Commission (LAFCo) are held in person in the Board of Supervisors chambers, located at 625 Court Street, Room 206, Woodland, CA. LAFCo will broadcast most meetings via Zoom. Those not able to attend the LAFCo meeting in person will have the opportunity to provide public comment via Zoom; however, LAFCo cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by LAFCo are to attend the meeting in person or submit your comment in writing in advance of the meeting. The Zoom link / phone number and instructions for participating in the meeting through Zoom are set forth in the "Public Participation Instructions" on the final page of this agenda.

### NOTICE:

This agenda has been posted at least five (5) calendar days prior to the meeting in a location freely accessible to members of the public, in accordance with the Brown Act and the Cortese-Knox-Hertzberg Act. The public may subscribe to receive emailed agendas, notices and other updates by contacting staff at [lafoo@yolocounty.org](mailto:lafoo@yolocounty.org).

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCo action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. If you wish to submit written material at the hearing, please supply 8 copies.

### FPPC - Notice to All Parties and Participants in LAFCo Proceedings

All parties and participants on a matter to be heard by the Commission that have made campaign contributions totaling more than \$250 to any Commissioner in the past 12 months must disclose this fact, either orally or in writing, for the official record as required by Government Code Section 84308.

Contributions and expenditures for political purposes related to any proposal or proceedings before LAFCo are subject to the reporting requirements of the Political Reform Act and the regulations of the Fair Political Practices Commission, and must be disclosed to the Commission prior to the hearing on the matter.

## AGENDA

**PLEASE NOTE** - The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Chair or Commission members.

### CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Public Comment: This is an opportunity for members of the public to address the Commission on subjects relating to LAFCo purview but not relative to items on this Agenda. The Commission reserves the right to impose a reasonable time limit on any topic or on any individual speaker.

### CONSENT AGENDA

4. Approve the LAFCo Meeting Minutes of January 25, 2024 and February 29, 2024
5. Correspondence

### PUBLIC HEARING

6. Consider **Resolution 2024-04** adopting Findings as a Responsible Agency for the Environmental Impact Report (EIR), EIR Addendum, and Statement of Overriding Considerations for The Promenade, and **Resolution 2024-05** approving The Promenade Reorganization to the City of Davis (LAFCo No. 23-05) and Waiving Protest Proceedings
7. Consider **Resolution 2024-06** adopting Findings as a Responsible Agency for the Environmental Impact Report (EIR), Findings of Fact, and Statement of Overriding Considerations for the Woodland Research and Technology Park, and **Resolution 2024-07** approving the Woodland Research and Technology Park Reorganization to the City of Woodland (LAFCo No. 23-07) and Waiving Protest Proceedings

### REGULAR AGENDA

8. Consider the appointment of a FY 2024/25 Annual Work Plan and Draft Budget ad hoc subcommittee
9. Direct the Executive Officer to prepare and post a notice advertising the Regular Public Member vacancy, provide direction regarding outreach and process, and consider appointment of a personnel subcommittee to interview candidates and nominate the best qualified candidate(s) to the full Commission.
10. Elect a Chair and Vice Chair for the Commission to serve one-year terms, beginning April 1, 2024, and ending February 1, 2025

### EXECUTIVE OFFICER'S REPORT

11. A report by the Executive Officer on recent events relevant to the Commission and an update of staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.
  - a. 03.28.2024 Long Range Planning Calendar
  - b. EO Activity Report - January 22 through March 22, 2024
  - c. CALAFCO Legislative Summary

## COMMISSIONER REPORTS

12. Action items and reports from members of the Commission, including announcements, questions to be referred to staff, future agenda items, and reports on meetings and information which would be of interest to the Commission or the public.

## ADJOURNMENT

13. Adjourn in memory of William "Bill" Kristoff.

I declare under penalty of perjury that the foregoing agenda was posted by 5:00 p.m. Friday, March 22, 2024, at the following places:

- On the bulletin board outside the east entrance of the Erwin W. Meier County Administration Building, 625 Court Street, Woodland, CA;
- On the bulletin board outside the Board of Supervisors Chambers, 625 Court Street, Room 206, Woodland, CA: and,
- On the LAFCo website at: [www.yololafco.org](http://www.yololafco.org).

ATTEST:

Terri Tuck, Clerk  
Yolo LAFCO

## A.D.A. NOTICE

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Commission Clerk for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should contact the Commission Clerk as soon as possible and at least 24 hours prior to the meeting. The Commission Clerk may be reached at (530) 666-8048 or at the following address: Yolo LAFCo, 625 Court Street, Suite 107, Woodland, CA 95695.

## PUBLIC PARTICIPATION INSTRUCTIONS:

Meetings of the Yolo Local Agency Formation Commission (LAFCo) are held in person in the Board of Supervisors chambers, located at 625 Court Street, Room 206, Woodland, CA. If you cannot attend the LAFCo meeting in person but desire to follow the meeting remotely, make a public comment, or comment on a specific item on the agenda, you may do so by:

- Joining through Zoom on your computer at <https://yolocounty.zoom.us/j/81457255487>, or participate by phone by calling 1-408-638-0968, Webinar ID: 814 5725 5487. Please note there is no participant code, you will just hit # again after the recording prompts you.
- If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press \*9 to indicate a desire to make comment. The moderator will call you by name or phone number when it is your turn to comment. Press \*6 to unmute. The Commission reserves the right to impose a reasonable limit on time afforded to any topic or to any individual speaker.
- If you wish to submit a written comment on a specific agenda item or on an item not on the agenda, please email the Commission Clerk at [laftco@yolocounty.org](mailto:laftco@yolocounty.org) or send to 625 Court Street, Suite 107, Woodland, CA 95695. Please include meeting date and item number. Please submit your comment by 3:00pm the day prior to the meeting, if possible, to provide the Commission a reasonable opportunity to review your comment in advance of the meeting. All written comments are distributed to the Commission, filed into the record, but will not be read aloud.

Please note: LAFCo cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by LAFCo are to either attend the meeting in person or submit your comment in writing in advance of the meeting.



Consent 4.

LAFCO

Meeting Date: 03/28/2024

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Information

**SUBJECT**

Approve the LAFCo Meeting Minutes of January 25, 2024 and February 29, 2024

**RECOMMENDED ACTION**

Approve the LAFCo Meeting Minutes of January 25, 2024 and February 29, 2024.

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Attachments

ATT A-Minutes 01.25.24

ATT B-Minutes 02.29.24

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Form Review

Form Started By: Terri Tuck

Final Approval Date: 03/15/2024

Started On: 03/15/2024 11:56 AM

# **YOLO LOCAL AGENCY FORMATION COMMISSION**

## **MEETING MINUTES**

January 25, 2024

The Yolo Local Agency Formation Commission met on the 25<sup>th</sup> day of January 2024, at 9:00 a.m. in the Yolo County Board of Supervisors Chambers, 625 Court Street, Room 206, Woodland CA. Voting members present were Chair and Public Member Olin Woods, City Member Bill Biasi, and County Members Lucas Frerichs and Oscar Villegas. Voting member absent was City Member Norma Alcala. Others present were Executive Officer Christine Crawford, Clerk Terri Tuck, and Counsel Eric May.

### **CALL TO ORDER**

Chair Woods called the Meeting to order at 9:08 a.m.

#### **Item № 1      Pledge**

Oscar Villegas led the Pledge of Allegiance.

#### **Item № 2      Roll Call**

PRESENT: Biasi, Frerichs, Villegas, Woods ABSENT: Alcala

#### **Item № 3      Public Comments**

There were no public comments.

### **OATH OF OFFICE**

#### **Item № 4      Oscar Villegas, County Member**

Oscar Villegas was sworn in prior to the meeting.

### **CONSENT**

#### **Item № 5      Approve the LAFCo Meeting Minutes of December 7, 2023**

#### **Item № 6      Review and file Fiscal Year 2023/24 Second Quarter Financial Update**

#### **Item № 7      Ratify Resolution 2024-01 commending Norma Alcala on her tenure with the Yolo LAFCo as a City Member**

**Minute Order 2024-01:** Approved recommended action Items 5, 6, and 7. Item 8 was pulled from Consent for discussion.

MOTION: Frerichs SECOND: Biasi

AYES: Biasi, Frerichs, Villegas, Woods

NOES: None

**Item № 8**      **Correspondence**

**Minute Order 2024-02:** This item was pulled from Consent by Chair Woods for discussion regarding LAFCo staff comments to the City of Davis about the Shriners Property application to annex and develop 234 acres . The recommended action was approved to file staff's reply to the request for comments.

MOTION: Woods SECOND: Frerichs  
AYES: Biasi, Frerichs, Villegas, Woods  
NOES: None

**PUBLIC HEARING****Item № 9**      **Conducting Authority Protest Hearing adopting Resolution 2024-02 for the Northeast Industrial Area Reorganization to the City of Woodland (LAFCo № 23-06)**

LAFCo Resolution 2023-06, adopted December 7, 2023, was summarized. The Chair opened the Protest Hearing to receive any protests. There were no protests, and the Hearing was closed.

**Minute Order 2024-03:** After receiving no protests from landowners or registered voters, the Commission adopted **Resolution No. 2024-02**, ordering the Northeast Industrial Area Reorganization to the City of Woodland (LAFCo № 23-06), without an election, subject to the findings and conditions of approval stated in the resolution.

MOTION: Biasi SECOND: Frerichs  
AYES: Biasi, Frerichs, Villegas, Woods  
NOES: None

**REGULAR****Item № 10**      **Review and file 2023 Yolo Local Government Website Transparency Report**

**Minute Order 2024-04:** The recommended action was approved.

MOTION: Biasi SECOND: Frerichs  
AYES: Biasi, Frerichs, Villegas, Woods  
NOES: None

**Item № 11**      **Executive Officer's Report**

The Commission was given written reports of the Executive Officer's activities for the period of December 4, 2023 through January 19, 2024, and was verbally updated on recent events relevant to the Commission, including the Long Range Planning Calendar and Legislative Summary.

Staff stated the February 29, 2024, meeting would be a Leadership and Priority Setting session set to take place at the Woodland Community and Senior Center from 9:00am to 12:30pm. Pamela Miller, CALAFCO's former Executive Director, will be the facilitator for this governance session. Staff thanked the Commission for agreeing to the three hour session.

Staff received an application for the Woodland Research and Technology Park Reorganization to the City of Woodland (LAFCo No. 23-07) but have been awaiting the map, which should be coming this week. Staff will then begin routing the application.

The Executive Officer also noted February marks the beginning of some commissioner terms and the City Selection Committee would be meeting on February 5<sup>th</sup> to appoint a new Alternate City Member.

**Item № 12**    **Commissioner Reports**

There were no reports.

**Item № 13**    **Adjournment**

**Minute Order 2024-05:** By order of the Chair, the meeting was adjourned at 9:42 a.m.

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Olin Woods, Chair  
Local Agency Formation Commission  
County of Yolo, State of California

ATTEST:

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Terri Tuck  
Clerk to the Commission

# **YOLO LOCAL AGENCY FORMATION COMMISSION**

## **LEADERSHIP AND PRIORITY SETTING SESSION**

### **MINUTES**

February 29, 2024

The Yolo Local Agency Formation Commission met on the 29<sup>th</sup> day of February 2024, at 9:30 a.m. at the Woodland Community & Senior Center, 2001 East Street, Room B1, Woodland CA. Voting members present were Chair and Public Member Olin Woods, City Members Bill Biasi and Gloria Partida, and County Members Lucas Frerichs and Oscar Villegas. Other participants present were Public Member Alternate Richard DeLiberty, City Member Alternate Tania Garcia-Cadena, Executive Officer Christine Crawford, Clerk Terri Tuck, and Counsel Eric May.

### **CALL TO ORDER**

Chair Woods called the Meeting to order at 9:29 a.m.

#### **Item № 1      Pledge**

Gloria Partida led the Pledge of Allegiance.

#### **Item № 2      Roll Call**

PRESENT: Biasi, DeLiberty, Frerichs, Garcia-Cadena, Partida, Villegas, Woods  
ABSENT: Provenza

#### **Item № 3      Public Comments**

There were no public comments.

### **OATH OF OFFICE**

#### **Item № 4      Gloria Partida, City Member, and Tania Garcia-Cadena, City Member Alternate**

Gloria Partida and Tania Garcia-Cadena were sworn in prior to the meeting.

### **REGULAR**

#### **Item № 5      Conduct Leadership and Priority Setting Session. The Commission is expected to generally discuss a review of LAFCo goals and accomplishments, future priorities, and next steps.**

**Minute Order 2024-06:** No action was taken. The Commission, along with a facilitator and staff, conducted the Leadership and Priority Setting Session, generally discussing a review of LAFCo goals and accomplishments, future priorities, and next steps.

Chair Woods announced his resignation as the LAFCo Public Member effective June 30, 2024.

**Item № 13 Adjournment**

**Minute Order 2024-07:** By order of the Chair, the Leadership and Priority Setting Session meeting was adjourned at 12:39 p.m.

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Olin Woods, Chair  
Local Agency Formation Commission  
County of Yolo, State of California

ATTEST:

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Terri Tuck  
Clerk to the Commission

Consent 5.

LAFCO

Meeting Date: 03/28/2024

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Information

**SUBJECT**

Correspondence

**RECOMMENDED ACTION**

Review and file the following correspondence:

A. CHW Newsletter - Winter 2024

B. Yolo LAFCO Support Letter for AB 3277

C. Yolo LAFCO Support Letter for SB 1209

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Attachments

ATT A-CHW Newsletter Winter 2024

ATT B-LAFCO Support Letter for AB 3277

ATT C-LAFCO Support Letter for SB 1209

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Form Review

Form Started By: Terri Tuck

Final Approval Date: 03/15/2024

Started On: 03/15/2024 12:11 PM

Newsletter | Winter 2024

COLANTUONO  
HIGHSMITH  
WHATLEY, PC

## Update on Public Law

# Supreme Court Grants Pre-Election Review of Taxpayer Protection Act

By Michael G. Colantuono, Esq.

The California Business Roundtable's "Taxpayer Protection and Government Accountability Act" qualified for the November ballot. It would impose many new restrictions on State revenues and essentially all local revenues, from taxes to library fines to water rates. It requires two-thirds voter approval for all special taxes, whether proposed by legislators or initiative petition, reversing six recent decisions allowing such taxes by majority vote.

The California Business Roundtable removed a very similar measure from the 2018 ballot in exchange for a multi-year ban on local soda taxes and may have intended to trade this measure for a ban on vehicle-miles-travelled taxes. Rather than bargain, the Legislature responded with two attacks on the measure.

First, the Legislature sued in the California Supreme Court for a writ of mandate ordering Secretary of State Shirley Weber to withhold the measure from the ballot. Such petitions are very rarely granted, as it is the role of the California Supreme Court to decide important legal issues on appeal, not as the first court to hear them. However, the petitioners, with support from several local government associations as amicus curiae, persuaded the Court to issue an order to show cause. That invited briefing and argument of the merits. The Court has ordered briefing in December and January, with responses to amicus briefs due February 14th. The matter will likely be argued in March or April and a decision is likely by the June deadline to print November ballots.

*Legislature v. Weber* raises two issues. First, petitioners argue the measure revises the State Constitution—which an initiative cannot do—rather than amends it. This is because the measure strips the Legislature and the Executive branch of important powers—requiring voter approval of all taxes, and requiring legislative action on all fees, even the fee to replace a driver's license.

(continued on pg. 3)

### Welcome, Sergio Ordaz!

CHW is pleased to welcome Sergio C. Ordaz. Sergio got his law degree at night while working full time as a litigation paralegal and raising a family. He passed the Bar and has two years' recent experience in state and federal courts defending local governments in a wide range of cases—from dangerous conditions of property, to civil rights claims, police liability defense and wage and hour claims.

A first generation professional, Sergio has degrees from East LA College, Cal State LA, and the Glendale University College of Law.

Sergio joins our Pasadena office. Welcome Sergio!



## 2024 Housing Legislation — Continued Erosion of Local Control

By Matthew T. Summers, Esq.

The Legislature continues to focus on housing and affordable housing development, despite cities' and counties' defense of local control. Among 20-odd housing bills last year, new legislation expands Senate Bill 35's streamlined approval process for in-fill housing projects, expands density bonuses, and adds a new CEQA exemption for housing. Higher education and religious institutions can also now build affordable housing without a zoning change.

With 2017's Senate Bill 35, the Legislature barred discretionary review of two-or-more-unit residential or mixed-use in-fill projects in jurisdictions failing to make sufficient progress towards their regional goals for affordable housing production. Projects must meet affordability requirements and the city's or county's objective development standards, and pay prevailing wages for construction. Senate Bill 423 (Wiener, D-San Francisco) extends SB 35's sunset to 2036 and expands it to any jurisdiction which did not adopt a substantially compliant housing element—as determined by the state Department of Housing and Community Development. The bill also expands SB 35 to parts of the Coastal Zone, limits SB 35's skilled and trained workforce (i.e., union labor) requirement, and limits project review under objective design standards to staff-level reviews, barring hearings before planning commissions, city councils, and boards of supervisors.

New density bonus legislation, Assembly Bill 1287 (Alvarez, D-San Diego), allows new, "stackable" density bonuses for qualifying projects with at least a 50% density bonus if the developer provides extra very-low income or moderate-income units—allowing up to a 100% bonus (i.e., double the density otherwise permitted). The bill also allows those extra, moderate-income, affordable units to be rentals.

AB 761 (Alvarez, D-San Diego) provides a new CEQA exemption for certain 100% affordable housing projects. Projects must pay prevailing (i.e., union) wages, meet (union) labor standards, and develop infill sites or sites near transit or such amenities as schools or

grocery stores. The exemption covers project approval, but also pre-approval actions, such as leasing land.

Adding to the Legislature's broad approach to housing, Senate Bill 4 makes certain housing projects by-right uses on lands owned by independent higher education and religious institutions, whether or not in compliance with zoning. Nicknamed the "yes in God's backyard" bill, it requires qualifying projects to develop infill sites, provide 100% affordable units, pay prevailing wages, and meet labor standards (again, use union labor), and not be in defined sensitive locations, applying similar standards as 2017's SB 35. Cities and counties can still enforce objective development standards, but cannot require a zoning or general plan amendment for such residential uses.

California's housing affordability crisis continues and, so long as it is top-of-mind for California voters, the Legislature will need to at least appear to be doing something about it. Eroding local control is easier than building housing, so this legislative trend can be expected to continue.

For more information, please contact Matt at [msummers@chwlaw.us](mailto:msummers@chwlaw.us) or (213) 542-5700.

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## Welcome, Julia Cohene!

Julia Cohene joins our Pasadena office as an associate handling a mix of litigation and advisory assignments. She had been a research attorney for the Los Angeles Superior Court supporting busy civil trial departments. Such work provides very firm grounding in litigation procedure.

Her cases suit her well for our advisory practice, too, including real estate, elections and public employment disputes, among others.

Julia had an earlier career in the arts in Los Angeles, New York, and Berlin, receiving a B.S. in Studio Art from Skidmore College before attending UC Irvine's Law School.

Welcome, Julia!

# Surplus Land Act Now (Expressly) Applies to Leases

By Gary B. Bell, Esq.

Effective January 1, 2024, the Surplus Land Act expressly applies to leases for longer than 15 years, including options to extend or renew, unless no development or demolition will occur. The Governor signed Senate Bill No. 747 (Caballero, D-Merced) to approve the changes. The Act requires local agencies—including cities, special districts, school districts, counties, joint powers authorities, RDA successor agencies, housing authorities, and other political subdivisions—to offer surplus land to affordable housing developers and other public agencies before selling (and now, leasing) land to any other party.

The Act previously applied to a local agency's decision to "dispose" of real property without defining that word, although several provisions of the law suggested the Legislature intended to limit it to sales. For example, before the most recent amendment, the penalty for disposing of real property in violation of the Act was "30 percent of the final sale price." The legislative history of another recent amendment to the Act—2019's Assembly Bill No. 1486 (Ting, D-San Francisco)—seemed to support this conclusion. As introduced, that bill defined "disposed of" to mean "sell, lease, transfer, or otherwise convey any interest in real property." The version the Governor signed into law omitted that definition.

Following approval of the 2019 statute, the Department of Housing and Community Development adopted "Surplus Land Act Guidelines" defining "disposition of surplus land" as "sale or lease of local agency-owned land formally declared surplus." This led to disagreement over the Act's scope, which SB 747 resolves at the expense of local control.

With leases now squarely within the Act's definitions, local agencies should familiarize themselves with the Act's procedures and exemptions before leasing real property to a tenant for more than 15 years.

The Act maintains its penalties, now also applicable to leases, as "30 percent ... of the discounted net present value of the fair market value of the lease as of the date the lease was entered into."

Look for further developments in this area of the law.

For more information, please contact Gary at [GBell@chwlaw.us](mailto:GBell@chwlaw.us) or (916) 400-0370.

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## Taxpayer Protection Act

(cont. from page 1)

Second, they argue the measure would impair essential governmental powers; here, the power to impose taxes, delegate fee-making procedures to the Executive branch, and for that branch to fully administer financial aspects of government programs.

CHW filed amicus letters in support of pre-election review on behalf of seven local government associations and will file an amicus brief on the merits for these and other amici in late January.

The Legislature's second reaction to the measure is ACA 13 (Ward, D-San Diego). Also slated for the November 2024 ballot, that constitutional amendment would provide that any ballot measure to impose a supermajority voting requirement cannot pass unless it attains that same supermajority. As ACA 13 is retroactive, if a simple majority of voters approve it, the California Business Roundtable measure will require two-thirds voter approval. As the measure has drawn strong opposition, that may not be attainable.

Stay tuned!

For more information, please contact Michael at [MColantuono@chwlaw.us](mailto:MColantuono@chwlaw.us) or (530) 432-7357.



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Our newsletter is available as a printed document sent by US Mail and as a PDF file sent by email. Please let us know how you would like to receive your copy.

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YOLO  
LOCAL  
AGENCY  
FORMATION  
COMMISSION



March 15, 2024

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Supervisor – 2<sup>nd</sup> District

GLORIA PARTIDA  
Councilmember  
City of Davis

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Supervisor – 1<sup>st</sup> District

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Mayor  
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JIM PROVENZA  
Supervisor – 4<sup>th</sup> District

STAFF  
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Executive Officer

TERRI TUCK  
Administrative Specialist II/Clerk

COUNSEL  
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Honorable Juan Carrillo, Chair  
Assembly Local Government Committee  
1020 N Street, Rm. 157  
Sacramento, CA 95814

RE: **SUPPORT of AB 3277**, Local agency formation commission: districts: property tax

Dear Senator Carrillo,

The Yolo Local Agency Formation Commission (LAFCo) is pleased to **Support Assembly Bill 3277**, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes a clarifying change to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

Under existing statute, a commission must perform a financial analysis of ad valorem property taxes when a proposal is received that includes the incorporation of a city and the formation of a district. The only purpose of the analysis is to determine how best to apportion the property taxes between the agencies. However, occasionally, an application is received in which the district waives any portion of the ad valorem taxes. In those situations, no analysis is needed for the process, yet it remains required by statute.

This bill will add language that clarifies that the performance of the financial analysis in that situation only needs to be performed in those instances where a portion of the ad valorem property taxes is being sought.

By making this minor change, **AB 3277** will apply this time-consuming process only to those applications that require it.

For the reasons noted above, Yolo LAFCo **Supports AB 3277**.

Please do not hesitate to reach out with questions or concerns about our position.

Yours sincerely,  
Yolo LAFCo Legislative Ad Hoc Subcommittee



Bill Biasi, City Member



Lucas Frerichs, County Member

cc: Members and Consultants, Assembly Local Government Committee  
William Weber, Consultant, Assembly Republican Caucus  
René LaRoche, Executive Director, CALAFCO

YOLO  
LOCAL  
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FORMATION  
COMMISSION

Item 5-ATT C



March 15, 2024

COMMISSION  
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OLIN WOODS  
Public Member

BILL BIASI  
Mayor  
City of Winters

LUCAS FRERICHs  
Supervisor – 2<sup>nd</sup> District

GLORIA PARTIDA  
Councilmember  
City of Davis

OSCAR VILLEGAS  
Supervisor – 1<sup>st</sup> District

ALTERNATES  
RICHARD DELIBERTY  
Public Member

TANIA GARCIA-CADENA  
Mayor  
City of Woodland

JIM PROVENZA  
Supervisor – 4<sup>th</sup> District

STAFF  
CHRISTINE M. CRAWFORD, AICP  
Executive Officer

TERRI TUCK  
Administrative Specialist II/Clerk

COUNSEL  
ERIC MAY

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Honorable David Cortese  
California State Senate  
1021 O Street, Suite 6630  
Sacramento, CA 95814

RE: **SUPPORT SB 1209** (Cortese): Local agency formation commission: indemnification  
Awaiting hearing – Senate Local Government Committee

Dear Senator Cortese:

The Yolo Local Agency Formation Commission (LAFCO) is pleased to support Senate Bill 1209, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO). SB 1209 would add a new section into Government Code authorizing LAFCOs to enter into an indemnification agreement with an applicant. Counties and cities are already empowered to require indemnification, and routinely do so with respect to discretionary land-use approvals. SB 1209 would merely provide LAFCOs with the same authority.

This bill addresses a 2022 decision of the Second District Court of Appeals, which found that existing State law does not provide explicit authority to require indemnification. Absent indemnification authority - and because LAFCO funding is statutorily required in a specified ratio from the county, cities, and special districts within a county - the costs to defend litigation must be absorbed by all of LAFCO's funding agencies.

Consequently, **SB 1209** will:

- Provide LAFCOs with the ability to use a tool already in use by counties and cities;
- Prevent costs to defend litigation from being shifted to a county, its cities, and its special districts; and
- Remove the possibility that an applicant threatens litigation to coerce a desirable LAFCO determination.

Thus, for the above reasons, Yolo LAFCO is in strong **support of SB 1209**.

Sincerely,  
Yolo LAFCo Legislative Ad Hoc Subcommittee

Bill Biasi, City Member

Lucas Frerichs, County Member

cc: The Honorable Maria Elena Durazo, Chair, and Members, Senate Local  
Government Committee  
Anton Favorini-Csorba, Chief Consultant, Senate Local Government Committee  
Ryan Eisberg, Consultant, Senate Republican Caucus  
Rene' LaRoche, Executive Director, CALAFCO



## LAFCO

Meeting Date: 03/28/2024

### Information

#### SUBJECT

Consider **Resolution 2024-04** adopting Findings as a Responsible Agency for the Environmental Impact Report (EIR), EIR Addendum, and Statement of Overriding Considerations for The Promenade, and **Resolution 2024-05** approving The Promenade Reorganization to the City of Davis (LAFCo No. 23-05) and Waiving Protest Proceedings

#### RECOMMENDED ACTION

1. Receive staff presentation and open the Public Hearing for public comments on this item.
2. Close the Public Hearing and consider the information presented in the staff report and during the Public Hearing.
3. Consider the Environmental Impact Report (EIR), EIR Addendum, and Statement of Overriding Considerations for The Promenade and approve Resolution 2024-04 adopting findings as a Responsible Agency in accordance with the California Environmental Quality Act (CEQA).
4. Adopt Resolution 2024-05 approving The Promenade Reorganization to the City of Davis (LAFCo No. 23-05) and Waiving Protest Proceedings.

#### FISCAL IMPACT

No fiscal impact. The proposal applicant, Davis Gateway Student Housing, LLC, submitted a deposit and is required to reimburse LAFCo for all processing costs.

#### REASONS FOR RECOMMENDED ACTION

Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission. Government Code Section 56021 defines "changes of organization" to include annexation to a city, detachment of a special district, among other actions.

On February 20, 2018, the City of Davis approved the Nishi Residential Development Project (currently known as "The Promenade") and the voters of the City of Davis, on November 6, 2018, ratified the General Plan Amendment and the Baseline Project Features for the Project. Government Code Section 56706 authorizes proceedings for a change of organization or a reorganization to be initiated via landowner petition and the proposal application was submitted to Yolo LAFCo on August 17, 2023. The subject parcel is included within the Sphere of Influence for the City of Davis as approved by the Yolo LAFCo.

The reorganization proposal was considered and analyzed in accordance with the required factors listed in Government Code Section 56668 and Yolo LAFCo Standards of Evaluation for proposals (Yolo LAFCo Project Policies Section 2.0). The reorganization is eligible for approval without notice and a waiver of protest proceedings because the owners of land within the affected territory, exclusive of land owned by a private railroad company, have given their written consent to that reorganization, and no subject agency has submitted written opposition to a waiver of protest proceedings.

The Proposal was ready for public hearing on December 7, 2023. However, the applicant requested it be postponed until now.

#### BACKGROUND

##### Proposal Description

The project site consists of approximately 56.11 acres located southwest and adjacent to the City of Davis within the City of Davis Sphere of Influence (SOI) of unincorporated Yolo County. The project site is triangular-shaped and bounded by existing industrial development to the northeast, I-80 to the southeast, and the Union Pacific Railroad

(UPRR) rail line and UC Davis to the northwest. The project site is currently undeveloped and has been dry-farmed for winter wheat crops in the past.

The City of Davis approval changed the general plan land use designation from Agriculture to Residential and Natural Habitat Area. Correspondingly, the parcel has also been pre-zoned to Planned Development. The project includes development of rental residential uses; up to 10,000 sf of commercial/retail space and other community building uses; onsite water detention; open spaces, including private open space for the proposed residential uses, urban forests or urban farmland; and a satellite surface/structure parking area with solar panels. The project would include up to 700 rental apartment units to accommodate up to 2,200 occupants (primarily students).

### **Factors to be Considered**

In accordance with Government Code Section 56668, the factors to be considered in the review of a proposal shall include, but is not limited to, all of the following:

1. Population, land use, natural boundaries, proximity to other populated areas, and likelihood of significant growth in the area during the next 10 years;
2. The need for organized community services, the adequacy of governmental services and controls in the area, the probable effect of annexation and alternative courses of action;
3. The effect of the proposed action (and alternative actions) on the adjacent areas, social and economic interests and local governmental structure of the county;
4. The conformity of the proposal and its effects with adopted commission policies on providing planned, orderly and efficient patterns of urban development;
5. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands;
6. The definiteness of the boundaries with parcel lines and the creation of any "islands" or corridors of unincorporated territory;
7. A regional transportation plan;
8. The proposal's consistency with city or county general and specific plans;
9. The sphere of influence of any applicable local agency;
10. The ability of the receiving entity to provide services and the sufficiency of revenues for those services;
11. Availability of water supplies;
12. The extent to which the proposal will affect a city in achieving its regional housing needs as determined by its council of governments;
13. Any information or comments from landowners, voters or residents of the affected territory;
14. Any information relating to existing land use designations;
15. The extent to which the proposal will promote environmental justice, meaning the fair treatment of people of all races, cultures and incomes with the respect to the provision of public services; and
16. Any local hazard plan or safety element of a general plan that identifies land as a very high fire hazard zone.

Yolo LAFCo's local standards of evaluation for proposals (Section 2.0) elaborates on these state-mandated factors with the following additional standards:

1. Favoring municipal services by cities in urbanized areas rather than the County or special districts;
2. Consider not only present service needs of the area under consideration, but shall also consider future services which may be required to take care of future growth or expansion;
3. Requiring a service plan that describes the extension, financing and timing of services;
4. SACOG's regional housing needs for the agency, recent update (and certification) of the agency's housing element, whether the agency's inclusionary housing ordinance complies with SACOG's Affordable Housing Compact, the degree to which the proposal meets the agency's "low income" and "very low income" housing targets, and the extent to which the proposal advances or inhibits the agency's housing element; and
5. Consistency with the Agricultural Conservation Policy.

### **Analysis**

The proposed annexation area is within the City's sphere of influence (SOI) and is a logical and orderly extension of the City's urban area. The proposed development will need urban services and the City has the capacity and is the appropriate agency to provide services. The subject territory is mostly surrounded by existing city jurisdiction and the proposal does not create any "islands" or corridors of unincorporated territory. The project is consistent with the regional growth projections prepared by SACOG and is consistent with the City's General Plan land use designations. The City of Davis has pre-zoned the territory consistent with its General Plan.

LAFCo Policy No. 4.4 requires LAFCo to review projects based on a number of considerations to promote the Yolo LAFCo's Agricultural Conservation Policy's goal that "boundary changes for urban development should only be proposed, evaluated, and approved in a manner which, to the fullest extent feasible, is consistent with the continuing growth and vitality of agriculture within the county." The project site is mostly undeveloped, excepting the UPRR

line, and has been previously used for agricultural uses. The site is not designated as Prime, Unique, or Farmland of Statewide importance by the Department of Conservation Farmland Mapping and Monitoring Program. However, development of the site would result in a loss of farmland that was determined to be of high agricultural importance based on land suitability and site assessment criteria. The project would convert 43.5 acres of agricultural land to urban uses. Because the project would result in the conversion of active agricultural land to urban uses, it is a significant impact. The project would be required to comply with City Municipal Code Article 40A.03 that requires the purchase of compensatory agricultural lands at a 2:1 ratio compared to those lost/converted. Although the project is required to mitigate to the extent feasible, the City has adopted a Statement of Overriding Considerations as the impact remains significant and unavoidable. The subject property is surrounded by existing City and UC Davis development and I-80 and, therefore, will not be growth inducing. Therefore, the proposal is consistent with Yolo LAFCo's Agricultural Conservation Policy.

The City's EIR and Addendum analyzed the capacity and availability of public services and utilities and concluded that the City has the capacity to serve the project. The territory is intended to be developed with student housing and will help the City to meet its regional housing needs. The proposed boundary does not exclude any existing communities that should be provided equal access to municipal services. The proposal area is not identified as a "very high fire hazard zone". Finally, the City and County have approved a property tax exchange agreement. For all these reasons, staff recommends that the annexation proposal complies with required state factors and local standards of evaluation.

### **Correspondence**

The East Davis Fire Protection District provided comments stating the District will no longer provide fire service to the territory, but does not oppose the proposal. The Auditor's Office submitted its required response indicating a new tax rate area (TRA) will be required for the subject territory and lists the agencies and amount of the 1% tax rate before and after reorganization.

### **Action Without Notice and Waiver of Protest Proceedings**

The application includes written consent signed by one landowner that represents 100% of the affected territory exclusive of land owned by a private railroad company. Notice was provided to all landowners within the project territory plus a 300' radius and all registered voters, as well as to all affected agencies, and no written opposition has been received. The notice includes the Commission's intent to waive protest and election proceedings, as provided in Government Code section 56662.

### **CEQA**

The reorganization is a discretionary action subject to CEQA. On February 6, 2018, the Davis City Council adopted Resolution No. 18-022, adopting an Addendum, and adopting CEQA Findings of Fact, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations which analyzes and discloses the significant environmental effects associated with development in the annexation area.

LAFCo is considered a "responsible agency" under CEQA, which means a public agency, other than the "lead agency" (i.e. the City), which has responsibility for carrying out or approving a project. In other words, LAFCo approval (i.e. the annexation) is required for the City to carry out development under its project approval. Pursuant to Government Code Section 15096, LAFCo as a responsible agency complies with CEQA by considering the EIR prepared by the City and reaching its own conclusions on whether and how to approve the annexation. LAFCo is required to make findings for each significant environmental effect of the project. CEQA requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the benefits outweigh the adverse effects, they may be considered "acceptable".

The City's EIR and Addendum identified significant and unavoidable impacts at the project site related to agriculture and forest resources; air quality; greenhouse gas emissions, climate change and energy; noise and vibration; and transportation and circulation. The City's EIR and Addendum have not been attached due to size considerations, but can be found here: <https://www.cityofdavis.org/city-hall/community-development-and-sustainability/development-projects/the-promenade-2023>. Staff provided comments to the Notice of Preparation to ensure the EIR and Addendum was consistent with LAFCo policy.

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### **Attachments**

ATT A-Reso 2024-04 Adopting CEQA Findings for The Promenade Annexation to City of Davis  
ATT B-Reso 2024-05 Approving Promenade Reorg to the City of Davis LAFCo 23-05 03.28.2024  
ATT C-Correspondence LAFCo 23-05  
ATT D-CEQA Findings of Fact & Statement of Overriding Considerations City of Davis Feb 2018

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| Inbox                               | Reviewed By        | Date                            |
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| Christine Crawford (Originator)     | Christine Crawford | 03/13/2024 01:58 PM             |
| Christine Crawford (Originator)     | Christine Crawford | 03/18/2024 01:27 PM             |
| Form Started By: Christine Crawford |                    | Started On: 03/05/2024 10:07 AM |
| Final Approval Date: 03/18/2024     |                    |                                 |

**YOLO LOCAL AGENCY FORMATION COMMISSION**

**Resolution № 2024-04**

**Adopting Findings as a Responsible Agency for the Environmental Impact Report (EIR),  
EIR Addendum, and Statement of Overriding Considerations for The Promenade (aka  
Nishi Residential Development Project) (SCH# 2015012066)**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, set forth in Government Code Sections 56000 et seq., governs the organization and reorganization of cities and special districts by local agency formation commissions (LAFCo) established in each county (unless otherwise indicated all statutory references are to the Government Code); and

**WHEREAS**, Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission; and

**WHEREAS**, Government Code Section 56021 defines "changes of organization" to include annexation to a city and detachment of the special district, among other actions; and

**WHEREAS**, on February 16, 2016, the Davis City Council certified the environmental impact report (EIR) for the Nishi Gateway Project, and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; and

**WHEREAS**, the Nishi Gateway Project development measure was defeated at the ballot by Davis voters on June 7, 2016; and

**WHEREAS**, the Nishi Residential Development Project was a modification of the Nishi Gateway Project intended to provide student-oriented rental housing, with vehicular access to UC Davis; and

**WHEREAS**, the City of Davis prepared an Environmental Checklist Addendum to the previously certified Nishi Gateway EIR (the Addendum); and

**WHEREAS**, accordingly on February 6, 2018, the Davis City Council adopted Resolution No. 18-022, adopting an Addendum, and adopting CEQA Findings of Fact, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations; and

**WHEREAS**, On February 20, 2018, the City of Davis approved the Nishi Residential Development Project (Project) and the voters of the City of Davis, on November 6, 2018, ratified the General Plan Amendment and the Baseline Project Features; and

**WHEREAS**, the proposal application, now called "The Promenade", was submitted to Yolo LAFCo via landowner petition on August 17, 2023, seeking approval of an annexation to the City of Davis and detachment from the East Davis Fire Protection District (the "proposal"); and

**WHEREAS**, the proposal is within the Sphere of Influence for the City of Davis as approved by Yolo LAFCo; and

**WHEREAS**, LAFCo staff has reviewed the proposal pursuant to the California Environmental Quality Act (CEQA) as a “project” per CEQA Guidelines Section 21065 because it is an activity which may cause a direct or indirect physical change to the environment; and

**WHEREAS**, the environmental effects of the proposal are included and considered in the Final EIR for the Nishi Gateway Project and the Addendum to the EIR for the Nishi Residential Development Project certified by the City of Davis as the Lead Agency; and

**WHEREAS**, Yolo LAFCo has limited approval and implementing authority over The Promenade Project and thus served as a responsible agency pursuant to the requirements of CEQA; and

**WHEREAS**, the City of Davis is currently in the process of preparing a second Addendum to the EIR for modest changes to the Project, including a grade-separated bridge crossing over the UPRR tracks instead of a tunnel and other adjustments that do not affect the request for reorganization being considered by Yolo LAFCo; and

**WHEREAS**, Yolo LAFCo complied with CEQA as a responsible agency by responding to the Notice of Preparation from the Lead Agency and reviewed the Draft Environmental Impact Report for the original Project and Addendum for Project regarding issues germane to LAFCo’s statutory responsibilities; and

**WHEREAS**, CEQA requires a Responsible Agency to accept an EIR as prepared by the Lead Agency and to treat the document as being legally adequate absent specified circumstances not present herein.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** that the Yolo Local Agency Formation Commission hereby adopts Resolution 2024-04 as follows:

1. Yolo LAFCo adopts and incorporates herein as true and accurate all of the statements and recitals set forth in the preceding portions of this resolution and the entirety of the EIR and Addendum’s Findings of Fact and Statement of Overriding Considerations as adopted by the City of Davis, which is part of the Commission’s administrative record.
2. Yolo LAFCo makes the following additional findings, conclusions, and determinations:
  - a. **CEQA Findings--Responsible Agency.** Under CEQA, Yolo LAFCo is considered a Responsible Agency for the EIR and Addendum. Yolo LAFCo’s CEQA review as a Responsible Agency is more limited than a Lead Agency and Yolo LAFCo has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the Project which it carries out, finances, or approves. Yolo LAFCo’s use of the EIR is limited to the annexation of the subject parcel by the City of Davis and detachment from the East Davis Fire Protection District. Pursuant to CEQA Guidelines section 15096, Yolo LAFCo has considered the EIR and Addendum prepared by the City of Davis and has determined that it is acceptable and legally adequate for use by Yolo LAFCo. In addition, Yolo LAFCo has determined pursuant to CEQA Guidelines section 15164(e) that the Project changes being analyzed by the City of Davis do not necessitate subsequent environmental review by Yolo LAFCo because the changes do not affect Yolo LAFCo’s decision on the reorganization and are beyond Yolo LAFCo’s authority. Any CEQA review of such changes will be conducted by the City of Davis.

- b. **Findings for Less Than Significant Environmental Impacts.** Various significant and potentially significant environmental impacts have been mitigated to less than significant levels, as set forth in the EIR's Findings of Fact and Statement of Overriding Considerations. With respect to those significant impacts identified in the EIR that require mitigation to be reduced to a less than significant level, LAFCo hereby finds that the measures at issue are within the responsibility and jurisdiction of another public agency and not LAFCo. Such changes either have been adopted by the City or can and should be adopted by other agencies. (Pub. Resources Code, § 21081, subd. (a)(2).)
- c. **Findings for Significant and Unavoidable Impacts.** Certain significant environmental impacts are unavoidable as set forth in the EIR's Findings of Fact and Statement of Overriding Considerations. These discussed were determined by the City of Davis to be significant and unavoidable. Upon review of the impacts identified by the City as being significant and unavoidable, Yolo LAFCo has determined these impacts will remain significant and unavoidable after approval of the reorganization and that there are no additional feasible mitigation measures that can be legally imposed by Yolo LAFCo. Yolo LAFCo specifically acknowledges these impacts and Yolo LAFCo adopts, to the extent applicable, the discussion of the significant and unavoidable impacts as set forth in the EIR's Findings of Fact and Statement of Overriding Considerations incorporated herein by reference. With respect to those significant impacts that were subject to mitigation but could still not be reduced to less than significant levels, Yolo LAFCo hereby finds that the measures at issue are within the responsibility and jurisdiction of another public agency and not LAFCo. Such changes either have been adopted by the City or can and should be adopted by other agencies. (Pub. Resources Code, § 21081, subd. (a)(2).)
- d. **Findings for Project Alternatives.** Project alternatives are discussed at length within the EIR. The alternatives set forth in the EIR were relevant to the City's consideration of the Project, in that the different options presented different permutations of development. Since the Davis City Council has already rejected these alternatives as infeasible in detailed findings, Yolo LAFCo is not able to impose a different version of the development on the City, given its lack of direct authority over land use under the Cortese-Knox-Hertzberg Act. LAFCo's role is to determine the plan for future development and, if appropriate, annex territory to the City in accordance with its sphere of influence consistent with LAFCo's policies and the Cortese-Knox-Hertzberg Act. Although LAFCo has reviewed the City's findings for the Project alternatives, LAFCo declines to make separate findings regarding alternatives rejected by the City or to otherwise entertain alternatives over which it has no jurisdiction. For reasons set forth in the CEQA Findings of Fact and Statement of Overriding Considerations, the Davis City Council rejected the alternatives set forth in the EIR as being infeasible or unacceptable for various reasons. The Commission finds these reasons acceptable and adopts them as its own to the extent that its statutory authority allows it to consider concerns such as those weighed by the Davis City Council in approving the Project and rejecting alternatives. With respect to the alternatives rejected as infeasible by the City, LAFCo hereby finds that specific economic, legal, social, technological, or other considerations make infeasible the alternatives identified in the EIR. (Pub. Resources Code, § 21081, subd. (a)(3).)

- e. **Statement of Overriding Considerations.** As set forth in the preceding sections, Yolo LAFCo's approval of the reorganization will result in impacts that remain significant and unavoidable. The City balanced the benefits of the Project against its significant and unavoidable environmental impacts and determined that the benefits of the Project outweigh its unavoidable adverse environmental impacts. Similarly, Yolo LAFCo also approves the reorganization because the substantial economic, social, legal, technological, and other benefits that the Project will produce render the significant effects acceptable. This determination is based on the EIR and other information in the record. In light of the foregoing economic, social, recreational and planning benefits provided by the Project, pursuant to CEQA Guidelines section 15093, the Commission finds and determines that these considerable benefits of the reorganization outweigh the adverse effects that are unavoidable or that cannot be mitigated to a level of environmental insignificance are deemed acceptable.
- f. **Mitigation Monitoring Plan.** Yolo LAFCo is aware of the Mitigation Monitoring Plan adopted by the City to ensure implementation of the above-mentioned mitigation measures, as well as all others within the City's control. The Mitigation Monitoring Plan is incorporated by reference herein. Since the EIR did not recommend or identify any mitigation measures that should be implemented by Yolo LAFCo, the Commission has no need to formally adopt any of its own mitigation measures or any separate mitigation monitoring plan or program.

3. The Executive Officer is directed to file a Notice of Determination with the County Clerk for Yolo County within five (5) days of the adoption of this resolution.

**PASSED AND ADOPTED** by the Yolo Local Agency Formation Commission, State of California, this 28th day of March 2024, by the following vote:

Ayes:  
Noes:  
Abstentions:  
Absent:

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Olin Woods, Chair  
Yolo Local Agency Formation Commission

Attest:



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Christine Crawford, Executive Officer  
Yolo Local Agency Formation Commission

Approved as to form:



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Eric May, Commission Counsel

**YOLO LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION № 2024-05**

**Approving The Promenade Reorganization to the City of Davis (LAFCo № 23-05)  
and Waiving Protest Proceedings**

**WHEREAS**, on August 17, 2023, Davis Gateway Student Housing, LLC submitted an application to the Yolo Local Agency Formation Commission (LAFCo) for a reorganization of a 56.11 +/- acre area southeast of the City of Davis; and

**WHEREAS**, the application includes an annexation of Assessor's Parcel Number (APN) 036-810-008 and a 0.72 +/- acre portion of Union Pacific Rail Road (UPRR) property which has no APN assigned (collectively, subject territory) to the City of Davis (City) and a concurrent detachment of the subject territory from the East Davis Fire Protection District (the proposal); and

**WHEREAS**, the proposal application was initiated via landowner petition submitted on August 17, 2023, pursuant to Section 56706 of the Government Code. The County Assessor has examined the petition to compare the names of the signers on said petition against the names of the persons shown as owners of land on the most recent equalized assessment roll of the County; and

**WHEREAS**, there is one parcel plus a portion of UPRR land within the subject territory with a total acreage of 56.11 +/- and estimated assessed value of \$3,234,991. The petition was signed by one landowner (the applicant) who owns 98% of the land and 81% of the estimated assessed value of land within the subject territory, which meets the petition requirements. Therefore, the Executive Officer issued a Certificate of Sufficiency on September 20, 2023; and

**WHEREAS**, the proposal is subject to a negotiated exchange per Revenue and Taxation Code Section 99 which was approved by the Yolo County Board of Supervisors (Agreement No. 18-263) and the City of Davis, effective December 11, 2018; and

**WHEREAS**, the project was routed to all subject, affected, and interested agencies on August 21, 2023 and public notices were mailed to all landowners and registered voters within 300 feet and published in the Davis Enterprise on March 6, 2024; and

**WHEREAS**, the project was analyzed in accordance with all applicable sections of the Cortese-Knox-Hertzberg Act, Yolo LAFCo Standards of Evaluation and Agricultural Policy, and all other matters presented as prescribed by law; and

**WHEREAS**, the Executive Officer reviewed the proposal and prepared and filed a report with recommendations with this Commission at least five (5) days prior to the date of the March 28, 2024, meeting during which the project was set to be considered; and

**WHEREAS**, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony, protests, objections, and any other information concerning the proposal and all related matters; and

**WHEREAS**, at said meeting, the Commission reviewed and considered the California Environmental Quality Act (CEQA) documentation and the Executive Officer's Report including all the information, recommendations, findings, and conditions contained therein.

**NOW, THEREFORE, BE IT RESOLVED** that the Yolo Local Agency Formation Commission approves, without further notice or hearing, The Promenade Reorganization to the City of Davis (LAFCo No. 23-05), consisting of (1) Annexation to the City; and (2) Concurrent detachment from the East Davis Fire Protection District of APN 036-810-008 and a 0.72+/- acre portion of UPRR property which has no APN assigned, as illustrated and described in Exhibit A, and waiving protest proceedings, subject to the following findings and conditions of approval.

**Findings for Approval of the Reorganization**

1. **Finding:** The reorganization proposal was considered and analyzed in accordance with the required factors listed in Government Code Section 56668 and Yolo LAFCo Standards of Evaluation for proposals (Yolo LAFCo Project Policies Section 2.0).

**Evidence:** The proposed annexation area is within the City's sphere of influence (SOI) and is a logical and orderly extension of the City's urban area. The proposed development will need urban services and the City has the capacity and is the appropriate agency to provide services. The subject territory is mostly surrounded by existing city jurisdiction and the proposal does not create any "islands" or corridors of unincorporated territory. The project is consistent with the regional growth projections prepared by SACOG and is consistent with the City's General Plan land use designations. The City of Davis has pre-zoned the territory consistent with its General Plan.

LAFCo Policy No. 4.4 requires LAFCo to review projects based on a number of considerations to promote the Yolo LAFCo's Agricultural Conservation Policy's goal that "boundary changes for urban development should only be proposed, evaluated, and approved in a manner which, to the fullest extent feasible, is consistent with the continuing growth and vitality of agriculture within the county." The project site is mostly undeveloped, excepting the UPRR line, and has been previously used for agricultural uses. The site is not designated as Prime, Unique, or Farmland of Statewide importance by the Department of Conservation Farmland Mapping and Monitoring Program. However, development of the site would result in a loss of farmland that was determined to be of high agricultural importance based on land suitability and site assessment criteria. The project would convert 43.5 acres of agricultural land to urban uses. Because the project would result in the conversion of active agricultural land to urban uses, this is a significant impact. The project would be required to comply with City Municipal Code Article 40A.03 that requires the purchase of compensatory agricultural lands at a 2:1 ratio compared to those lost/converted. Although the project is required to mitigate to the extent feasible, the City has adopted a Statement of Overriding Considerations for agriculture as the impact remains significant and unavoidable. The subject property is surrounded by existing City and UC Davis development and I-80 and, therefore, will not be growth inducing. Therefore, the proposal is consistent with Yolo LAFCo's Agricultural Conservation Policy.

The City's EIR and Addendum analyzed the capacity and availability of public services and utilities and concluded that the City has the capacity to serve the project. The territory is intended to be developed with student housing and will help the City in achieving its regional housing needs. The proposed boundary does not exclude any existing communities that should be provided equal access to municipal services. The proposal area is not identified as a "very high fire hazard zone".

Finally, the City and County have approved a property tax exchange agreement. For all these reasons, staff recommends that the proposal complies with required state factors and local standards of evaluation.

**Findings to Waive Protest Proceedings (in accordance with Cortese-Knox-Hertzberg Act, Gov't Code § 56662(d))**

2. Finding: The reorganization is eligible for approval without notice and a waiver of protest proceedings because (1) the proposal consists of annexation, detachment, and/or formation of a county service area, (2) the territory is uninhabited, (3) the proposal application for reorganization is accompanied by proof, satisfactory to the Commission, that all the owners of land within the affected territory, exclusive of land owned by a private railroad company, have given their written consent to that reorganization, and (4) no subject agency has submitted written opposition to a waiver of protest proceedings.

Evidence: The proposal for reorganization (LAFCo № 23-05) is for annexation of the subject territory into the City of Davis and detachment from the East Davis Fire Protection District. The application includes written consent signed by one landowner that represents 100% of the affected territory exclusive of land owned by a private railroad company. Notice was provided to all landowners within the project territory plus a 300' radius and all registered voters, as well as to all affected agencies, and no written opposition has been received. The notice includes the Commission's intent to waive protest and election proceedings, as provided in Government Code section 56662.

**Conditions of Approval**

1. The applicant and the real party of interest, if different, agree to defend, indemnify, hold harmless and release the Yolo Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against any of them, the purpose of which to attack, set aside, void, or annul the approval of this proposal or adoption of the environmental review which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this proposal, whether or not there is concurrent passive negligence of the part of the Yolo Local Agency Formation Commission its agents, officers, attorney or employees.
2. The project will be subject to all appropriate LAFCo, State Board of Equalization, and County Clerk-Recorder fees prior to recording the Certificate of Completion for The Promenade Reorganization to the City of Davis (LAFCo № 23-05).
3. The Executive Officer shall record a Certificate of Completion with the County Recorder following the 30-day reconsideration period, or Monday, April 29, 2024, at the earliest. The effective date of the approval of this reorganization is the date the Certificate of Completion is recorded by the County Recorder.



**PASSED AND ADOPTED** by the Yolo Local Agency Formation Commission, State of California, this 28th day of March 2024, by the following vote.

AYES:

NOES:

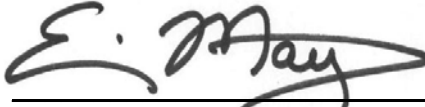
ABSENT:

\_\_\_\_\_  
Olin Woods, Chair  
Yolo Local Agency Formation Commission

ATTEST:

  
\_\_\_\_\_  
Christine Crawford, Executive Officer  
Yolo Local Agency Formation Commission

Approved as to form:

  
\_\_\_\_\_  
Eric May, Commission Counsel

- NOTES:
1. PG&E ELECTRIC EASEMENT PER DEED RECORDED IN BOOK 284 PAGE 309 CANNOT BE LOCATED FROM THE AVAILABLE RECORD.
  2. PG&E ELECTRIC EASEMENT PER DEED RECORDED IN BOOK 284 PAGE 310 CANNOT BE LOCATED FROM THE AVAILABLE RECORD.
  3. NON-EXCLUSIVE RIGHT-OF-WAY, 20-FEET IN WIDTH, PER 1870 OFFICIAL RECORD IS CANNOT BE LOCATED FROM THE AVAILABLE RECORD.
  4. REFER TO DDC NO. 2006-22430, YOLO COUNTY FOR FURTHER DEFINITION OF CITY OF DAVIS EASEMENT LOCATED WITHIN NORTHEASTERLY PORTION OF THE ANNEXATION PROPERTY.

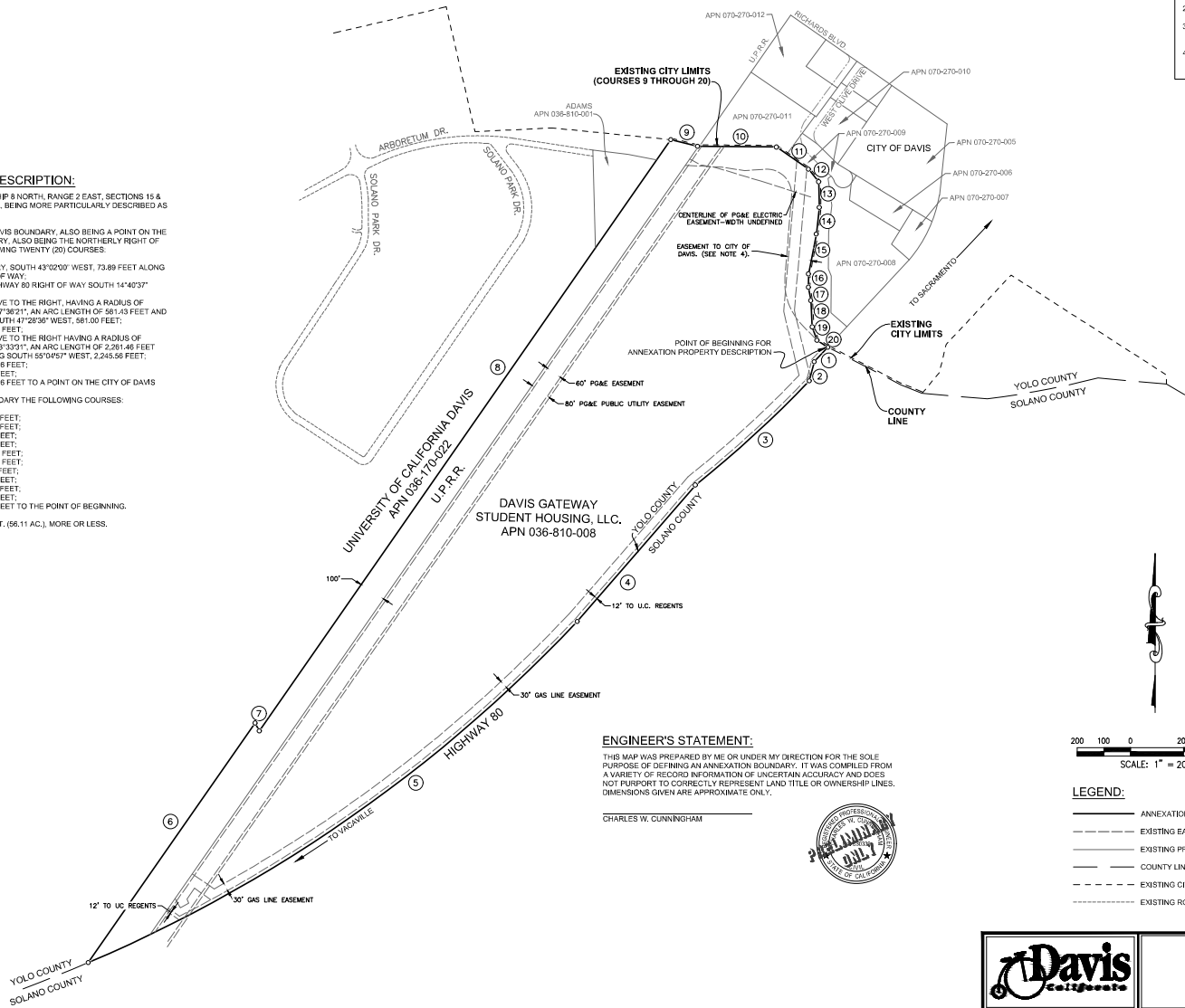
ANNEXATION PROPERTY DESCRIPTION:

THAT CERTAIN PROPERTY WITHIN TOWNSHIP 8 NORTH, RANGE 2 EAST, SECTIONS 15 & 22, M.D.B. & M. YOLO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CITY OF DAVIS BOUNDARY, ALSO BEING A POINT ON THE YOLO COUNTY SOLANO COUNTY BOUNDARY, ALSO BEING THE NORTHERLY RIGHT OF WAY OF HIGHWAY 80, THENCE THE FOLLOWING TWENTY (20) COURSES:

- 1) LEAVING THE CITY OF DAVIS BOUNDARY, SOUTH 43°02'00" WEST, 73.89 FEET ALONG THE NORTHERLY HIGHWAY 80 RIGHT OF WAY.
- 2) THENCE CONTINUING ALONG THE HIGHWAY 80 RIGHT OF WAY SOUTH 14°40'37" WEST, 75.24 FEET.
- 3) THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 4,380.00 FEET, A CENTRAL ANGLE OF 07°39'21", AN ARC LENGTH OF 361.43 FEET AND SUBTENDED BY A CHORD BEARING SOUTH 47°28'36" WEST, 581.00 FEET.
- 4) THENCE SOUTH 40°55'59" WEST, 580.36 FEET.
- 5) THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5,500.00 FEET, A CENTRAL ANGLE OF 23°33'31", AN ARC LENGTH OF 2,261.46 FEET AND SUBTENDED BY A CHORD BEARING SOUTH 55°04'57" WEST, 2,245.56 FEET.
- 6) THENCE NORTH 34°42'32" EAST, 1,100.28 FEET.
- 7) THENCE SOUTH 27°48'49" EAST, 33.78 FEET.
- 8) THENCE NORTH 34°40'32" EAST, 2,713.16 FEET TO A POINT ON THE CITY OF DAVIS BOUNDARY.
- 9) THENCE ALONG SAID CITY OF DAVIS BOUNDARY THE FOLLOWING COURSES:
  - (9) SOUTH 76°04'23" EAST, 104.14 FEET.
  - (10) THENCE SOUTH 89°33'32" EAST, 297.12 FEET.
  - (11) THENCE SOUTH 50°18'16" EAST, 147.14 FEET.
  - (12) THENCE SOUTH 39°21'10" EAST, 61.36 FEET.
  - (13) THENCE SOUTH 01°04'30" EAST, 97.09 FEET.
  - (14) THENCE SOUTH 06°22'30" WEST, 100.50 FEET.
  - (15) THENCE SOUTH 11°13'30" WEST, 152.89 FEET.
  - (16) THENCE SOUTH 00°40'30" WEST, 49.99 FEET.
  - (17) THENCE SOUTH 10°39'49" EAST, 50.87 FEET.
  - (18) THENCE SOUTH 02°46'00" EAST, 100.10 FEET.
  - (19) THENCE SOUTH 50°12'40" EAST, 53.26 FEET.
  - (20) THENCE SOUTH 56°56'52" EAST, 47.96 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 2,444,016 SQ. FT. (56.11 AC.), MORE OR LESS.



ENGINEER'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION FOR THE SOLE PURPOSE OF DEFINING AN ANNEXATION BOUNDARY. IT WAS COMPILED FROM A VARIETY OF RECORD INFORMATION OF UNCERTAIN ACCURACY AND DOES NOT PURPORT TO CORRECTLY REPRESENT LAND TITLE OR OWNERSHIP LINES. DIMENSIONS GIVEN ARE APPROXIMATE ONLY.

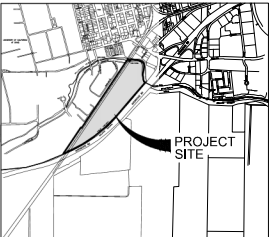
CHARLES W. CUNNINGHAM



SCALE: 1" = 200'

LEGEND:

- ANNEXATION AREA BOUNDARY
- EXISTING EASEMENT
- EXISTING PROPERTY LINES
- COUNTY LINE
- EXISTING CITY LIMIT LINE
- EXISTING ROADWAY



VICINITY MAP  
NTS



THE PROMENADE  
ANNEXATION MAP

|                     |                  |                          |
|---------------------|------------------|--------------------------|
| DESIGNED: -         | SCALE: -         | REVIEWED: -              |
| DRAWN: CALE         | DATE: 01/22/2024 | DIRECTOR OF PUBLIC WORKS |
| CHECKED: SG         | DWG. NO.:        | FILE NO.:                |
| SHEET 1 OF 1 SHEETS |                  | DWG. NO.:                |

**DATE:** 09/20/2023

**TO:** Terri Tuck, LAFCo Commission Clerk

**FROM:** Bill Weisgerber, Chair EDCFPD

**RE:** Promenade Reorganization to City of Davis

Thank you for opportunity to comment on the annexation of the Nishi Property (AIN: 036-810-008). The East Davis County Fire Protection District (EDCFDP) has historically served this parcel, which has been subject to a special benefit assessment district, approved through a Proposition 218 election in 1997. The EDCFPD receives annual revenue from this assessment in the amount of \$1,260.00.

If the Promenade reorganization/annexation is relegated to the City of Davis jurisdiction, the EDCFPD will stand to lose this annual revenue, unless the property falls under the tax sharing agreement between the City of Davis and the County of Yolo.

If AIN: 036-810-008 (Nishi Property) is not subject to the tax sharing agreement, then EDCFPD will no longer be obligated to maintain a fire service delivery relationship with the property.

Thank you, again, for the opportunity to comment.

Respectfully,

*Bill Weisgerber*

Bill Weisgerber, Chair

EDCFPD

408-910-8044

**From:** [Christine Crawford](#)  
**To:** [Bill Weisgerber](#)  
**Cc:** [Sheila Allen](#); [Jim Provenza](#); [Joseph Tenney](#)  
**Subject:** RE: EDFPD Comments on The Promenade Reorg to the City of Davis - LAFCo 23-05  
**Date:** Thursday, September 21, 2023 4:08:00 PM

---

Okay, thanks for the clarification. Much appreciated – Christine

---

**From:** Bill Weisgerber <bweisgerber@gmail.com>  
**Sent:** Thursday, September 21, 2023 1:41 PM  
**To:** Christine Crawford <Christine.Crawford@yolocounty.org>  
**Cc:** Sheila Allen <Sheila.Allen@yolocounty.org>; Jim Provenza <Jim.Provenza@yolocounty.org>; Joseph Tenney <JTenney@cityofdavis.org>  
**Subject:** Re: EDFPD Comments on The Promenade Reorg to the City of Davis - LAFCo 23-05

Hi, Christine,

Thanks for further elucidating the salient points of the proposal implications. And, yes, you're correct. EDFPD is simply stating the impacts as they are understood, and does not oppose the proposal.

Regards,  
Bill

Sent from my iPhone

On Sep 21, 2023, at 1:19 PM, Christine Crawford <[christine.crawford@yolocounty.org](mailto:christine.crawford@yolocounty.org)> wrote:

Hi Bill,

Thank you for submitting comments on The Promenade Reorganization to the City of Davis.

Even though this property is currently within the EDFPD, EDFPD has not received a portion of the 1% property taxes from this parcel (unique to this parcel only, related to this parcel moving from Solano to Yolo County in the 90s post Prop 13). The City-County tax sharing agreement only addresses taxes and not EDFPD's Prop 218 assessment. With the proposed detachment, EDFPD would no longer be obligated to provide fire services to the property. Correspondingly, the EDFPD will no longer be able to assess this parcel and would lose that portion of Prop 218 revenue. However, the parcel's assessed value would also be removed from the basis used for the City to allocate EDFPD its fair share of the City's cost, so the EDFPD's cost would go down by a proportional amount.

I took your comments as noting the impacts to the EDFPD, but not stating opposition to

the proposal. Let me know if I've got that right so I relay EDFPD's comments to the Commission correctly. Happy to chat about this more if you'd like to.

Thanks,  
Christine

**From:** Bill Weisgerber <[bweisgerber@gmail.com](mailto:bweisgerber@gmail.com)>  
**Sent:** Wednesday, September 20, 2023 4:32 PM  
**To:** LAFCO <[LAFCO@yolocounty.org](mailto:LAFCO@yolocounty.org)>  
**Cc:** Jim Provenza <[Jim.Provenza@yolocounty.org](mailto:Jim.Provenza@yolocounty.org)>; Sheila Allen <[Sheila.Allen@yolocounty.org](mailto:Sheila.Allen@yolocounty.org)>; Oliver Snow <[Oliver.Snow@yolocounty.org](mailto:Oliver.Snow@yolocounty.org)>; Mike McMahon <[mcmahon.michael@gene.com](mailto:mcmahon.michael@gene.com)>; david robert <[Davebob521@yahoo.com](mailto:Davebob521@yahoo.com)>; Tad Henderson <[tadhenderson@me.com](mailto:tadhenderson@me.com)>; Joseph Tenney <[JTenney@cityofdavis.org](mailto:JTenney@cityofdavis.org)>  
**Subject:** Re: Project Routing for Promenade Reorganization to the City of Davis (LAFCo #23-05)

Hi Terri

Please find attached the routing sheet and attached comments from EDCFPD for the Promenade (Nishi Property, AIN: 036-810-008) Reorganization to City of Davis.

Regards,  
Bill Weisgerber, Chair  
EDCFPD  
408-910-8044

[THIS EMAIL ORIGINATED FROM OUTSIDE YOLO COUNTY. PLEASE USE CAUTION AND VALIDATE THE AUTHENTICITY OF THE EMAIL PRIOR TO CLICKING ANY LINKS OR PROVIDING ANY INFORMATION. IF YOU ARE UNSURE, PLEASE CONTACT THE HELPDESK (x5000) FOR ASSISTANCE]

**Christine M. Crawford, AICP**  
**Yolo LAFCo Executive Officer**  
(916) 798-4618 – mobile  
(530) 666-8048 – office

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# County of Yolo

www.yolocounty.org

**Tom Haynes**  
Interim Chief Financial Officer

---

## DEPARTMENT OF FINANCIAL SERVICES

625 Court Street, Room 102

PO BOX 1268

WOODLAND, CA 95776

PHONE: (530) 666-8190

FAX: (530) 666-8215

DFS @ yolocounty.org

- Financial Strategy Leadership
- Budget & Financial Planning
- Treasury & Finance
- Tax & Fee Collection

- Financial Systems Oversight
- Accounting & Financial Reporting
- Internal Audit
- Procurement

September 18, 2023

TO: Christine Crawford, LAFCo

FROM: Tom Haynes, Interim CFO  
By: Cynthia Bono

SUBJECT: LAFCo 23-05 – Promenade Reorganization to the City of Davis

The LAFCo project referenced above will reorganize approximately 56.11 acres. If granted the parcel would be annexed into the City of Davis boundaries and detach from the East Davis Fire Protection District.

Per LAFCo, this proposal is subject to Section 99 of the Revenue and Taxation code. Pursuant to Revenue and Taxation Code §99 and related subsections, the County Assessor's Office provided the Department of Financial Services, in our role as Auditor-Controller, with the tax rate areas of those properties located within the boundaries of the proposed LAFCo project. Utilizing the Assessor's information, the agencies included in the Tax Rate Area are shown on the enclosure.

Pursuant to §99(b)(1)(B)3, the Auditor shall notify the government body of each local agency whose service area or service responsibility will be altered by the amount of, and allocation factors with respect to, property tax revenue estimated pursuant to §99(b)(2) that is subject to a negotiated exchange.

Except as otherwise provided by law, pursuant to §99(b)(1)(B)(4), upon receipt of the enclosed estimates, the local agencies shall commence negotiations to determine the amount of property tax revenues to be exchanged between and amount the local agencies. This negotiation period shall not exceed 60 days. The final exchange resolution shall specify how the annual tax increment shall be allocated in future years. Note that the City of Davis and Yolo County have already executed a tax exchange agreement for this proposal.

Please do not hesitate to contact Alexander Tengolics in the County Administrator's Office at (530) 666-8068 prior to the anticipated Board meeting with any concerns or questions about this determination.

Respectfully,

A handwritten signature in cursive script that reads "Cynthia Bono".

Cynthia Bono, Deputy  
Department of Financial Services  
Property Tax Accounting Unit

TH:cb  
Cc: Christine Crawford, LAFCo  
City of Davis  
East Davis Fire

LAFCo: 23-05  
Project Name: Promenade Reorganization to the City of Davis  
R&T Code Section: 99  
Existing Tax Rate Area(s): 061-030  
Net Assessed Value: 2,627,037  
Estimated 1% Property Tax Revenue: \$26,270.37

**AGENCY NAME**

County General Fund  
County ACO Fund  
County Library  
City of Davis  
East Davis Fire  
Solano County Flood Control  
Yolo County Resources Conservation District  
Yolo County Office of Education  
Davis Joint Unified School District  
Los Rios Community College  
Educational Revenue Augmentation Fund

| TRA     | APN         | ACRES | LAND VAL  | IMPVALUE | OTHER<br>VALUE | EXEMP<br>AMT | TOTAL<br>VALUE |
|---------|-------------|-------|-----------|----------|----------------|--------------|----------------|
| 061-030 | 036-810-008 | 43.99 | 2,627,037 | -        | -              | -            | 2,627,037      |



Please note that East Davis Fire Protection District does not receive a portion of the 1% tax rate but enrolls an annual direct charge on the assessment referenced above.

Listed below are the existing agencies in the 1% tax rate in Tax Rate Area 061-030.

| FUND TITLE                                  | DISTRIB%   | Before    | % OF FACTOR<br>SHIFT TO | New        | After     |
|---------------------------------------------|------------|-----------|-------------------------|------------|-----------|
|                                             |            | ERAF      | ERAF                    | DISTRIB%   | ERAF      |
| County General Fund                         | 0.36132051 | 9,492.02  | 0.65754209              | 0.12373707 | 3,250.62  |
| County ACO Fund                             | 0.01481255 | 389.13    |                         | 0.01481255 | 389.13    |
| County Library                              | 0.03357241 | 881.96    | 0.34062874              | 0.02213668 | 581.54    |
| Solano County Flood Control                 | 0.04296251 | 1,128.64  |                         | 0.04296251 | 1,128.64  |
| Yolo County Resources Conservation District | 0.00313342 | 82.32     |                         | 0.00313342 | 82.32     |
| County Schools                              | 0.03740780 | 982.72    |                         | 0.03740780 | 982.72    |
| Davis Joint Unified School District         | 0.45085713 | 11,844.18 |                         | 0.45085713 | 11,844.18 |
| Los Rios Community College                  | 0.05593367 | 1,469.40  |                         | 0.05593367 | 1,469.40  |
| Educational Revolving Augmentation Fund     | 0.00000000 | 0.00      |                         | 0.24901917 | 6,541.83  |
|                                             | 1.00000000 | 26,270.37 |                         | 1.00000000 | 26,270.37 |

Listed below are the proposed agencies in the 1% tax rate in the proposed new tax rate area.

| FUND TITLE                                  | DISTRIB%   | Before    | % OF FACTOR<br>SHIFT TO | New        | After     |
|---------------------------------------------|------------|-----------|-------------------------|------------|-----------|
|                                             |            | ERAF      | ERAF                    | DISTRIB%   | ERAF      |
| County General Fund                         | 0.18066026 | 4,746.01  | 0.65754209              | 0.06186853 | 1,625.31  |
| County ACO Fund                             | 0.00740628 | 194.57    |                         | 0.00740628 | 194.57    |
| County Library                              | 0.03357241 | 881.96    | 0.34062874              | 0.02213668 | 581.54    |
| City of Davis                               | 0.18806653 | 4,940.58  | 0.23079827              | 0.14466110 | 3,800.30  |
| Solano County Flood Control                 | 0.04296251 | 1,128.64  |                         | 0.04296251 | 1,128.64  |
| Yolo County Resources Conservation District | 0.00313342 | 82.32     |                         | 0.00313342 | 82.32     |
| County Schools                              | 0.03740780 | 982.72    |                         | 0.03740780 | 982.72    |
| Davis Joint Unified School District         | 0.45085713 | 11,844.18 |                         | 0.45085713 | 11,844.18 |
| Los Rios Community College                  | 0.05593367 | 1,469.40  |                         | 0.05593367 | 1,469.40  |
| Educational Revolving Augmentation Fund     | 0.00000000 | 0.00      |                         | 0.17363288 | 4,561.40  |
|                                             | 1.00000000 | 26,270.37 |                         | 1.00000000 | 26,270.37 |

After review, there is a property tax loss or exchange between agencies for the subject property. A new tax rate area will be necessary to accomplish the proposed annexation.

**Findings of Fact  
and  
Statement of Overriding Considerations  
for the  
Nishi Residential Development Project  
Addendum to the Nishi Gateway Environmental Impact Report**

---

STATE CLEARINGHOUSE NUMBER 2015012066

**Prepared for:**  
City of Davis  
23 Russell Boulevard, Suite 2  
Davis, CA 95616

**Prepared by:**  
Ascent Environmental, Inc.  
455 Capitol Mall, Suite 300  
Sacramento, California 95814

**February 2018**

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## Attachments

Amended Mitigation Monitoring and Reporting Program for Nishi Gateway Project

# 1 STATEMENT OF FINDINGS

## 1.1 INTRODUCTION

The City of Davis (City), as lead agency pursuant to the California Environmental Quality Act (CEQA), has prepared an Addendum to the Nishi Gateway Environmental Impact Report (EIR) for the Nishi Residential Development Project (project) (State Clearinghouse No. 2015012066). The EIR consists of the Draft EIR and the Final EIR and the Addendum. The project is comprised of two primary components: 1) annexation from Yolo County and development of 46.9 acres (Nishi site) with a mixed-use community that will provide roadway connections to the City and University of California at Davis (UC Davis), and 2) rezoning of 10.8 acres within the City (hereafter referred to as West Olive Drive) to allow for redevelopment. No new development is currently proposed as part of West Olive Drive; however the rezoning of the parcels within West Olive Drive will allow for redevelopment at a higher density than current zoning. Within the EIR, the development of the 46.9-acre Nishi site is evaluated at a project-level pursuant to Section 15161 of the CEQA Guidelines, and the redevelopment of West Olive Drive is evaluated at a program-level pursuant to Section 15168 of the CEQA Guidelines. The Addendum to the EIR evaluates and confirms that the impacts that would result from the proposed Nishi Residential Development Project, which would be a change relative to what is described and evaluated in the Nishi Gateway Draft and Final EIR, were previously studied and adequately addressed in that prior EIR and no new or more severe environmental impacts would result from the project changes.

These amended findings, as well as the accompanying amended statement of overriding considerations in Section 2, have been prepared in accordance with CEQA (Public Resources Code [PRC], Section 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et seq.).

### 1.1.1 Project Background

The City approved the Gateway/Olive Drive Specific Plan, which addresses the West Olive Drive area, in 1996. The plan was later amended and reprinted in 2002. The vision for West Olive Drive is to maintain and enhance the existing unique character and mix of needed uses. More specifically, service commercial, restaurant, motel, and similar uses would continue with roadway and landscape improvements to upgrade the visual entrance to the city. The existing plan also acknowledges future development of the Nishi site and potential subsequent redevelopment within West Olive Drive as a result.

The Nishi site, located adjacent to the City and UC Davis in unincorporated Yolo County, has been considered for development by the City for the past 20 years and is reflected within the City's General Plan as being within the Sphere of Influence for the City. The site's is currently used for agriculture, consistent with historical land uses in the region. The property was originally owned by G.C Griggs beginning in 1870, as part of a 450-acre orchard operation. By 1929, the property had transferred ownership to the Oeste Family, until 1955 when it was sold to John Nishi and family. The land was acquired from the Nishi family in 2005 by the current owner/applicant (Nishi Gateway LLC). Between 2005 and 2012, the property did not function as active agricultural land. Since 2012, the Nishi site has been used as a dry-farming operation for winter wheat.

Prior to 1992, the Nishi site was located within Solano County, but was then annexed by Yolo County as a single parcel. The City of Davis, through the Gateway/Olive Drive Specific Plan, had approved applications for pre-zoning, annexation, and subdivision of the Nishi site in 1996; however, no development occurred and the entitlements expired. The site was subsequently re-designated for agricultural use. In 2008, the City of Davis Housing Element Steering Committee recommended that the Nishi site be developed with high-density residential through a cooperative plan for development with UC Davis. In November 2012, the City Council approved a Pre-Development Cost Funding and Negotiation Agreement for the Nishi site, with the goal of

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planning the site as a mix of university-related research park development complemented by high density urban housing. This followed the Council's action on the Business Park Land Strategy to pursue (re)development of Downtown and Nishi/Gateway as a dynamic mixed-use innovation district and to initiate planning of the Nishi property as a mix of university-related research park development complemented by high-density urban housing.

At the direction of the City Council, the Department of Community Development and Sustainability engaged in an extensive public outreach effort during summer and fall 2014. Efforts included:

- ▲ stakeholder interviews with West Olive Drive businesses and property owners, Cool Davis and other sustainability representatives, and the business community;
- ▲ two public meetings to present preliminary concepts;
- ▲ presentations to eight community and service groups, including the Sierra Club, Davis Bicycles!, and volunteers at the UC Davis Arboretum;
- ▲ presentations to six City of Davis commissions with subject areas related to the project application; and
- ▲ creation of an interactive on-line comment tool at [www.NishiGateway.org](http://www.NishiGateway.org). Nearly 200 individuals made comments on the website about possible project design and components. In a first for the City, comments were posted and updated weekly, for others to review.

On September 10, 2015, the City of Davis released for public review the draft environmental impact report (Draft EIR) for the proposed Nishi Gateway Project. The project included two major components on adjacent properties that were, together, known as the Nishi Gateway Project: annexation and development of a site located between University of California at Davis (UC Davis) and Interstate 80 (I-80), known as the Nishi site, and rezoning and potential redevelopment of property already in the City of Davis between Richards Boulevard and the Nishi Site, known as the West Olive Drive area.

The Draft EIR was circulated for public review and comment to lead and responsible agencies, as well as members of the public, for 46-days (September 10, 2015 through October 26, 2015). The City also held a public meeting on October 14, 2015 to receive comments on the Draft EIR. The City prepared a Final EIR that contained written comment letters received on the Draft EIR, a transcript of oral testimony provided at the public hearing, and written responses to comments. The City adopted a Mitigation Monitoring Plan, CEQA Findings of Fact and a Statement of Overriding Considerations and certified the EIR on February 16, 2016. The City approved the project and passed a resolution for a special election in June 2016 to amend the City's General Plan and establish the Nishi Baseline Project Features. Olive Drive rezoning was also approved. Because the Nishi site involved annexation, additional voter approval of the baseline project features was required. The measure did not pass, and the project could not move forward.

The City Council-approved (but not voter-approved) Nishi Gateway Project, separate from the Olive Drive rezoning, is located on a 46.9-acre site. The approved project included 650 multifamily residential units (1,920 beds) on 9.8 acres, 210 of which would have been "for sale" condominium units, and 325,000 square feet (sf) of office/research and development uses on 5 acres. Up to 20,000 sf of accessory retail was also approved; this retail was intended to serve the residential and employment uses on site. Roads and parking covered 8.9 acres of the site. Parks and green space, including stormwater detention and open space were proposed for the balance of the site (23.2 acres). Access to the site was proposed from Olive Drive, with potential secondary access directly to the UC Davis campus via a new undercrossing of the Union Pacific Railroad tracks.

The proposed project modifies the approved Nishi Gateway Project. The primary differences between the previously considered Nishi Gateway and the currently proposed version of the project is the removal of all research and development uses, an increase in the bed count associated with residential uses, removal of "for sale" housing (only rental units would be allowed), and access would be provided primarily through the

**Item 6-ATT D**

railroad undercrossing between UC Davis and the site, with only emergency vehicle and, potentially, bus access from Olive Drive. The revised project does not propose changes to the West Olive Drive component of the Nishi Gateway Project.

Now called the Nishi Residential Development Project (project), the project includes development of rental (no “for sale”) residential uses; up to 10,000 sf of commercial/retail space and other community building uses; onsite water detention; open spaces, including private open space for the proposed residential uses, urban forests or urban farmland; and a satellite surface/structure parking area with solar panels. The project would include up to 700 rental apartment units to accommodate up to 2,200 occupants (primarily students). The project site would be annexed from Yolo County to the City of Davis and a General Plan Amendment would be required to redesignate/rezone the site.

### 1.1.2 Amended Project Objectives

Consistent with CEQA Guidelines Section 15124(b), a clear statement of objectives and the underlying purpose of the project were developed. The City and the applicant have identified the following modified project objectives:

- ▲ Optimize an underutilized infill location within and adjacent to the City of Davis;
- ▲ Contribute to the overall character and livability of the surrounding neighborhood and UC Davis by facilitating the reuse of property in a manner that enhances the visibility and aesthetic appeal of the city from Union Pacific Railroad (UPRR) and Interstate 80 (I-80) and that enhances circulation within the city and to UC Davis;
- ▲ Provide additional housing near existing mobility infrastructure (i.e., pedestrian and bicycle facilities and transit) to reduce vehicle trips, vehicle miles travelled, and parking demand;
- ▲ Provide housing density adjacent to the downtown area of the City of Davis and UC Davis to reduce vehicle trips, vehicle miles travelled, and parking demand within the downtown area;
- ▲ Provide public transit access to UC Davis to minimize congestion along Richards Boulevard at the UPRR undercrossing and at the intersection of Richards Boulevard and 1st Street;
- ▲ Minimize impacts to on-site environmental resources, including on-site vegetation and Putah Creek;
- ▲ Provide energy-efficient building design, low-water use indoor and outdoor design, and high-quality construction by incorporating national and/or local sustainable design practices;
- ▲ Provide multiple access points for emergency vehicles, pedestrians, and bicyclists; and
- ▲ Collaborate with UC Davis and others in planning and implementation of the development.

### 1.1.3 CEQA Requirements for Findings

CEQA, PRC Sections 21000 *et seq.* and the regulations implementing that statute, CCR, Title 14, Division 6, Chapter 3, Sections 15000 *et seq.* (the “CEQA Guidelines”) (collectively, the act and the CEQA Guidelines are referred to as “CEQA”) require public agencies to consider the potential effects of their discretionary activities on the environment and to adopt and implement mitigation measures that avoid or substantially lessen the effects of those activities on the environment to the extent feasible. Specifically, PRC Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant

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environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in PRC Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See PRC Section 21081, subd. (a); CEQA Guidelines Section 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The three possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by the other agency.
- (3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.  
(PRC Section 21081, subd (a); see also CEQA Guidelines Section 15091, subd. (a).)

PRC Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations. (See also *Citizens of Golden Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*).) “[F]easibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*); see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [after weighing “‘economic, environmental, social, and technological factors’ ... ‘an agency may conclude that a mitigation measure or alternative is impracticable or undesirable from a policy standpoint and reject it as infeasible on that ground’”].)

With respect to a project for which significant impacts cannot be feasibly avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, Sections 15093, 15043, subd. (b); see also PRC Section 21081, subd. (b).) The California Supreme Court has stated, “[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II*, 52 Cal.3d at p. 576)

Because the Nishi Gateway Project EIR identified significant effects that may occur as a result of the project, and in accordance with the provisions of the CEQA Guidelines presented above, the City of Davis hereby adopts these Findings as part of the approval of the Nishi Residential Development Project. These Findings constitute City of Davis’ best efforts to set forth the evidentiary and policy bases for its decision to approve the project in a manner consistent with the requirements of CEQA. These Findings, in other words, are not merely informational, but rather constitute a binding set of obligations that come into effect with the City of



Davis approval of the Nishi Residential Development Project. Moreover, because certain environmental impacts would be significant and unavoidable, the City also adopts a Statement of Overriding Considerations. **Item 6-ATT D**

## 1.1.4 Organization of Amended Findings

The Statement of Amended Findings, Section 1 of this document, is organized as follows:

- ▲ Section 1.1 provides the background and context of the project and describes the need for these Findings as to the Nishi Residential Development project site
- ▲ Section 1.2 includes a brief description of the project
- ▲ Section 1.3 describes the CEQA environmental review process for the project
- ▲ Section 1.4 describes the record of documents for the project
- ▲ Section 1.5 summarizes the significant environmental impacts of the project
- ▲ Section 1.6 contains the general Findings about the project
- ▲ Section 1.7 contains the Findings regarding alternatives to the project
- ▲ Section 1.8 contains the Findings of Fact regarding the significant effects of the project for the approved Nishi Residential Development Project
- ▲ Section 1.9 describes the amended Mitigation Monitoring and Reporting Program (MMRP) for the project, specifically for the approved Nishi Residential Development Project
- ▲ Section 2 of this document contains the amended Statement of Overriding Considerations.

## 1.2 DESCRIPTION OF THE PROJECT

### 1.2.1 Project Location

As described in the 2015 Draft EIR, the project site is located within unincorporated Yolo County, on a 46.9-acre site bounded by the Union Pacific Railroad (UPRR) track and UC Davis Campus to the northwest, Putah Creek to the northeast, and Interstate 80 (I-80) to the south. The project site consists primarily of farmland (approximately 33.5 acres) under agricultural production; the remainder of the site consists of dirt roads and open space associated with the Putah Creek channel.

The project site is comprised of a single parcel (Assessor's Parcel Number 036-170-018) that is zoned A-N (Agricultural Intensive) and designated as Agriculture by the Yolo County General Plan. The 2015 EIR also analyzed rezoning of West Olive Drive to allow for redevelopment of parcels within West Olive Drive. No new development was proposed as part of West Olive Drive; however, the Draft EIR explained that rezoning of the parcels within West Olive Drive as part of the Nishi Gateway project would allow for redevelopment. West Olive Drive is largely developed with commercial uses and is bounded by Richards Boulevard to the northeast, the I-80/Richards Boulevard interchange to the southeast, Putah Creek to the southwest, and the existing railroad to the northwest.



## 1.2.2 Project Description

Within the northern portion of the site, up to 700 medium high-density residential units would be constructed on 27 acres, including up to 37 buildings with a total of up to 700 rental units and a total capacity of up to 2,200 occupants. Each building would be three stories tall with a maximum height of 60 feet. The units would likely serve as student housing because of proximity to campus and limited parking. For purposes of this Addendum, it has been assumed, similar to the approved EIR, that 85 percent of the rental units would be occupied by students. Rooftops would include solar panels. Affordable housing would be provided per the City of Davis affordable housing ordinance. Surface parking for residents and guests and pedestrian and bicycle pathways connecting the various buildings and green spaces are also proposed. The planting of evergreen trees, shrubs, and hedgerows are proposed to border the southern boundary of the project in the Urban Forest area.

Additional open space would be provided within the residential area for recreational opportunities and to maximize areas for tree canopies and preserve existing trees. No residential structures would be located within 150 feet of the centerline of Putah Creek, and on-site vegetation would be preserved to the extent feasible. The existing Putah Creek Parkway would be expanded from 2 acres to 3.3 acres and would remain undisturbed except for the emergency and transit access to West Olive Drive crossing the parkway in an area previously reserved for this purpose.

Up to 10,000 sf of accessory retail and other community-related uses (i.e., management offices, clubhouse, etc.) are proposed within the 27-acre residential medium-high density area to serve the proposed residential area. On-site retail uses are not intended to compete with downtown Davis businesses and may include, but are not limited to restaurants, cafes, and bakeries (including indoor and outdoor seating areas). This would be 10,000 sf less than the previously-proposed project.

The proposed circulation network for the project would include a primary central roadway down the center and around the northern portion of the site and interconnected pedestrian and bicycle paths throughout the development to promote multimodal transportation choices.

The project would include primary access via the UPRR undercrossing to campus and Old Davis Road, with emergency vehicle access, and perhaps buses, from Olive Drive.

Up to 700 onsite parking spaces would be provided in the 6.3-acre satellite surface parking area. The satellite surface parking lot could be decked or shaded with photovoltaic panels to meet zero net energy goals. The satellite lot would be used by on-site residents and their guests.

The revised site plan proposes 7.1 acres of urban forest open space, as well as the existing 2 acres along Putah Creek, which is proposed to be increased to 3.3 acres, between the Nishi site and West Olive Drive. Additionally, the project would provide a 3.2-acre stormwater detention and open space area in the southwestern tip of the site. The detention area is not anticipated to have public access but may provide buffer, tree canopy, or habitat benefit to adjacent open space areas in addition to its primary purpose of reducing offsite stormwater flows.

Because the Nishi site is currently under the jurisdiction of Yolo County, Yolo County LAFCo would need to approve annexation of the site into the City before development. Upon annexation, the site would receive a General Plan amendment to redesignate the site from Agriculture to a Residential and Natural Habitat Area land use designation. According to California Government Code 56375, LAFCo shall require, as a condition of annexation, that a city pre-zone the territory to be annexed. Consistent with this requirement, the Nishi site would be pre-zoned by the City to Planned Development (P-D), which allows for project-specific regulations that enable a diverse mix of uses that promote the project vision, goals, and policies.

The previously approved re-designation/rezoning of West Olive Drive is not changed by this project. That project component did not require voter approval and was therefore implemented by the City Council's

actions on February 16, 2016. The adequacy of the City's EIR was subsequently litigated and the Yolo County Superior Court upheld the EIR as valid. Therefore, the West Olive Drive rezone has been effected, although no new development is currently proposed.

## 1.3 ENVIRONMENTAL REVIEW PROCESS

An Addendum to the previously-certified EIR has been prepared under the City's direction in accordance with the requirements of CEQA (PRC Sections 21000-21177) and the CEQA Guidelines (CCR, Title 14, Division 6, Chapter 3, Sections 15000-15387). The City is serving as the lead agency under CEQA for consideration of the addendum and EIR and potential project approval; CCR Section 151367 defines the lead agency as the agency with principal responsibility for carrying out and approving a project. The Nishi portion of the project site is currently located within the jurisdiction of Yolo County, but is within the City of Davis's Sphere-of-Influence. Development of the Nishi site ultimately requires City of Davis approval, although it will first need to be annexed from the County.

According to CEQA, if the lead agency determines that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (CCR Section 15064(f)(1)). An EIR is an informational document used to inform public agency decision-makers and the general public of the significant environmental effects of a project, identify possible ways to mitigate or avoid the significant effects, and describe a range of reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project.

As the lead agency under the California Environmental Quality Act (CEQA), the City of Davis has determined that, in accordance with Section 15164 of the State CEQA Guidelines, the proposed changes to the project differ sufficiently from the development scenario described in the Draft and Final EIR for the approved Nishi project to warrant preparation of an addendum, but that the impacts resulting from the proposed changes do not require preparation of a subsequent EIR or supplement to the EIR.

As evidenced in the Environmental Checklist in the Addendum to the EIR, none of the changes or revisions to the project or changes in circumstances (including environmental setting and regulatory setting) would result in new or substantially more severe environmental impacts, the previously certified Nishi Gateway EIR continues to be relevant to the proposed project, and an Addendum to the certified Nishi Gateway EIR is the appropriate CEQA document for the Nishi Residential Development Project, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168.

After the City Council approves the project, the project is required to obtain voter approval pursuant to Measure J (as renewed in 2010 via Measure R). Measure J was enacted in 2000 to require voter approval for any newly proposed urban or residential development on land in agricultural use at the time of proposal and, more specifically, for any development on the last two large vacant properties, one of which was Nishi, designated for urban use in the City of Davis General Plan on August 1, 1999.

## 1.4 DESCRIPTION OF THE RECORD

For purposes of CEQA and these amended Findings, the record before the City Council is composed of all non-privileged documents relating to the project in City of Davis' files on this matter, including, without limitation:

- ▲ The NOP prepared for the Nishi Gateway project;
- ▲ The Draft EIR for the Nishi Gateway Project, with all appendices to the Draft EIR and cited references;

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- ▲ All comments or documents submitted by public agencies or by members of the public during or after the comment period on the Draft EIR or up to the City Council's approval of the project;
- ▲ The Final EIR for the Nishi Gateway Project, with all appendices to the Final EIR and cited references;
- ▲ The Addendum to the EIR, prepared in January 2018;
- ▲ The amended MMRP, attached as Attachment A to these amended Findings;
- ▲ All Findings and Resolutions adopted by the City Council in connection with the Nishi Gateway project, the Nishi Residential Development Project, and all documents cited or referred to therein;
- ▲ All staff reports and presentation materials related to the project, including internal reports and analyses prepared by consultants to the City of Davis;
- ▲ All studies conducted for the project and contained in, or referenced by, staff reports, the Draft EIR, the Final EIR, the Addendum to the EIR, or the MMRP;
- ▲ All public reports and documents related to the project prepared for or by City of Davis, including, without limitation, all planning documents, other public agencies, or the courts.
- ▲ All documentary and oral evidence received and reviewed at public hearings, meetings and workshops related to the project, the Draft EIR, the Final EIR, the Addendum to the EIR, or the MMRP;
- ▲ All other public reports and documents relating to the project that were used by the City of Davis staff or consultants in the preparation of the Draft EIR, the Final EIR, the Addendum to the EIR, or the MMRP; and
- ▲ All other documents, not otherwise included above, required by PRC Section 21167.6.

## **1.5 SIGNIFICANT ENVIRONMENTAL IMPACTS OF THE PROJECT**

The EIR and Addendum identified significant and potentially significant but mitigable impacts to the following environmental resources at the Nishi Gateway project site: aesthetic and visual resources (Nishi Site); air quality (Nishi Site); biological resources (Nishi Site and West Olive Drive); cultural resources (Nishi Site and West Olive Drive); greenhouse gas emissions, climate change and energy (Nishi Site); hazards and hazardous materials (Nishi Site and West Olive Drive); hydrology and water quality (Nishi Site); noise and vibration (Nishi Site); transportation and circulation (Nishi Site and West Olive Drive); and utilities (Nishi Site and cumulative).

As described below (Section 1.8), mitigation measures and project modifications are available to reduce each of these impacts to a less-than-significant level, and City of Davis has adopted such measures.

The EIR also identified significant and unavoidable impacts at the Nishi Gateway project site related to agriculture and forest resources (Nishi Site and cumulative); air quality (Nishi Site); greenhouse gas emissions, climate change and energy (Nishi Site, West Olive Drive, and cumulative); noise and vibration (Nishi Site); and transportation and circulation (Nishi Site, West Olive Drive, and cumulative).

As explained below and in the Addendum to the EIR, the Nishi Residential Development Project would result in some of the same impacts as the Nishi Gateway Project would have, while other impacts will be somewhat reduced. The Nishi Residential Development Project will not, however, result in any new or more severe environmental impacts than were previously analyzed and disclosed for the Nishi Gateway Project.

## 1.6 GENERAL FINDINGS

### 1.6.1 Adoption of Addendum

In accordance with CEQA, the City considered the effects of the project on the environment, as shown in the Draft EIR, Final EIR, the Addendum to the EIR, and the whole of the administrative record, prior to taking any action to approve the Nishi Gateway Project on February 16, 2016. The Addendum to the EIR was released for public review in January 2018. The City Planning Commission reviewed and considered the EIR and the Addendum at a January 24, 2018 public hearing, recommended to the City Council that the Addendum to the EIR be certified as adequate. The City Council has reviewed and considered the previously certified EIR, the Addendum to the EIR, and the information relating to the environmental impacts of the proposed project site contained in the Draft and Final EIR and Addendum documents and has concluded that the Addendum has been prepared and completed in compliance with CEQA and that the previously certified EIR remains relevant to the Nishi Residential Development Project. By these Findings, the City Council ratifies and readopts the conclusions of the Final EIR, as modified and updated by the Addendum as set forth in these Findings. The Final EIR, Addendum, and these Findings represent the independent judgment and analysis of the City Council.

### 1.6.2 Evidentiary Basis for Findings

These Findings are based upon substantial evidence in the entire record before the City. The references to the Draft EIR, Final EIR, and Addendum set forth in the Findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these Findings.

### 1.6.3 Findings Regarding Mitigation Measures

#### MITIGATION MEASURES ADOPTED

Except as otherwise noted, the mitigation measures herein referenced are those identified in the Final EIR and Addendum and adopted by the City as set forth in the amended MMRP.

#### IMPACT AFTER IMPLEMENTATION OF MITIGATION MEASURES.

Except as otherwise stated in these Findings, in accordance with CEQA Guidelines Section 15092, the City finds that environmental effects of development of the Nishi Residential Development Project will not be significant or will be mitigated to a less-than-significant level by the adopted mitigation measures. All significant environmental effects have been substantially lessened or eliminated where feasible. The City has determined that any remaining significant effects on the environment that are found to be unavoidable are acceptable due to overriding considerations as described in Section 2. These overriding considerations consist of specific housing, economic, transportation access, sustainability, and other benefits of the project, which justify approval of the project and outweigh the unavoidable adverse environmental effects of the project, as more fully stated in Section 2 (Statement of Overriding Considerations). Except as otherwise stated in these Findings, the City finds that the mitigation measures incorporated into and imposed upon the project will not have new significant environmental impacts that were not analyzed in the EIR.

#### RELATIONSHIP OF FINDINGS AND MMRP TO FINAL EIR

These Findings and the amended MMRP are intended to summarize and describe the contents and conclusions of the EIR and Addendum for policymakers and the public. For purposes of clarity, these impacts and mitigation measures may be worded differently from the provisions in the Final EIR and Addendum,

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and/or some provisions may be combined. Nonetheless, the City and/or the project applicant will implement all measures contained in the Final EIR and Addendum. In the event that there is any inconsistency between the descriptions of mitigation measures in these Findings or the MMRP and the Final EIR or Addendum, the City and/or the project applicant will implement the measures as they are described in these Findings and the attached amended MMRP. In the event a mitigation measure recommended in the Final EIR and Addendum has inadvertently been omitted from these Findings or from the MMRP, such a mitigation measure is hereby adopted and incorporated in the Findings and/or MMRP as applicable.

#### **1.6.4 Location and Custodian of Records**

Pursuant to PRC Section 15091, the City is the custodian of the documents and other materials that constitute the record of proceedings upon which the decision is based, and such documents and other materials are located at the offices of the City of Davis, 23 Russell Boulevard, Suite 2, Davis, California 95616. Additionally, many of the documents and materials are available online at [www.CityofDavis.org](http://www.CityofDavis.org).

## 1.7 ALTERNATIVES

The range of alternatives evaluated in the EIR included those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6[f]). As directed by CEQA, the EIR included analysis of potentially feasible alternatives that would reduce or avoid significant environmental impacts associated with the project. The City Council ultimately concluded in its Findings adopted on February 16, 2016 that all of the alternatives considered in the EIR were in fact infeasible. CEQA does not require an addendum to include additional analysis of alternatives and therefore the City need not reconsider the alternatives evaluated in the previously certified EIR.

## 1.8 FINDINGS OF FACT

The City of Davis City Council has reviewed the Final EIR and Addendum for the Nishi Residential Development Project, consisting of the Nishi Gateway Project Draft EIR (September 2015) and the Nishi Gateway Project Responses to Comments Draft EIR (December 2015), together which form the Final EIR, and the Addendum to the Nishi Gateway EIR (January 2018). The City of Davis City Council has considered the public record on the project, which, in addition to the above documents and this Statement of Findings, is composed of the amended Mitigation Monitoring and Reporting Program (MMRP) for the Nishi Residential Development Project EIR Evaluation, February 2018. The amended MMRP meets the requirements of Section 21081.6 of the PRC by providing a monitoring plan designed to ensure compliance during project implementation with mitigation measures adopted by the City.

All relevant project documents are on file at the City of Davis, 23 Russell Boulevard, Suite 2, Davis, California, 95616.

Pursuant to PRC Section 21081, for each significant effect identified in the Nishi Gateway EIR, the City made one or more of the findings described in Section 1.1 of this document.

After reviewing the public record, composed of the aforementioned elements, the City of Davis City Council hereby makes the following findings regarding the significant effects of the proposed project, pursuant to PRC Section 21081 and Section 15091 of the CEQA Guidelines. The findings previously adopted by the Council on February 16, 2016 have been revised in the following discussion as appropriate according to the conclusions of the Addendum (January 2018). As noted above, the West Olive Drive component of the Nishi Gateway Project would not be changed by the Nishi Residential Development Project. The findings previously adopted by the Council with respect to impacts of activities related to the West Olive Drive rezoning action are simply reiterated here for continuity and ease of reference, but they are not being revised.

The numeric references for each impact refer to the impact/mitigation label included in the EIR. Several of the mitigation measures listed below have been summarized herein. Please refer to the MMRP (Attachment A) for the full text of all mitigation measures to be implemented.

### 1.8.1 Significant Impacts Associated with Development of the Nishi Project

#### AESTHETICS AND VISUAL RESOURCES

##### *Nishi Site*

##### **Significant Effect: Impact 4.1-2: Light and glare impacts**

The proposed development at the Nishi site would include indoor lighting and outdoor lighting and solar panels, which could contribute additional light and glare, respectively, to the surrounding area. New sources



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of night lighting would be similar in scale and intensity to surrounding development. The majority of solar panels at the Nishi site would be installed on building rooftops and above the line of sight of motorists and the built environment. However, depending on the angle of proposed solar panels within on-site surface parking lots motorists along I-80 could experience glare conditions. As a result, this is a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measure that will reduce impacts related to light and glare impacts to a less-than-significant level.

**Mitigation Measure 4.1-2**

Within the proposed surface parking lots, the applicant shall select and install solar panels that minimize reflective surfaces, either through glazing or use of non-reflective materials. All surface parking solar facilities shall be installed such that the angle of solar panels does not direct glare at motorists along I-80. The applicant shall prepare a technical report verifying the selected angle and material of the solar panels for review and approval by the City before installation.

These measures will substantially reduce potential aesthetic impacts and the impact would be less-than-significant level.

**AGRICULTURAL AND FOREST RESOURCES*****Nishi Site***

**Significant Effect: Impact 4.2-1: Convert Important Farmlands to non-agricultural use, or involve changes in the existing environment that could result in conversion of Important Farmland to non-agricultural use, and**

**Significant Effect: Impact 4.2-2: Conflict with existing zoning for agricultural use or result in the loss or conversion of agricultural land to non-agricultural use.**

These two significant impacts are related to each other and are therefore considered together in these findings.

The Nishi site is within the City of Davis' Sphere of Influence and currently zoned for agricultural use by Yolo County. As part of the project approvals required for implementation, the zoning of the site would be changed from County A-N to City P-D. This zoning designation allows for project-specific regulations to enable a diverse mix of urban, non-agricultural uses.

The Nishi site is not designated as Prime, Unique, or Farmland of Statewide importance by the FMMP. However, development of the site would result in a loss of farmland that was determined to be of high agricultural importance based on land suitability and site assessment criteria. The project would convert 43.5 acres of agricultural land to urban uses. The project would be required to comply with City Municipal Code Article 40A.03 that requires the purchase of compensatory agricultural lands at a 2:1 ratio compared to those lost/converted. Because the project would result in the conversion of active agricultural land to urban uses, this is a significant impact. Further, development of the site could include decommissioning of the existing well that supplies water to the residence associated with the prime farmland south of I-80,

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which could indirectly influence conversion of Important Farmlands through the loss of irrigation supply. As a result, this is a significant impact.

**Finding**

Changes or alterations, which substantially reduce the significant effects of the conversion of Important Farmlands to non-agricultural use, or involve changes in the existing environment that could result in conversion of Important Farmland to non-agricultural use have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects by preserving other farmland and ensuring that existing water supplies to the off-site Prime Farmland are not affected by project implementation, none of the measures would reduce the net loss of high-value agricultural land such that a significant impact would no longer occur. Alternative 1 (no project) and Alternative 4 (offsite development) would avoid these impacts, but each of these alternatives have been rejected as infeasible for the reasons set forth in Section 1.7, above. No other feasible alternatives are available to reduce this impact. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measure that will reduce impacts related to converting Important Farmlands to non-agricultural use, or involves changes in the existing environment that could result in conversion of Important Farmland to non-agricultural use, but not to a less-than-significant level.

**Mitigation Measure 4.2-1**

Prior to removal of the existing well on the Nishi site, the applicant shall install an alternative potable water source (i.e. a new groundwater well) south of I-80, proximate to and with a direct connection to the existing farmland associated with the existing well at the Nishi site, as allowed by the current Grant Deed for the Nishi site. The replacement well shall have the capacity to provide the same amount and quality of water to the farmland as the existing well. The applicant shall be responsible for procurement of all permits and well installation.

Implementation of Mitigation Measure 4.2-1 will avoid impacts to agricultural land south of the project and, more specifically, would mitigate the potential indirect impacts to off-site Important Farmland by ensuring that existing water supplies to the off-site Prime Farmland are not affected by project implementation. Further, adherence to City Municipal Code Section 40A.03 would require 2:1 purchase and preservation of other agricultural land. Compensatory lands may be located anywhere within the City Planning Area, subject to approval by the City Council, with a credit factor based on location of the mitigation property. Nonetheless, the project would result in the net loss of agricultural land associated with the conversion of on-site agricultural uses to urban uses.

No feasible mitigation measure or alternatives are available to reduce the above impacts to less than significant. As a result, this impact would remain significant and unavoidable.

**AIR QUALITY*****Nishi Site*****Significant Effect: Impact 4.3-2: Long-term operational emissions of reactive organic gas (ROG), nitrous oxide (NO<sub>x</sub>), and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>).**

Operational activities associated with the Nishi-Gateway development would result in long-term project-generated emissions of air pollutants, particularly reactive organic gases (ROG). Long-term, operational emissions could exceed Yolo Solano Air Quality Management District (YSAQMD) significance thresholds for ROG, but would not exceed YSAQMD thresholds for NO<sub>x</sub> and PM<sub>10</sub>. Thus, long-term operational emissions of



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NO<sub>x</sub> could conflict with the air quality planning efforts and contribute substantially to the nonattainment status of Yolo County with respect to the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) for ozone. This would be a significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts on long-term operational emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> to less-than-significant levels.

**Mitigation Measure 4.14-5 related to transportation, (vehicle miles traveled or VMT), as described below under Impact 4.14-5.**

Emissions reductions from Mitigation Measure 4.14-5 were calculated by taking the difference in ROG emissions resulting from unmitigated and mitigated (per measure 4.14-5) VMT levels. Emissions from both VMT levels were calculated using the same method described above. Mitigation of this impact would reduce annual ROG emissions to 9.7 tons per year, which is below the air district significance thresholds. Thus, the application of Mitigation Measure 4.14-5 would reduce annual ROG emissions to a less-than-significant impact with mitigation.

**Significant Effect: Impact 4.3-5: Land use compatibility with off-site sources of toxic air contaminants (TACs) and ultrafine particulates (UFPs).**

The project would place residents in close proximity to multiple existing sources of TACs and UFPs. The level of health risk associated with exposure to TACs from local stationary sources and train engines passing on the nearby rail line would not be substantial. However, residential receptors located on the Nishi site could be exposed to relatively high concentrations of diesel particulate matter (DPM) and UFPs generated by vehicles traveling on I-80 resulting in substantial levels of health risk. This would be a significant impact.

**Finding**

Changes or alterations, which substantially reduce the significant effects of exposure to TACs and UFPs have been required in, or incorporated into, the project by the City of Davis. Although these measures will reduce UFPs and diesel PM levels, the level of effectiveness cannot be quantified. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

While Mitigation Measures 4.3-5a, 4.3-5b, and 4.3-5c are expected to result in substantial reductions to exposure levels of UFPs and diesel PM, the level of effectiveness cannot be quantified. For this reason, and because “safe” levels of UFP exposure and diesel PM exposure have not been identified by any applicable agency, or by a consensus of scientific literature, this analysis concludes that resultant levels UFP exposure and diesel PM on the project site could potentially result in substantial increase in health risks. Therefore, this impact would be significant and unavoidable.

**Mitigation Measure 4.3-5a**

All residential buildings shall be located as far as feasible from I-80, and no residential buildings shall be located on the southwest portion of the project site along the elevated segment of I-80. Residential buildings shall be sited more distant from I-80 than non-residential buildings, including parking garages, such that the non-residential structures serve as a barrier between I-80 and the residential buildings.

**Item 6-ATT D****Mitigation Measure 4.3-5b**

This mitigation measure requires the implementation of a comprehensive tree planting and maintenance plan to minimize TAC concentrations levels in outdoor areas of the project site. Per the mitigation measure, a vegetative barrier, which may consist of multiple, staggered rows of trees, shall be planted along I-80, as well as additional trees within the interior of the site for the purposes of filtering UFP, PM<sub>2.5</sub>, and PM<sub>10</sub>, as well as irrigation/maintenance needs, growth rate, and canopy cover.

**Mitigation Measure 4.3-5c**

Each on-site structure shall include an air filtration system that will remove at least 95 percent for UFP. This may be achieved through strategic placement of intakes, positively-pressured buildings, double-door entrances, and high-volume, low-pressure-drop air exchange systems.

Locating residential buildings further from I-80 than non-residential buildings, as required by Mitigation Measure 4.3-5a, would reduce health risk exposure to residential areas where people typically spend more time than non-residential uses. It should be noted that the current land plan meets the requirements of this measure. Further, vegetative barriers have been found to reduce concentrations of very fine particles during wind tunnel studies. In addition to requiring UFP filtration systems with a minimal removal rate of 95 percent to reduce indoor concentrations of UFP, Mitigation Measure 4.3-5c would also result in a substantial reduction to indoor concentrations of diesel PM.

**BIOLOGICAL RESOURCES*****Nishi Site*****Significant Effect: Impact 4.4-1: Disturbance or loss of special-status plants.**

Development of the Nishi site would result in removal of California black walnut trees and conversion of habitat that provides suitable habitat for California black walnut. Loss of California black walnut trees would be a significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts on the disturbance or loss of special-status plants to less-than-significant levels.

**Mitigation Measure 4.4-1**

The applicant shall avoid removal/damage to California black walnut trees (healthy or in need of training/trimming), including prohibition of heavy equipment operation within the drip line. In the event that a tree must be removed, replacement trees shall be provided at a 2:1 ratio and monitored with remedial planting for a 5-year period after initial planting.

Based on the location of California black walnut trees, avoidance (as stipulated by Mitigation Measure 4.4-1) would prevent the loss of existing sensitive plants on-site. However in the event that removal is required, further implementation of Mitigation Measure 4.4-1 would ensure replacement of any removed California black walnut trees at a minimum of a 2:1 ratio such that there would be no net loss of California black walnuts within the Nishi site. As no net loss of special status plants would occur, this impact would be reduced to a less-than-significant level.

**Item 6-ATT D****Potentially Significant Effect: Impact 4.4-2: Impacts to valley elderberry longhorn beetle.**

Development of the Nishi site would occur in the vicinity of observed elderberry shrubs, which are known to provide habitat for valley elderberry longhorn beetle. The proximity of construction activities to the existing construction work associated with development of the Nishi site could occur within 100 feet of known elderberry shrubs that may serve as habitat for valley elderberry longhorn beetle, g shrubs, indirect impacts to the shrubs and potential beetles or beetle larvae could occur. As a result, impacts are considered potentially significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to valley elderberry longhorn beetle to less-than-significant levels.

**Mitigation Measure 4.4-2**

The applicant shall maintain a 100-foot buffer between construction activities and nearby elderberry shrubs. Project activities may occur up to 20 feet from the dripline of elderberry shrubs, pending consultation with the US Fish and Wildlife Service (USFWS) and with the use of flagging, additional dust control, and signage.

Through implementation of Mitigation Measure 4.4-2, the applicant would avoid or minimize direct or indirect impacts to shrubs through the establishment of buffers and fencing. As a result, direct (i.e., removal) or indirect impacts (i.e., hydrology changes, dust deposition, etc.) are not anticipated to occur. Because potential effects on valley elderberry longhorn beetle would be avoided in accordance with the Conservation Guidelines, impacts would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-3: Impacts to special status bat species.**

Although no bats or roosts were observed during the reconnaissance surveys, the mature trees within the Nishi site may provide suitable roosting habitat for special-status bats such as pallid bat, silver-haired bat and hoary bat. Development of the Nishi site could disturb roosts for special-status bats in the area. It is unknown whether bats roost in trees that would be removed from the site. Therefore, removal of on-site trees would result in a potentially significant impact to several species of bats.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to special status bat species to less-than-significant levels.

**Mitigation Measure 4.4-3**

The applicant shall conduct preconstruction surveys for roosting bats. If an active roost is found, the applicant shall establish a 100-foot buffer from project activities around the roost. If project activities must occur closer than 100 feet (i.e. roosts will be affected by the project), a Bat Exclusion Plan will be developed and implemented by the project applicant and reviewed/approved by the City.

Implementation of Mitigation Measure 4.4-3 would avoid or minimize impacts to special-status bats through avoidance or exclusion, thereby insuring that project implementation would not result in the direct mortality of such species. As a result, impacts would be reduced to a less-than-significant level.

**Item 6-ATT D****Significant Effect: Impact 4.4-4: Impacts to Swainson's hawk.**

Development of the Nishi site would result in a reduction in available foraging habitat for Swainson's hawk as a result of conversion of agricultural land. Additionally, Swainson's hawk could nest on or near the project, and construction activities associated with the project could result in the direct loss of special-status wildlife or temporary disruption of wildlife feeding and/or breeding behavior. Loss of foraging habitat and disturbance or loss of special-status wildlife species would be a significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to Swainson's hawk to less-than-significant levels.

**Mitigation Measure 4.4-4a**

The applicant shall retain a qualified biologist, who shall conduct preconstruction surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee 2000 guidelines (SHTAC 2000) and/or currently accepted guidance/industry standards, subject to City of Davis review and approval. If an active nest(s) are discovered, appropriate buffers shall be established from project activities. Before commencement of construction, the applicant shall also provide compensatory mitigation for the loss of approximately 46 acres of Swainson's hawk foraging habitat to the Yolo Habitat Conservancy (formerly HCP/NCCPJPA) in accordance with their Swainson's Hawk Interim Mitigation Program. If the project is implemented after adoption of the YNHP, in lieu of this measure, the applicant will comply with the requirements of the YNHP.

Implementation of Mitigation Measure 4.4-4a would ensure no direct impacts to nesting Swainson's hawk and would provide compensatory mitigation in accordance with an established program for the mitigation of loss of Swainson's hawk foraging habitat, thereby reducing impacts associated with development of the Nishi site on Swainson's hawk to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-5: Impacts to burrowing owl.**

On-site vegetation within the Nishi site could provide potential nesting habitat for burrowing owl. As a result, construction activities associated with development of the Nishi site could result in the direct loss of burrowing owl and/or temporary disruption of wildlife feeding and/or breeding behavior. The potential impacts from construction activities would vary depending on the location and timing of construction. Disturbance or loss of active burrowing owl nests would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to burrowing owl to less-than-significant levels.

**Mitigation Measure 4.4-5a**

The applicant shall retain a qualified biologist to conduct pre-construction surveys for burrowing owls in areas supporting potentially suitable habitat (sparsely vegetated areas and those containing suitable burrows) no more than 30 days before the start of construction activities that could affect the subject areas. If burrowing owls are detected during the nesting season, appropriate buffers shall be established around occupied burrows in accordance with guidance provided in the California Department of Fish and Wildlife (CDFW) Staff Report on Burrowing Owl Mitigation. Outside of the nesting season, passive owl relocation techniques shall be implemented, if approved by CDFW.

**Item 6-ATT D****Mitigation Measure 4.4-5b**

If active burrows are present and the project would impact active burrows, the project applicant shall provide compensatory mitigation for the permanent loss of burrowing owl habitat consistent with the Staff Report on Burrowing Owl Mitigation.

Implementation of Mitigation Measures 4.4-5a and 4.4-5b would require pre-construction surveys of the Nishi site to identify potential nesting burrowing owls. If active nest sites are found, no-disturbance buffers would be established to ensure that breeding/nesting would not be disrupted or adversely impacted by construction, and as a result, this impact would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-6: Impacts to other special status nesting birds and raptors.**

Development of the Nishi site would result in impacts to land cover types such as agricultural land, and remnant riparian area that provide nesting opportunities for birds and potential habitat for special status bird and raptor species. Construction activities within the Nishi site, especially vegetation removal, could result in the direct impacts these bird and/or raptor species. The potential impacts from construction activities would vary depending on the location and timing of construction. The disturbance or loss of an active nest or special-status bird or raptor species would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to other special status nesting birds and raptors to less-than-significant levels.

**Mitigation Measure 4.4-6**

For construction activities occurring between February 1 and August 31, the applicant shall retain a qualified biologist to conduct surveys for special status nesting birds and raptors no less than 14 days before the start of ground disturbing activities. If nests are detected, the project biologist shall establish appropriate no-disturbance buffers around each until the nest is no longer active or the young have fledged. The size of the buffer may be adjusted by the project biologist if, in consultation with CDFW, it is determined that such as adjustment would not be likely to adversely affect the nest.

Implementation of Mitigation Measure 4.4-6 would require pre-construction surveys of the Nishi site to identify active bird and raptor nests. If active nest sites are found, the above-listed mitigation would require the establishment of no-disturbance buffers to ensure that breeding/nesting is not likely to be disrupted or adversely impacted by construction, and as a result, this impact would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-7: Loss of riparian habitat and fill of waters of the U.S. during construction.**

Implementation of the proposed development of Nishi site would result in the extension of West Olive Drive over the old north fork of Putah Creek for emergency vehicles and possibly buses, which will require removal of the existing crossing and removal of remnant riparian vegetation. In turn, this could result in the placement of fill material into waters of the U.S. or waters of the State. The loss of remnant riparian and potential wetland habitat as a result of development of the Nishi site is a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Item 6-ATT D****Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to riparian habitat and fill of waters of the U.S. during construction to less-than-significant levels.

**Mitigation Measure 4.4-7**

Prior to initiation of construction, the applicant shall retain a qualified wetland specialist who shall prepare a jurisdictional wetland delineation for both waters of the U.S. and waters of the State in sensitive areas that cannot be avoided. The preliminary delineation shall be submitted to US Army Corps of Engineers (USACE) for verification. If determined to qualify as a water of the US or state, the applicant shall apply for appropriate permits pursuant to the Clean Water Act. CDFW shall be consulted and a Lake and Streambed Alteration Agreement notification shall be prepared, if necessary.

Significant impacts associated with loss of riparian habitat and fill material into waters of the U.S. and waters of the State would be reduced to a less-than-significant level by providing replacement, restoration or enhancement habitat of equal or greater value.

***West Olive Drive*****Potentially Significant Effect: Impact 4.4-1: Disturbance or loss of special-status plants.**

The redesignation/rezoning of parcels located along West Olive Drive from Commercial Service to Neighborhood Mixed Use would allow for redevelopment of this area that could result in the removal of special-status plants. Because of existing urban/industrial uses and lack of habitat, it is unlikely that special-status herbaceous plants would be present; however special-status trees could occur within West Olive Drive. Loss of special-status trees would be considered a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts on disturbance or loss of special-status plants to less-than-significant levels.

**Mitigation Measure 4.4-1, as described above for the Nishi site.**

As noted above for the Nishi site, implementation of Mitigation Measure 4.4-1 would ensure that any California black walnut trees located within West Olive Drive would be protected during and after construction and any removal of special-status trees would necessitate replacement at a 2:1 ratio, thereby ensuring no net loss. As a result, impacts would be reduced to less than significant.

**Potentially Significant Effect: Impact 4.4-2: Impacts to valley elderberry longhorn beetle.**

Potential redevelopment of West Olive Drive could result in construction activities occurring proximate to elderberry shrubs located within the Putah Creek Channel. Depending on the proximity of construction activities to the existing shrubs, indirect impacts to the shrubs and potential beetles or beetle larvae could occur. As a result, impacts are considered potentially significant

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to valley elderberry longhorn beetle to less-than-significant levels.



**Item 6-ATT D****Mitigation Measure 4.4-2, as described above for the Nishi site.**

As noted above for the Nishi site, implementation of Mitigation Measure 4.4-2 would avoid or minimize direct and indirect impacts to shrubs through the establishment of buffers and fencing. As a result, direct (i.e., removal) or indirect impacts (i.e., hydrology changes, dust deposition, etc.) are not anticipated to occur. Because potential effects on valley elderberry longhorn beetle would be avoided in accordance with the Conservation Guidelines, impacts would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-3: Impacts to special status bat species.**

Redevelopment within West Olive Drive as a result of the proposed redesignation/rezoning could result in impacts to special status bats during construction activities. Disturbance or loss of special-status bats during construction activities would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to special status bat species to less-than-significant levels.

**Mitigation Measure 4.4-3, as described above for the Nishi site.**

As noted above for the Nishi site, implementation of Mitigation Measure 4.4-3 would avoid or minimize impacts to special-status bats through avoidance or exclusion, thereby ensuring that project implementation would not result in the direct mortality of such species. As a result, impacts would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-4: Impacts to Swainson's hawk.**

West Olive Drive does not represent potential foraging habitat for Swainson's hawk, however, it is possible that Swainson's hawk may establish a nest(s) in an existing tree within this portion of the project site. Construction activities associated with redevelopment of West Olive Drive could result in the direct loss of disturbance of such a nest. Disturbance or loss of special-status wildlife species would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to Swainson's hawk to less-than-significant levels.

**Mitigation Measure 4.4-4b**

The applicant shall retain a qualified biologist, who shall conduct preconstruction surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee 2000 guidelines (SHTAC 2000) and/or currently accepted guidance/industry standards, subject to City of Davis review and approval. If an active nest(s) are discovered, appropriate buffers shall be established from project activities. If removal of a nest tree is required, removal shall take place outside of the nesting season and the tree shall be replaced at a ratio of 3:1 and monitored with remedial planting for a 5-year period after initial planting.

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Implementation of Mitigation Measure 4.4-4b would ensure no direct impacts to nesting Swainson's hawk, thereby reducing impacts associated with redevelopment of West Olive Drive on Swainson's hawk to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-5: Impacts to burrowing owl.**

The redesignation/rezoning of parcels located along West Olive Drive from Commercial Service to Neighborhood Mixed Use would not result in the removal of potential active burrowing owl nest sites. However, construction associated with redevelopment of West Olive Drive could result in indirect impacts to nearby nesting habitat and potential nests. While impacts would be considered temporary, construction within West Olive Drive that results in the disturbance or loss of an active burrowing owl nest would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to burrowing owl to less-than-significant levels.

**Mitigation Measure 4.4-5c**

The applicant shall retain a qualified biologist to conduct pre-construction surveys for burrowing owls in areas supporting potentially suitable habitat (sparsely vegetated areas and those containing suitable burrows) no more than 30 days before the start of construction activities that could affect the subject areas. If burrowing owls are detected, disturbance to burrows shall be avoided during the nesting season (February 1 through August 31). Buffers shall be established around occupied burrows in accordance with guidance provided in the Staff Report on Burrowing Owl Mitigation. This guidance includes buffers around occupied burrows shall be a minimum of 656 feet (200 meters) during the nesting season, and 160 feet (100 meters) during the non-breeding season unless otherwise approved by CDFW.

Implementation of Mitigation Measure 4.4-5c would require pre-construction surveys to identify potential nesting burrowing owls. If active nest sites are found, no-disturbance buffers would be established to ensure that breeding/nesting would not be disrupted or adversely impacted by construction, and as a result, this impact would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-6: Impacts to other special status nesting birds and raptors.**

The redesignation/rezoning of parcels located along West Olive Drive from Commercial Service to Neighborhood Mixed Use could result in impacts to existing trees and remnant riparian area that provide habitat for special status bird and raptor species. Construction associated with redevelopment of West Olive Drive could result in direct and indirect impacts to nests that may establish within on-site trees and other areas. The disturbance or loss of special-status bird or raptor species would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to other special status nesting birds and raptors to less-than-significant levels.



**Item 6-ATT D****Mitigation Measure 4.4-6, as described above for the Nishi site.**

Implementation of Mitigation Measure 4.4-6 would require pre-construction surveys to identify potential nests within West Olive Drive. If active nest sites are found, no-disturbance buffers would be established to ensure that breeding/nesting would not be disrupted or adversely impacted by construction, and as a result, this impact would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.4-7: Loss of riparian habitat and fill of waters of the U.S. during construction.**

The redesignation/rezoning of parcels located along the north bank of the old north fork of Putah Creek in the West Olive Drive area would allow for redevelopment of this area which could result in construction within the remnant riparian area and Putah Creek channel. As a result, redevelopment of West Olive Drive could result in the placement of fill material into waters of the U.S. or waters of the State. This would be considered a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to riparian habitat and fill of waters of the U.S. during construction to less-than-significant levels.

**Mitigation Measure 4.4-7, as described above for the Nishi site.**

Significant impacts associated with loss of riparian habitat and fill material into waters of the U.S. and waters of the State would be reduced to a less-than-significant level by providing replacement, restoration or enhancement habitat of equal or greater value.

**CULTURAL RESOURCES*****Nishi Site*****Potentially Significant Effect: Impact 4.5-1: Disturb unique archaeological resources.**

Based on the results of the archaeological records search and survey, there are no known archaeological resources on the Nishi site. Project-related ground-disturbing activities could result in uncovering currently unknown resources and cause a substantial change in the significance of an as yet undiscovered unique archaeological resource as defined in CEQA Guidelines Section 15064.5. This would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to unique archaeological resources to less-than-significant levels.

**Mitigation Measure 4.5-1a**

Prior to initiation of vegetation removal/grading, the applicant shall retain a Registered Professional Archaeologist meeting the Secretary of Interior's qualifications standards for prehistoric and historical archaeology to perform auger testing on the Nishi site. The objective of the auger testing is to refine specific areas where monitoring for buried (subsurface) archaeological material within specific areas of

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the Nishi site shall be required. A series of auger holes will be completed by a manual spiral auger and soil from each auger will be processed through 1/8 inch hardware mesh. All recovered cultural material will be recorded with respect to the specific auger and estimated depth. Excavation results, including soil description, will be recorded on field forms. Following the auger testing, a report will be prepared that describes study methods, recovered data, and conclusions.

If the auger testing and associated report reveal any cultural material or areas where soils have been determined likely to conceal cultural deposits, construction monitoring (by both a Native American resources monitor and qualified archaeologist) shall occur in these areas as recommended by a qualified archaeologist.

**Mitigation Measures 4.5-1b**

In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place, archival research, subsurface testing, or contiguous block-unit excavation and data recovery.

If the archaeologist determines that some or all of the affected property qualifies as a Native American Cultural Place, including a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9) or a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to PRC Section 5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (PRC Section 5097.993), the archaeologist shall recommend to the applicant potentially feasible procedures that would preserve the integrity of the site or minimize impacts on it.

Implementation of Mitigation Measures 4.5-1a and 4.5-1b would reduce potentially significant impacts to known and currently undiscovered archaeological resources because actions would be taken to avoid, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, this impact would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.5-2: Accidental discovery of human remains.**

Although records searches revealed no documented graves within the Nishi site, Native American remains have been identified at archaeological sites near the Nishi site. Therefore, construction and excavation activities associated with development of the Nishi Site could unearth previously undiscovered or unrecorded human remains, if they are present. This impact would be potentially significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with the accidental discovery of human remains to less-than-significant levels.

**Mitigation Measure 4.5-2**

California law recognizes the need to protect Native American human burials, skeletal remains, and items associated with Native American burials from vandalism and inadvertent destruction. The

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procedures for the treatment of Native American human remains are contained in California Health and Safety Code Sections 7050.5 and 7052 and PRC Section 5097.

If human remains are discovered during any demolition/construction activities, potentially damaging ground-disturbing activities in the area of the remains shall be halted immediately, and the project applicant shall notify the Yolo County coroner and the NAHC immediately, according to Section 5097.98 of the PRC and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the NAHC to be Native American, the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant (MLD), if any, identified by the NAHC. Following the coroner's and NAHC's findings, the archaeologist, and the NAHC-designated MLD shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting upon notification of a discovery of Native American human remains are identified in PRC Section 5097.94.

Implementation of Mitigation Measure 4.5-2 would reduce potentially significant impacts to human remains because actions would be implemented to avoid, move, record, or otherwise treat the remains appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid or minimize the disturbance of human remains, and to appropriately treat any remains that are discovered, this impact would be reduced to a less-than-significant level.

***West Olive Drive*****Potentially Significant Effect: Impact 4.5-1: Disturb unique archaeological resources.**

Based on the results of the archaeological records search, there are no known archaeological resources within West Olive Drive but a recent monitoring report revealed one potential resource. Project-related ground-disturbing activities could cause a substantial change in the significance of an as yet undiscovered unique archaeological resource as defined in CEQA Guidelines Section 15064.5. This would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts to unique archaeological resources to less-than-significant levels.

**Mitigation Measure 4.5-1b, as described above for the Nishi site.**

Implementation Mitigation Measure 4.5-1b would reduce impacts associated with archaeological resources to a less-than-significant level because it requires the performance of professionally accepted and legally compliant procedures for the discovery of previously undocumented significant archaeological resources.

**Potentially Significant Effect: Impact 4.5-2: Accidental discovery of human remains.**

Although unlikely, construction and excavation activities associated with project development could unearth previously undiscovered or unrecorded human remains, if they are present. This impact would be potentially significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Item 6-ATT D****Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with the accidental discovery of human remains to less-than-significant levels.

**Mitigation Measure 4.5-2, as described above for the Nishi site.**

Implementation of Mitigation Measure 4.5-2 would reduce potentially significant impacts to human remains because actions would be implemented to avoid, move, record, or otherwise treat the remains appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid or minimize the disturbance of human remains, and to appropriately treat any remains that are discovered, this impact would be reduced to a less-than-significant level.

**GREENHOUSE GAS EMISSIONS, CLIMATE CHANGE, AND ENERGY*****Nishi Site*****Potentially Significant Effect: Impact 4.7-2: Considerably contribute to climate change through project-generated greenhouse gas emissions during operation.**

Annual GHG emissions from project operation would exceed YSAQMD-recommended emission threshold of 1,100 MT CO<sub>2</sub>e/year. Despite the development's energy efficient design and ideal location close to major destinations in the City, such as UC Davis and downtown Davis, there is no guarantee that future emissions generated by the development could be net zero carbon by 2050. Therefore, operation of the project has the potential to result in a substantial contribution to GHG emissions. This impact would be potentially significant.

**Finding**

Changes or alterations, which substantially reduce the significant effects associated with greenhouse gas emissions have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects to greenhouse gases, it may not be feasible to meet all City of Davis CAAP targets. Alternative 1 (no project) would avoid these impacts, but this alternative has been rejected as infeasible for the reasons set forth in Section 1.7, above. No other feasible alternatives are available to reduce this impact. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

Through the implementation of Mitigation Measure 4.14-5, which requires the development and implementation of a transportation demand management program, the Nishi development could reduce VMT generated by the project by up to 20 percent from 45,200 to 36,160 daily VMT. This could reduce mobile source emissions to 8,746 MTCO<sub>2</sub>e in 2022. Using ARB-forecasted vehicle emission factors, these emissions could be reduced to 7,328 MTCO<sub>2</sub>e by 2050. Additional incentives for low-carbon vehicles, such as electric charging stations, could reduce emissions further by increasing the percentage of vehicles that emit lower GHG emissions per mile, but these estimates are qualitative. Implementation of Mitigation Measures 4.7-2a and 4.7-2b sets GHG reduction targets and accountability for the Nishi development, but would not guarantee reductions that show that the development would be able to achieve the City's carbon neutral target by 2050. Therefore, this impact would be significant and unavoidable.

**Mitigation Measure 4.14-5, as described below.****Mitigation Measure 4.7-2a**

Each individual project or subdivision developed/constructed as a part of the Nishi Residential Development Project shall demonstrate consistency with the D-CAAP by achieving a downward trajectory in GHG emissions, towards the City goal of zero net GHG emissions by the year 2050. The

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project must achieve the target in place for the year in which the application (for any development within the Nishi site) is filed. If additional reductions in GHG emissions are necessary to achieve the appropriate target, shall identify and implement feasible actions to achieve the required reductions using the following priority:

First priority – building specific actions

Second priority – onsite (within Nishi site) actions

Third priority – community based (within Davis) actions

Fourth priority – pay GHG reduction fees (carbon offsets) into a qualified existing local program, if one is in place

Fifth priority – other demonstrated method of reducing emissions

The project applicant must provide technical documentation (including modeling) to the City for verification that identifies how the desired reductions will be achieved.

**Mitigation Measure 4.7-2b**

Every 5 years, the Nishi development shall submit a GHG Emissions Reduction Accounting and Program Effectiveness Report for the project. The report shall be submitted by 12/31 of each fifth year starting in 2020. First report due by 12/31/20, second report due by 12/31/25, etc., through 2050. The report shall identify the projected annual GHG emissions for the Nishi development, total and by sector, from the project EIR; GHG emissions from all uses collectively operating at the Nishi development, total and by sector, at the time of reporting; GHG emissions from each occupied building within the Nishi development, total and by sector; Summary of prior TMCs and 5-year reports; Running total of Nishi development emissions reductions and reduction credits, in total and by building; and a comprehensive database and summary of implemented reduction actions.

Implementation of Mitigation Measures 4.7-2a and 4.7-2b would not guarantee reductions that show that the development would be able to achieve the City's carbon neutral target by 2050. Therefore, this impact would be significant and unavoidable.

**Potentially Significant Effect: Impact 4.7-3: Conflict with or impede attainment of goals established in applicable climate action plans or greenhouse gas reduction plans.**

Operation of the Nishi development would not conflict with or impede the goals of EO B-30-15 or the D-CAAP. However, unmitigated emissions from the proposed Nishi development would exceed AB 32 2020 reduction targets. Thus, this impact is potentially significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with the climate action plan and greenhouse gas reduction plan emission reduction targets to less-than-significant levels.

**Mitigation Measure 4.14-5, as described below.**

Through the implementation of Mitigation Measure 4.14-5, which requires the development and implementation of a transportation demand management program, the project would reduce VMT generated by the project by up to 25 percent from 45,200 to 36,160 daily VMT. This would reduce mobile source

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emissions to 8,746 MTCO<sub>2</sub>e in 2022. This reduction would result in transportation-based emissions of 3.1 MT CO<sub>2</sub>e per capita per year or 18.8 lbs CO<sub>2</sub>e per capita per day, meeting SACOG's 2035 regional target of 19.7 lbs CO<sub>2</sub>e per capita per day for mobile source GHG emissions. As a result, mitigated transportation-related GHG emissions would not exceed SACOG's 2020 and 2035 targets. As a result, implementation of Mitigation Measure 4.14-5 would reduce this impact to less than significant.

***West Olive Drive*****Potentially Significant Effect: Impact 4.7-2: Considerably contribute to climate change through project-generated greenhouse gas emissions during operation.**

The operation of potential redevelopment of uses within West Olive Drive could increase GHG emissions compared to existing conditions depending on the type and size of land uses that could be on site as well as the type and size of land use that may be replaced. Redevelopment of West Olive Drive has the potential to increase the intensity of current land uses either by building more densely or just serving a growing population resulting in the potential for increased GHG emissions over existing conditions. Therefore, this would be a potentially significant impact.

**Finding**

Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

**Facts in Support of Finding**

Based on the anticipated size of redevelopment opportunities within West Olive Drive, potential redevelopment will not be able to implement effective TDM measures in and of itself. While redevelopment would take advantage of TDM implemented with respect to the Nishi site, additional opportunities as outlined in Mitigation Measure 4.14-5 are considered infeasible. Further, subsequent reporting and offsetting of potential GHG emissions is similarly considered infeasible for the purposes of reducing GHG emissions related to redevelopment within West Olive Drive.

**Potentially Significant Effect: Impact 4.7-3: Conflict with or impede attainment of goals established in applicable climate action plans or greenhouse gas reduction plans.**

Redevelopment of West Olive Drive has the potential to increase the intensity of current land uses, either by building more densely or serving a growing population. There is no guarantee of whether new land uses would impede or be inconsistent with AB32, EO B-15-30, SACOG MTP/SCS per capita targets, or the D-CAAP. Therefore, this impact is potentially significant.

**Finding**

Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

**Facts in Support of Finding**

While dedicated GHG reduction targets detailed in the mitigation measures would allow the redevelopment to be consistent with the goals of AB32, EO B-15-30, and the D-CAAP, it remains to be seen whether future proposed land uses along West Olive Drive would be able to apply applicable TDM measures from Mitigation Measure 4.14-5. Additionally, financial constraints related to the reporting and potential further reduction of GHG emissions as a result of subsequent reporting, implementation of Mitigation Measure 4.7-2a, 4.7-2b, and 4.14-5 are considered infeasible with respect to potential redevelopment of West Olive Drive. Due to the uncertainty related to the ability of West Olive Drive redevelopment to achieve SACOG MTP/SCS per capita transportation emission targets, this impact would be significant and unavoidable.



## HAZARDS AND HAZARDOUS MATERIALS

### *Nishi Site*

#### **Potentially Significant Effect: Impact 4.8-2: Result in the release of hazardous materials from a site of known or potential contamination.**

Due to the proximity of documented contamination sites, historical land use within the project site, and the site's proximity to a major roadway and the railroad tracks, previously unknown hazardous materials could be encountered during construction. This would be a potentially significant impact.

#### **Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

#### **Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with the release of hazardous materials from a site of known or potential contamination to less-than-significant levels.

##### **Mitigation Measure 4.8-2a**

Prior to initiation of grading or other groundwork, the applicant shall conduct soil sampling within the boundaries of the project site. If the results indicate that contamination exists at levels above regulatory action standards, then the site will be remediated in accordance with recommendations made by applicable regulatory agencies.

##### **Mitigation Measure 4.8-2b**

Prior to initiation of grading or other groundwork, the applicant shall provide a hazardous materials contingency plan to Yolo County Environmental Health Department. The plan will describe the necessary actions that would be taken if evidence of contaminated soil or groundwater is encountered during construction. The contingency plan shall identify conditions that could indicate potential hazardous materials contamination, including soil discoloration, petroleum or chemical odors, and presence of underground storage tanks or buried building material.

##### **Mitigation Measure 4.8-2c**

Prior to any ground disturbance activities within 50 feet of the well, the applicant shall hire a licensed well contractor to obtain a well abandonment permit and properly abandon the on-site well, pursuant to review and approval by the City Engineer and the Yolo County Environmental Health Department. Well abandonment shall be completed before mass grading within 50 feet of the well.

With implementation of Mitigation Measures 4.8-2a, soil conditions on-site would be confirmed before development and any identified contamination would be appropriately remediated. Mitigation Measure 4.8-2b would establish a contingency plan that would describe the necessary actions that would be taken if evidence of contaminated soil or groundwater is encountered during construction, including cessation of work until the potential contamination is characterized and properly contained or remediated. Mitigation Measure 4.8-2c would minimize the potential for an accidental release of hazardous materials as a result of construction activities in the vicinity of an existing potable water well. Through implementation of these measures, the applicant would be required to conduct focused study the site soils and remediate any contaminated soils found before construction, as well as establish a plan to carry out similar actions if additional evidence of potential contamination is identified during construction. Following implementation of these mitigation measures, the project would have a less-than-significant impact because of potential release of hazardous materials from a site of known or potential contamination.

**Item 6-ATT D****Potentially Significant Effect: Impact 4.8-5: Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.**

As discussed in Impact 4.8-5 of the 2015 Draft EIR, the project would not impair implementation of an adopted emergency response or evacuation plan. Once developed, the site would have adequate access to afford evacuation of residents in the event of a hazardous materials event. The Draft EIR analyzed two access scenarios. The 2015 Access Scenario 1 included two project access points, one via an extension of the existing West Olive Drive and one via a new connection to Old Davis Road on the UC Davis campus, via a new underpass under the UPRR line. The 2015 Access Scenario 2 included only one project access point, via an extension of the existing West Olive Drive. The Nishi Gateway EIR (as revised in the Final EIR) concluded that prior to and during Phase 2 of construction for Access Scenario 1 and under Access Scenario 2, only one emergency vehicle access point may be available. Further, during construction, disruption of area roadways may hinder traffic flow (e.g., Richards Boulevard and intersection of Richards Boulevard and Olive Drive), which could negatively affect emergency response. This was identified as a potentially significant impact in the Draft EIR. As noted in the previously adopted CEQA Findings of Fact and Statement of Overriding Considerations, the City Council modified the approved project to require that no occupancy would be allowed until both the West Olive Drive and Old Davis Road connections are provided. The operational impact was determined to be less than significant in the Findings of Fact (City of Davis 2016) and Mitigation Measure 4.8-5 was not required.

Under the proposed Nishi Residential Development project, the project site would be accessed via a new connection between a new east-west street on the Nishi Property and Old Davis Road on the UC Davis campus. The new vehicle connection to Olive Drive would be for emergency vehicle and potentially transit vehicles only. Because the project would require the connection to Old Davis Road, this would be constructed first and not under a future construction Phase 2, as described in the 2015 Draft EIR. The proposed project would be built out in three continuous phases, and no certificates of occupancy will be issued until the underpass and roadway connection to Old Davis Road and the emergency access to Olive Drive are complete. Therefore, operation of the project would include two emergency vehicle access points at all times. During construction, disruption of area roadways may hinder traffic flow (e.g., Richards Boulevard and intersection of Richards Boulevard and Olive Drive), which could negatively affect emergency response. This would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

During construction, there is a potential that temporary roadway closures and other construction activities could impair emergency response. Preparation and implementation of a Construction Traffic Management Plan, as required by Mitigation Measure 4.14-7, would adequately address any potential conflicts with emergency access during construction by communicating proposed lane and road closures with first responders and allowing first responders to plan accordingly to ensure that emergency response times and maintain adequate emergency access.

**Mitigation Measure 4.14-7, as described below**

As a result of implementation of Mitigation Measure 4.14-7 and the aforementioned condition of approval, impacts would be less than significant.



***West Olive Drive*****Potentially Significant Effect: Impact 4.8-2: Result in the release of hazardous materials from a site of known or potential contamination.**

Although there is no known contamination within West Olive Drive, established businesses within this portion of the project site include commercial and light industrial uses that are associated with elevated potential for hazardous materials release. In addition, on-site structures may contain potentially hazardous building materials. Due to the potential for hazardous materials to be released during demolition and redevelopment of West Olive Drive, this would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with the release of hazardous materials from a site of known or potential contamination to less-than-significant levels.

**Mitigation Measure 4.8-2b, as described above for the Nishi site.**

**Mitigation Measure 4.8-2d**

Minimize potential for accidental release of hazardous materials during demolition. Prior to demolition of existing structures within West Olive Drive, the project applicant shall complete the following:

- Locate and dispose of potentially hazardous materials in compliance with all applicable federal, state, and local laws. This shall include: (1) identify locations that could contain hazardous residues; (2) remove plumbing fixtures known to contain, or potentially containing, hazardous materials; (3) determine the waste classification of the debris; (4) package contaminated items and wastes; and (5) identify disposal site(s) permitted to accept such wastes.
- Provide written documentation to the County that asbestos testing and abatement, as appropriate, has occurred in compliance with applicable federal, state, and local laws.
- Provide written documentation to the County that lead-based paint testing and abatement, as appropriate, has been completed in accordance with applicable state and local laws and regulations. Abatement shall include the removal of lead contaminated soil (considered soil with lead concentrations greater than 400 parts per million in areas where children are likely to be present). If lead-contaminated soil is to be removed, the project applicant shall submit a soil management plan to YCEHD.

Mitigation Measure 4.8-2d would minimize the potential for release of potentially hazardous construction materials during demolition by requiring that asbestos-containing building materials, lead-based paint, and other hazardous substances in building components are identified, removed, packaged, and disposed of in accordance with applicable state laws and regulations. This would minimize the risk of an accidental release of hazardous substances that could adversely affect human health or the environment. Mitigation Measure 4.8-2b would establish a hazardous materials contingency plan to address potential soil and groundwater contamination, if discovered during construction activities. Implementing these measures would reduce Impact 4.8-2 to a less-than-significant level.

**Item 6-ATT D****Potentially Significant Effect: Impact 4.8-5: Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.**

Operation of uses associated with the redevelopment of West Olive Drive would not modify existing emergency access routes or physically interfere with implementation of emergency response plans. However, construction within West Olive Drive could result in short-term, temporary impacts to street traffic because of roadway improvements and potential extension of construction activities into roadway rights-of-way. This would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with the impairment of implementation, or physical interference with, an adopted emergency response plan or emergency evacuation plan to less-than-significant levels.

**Mitigation Measure 4.14-7, as described below.**

Similar to what was evaluated above for the Nishi site, preparation of a Construction Traffic Management Plan, as required by Mitigation Measure 4.14-7, would adequately address any potential conflicts with emergency access or evacuation routes during construction by communicating proposed lane and road closures with first responders and allowing first responders to plan accordingly to ensure that emergency response times and maintain adequate emergency access. As a result, this would be a less-than-significant impact.

**HYDROLOGY AND WATER QUALITY*****Nishi Site*****Potentially Significant Effect: Impact 4.9-4: Drainage and runoff impacts.**

The existing drainage patterns and stormwater volume would be altered by the development of the Nishi site. The potential downstream impacts would be minimized through mandatory compliance with the City of Davis' stormwater ordinance. Alteration of the existing drainage system could create backwater or flooding conditions for the existing upstream properties. This would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with drainage and runoff impacts to less-than-significant levels.

**Mitigation Measure 4.9-4**

The SWQCP prepared for the City of Davis and before the issuance of building permits shall incorporate provisions to accommodate the existing volume of upstream drainage flows from the I-80 right-of-way and the 58-acre section of the UC Davis campus west of the project area. These flows may be conveyed directly through the site (pass-through) or infiltrated in part or in whole within the Nishi stormwater management system. Development of the Nishi site shall not create backwater conditions or upstream flooding.

Implementation of Mitigation Measure 4.9-4 would minimize the risk of backwater conditions or flooding on upstream properties resulting from alterations to the existing drainage system within the Nishi site. This

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mitigation measure, in combination with the existing City of Davis stormwater management regulations described above, would reduce the potential drainage and runoff impacts of development of the Nishi site to a less-than-significant level.

## NOISE AND VIBRATION

### *Nishi Site*

#### **Significant Effect: Impact 4.11-1: Generate short-term, construction-related noise on nearby sensitive land uses.**

Project construction activities would involve the use of heavy-duty construction equipment. Construction noise impacts would occur over a 5-year period for off-site sensitive receptors and a 2- to 3-year period for planned on-site receptors. Although construction activities would be conducted in accordance with Davis Municipal Code 24.02.040 (b), construction activities may result in a substantial increase in ambient noise levels, especially to on-site residences during Phase 2 of construction thereby resulting in a significant impact.

#### **Finding**

Changes or alterations, which substantially reduce the significant effects associated with construction noise have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects related to construction noise, it may not be feasible to reduce construction noise such that construction noise would not disrupt studying or caring for young children. Alternative 1 (no project) would avoid these impacts, but this alternative has been rejected as infeasible for the reasons set forth in Section 1.7, above. No other feasible alternatives are available to reduce this impact. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

#### **Facts in Support of Finding**

Implementation of Mitigation Measure 4.11-1 would reduce construction noise for the entire construction area. However, as on-site receptors may be elevated above construction activities on the project site, the efficacy of on-site noise barriers may be reduced. As the efficacy of Mitigation Measure 4.11-1 cannot be quantified, it is undetermined as to how much construction noise levels could be reduced at on-site residences during Phase 2 of construction. This impact would be significant and unavoidable.

#### **Mitigation Measure 4.11-1**

The City shall require the applicant to implement the following noise reduction measures during project construction as directed by the City. These include strategic placement of construction equipment and staging areas, maintenance of equipment, preference for quieter construction procedures, audible self-adjusting backup alarms, signage, and temporary noise barriers.

Implementation of Mitigation Measure 4.11-1 would reduce construction noise for the entire construction area. On-site receptors may be elevated above construction activities on the project site, and thus the efficacy of on-site noise barriers may be reduced.

#### **Significant Effect: Impact 4.11-3: Exposure of existing sensitive receptors to operational project-generated stationary noise.**

Development of the Nishi site would result in the operation of various new stationary noise sources (e.g., mechanical HVAC equipment, emergency electrical generators, parking lots, and noise from outdoor activity areas). Specific locations for these noise sources are not known at this time. Thus, considering the proposed high density of land development in close proximity to existing sensitive receptors (e.g., the existing Solano Park Apartments), it is possible that new proposed HVAC units and emergency generators could create a

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noticeable increase from existing noise levels. Consequently, a substantial permanent increase in ambient noise levels (i.e., 5 decibels [dB]) could occur. This would be a significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with exposure of existing sensitive receptors to operational project-generated stationary noise to less-than-significant levels.

**Mitigation Measure 4.11-3**

The project applicant shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources:

- All electrical generators shall be equipped with noise control (e.g., muffler) devices in accordance with manufacturers' specifications.
- External mechanical equipment, including HVAC units, associated with buildings shall incorporate features designed to reduce noise emissions below the stationary noise source criteria. These features may include, but are not limited to, locating equipment within equipment rooms or enclosures that incorporate noise reduction features, such as acoustical louvers, and exhaust and intake silencers. Equipment enclosures shall be oriented so that major openings (i.e., intake louvers, exhaust) are directed away from nearby noise-sensitive receptors.
- Should R&D tenants require outdoor testing/activities, tenants shall submit exterior noise estimates for long-term and short-term research and development activities to the City for review and approval prior to implementation. Exterior noise levels shall be estimated for receptor distances equivalent to distances from on-site and off-site residential land uses and shall demonstrate compliance with City of Davis noise limits, as applicable.

Implementation of Mitigation Measure 4.11-3 would require that all stationary noise sources are oriented, located, and designed in such a way that reduces noise exposure to ensure that stationary noise sources would comply with City noise standards for sensitive receptors and limit increases to existing noise levels to below significant levels (less than 5 dB increase), reducing this impact to a less-than-significant level.

**Potentially Significant Effect: Impact 4.11-4: Exposure of proposed sensitive receptors to operational project-generated stationary noise sources.**

The proposed development of the Nishi site would include commercial and residential mixed-use land uses including new sensitive receptors (e.g., residential uses). Proposed residential uses (i.e. sensitive receptors) could be located in close proximity to new, on-site, stationary noise sources (e.g., HVAC units, electrical generators, outdoor activity areas, and parking lots), which could expose these receptors to noise in excess of allowable noise levels. This impact would be potentially significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with exposure of proposed sensitive receptors to operational project-generated stationary noise to less-than-significant levels.

**Mitigation Measure 4.11-3, as described above.**

Implementation of Mitigation Measure 4.11-3 would limit noise generation from stationary sources, reduce outdoor ambient noise levels, and limit activities to the less sensitive times of the day such that people would be less likely to be disturbed while sleeping. Implementation of this mitigation would reduce this impact to a less-than-significant level.

**Significant Effect: Impact 4.11-5: Exposure of proposed and existing sensitive receptors to transportation noise sources.**

Development of the Nishi site would result in increased traffic volumes along affected roadways and would increase roadway noise levels in the vicinity of the project site. Additionally, the proposed on-site residential structures would act as both receptors and barriers or reflectors of transportation noise sources. Existing receptors could experience louder train warning horn and pass-by events due to reflection from proposed Nishi residential buildings. Proposed sensitive receptors at the planned residential land uses would be exposed to exterior traffic noise levels that are conditionally acceptable under the City's noise standards, but could also be exposed to significant noise events (i.e. horn blasts) from passing trains that could disturb sleep. Commercial land uses along I-80 would also experience noise levels that would be normally unacceptable under the City's noise standards. Because transportation noise could cause noise disturbances to both new and existing receptors, this impact is considered significant.

**Finding**

Changes or alterations, which substantially reduce the significant effects associated with transportation noise have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects related to transportation noise, it may not be feasible to reduce noise levels in accordance with the City's noise standards. Alternatives 1 (no project) and 2 (R&D only) would avoid these impacts, but these alternatives have been rejected as infeasible for the reasons set forth in Section 1.7, above. No other feasible alternatives are available to reduce this impact. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

The implementation of Mitigation Measures 4.11-5a through 5c would reduce most transportation noise impacts, except for disturbances to new receptors on the Nishi site. These receptors would still be exposed to sudden increases in noise levels from passing trains along the UPRR line, which can still occur during nighttime hours while residents are sleeping. An exterior-to-interior reduction of 30 dB could still allow for more than 5 percent of residents to be awakened. Thus, this impact would remain significant and unavoidable.

**Mitigation Measure 4.11-5a**

Where feasible, locate new sensitive receptors such that the outdoor activity area (e.g., balcony or porch) is on the opposite side of the structure from the UPRR line such that the structure itself would provide a barrier between transportation noise and the outdoor activity areas.

**Mitigation Measure 4.11-5b**

The applicant shall work in conjunction with the City of Davis to pursue and establish a Quiet Zone with the Federal Railroad Administration at Arboretum Drive, adjacent to the Nishi property. Upon confirming the assessing and confirming the feasibility of establishing a Quiet Zone, the applicant and City shall proceed to apply for the Quiet Zone designation.

The application and procedural steps to establish a Quiet Zone adjacent to the project site shall commence concurrent with the start of initial site grading activities. The project applicant shall fund all studies associated with the application for the establishment of the Quiet Zone. The installation and

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construction of alternative safety measures associated with the Quiet Zone (including, but not limited to: signage, gates, etc.) shall be implemented by the project applicant.

**Mitigation Measure 4.11-5c**

The applicant shall design and construct the residential buildings along the rail line such that train horn events and noise from passing trains would not increase by more than 5dBA SEL from existing SEL levels. These designs can include, but are not limited to:

- Incorporation of acoustically absorptive material, shape, angle, or overall design in building façade facing the railroad.
- Changing the shape of proposed buildings adjacent to the railroad and Solano Park Apartments such that noises from passing trains, including warning horns, are dispersed and not concentrated on sensitive receptors.

Implementation of Mitigation Measures 4.11-5a would reduce interior noise from I-80 at new sensitive receptors by ensuring that they are built in such a way as to attenuate interior noise levels to the City's interior noise standard for residential land uses. Successful implementation of Mitigation Measure 4.11-5b would not reduce train horn noise completely, because freight trains travelling eastbound would continue to activate their horns before entering the Davis Station. However, it would reduce the frequency of horn noise. In addition, Mitigation Measure 4.11-5a would not eliminate other noise from trains passing on the UPRR line. Passing trains would still be high noise level events that can reach up to 95 dB at 100 feet. Implementation of Mitigation Measure 4.11-5c would reduce impacts on existing receptors, at Solano Park Apartments and any other residences that could be affected by increased noise levels of passing trains reflected and amplified by the proposed Nishi residential buildings.

## TRANSPORTATION AND CIRCULATION

### *Nishi Site and West Olive Drive*

**Significant Effect: Impact 4.14-1: Impacts to local intersections outside freeway interchange areas.**

The addition of project-related traffic would increase delay at local intersections outside Freeway Interchange Areas. The EIR stated that, while no local intersections would exceed City of Davis Level of Service (LOS) standards, the intersection of Old Davis Road/La Rue Road within UC Davis campus would exceed significance thresholds. This would be a significant impact.

**Finding**

Changes or alterations, which substantially reduce the significant effects associated with traffic impacts at local intersections have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects related to transportation impacts at local intersections, such changes are within the responsibility and jurisdiction of UC Davis, and the City cannot guarantee implementation. Specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

Implementation of Mitigation Measure 4.14-1 would improve LOS at Old Davis Road/La Rue Road to D or better, which would be considered acceptable. While this mitigation measure would reduce the impact to a less-than-significant level, implementation requires future approval by the UC Davis. Since neither the project applicant nor the City of Davis can guarantee approval by UC Davis, this remains significant and unavoidable.



**Item 6-ATT D****Mitigation Measure 4.14-1**

The project applicant shall fund the design and construction of modifications to the single lane roundabout at the intersection of Old Davis Road/La Rue Road. These modifications will consist of constructing a right-turn bypass lane from southbound La Rue Road to westbound Old Davis Road. Implementation of this mitigation measure will improve LOS to D or better. The roundabout design shall be reviewed and approved by the University before implementation.

**Significant Effect: Impact 4.14-2: Impacts to intersections within the Richards Boulevard interchange area.**

As identified in Impact 4.14-2 in the Nishi Gateway Project EIR in 2015, the addition of project-related traffic associated would increase delay at local intersections within the Richards Boulevard Freeway Interchange Area. As identified for the Nishi Gateway EIR in 2015, the intersections of Richards Boulevard/Private Driveways, Richards Boulevard/I-80 Westbound Ramps, and I-80/Eastbound Ramps would exceed significance thresholds with the revised Nishi Gateway Project, and this was considered a significant impact.

**Finding**

Changes or alterations, which substantially reduce the significant effects associated with traffic impacts at intersections within the Richards Boulevard interchange area have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects related to transportation impacts at local intersections, such changes are within the responsibility and jurisdiction of Caltrans, and the City cannot guarantee implementation. Specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

Modification of the I-80/Richards Boulevard interchange, including off-ramps, would require approval by Caltrans and is outside the purview of the City as lead agency. Further, Caltrans is currently considering improvements to the I-80/Richards Boulevard Interchange, which may or may not coincide with improvements necessary to reduce impacts of the project to less than significant levels. Because the approval of interchange improvements by Caltrans cannot be assured, the impact would remain significant and unavoidable.

**Mitigation Measure 4.14-2**

The project applicant shall implement the following measures related to roadway and intersection widening within the Richards Boulevard interchange area.

**Phase 1 Improvements**

The project applicant shall either make a fair share contribution for the following Phase 1 improvements prior to initiation of construction of Phase 1 or conduct a focused traffic assessment to provide a more detailed assessment of the mitigation trigger timing.

- Richards Boulevard/Olive Drive:
  - Widen the south leg of Richards Boulevard to add a second northbound left turn lane (from northbound Richards to westbound Olive Drive) with a storage length of approximately 250 feet. Widen the north leg of Richards Boulevard to add a second southbound through/turn lane. The widening of the south leg may require some widening of the approach to the underpass and construction of new retaining walls to support the new turn lane. No modification of the existing underpass is required.
  - Widen the west leg of West Olive Drive to provide two westbound lanes and three eastbound lanes. The eastbound lanes on West Olive Drive at Richards Boulevard shall include a left turn lane, a through lane, and a right turn lane. On-street bike lanes, which may include



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either a sharrow (shared bike and vehicle lane) or dedicated bike lane, shall be provided on West Olive Drive.

- Richards Boulevard/Private Driveways: Place barriers in the median of Richards Boulevard to restrict driveway access, between West Olive Drive and the I-80 westbound ramps, to right-in, right-out movements only.
- Richards Boulevard/I-80 Westbound Ramps: Realign the westbound ramps to eliminate the two loop ramps to provide a diamond ramp configuration and install a traffic signal. Provide an exclusive left turn lane and two exclusive right turn lanes on the westbound off-ramp approach. Provide one through lane and two exclusive left turn lanes on the northbound approach. Provide two through lanes and an exclusive right turn lane on the southbound approach. The southbound right turn lane shall extend from just south of the existing Cafe Italia driveway to the new westbound on-ramp entrance.

**Phase 2 Improvements**

The project applicant shall contribute appropriate funds for the following Phase 2 improvements, which shall be constructed before occupancy of project uses that would generate fifty percent or more of the forecast project a.m. peak hour trips. Alternately, the project applicant may conduct a focused traffic assessment to provide a more detailed assessment of the mitigation trigger timing.

- Richards Boulevard/Eastbound Off-Ramp: Widen the eastbound off-ramp to provide a second exclusive left turn lane.
- Richards Boulevard Bicycle Cycle Track: construct a separated cycle track on the west side of Richards Boulevard from West Olive Drive to Research Park Drive.
- Richards Boulevard/Eastbound On-Ramp: Provide ramp metering for the eastbound I-80 on-ramp.

The City was in the process of implementing improvements at the Richards Boulevard/Research Park Drive intersection that included the addition of a second southbound through lane, and this improvement was taken into consideration as part of the mitigated condition. With that improvement and implementation of the mitigation shown above, LOS E would be restored to the impacted intersections and impacts would be reduced to less than significant. Figure 4.14-9 in the Draft EIR illustrates the intersection of Richards Boulevard/West Olive Drive with implementation of Mitigation Measure 4.14-2. Refer to Section 4.5, "Cultural Resources" for a discussion of potential impacts to the underpass, which is considered a historic resource, as a result of implementation of this mitigation.

**Potentially Significant Effect: Impact 4.14-5: Increase in vehicle miles travelled.**

The project would increase local and regional vehicle miles traveled as a result of people driving to and from the project site on a daily basis. Taking into account local and regional VMT reduction goals, the project may impede the ability of the City/region to achieve established goals. This would be a potentially significant impact because of projected increases in VMT.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with increase in vehicle miles travelled to less-than-significant levels.

**Item 6-ATT D****Mitigation Measure 4.14-5**

Before issuance of the first building permit, the applicant shall prepare a TDM program, including any anticipated phasing, and submit it to the City Department of Public Works for review and approval. The TDM program must be designed to achieve the following.

1. Reduce trips to achieve one and five-tenths (1.5) average vehicle ridership (AVR) in accordance with Davis Municipal Code Section 22.15.060, and
2. Reduce daily and peak hour vehicle trips, as forecast for the project in this transportation impact assessment, by 10 percent for every project phase, and
3. Reduce daily VMT by a minimum of 20 percent.

Trip reduction programs/strategies may include the programs/strategies identified in the Nishi Gateway Sustainability Implementation Plan. The on-site management entity shall be responsible for implementing the TDM Program and shall provide annual reporting of TDM performance.

With implementation of Mitigation Measure 4.14-5, daily VMT associated with the project would be reduced in accordance with local/regional goals. As a result, this impact would be reduced to a less-than-significant level.

**Potentially Significant Effect: Impact 4.14-6: Impacts to emergency vehicle access.**

A review of a preliminary draft conceptual site diagram for the revised project indicates that access by all vehicles would be provided via a connection to Old Davis Road on the UC Davis campus. A second emergency vehicle access would be provided to the project site via a connection to West Olive Drive. Based on the preliminary draft conceptual site diagram, two emergency vehicle access points would be provided with the revised Nishi Gateway Project. As such, the proposed Nishi Residential Development Project would have a less-than-significant impact on emergency vehicle access. The Nishi Gateway Project EIR in 2015 identified a potentially significant impact related to emergency vehicle access based on a conclusion that, during construction, disruption of area roadways may hinder traffic flow, which could negatively affect emergency response. This would be a potentially significant impact.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

During construction, there is a potential that temporary roadway closures and other construction activities could impair emergency response. Preparation and implementation of a Construction Traffic Management Plan, as required by Mitigation Measure 4.14-7, would adequately address any potential conflicts with emergency access during construction by communicating proposed lane and road closures with first responders and allowing first responders to plan accordingly to ensure that emergency response times and maintain adequate emergency access.

**Mitigation Measure 4.14-7, as described below**

As a result of implementation of Mitigation Measure 4.14-7 and the aforementioned condition of approval, impacts would be less than significant.

**Significant Effect: Impact 4.14-7: Impacts associated with construction vehicle traffic.**

During construction of the project, construction activities and temporary construction vehicle traffic would increase traffic congestion in the area. Depending on the timing and intensity of such activities, this could result in substantial congestion in excess of City standards. Impacts would be significant.

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Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with construction vehicle traffic to less-than-significant levels.

**Mitigation Measure 4.14-7**

Before any construction activities for the project site, the project applicant shall prepare a detailed Construction Traffic Control Plan and submit it for review and approval by the City Department of Public Works. The applicant and the City shall consult with Caltrans, Unitrans, YoloBus, and local emergency service providers for their input before approving the Plan. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained during construction. A copy of the construction traffic control plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.

With implementation of Mitigation Measure 4.14-7, appropriate signage and access would be provided so as to maintain the flow of traffic in the vicinity of the project site. As a result, this impact would be reduced to a less-than-significant level.

**Significant Effect: Impact 4.14-8: Impacts to pedestrian and bicycle facilities.**

The project would increase bicycle and pedestrian traffic to and from the project site, primarily towards Downtown Davis and UC Davis. While the project would provide adequate on-site bicycle and pedestrian facilities, the additional demand for such facilities adjacent to the site as a result of the project is anticipated to increase and impacts would be significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with pedestrian and bicycle facilities to less-than-significant levels.

**Mitigation Measure 4.14-2, as described above.**

The improvement of bicycle/pedestrian access along Richards Boulevard would provide for additional safe travel by bicycles and pedestrians from the project site to Downtown Davis. A fair share contribution towards the improvement of bicycle and pedestrian access at the Richards Boulevard underpass would serve as adequate off-site mitigation for the project. As a result, impacts would be reduced to less than significant.

**Potentially Significant Effect: Impact 4.14-9: Impacts to transit service.**

The project would increase transit ridership and may require additional improvements/considerations to promote and handle increased transit ridership. Impacts would be potentially significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with transit service to less-than-significant levels.

**Item 6-ATT D****Mitigation Measure 4.14-9**

The project applicant shall fund and construct new bus stops within the project site, at a central location in the project site upon occupancy of the first building. The improvements can be constructed within the existing right-of-way. The project applicant shall prepare design plans, to be reviewed and approved by the City Public Works Department, and construct bus stops with shelters, paved pedestrian waiting areas, lighting, real time transit information signage, and pedestrian connections between the new bus stops and all buildings on the project site.

The provision of on-site bus stops within the Nishi site as part of Mitigation Measure 4.14-9 would allow for increased access by Unitrans ridership. As a result, impacts would be reduced to less than significant.

**UTILITIES*****Nishi Site*****Significant Effect: Impact 4.15-2: Impacts to water infrastructure.**

Development of the Nishi site would increase demands on water infrastructure in the vicinity of the project site. Based on modeling conducted of potential fire flow requirements, which would result in the greatest hydraulic demand on local infrastructure, existing water pipelines in the area are anticipated to provide adequate fire flow and daily water supplies to accommodate the demands generated at the Nishi site, however because of the necessity for redundancy, existing pipelines within West Olive Drive are not adequate to provide a secondary method of providing water to the site. As a result, this impact is significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with water infrastructure to less-than-significant levels.

**Mitigation Measure 4.15-2**

Prior to approval of improvement plans for construction at the Nishi site, the applicant shall coordinate with the City of Davis Public Works Department to fund and replace approximately 3,000 feet of the existing 6" and 10" water lines within Olive Drive, east of Richards Boulevard, with a 12" pipe. This improvement shall be completed before initiation of operation of land uses within the Nishi site.

With implementation of Mitigation Measure 4.15-2, redundant fire flow and potable water supplies would be available to the Nishi site, and the impact would be reduced to less than significant. It should be noted that the impacts associated with construction of this improvement, which would occur entirely within the paved portion of Olive Drive, are addressed as part of this EIR.

**Significant Effect: Impact 4.15-3: Impacts to wastewater infrastructure.**

Development of the Nishi site would increase wastewater generation and demands on wastewater infrastructure in the vicinity of the project site and in the City. Based on City sewer generation factors, existing sewer pipelines in the area do not have adequate capacity to accommodate peak wet weather flows with operation of the Nishi site. As a result, this impact is significant.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Item 6-ATT D****Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with wastewater infrastructure to less-than-significant levels.

**Mitigation Measure 4.15-3**

Prior to issuance of building permits for the Nishi site, the applicant shall coordinate with the City of Davis Public Works Department and conduct a refined engineering analysis, including flow monitoring, of existing sewer lines between the project site and Sewer Lift Station No. 4 to confirm adequate flow capacity. At a minimum, the applicant shall replace the existing 8" sewer line within Olive Drive with a 12" pipe. Should additional sewer pipe upsizing be deemed necessary through coordination with the City Public Works Department, the applicant shall replace those pipes before operation of on-site uses.

With implementation of Mitigation Measure 4.15-3, the impact on sewer facilities would be less than significant. It should be noted that the impacts associated with replacement of the 8" sewer line, which would occur entirely within the paved portion of Olive Drive, are addressed as part of this EIR.

**CUMULATIVE IMPACTS****Cumulatively Significant Effect: 5.3.2 Agricultural and Forest Resources**

Under cumulative conditions, development of the site would result in a loss of farmland that was determined to be of high agricultural importance per the LESA model. The project would convert 43.5 acres of agricultural land that is considered to be of high agricultural importance to urban uses. Further, development of the site could include decommissioning of the existing well that supplies water to the residence associated with the prime farmland south of I-80, which could indirectly influence conversion of Important Farmlands through the loss of irrigation supply. Coupled with the potential loss of up to 438 acres of agricultural land associated with the Mace Ranch and Davis Innovation Center projects, impacts would be considered a significant impact.

**Finding**

Changes or alterations, which substantially reduce the significant effects of the conversion of Important Farmlands to non-agricultural use, or involve changes in the existing environment that could result in conversion of Important Farmland to non-agricultural use have been required in, or incorporated into, the project by the City of Davis. While the significant effects would be reduced by preserving other farmland and ensuring that existing water supplies to the off-site Prime Farmland are not affected by project implementation, none of the measures would reduce the net loss of high-value agricultural land such that a significant impact would no longer occur. No other feasible alternatives are available to reduce this impact. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

Development of the Nishi site would involve conversion of approximately 43.5 acres of agricultural land to non-agricultural use. This conversion of agricultural land would be mitigated at a 2:1 ratio, as required by the City of Davis' Municipal Code. However, even with adherence to City Municipal Code requirements, the project would result in a net loss of 43.5 acres of agricultural land and would be considered cumulative considerable with respect to the cumulative loss of agricultural land in the region. No feasible mitigation is available and as a result, cumulative impacts would be significant and unavoidable. Under cumulative conditions, the project would result in a net loss of high-value agricultural land, even with adherence to City Municipal Code Section 40A.03. Therefore, this impact would remain significant and unavoidable. See additional information regarding significant and unavoidable project-specific impacts listed above. As no feasible mitigation is available to reduce the potential impact associated with a net loss of 43.5 acres of agricultural land, impacts would be significant and unavoidable.

**Item 6-ATT D****Cumulatively Significant Effect: 5.3.7 Greenhouse Gas Emissions, Climate Change, and Energy**

Climate change is an inherently cumulative issue. The GHG emissions required to induce climate change is not precisely known; however, it is clear that the quantity is enormous, and no single project alone would measurably contribute to a noticeable incremental change in the global average temperature, or to global, local, or micro climate.

The analysis of GHG emissions and climate change that is provided in Section 4.7, “Greenhouse Gas Emissions” of the Draft EIR, is considered to address both project-specific and cumulative impacts. Implementation of the project would increase GHG emissions within the City of Davis and the region and may not be able to achieve the City’s carbon neutral target by 2050 and thus impacts would be significant and unavoidable.

**Finding**

Changes or alterations, which substantially reduce the significant effects to climate change, have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would substantially reduce the significant effects on the project, the residual cumulative impact would continue to be significant. As described above and in Section 1.7, none of the project alternatives would reduce or avoid this cumulative GHG impact, except the no project alternative, which has been rejected as infeasible. Therefore, the project’s generation of GHG emissions and contribution to climate change is considered significant and unavoidable.

**Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measure that will reduce impacts related to GHG emissions and climate change, but not to a less-than-significant level.

**Mitigation Measure 4.14-5, as described above.**

**Mitigation Measure 4.7-2a, as described above.**

**Mitigation Measure 4.7-2b, as described above.**

Through the implementation of Mitigation Measure 4.14-5, which requires the development and implementation of a transportation demand management program, the Nishi development could reduce VMT generated by the project by up to 20 percent from 45,200 to 36,160 daily VMT. This could reduce mobile source emissions to 8,746 MTCO<sub>2e</sub> in 2022. Using ARB-forecasted vehicle emission factors, these emissions could be reduced to 7,328 MTCO<sub>2e</sub> by 2050. Additional incentives for low-carbon vehicles, such as electric charging stations, could reduce emissions further by increasing the percentage of vehicles that emit lower GHG emissions per mile, but these estimates are qualitative. Implementation of Mitigation Measures 4.7-2a and 4.7-2b sets GHG reduction targets and accountability for the Nishi Development, but would not guarantee reductions that show that the development would be able to achieve the City’s carbon neutral target by 2050. Therefore, this impact would be significant and unavoidable.

**Cumulatively Significant Effect: 5.3.14 Transportation and Circulation (Local Intersections)**

The following intersections were identified as significantly impacted in the Cumulative Plus Project case identified in the 2015 EIR, based on standard of significance #1 identified in Chapter 4.14 of the EIR:

1. Richards Boulevard/Private Driveways (Caffe Italia/Hotel, Shell/In-and-Out)
2. Richards Boulevard/I-80 Westbound Ramps
3. Richards Boulevard/I-80 Eastbound Ramps
4. Richards Boulevard/Research Park Drive



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While the proposed Nishi Residential Development Project would result in similar or reduced impacts at the study intersections evaluated in the Nishi Gateway Project EIR in 2015, with the exception of study intersections on 1<sup>st</sup> Street in the Davis Core Area, the project's incremental increase in traffic to study intersections, in combination with traffic from cumulative development, could be considered cumulatively considerable, and impacts would be significant.

**Finding**

Changes or alterations, which substantially reduce the significant effects associated with traffic impacts at intersections under cumulative conditions have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects related to transportation impacts at local intersections, such changes are within the responsibility and jurisdiction of UC Davis and Caltrans, and the City cannot guarantee implementation. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

With implementation of Mitigation Measure 5.14-1a, 5.14-1b, and 5.14-1c, all intersections would operate at LOS E or better conditions, with the exception of the First Street/D Street intersection that would operate at LOS F conditions. The delays at the First Street/D Street intersection, with implementation of Mitigation Measure 5.14-1, would be equivalent to the delays with the Cumulative No Project scenario. Further, LOS F conditions are acceptable at this location based on the General Plan. However, as noted in Section 4.15, "Transportation and Circulation," implementation of Mitigation Measure 4.14-2 requires Caltrans approval and cannot be assured. Further, implementation of Mitigation Measure 5.14-1b requires UC Davis approval and also cannot be assured. As a result, impacts would be significant and unavoidable.

**Mitigation Measure 4.14-2, as described above.**

**Mitigation Measure 5.14-1a**

Improvements to the First Street/F Street intersection are not currently included in the City's transportation development fee program. The project applicant shall fund a City-administered engineering analysis to determine a probable estimate of costs and a fair share of the improvements. The City of Davis shall include the project in the development fee program. The project applicant shall contribute appropriate fees for the design and construction of the installation of a traffic signal at the First Street/F Street intersection and the widening of the eastbound lane on First Street, from E Street to just east of F Street, to provide a dedicated eastbound left turn lane and eastbound through lane. Alternately, the left turn movement from eastbound First Street onto northbound F Street could be prohibited, requiring eastbound traffic on First Street to continue on to G Street.

**Mitigation Measure 5.14-1b**

The project applicant shall contribute appropriate fees for the design and construction of the installation of a single lane roundabout, or equivalent measure, at the intersection of Old Davis Road/New Connector Street on the UC Davis campus. The improvement shall be constructed concurrent with completion of the new underpass and roadway that would connect the Nishi Gateway project and the UC Davis campus. The improvement design shall be reviewed and approved by UC Davis staff and the Davis Public Works Department before implementation.

**Mitigation Measure 5.14-1c**

The project applicant shall contribute appropriate fees for the design and construction of the installation of a traffic signal at the West Olive Drive/West Olive cul-de-sac intersection located approximately 350 feet west of the Richards Boulevard/Olive Drive intersection.

**Cumulatively Significant Effect: 5.3.14 Transportation and Circulation (Local Roadway Segments)**

Adding the project to the Cumulative No Project condition, causes significant impacts on three roadway segments, including:



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1. Covell Boulevard East of Denali Drive (LOS F, p.m. peak hour)
2. John Jones Road North of Covell Boulevard (LOS F, a.m. and p.m. peak hours)
3. Richards Boulevard east of Research Park Drive (LOS F, a.m. and p.m. peak hours)

For all of these segments, the projected travel demand exceeds the peak hour capacity, and widening would be required to serve the projected demand.

In summary, the project's incremental increase in traffic along roadway segments, in combination with traffic from cumulative development, would be considered cumulatively considerable.

**Finding**

Changes or alterations, which substantially reduce the significant effects associated with impacts to roadway segments have been required in, or incorporated into, the project by the City of Davis. While the mitigation measures would reduce the significant effects, it may not be feasible to meet reduce LOS along local roadway segments in accordance with City standards. Therefore, specific economic, legal, social, technological, or other considerations make infeasible further mitigation that would avoid or substantially lessen the significant environmental effect, and thus, this would be a significant and unavoidable impact.

**Facts in Support of Finding**

City of Davis has adopted and will implement the following mitigation measures that that will reduce traffic impacts to local roadway segments. The effectiveness of the mitigation measures cannot be assured of reducing the projected volumes on the affected roadways to a level that reduces volumes at or below the affected roadways' capacities, thus the project remains cumulatively considerable, and impacts would be significant and unavoidable.

**Mitigation Measure 5.14-2**

The applicant shall contribute appropriate fees for the implementation of travel route management strategies, including changeable message signs with route delay information and downtown parking capacity information, signal coordination and timing plans, and other roadway network management strategies, as appropriate, to efficiently manage the capacities of the various roadways serving as the primary travel corridors in Davis.

This project is not currently included in the City's transportation development fee program. The project applicant shall fund a City-administered engineering analysis to determine a probable estimate of costs and a fair share of the improvements. The City of Davis shall include the project in the development fee program. The City, in cooperation with UC Davis, shall implement information systems in South Davis, Downtown Davis, and on the UC Davis campus that inform motorists when Richards Boulevard, between First Street and Research Park Drive, is heavily congested and encourage the use of alternate routes – particularly for through traffic without a destination in Downtown Davis. The information systems shall include vehicle detection equipment at key points on Richards Boulevard in the I-80 interchange and changeable message signs (CMS) with route delay information and downtown parking capacity information. Alternate interchange access points include the I-80/Old Davis Road interchange for campus traffic and the I-80/Mace Boulevard interchange for South Davis traffic.

**Cumulatively Significant Effect: 5.3.15 Impacts to wastewater treatment facilities**

Because adequate treatment capacity may not be available to treat wastewater flows from cumulative development, a significant cumulative wastewater treatment impact could occur. Though the project itself would not require new or expanded facilities, the combination of the project with other contemplated development may require the expansion of existing wastewater treatment facilities.

**Finding**

Changes or alterations have been required in, or incorporated into, the project by the City of Davis that mitigate or avoid the significant effects on the environment.

**Item 6-ATT D****Facts in Support of Finding**

The City of Davis has adopted and will implement the following mitigation measures that will reduce impacts associated with wastewater infrastructure to less-than-significant levels.

**Mitigation Measure 5.15-1**

Prior to approval of improvement plans for each phase of development, the applicant shall provide funding for the City to perform a WWTP analysis to identify the then-current City of Davis WWTP BOD loading capacity. If the WWTP analysis determines that adequate BOD loading capacity exists at the WWTP to serve the project, further action is not required for the phase under review. If the analysis finds that the WWTP BOD loading capacity is not sufficient to serve the particular development phase under review, that phase of development shall not be approved until a plan, for financing and constructing additional BOD loading capacity improvements has been prepared and approved; the additional BOD loading capacity improvements have been constructed; and the City Engineer has verified that sufficient capacity exists to serve said phase.

**Mitigation Monitoring and Reporting Program**

CEQA and the CEQA Guidelines (PRC Section 21081.6 and CCR Sections 15091[d] and 15097) require public agencies “to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment.” A MMRP is required for the proposed project because the EIR identifies potential significant adverse impacts related to the project implementation, and mitigation measures have been identified to reduce those impacts. The amended MMRP is attached hereto as Attachment A.

## 2 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. The City of Davis approved the Nishi Gateway project despite certain significant unavoidable adverse impacts identified in the Nishi Gateway Project EIR. As explained below, the City Council concludes that the modified Nishi Residential Development Project will have several of the same benefits as the Nishi Gateway Project and that these benefits outweigh the significant unavoidable adverse impacts that the Nishi Gateway Project would have caused and that the Nishi Residential Development Project will also cause.

The entire EIR includes: (1) the Draft EIR and appendices, (2) the Final EIR, which includes responses to comments, corrections and revisions to the Draft EIR, and (3) the Addendum to the EIR, and two appendices. The City of Davis published the Final EIR on the Nishi Gateway Project on December 16, 2015 and certified it on February 16, 2016. The Addendum to the EIR was published in January 2018.

### 2.1 SIGNIFICANT UNAVOIDABLE IMPACTS OF THE PROJECT

The EIR identified significant and potentially significant but mitigable impacts to the following environmental resources at the Nishi Gateway project site: aesthetic and visual resources (Nishi Site); air quality (Nishi Site); biological resources (Nishi Site and West Olive Drive); cultural resources (Nishi Site and West Olive Drive); greenhouse gas emissions, climate change and energy (Nishi Site); hazards and hazardous materials (Nishi Site and West Olive Drive); hydrology and water quality (Nishi Site); noise and vibration (Nishi Site); transportation and circulation (Nishi Site and West Olive Drive); and utilities (Nishi Site and cumulative). Mitigation measures are available to reduce each of these impacts to a less-than-significant level, and City of Davis has adopted such measures.

The EIR also identified significant and unavoidable impacts at the Nishi project site related to agriculture and forest resources (Nishi Site and cumulative); air quality (Nishi Site); greenhouse gas emissions, climate change and energy (Nishi Site, West Olive Drive, and cumulative); noise and vibration (Nishi Site); and transportation and circulation (Nishi Site, West Olive Drive, and cumulative).

### 2.2 BENEFITS OF THE PROJECT

#### 2.2.1 Meeting Projected Housing Demands

The project would assist the City of Davis and UC Davis in meeting projected housing demands. UC Davis is in the process of updating its Long Range Development Plan (LRDP). UC Davis is anticipating enrollment growth of approximately 5,000 undergraduate students, 2,000 graduate students, and corresponding faculty and staff during the next 10 to 15 years. Housing unit growth in the City of Davis has slowed substantially in the last decade, while persons per household has slightly increased.

Up to 700 residential rental units would be constructed on 27.9 acres, including up to 37 buildings with a total of up to 700 rental units and a total capacity of up to 2,200 occupants. The units would likely serve as student housing because of proximity to campus & limited parking. Both the Addendum and the EIR assumed that 85 percent of the rental units would be occupied by students. Affordable housing will be provided per the City of Davis affordable housing ordinance.

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The student-oriented housing provided by the Nishi Residential Development Project would assist the City in meeting projected future housing demands, especially if, as seems likely, UC Davis increases enrollment.

## 2.2.2 Access Improvements

The proposed circulation network for the project would include a primary central roadway down the center and around the northern portion of the site and interconnected pedestrian and bicycle paths throughout the development to promote multimodal transportation choices.

Two access scenarios were evaluated in the certified EIR. Under Access Scenario 1, a new potential connection between a new east-west street on the Nishi Property and Old Davis Road on the UC Davis campus would be constructed. This connection would involve crossing the existing UPRR line. A subterranean undercrossing with a temporary shoe-fly is proposed to prevent potential at-grade crossing conflicts between existing rail operations and vehicles (including double-decker buses), bicycles, and pedestrians. The approach for the undercrossing descent would begin approximately 250 feet in either direction from the existing UPRR line; this will be confirmed through future engineering and design. UPRR, UC Davis, and California Public Utilities Commission approval would be required before implementing such an undercrossing. High-quality pedestrian and bicycle access would be provided in both directions along this connection, as noted above. Access Scenario 1 also included full vehicular access from Olive Drive to the Nishi site. The proposed Nishi Residential Development Project includes the connection to UC Davis evaluated in Access Scenario 1, but vehicular access to Olive Drive would be limited to emergency vehicles and perhaps buses. The proposed connection to Old Davis Road would involve approval by UC Davis. Access Scenario 2, as evaluated in the certified EIR, would have involved open access to the site from Olive Drive. This is no longer proposed. Instead, the project would include primary access via the UPRR undercrossing to campus and Old Davis Road, with emergency vehicle access from Olive Drive.

The circulation framework would integrate various transportation demand management strategies that reduce vehicle miles traveled from single-occupant automobile trips, such as:

- ▲ provide safe, covered bicycle parking areas near building entrances for visitors and inside buildings for residents and employees;
- ▲ provide pedestrian and bicycle amenities (including showers, rentals, repairs) within R&D structures at the site;
- ▲ provide transit passes and rideshare programs for employees;
- ▲ integrate parking management techniques to reduce the number of car spaces required per building;
- ▲ design and incorporate traffic-calming features within the development; and
- ▲ encourage flexible work scheduling to minimize peak-hour traffic.

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

The project site is near public transit stops for the Yolo Bus, Unitrans, and Amtrak systems, serving Davis and the surrounding area. Adjacent bus stops are located north of the project site at the intersection of 1<sup>st</sup> and D Streets. Bus stops are also located on Richards Boulevard near the Olive Drive intersection.

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If bus access is permitted from Olive Drive, the proposed circulation network for the revised project would allow Unitrans to modify routes for buses that connect with South Davis to travel through the Nishi site to access Richards Boulevard via West Olive Drive. These buses currently use 1<sup>st</sup> Street and Richards Boulevard. Unitrans would be able to use higher capacity double-decker buses to serve South Davis. These buses are unable to travel through the Richards underpass due to vertical clearance limitations but would be able to travel through the new underpass constructed by the proposed Residential Development Project. For the Nishi Gateway Project EIR in 2015, Unitrans staff indicated they would realign Route M or W through the Nishi site with a stop at a central location under the two-access scenario. Subsequent discussions with Unitrans staff indicated that they would be more likely to realign Route W, as it connects to the Silo bus terminal on campus, and a realignment of Route W through the Nishi site would be more efficient. Route W provides service every 25 to 30 minutes during weekday AM and PM peak hours, with a total of four buses traveling in each direction along 1<sup>st</sup> Street and Richards Boulevard. Route M would remain on its current route, with stops on 1<sup>st</sup> Street, through the Davis Core Area.

The proposed circulation network would have a primary central roadway and interconnected pedestrian and bicycle paths throughout the development to promote multimodal transportation choices. In addition to the new multimodal connections from Olive Drive and Old Davis Road, bicyclists and pedestrians would continue to have access to the site from the Putah Creek Parkway and its connections under Interstate 80 and the railroad tracks.

### 2.2.3 Sustainable Development

In 2014, the City was awarded a grant from the Strategic Growth Council (SGC) to assist the City and project applicant with the planning and design of the Nishi Gateway Project with a focus on sustainability and green development. As part of the SGC grant, the City and the applicant prepared technical studies and a sustainability implementation plan that was incorporated into the project and strives to provide a more sustainable development and model for future development within the City and the region. To that end, the City has incorporated the technical studies and analysis into the Final EIR where appropriate, and the implementing actions included as part of the sustainability implementation plan have been included either as intrinsic project features (e.g., on-site structures would exceed 2013 Title 24 standards by 30 percent; rooftop and surface-parking solar facilities), because of their connection to and influence on overall project design, or as mitigation measures (e.g., traffic management plans, including educational and incentive programs for alternative transportation). The Nishi Residential Development Project will generate substantially fewer traffic trips than the Nishi Gateway Project would have, potentially reducing GHG emissions generated within the City. The Residential Development Project, like the Gateway Project, will include sustainable design and energy-efficiency features such as rooftop solar, urban green space and additional urban forest, among others, that may assist the City in meeting its long-term carbon emission goals.

## CONCLUSION

Having reduced the effects of the project by adopting all feasible mitigation measures, and balanced the benefits of the project against the project's significant and unavoidable adverse environmental impacts, the City of Davis hereby determines that the specific overriding housing, economic, transportation access, sustainability, or other benefits of the modified project set forth above continue to outweigh the potential unavoidable adverse effects of the project on the environment. The City of Davis finds that each of the overriding considerations set forth above constitutes a separate and independent basis for finding that the benefits of the project outweigh the unavoidable adverse environmental effects, and warrants approval of the project.

**LAFCO**

**Meeting Date:** 03/28/2024

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**Information**

**SUBJECT**

Consider **Resolution 2024-06** adopting Findings as a Responsible Agency for the Environmental Impact Report (EIR), Findings of Fact, and Statement of Overriding Considerations for the Woodland Research and Technology Park, and **Resolution 2024-07** approving the Woodland Research and Technology Park Reorganization to the City of Woodland (LAFCo No. 23-07) and Waiving Protest Proceedings

**RECOMMENDED ACTION**

1. Receive staff presentation and open the Public Hearing for public comments on this item.
2. Close the Public Hearing and consider the information presented in the staff report and during the Public Hearing.
3. Consider the Environmental Impact Report (EIR), Findings of Fact, and Statement of Overriding Considerations for the Woodland Research and Technology Park and approve Resolution 2024-06 adopting findings as a Responsible Agency in accordance with the California Environmental Quality Act (CEQA).
4. Adopt Resolution 2024-07 approving the Woodland Research and Technology Park Reorganization to the City of Woodland (LAFCo No. 23-07) and Waiving Protest Proceedings.

**FISCAL IMPACT**

No fiscal impact. The proposal applicant submitted a deposit and is required to reimburse LAFCo for all processing costs.

**REASONS FOR RECOMMENDED ACTION**

Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission. Government Code Section 56021 defines "changes of organization" to include annexation to a city and detachment of a special district, among other actions.

On September 5, 2023, the City of Woodland approved the Woodland Research and Technology Park Project and adopted Resolution No. 8150 initiating the application with Yolo LAFCo. The proposal application was completed on January 31, 2024, and routed for agency review. The subject parcel is included within the Sphere of Influence for the City of Woodland as approved by the Yolo LAFCo.

The reorganization proposal was considered and analyzed in accordance with the required factors listed in Government Code Section 56668 and Yolo LAFCo Standards of Evaluation for proposals (Yolo LAFCo Project Policies Section 2.0). The reorganization is eligible for approval without notice and a waiver of protest proceedings because the owners of land within the affected territory have given their written consent to that reorganization, and no subject agency has submitted written opposition to a waiver of protest proceedings.

**BACKGROUND**

**Project Description**

The project site consists of approximately 363.11 acres located adjacent to the southern portion of the City between State Route 113 and the Springlake residential community within the City of Woodland sphere of influence (SOI) of unincorporated Yolo County. The project site is bounded by existing residential development to the north and east, State Route 113 to the west, and active agricultural land to the south. The project site is mostly undeveloped and actively farmed, except for one residence, barn, and shop building.

The City of Woodland approval changed the general plan land use designation from Agriculture to Specific Plan 1A - Woodland Research and Technology Park. Correspondingly, the parcel has also been pre-zoned to a mix of residential, mixed use, commercial, research & technology park, and open space districts consistent with the



Specific Plan. The project includes development of approximately 1,600 new dwelling units, 2.2 million square feet of non-residential building space, and 17.6 acres of parks and other types of open space.

### **Factors to be Considered**

In accordance with Government Code Section 56668, the factors to be considered in the review of a proposal shall include, but is not limited to, all of the following:

1. Population, land use, natural boundaries, proximity to other populated areas, and likelihood of significant growth in the area during the next 10 years;
2. The need for organized community services, the adequacy of governmental services and controls in the area, the probable effect of annexation and alternative courses of action;
3. The effect of the proposed action (and alternative actions) on the adjacent areas, social and economic interests and local governmental structure of the county;
4. The conformity of the proposal and its effects with adopted commission policies on providing planned, orderly and efficient patterns of urban development;
5. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands;
6. The definiteness of the boundaries with parcel lines and the creation of any "islands" or corridors of unincorporated territory;
7. A regional transportation plan;
8. The proposal's consistency with city or county general and specific plans;
9. The sphere of influence of any applicable local agency;
10. The ability of the receiving entity to provide services and the sufficiency of revenue for those services;
11. Availability of water supplies;
12. The extent to which the proposal will affect a city in achieving its regional housing needs as determined by its council of governments;
13. Any information or comments from landowners, voters or residents of the affected territory;
14. Any information relating to existing land use designations;
15. The extent to which the proposal will promote environmental justice, meaning the fair treatment of people of all races, cultures and incomes with respect to the provision of public services; and
16. Any local hazard plan or safety element of a general plan that identifies land as a very high fire hazard zone.

Yolo LAFCo's local standards of evaluation for proposals (Section 2.0) elaborates on these state-mandated factors with the following additional standards:

1. Favoring municipal services by cities in urbanized areas rather than the County or special districts;
2. Consider not only present service needs of the area under consideration, but shall also consider future services which may be required to take care of future growth or expansion;
3. Requiring a service plan that describes the extension, financing and timing of services;
4. SACOG's regional housing needs for the agency, recent update (and certification) of the agency's housing element, whether the agency's inclusionary housing ordinance complies with SACOG's Affordable Housing Compact, the degree to which the proposal meets the agency's "low income" and "very low income" housing targets, and the extent to which the proposal advances or inhibits the agency's housing element; and
5. Consistency with the Agricultural Conservation Policy.

### **Analysis**

The proposed annexation area is within the City's SOI and is a logical and orderly extension of the City's urban area. The City has the capacity and is the appropriate agency to provide urban services for the proposed development. The subject territory is mostly surrounded by existing city jurisdiction and the proposal does not create any "islands" or corridors of unincorporated territory. The project is consistent with the regional growth projections prepared by the Sacramento Area Council of Governments (SACOG) and is consistent with the City's General Plan land use designations. The City of Woodland has pre-zoned the territory consistent with its General Plan.

LAFCo Policy No. 4.4 requires LAFCo to review projects based on a number of considerations to promote the Yolo LAFCo's Agricultural Conservation Policy's goal that "boundary changes for urban development should only be proposed, evaluated, and approved in a manner which, to the fullest extent feasible, is consistent with the continuing growth and vitality of agriculture within the county." The project site is undeveloped and is actively used for agricultural uses. Future development of the Project would result in the conversion of approximately 346 acres of Prime Farmland to new urban development, and the off-site South Regional Pond would convert 4 acres of Prime Farmland to a detention basin. The proposed project is within the City's SOI and its impacts were included as part of the cumulative analysis contained in the City's 2035 General Plan and Climate Action Plan Environmental Impact Report, which LAFCo relied upon when adopting the City's SOI Update. There are no substantial changes to environmental conditions, regulatory updates, or that the proposal requires additional cumulative analysis or mitigation.



Because the project would result in the conversion of active agricultural land to urban use, this is a significant impact. Multiple policies are identified in the 2035 General Plan to manage agricultural land conversion, including an urban limit line that is designed to protect agricultural land surrounding the city limits, which would reduce the potential impact associated with conversion of agricultural land. The 2035 General Plan also requires mitigation for lost farmland within the urban limit line at a rate of one acre of permanently conserved farmland for every acre converted to urban development or non-agricultural uses.

Although the project is required to mitigate to the extent feasible, the City has adopted a Statement of Overriding Considerations as the impact remains significant and unavoidable. The subject property is surrounded by existing city development, State Route 113, and the City's voter-adopted urban limit line and, therefore, will not be growth inducing. Therefore, the proposal is consistent with Yolo LAFCo's Agricultural Conservation Policy.

The City's EIR analyzed the capacity and availability of public services and utilities and concluded that the City has the capacity to serve the project. The territory is intended to be developed with approximately 1,600 new dwelling units, 2.2 million square feet of non-residential building space, and 17.6 acres of parks and other types of open space. The Project will help the City in achieving its regional housing needs. The City's Specific Plan and Development Agreement commits at least 279 units will be developed at 30 dwelling units to the acre or higher to qualify for the "extremely low, very low, and low income" income category. The remaining housing units will help the City meet its needs in the moderate and above moderate income categories. The proposed boundary does not exclude any existing communities that should be provided equal access to municipal services. The proposal area is not identified as a "very high fire hazard zone." Finally, the City and County have approved a property tax exchange agreement.

For all these reasons, staff recommends that the reorganization proposal complies with required state factors and local standards of evaluation.

### **Correspondence**

The Yolo County Department of Community Services submitted a letter seeking delineation of agency responsibilities and jurisdiction related to: (1) An offsite drainage pond required by the City's Drainage Master Plan and triggered by this project, but is located in the adjacent unincorporated area; and (2) The Proposal area includes two parcels where only a portion are being reorganized into the City (future parcel maps will create a more definite parcel line along the annexation boundary). The City of Woodland has agreed to these items, and they have been memorialized as conditions of approval in the resolution as they pertain to clarifying agency responsibilities with the reorganization. LAFCo corresponded with City staff via email regarding its Regional Housing Needs Allocation. In addition, the Auditor's Office submitted its required response indicating a new tax rate area (TRA) will be required for the subject territory and lists the agencies and amount of the 1% tax rate before and after reorganization.

### **Action Without Notice and Waiver of Protest Proceedings**

The application includes written consent signed by all the landowners that represent 100% of the affected territory. Notice was provided to all landowners within the project territory plus a 300' radius and all registered voters, as well as to all affected agencies, and no written opposition has been received. The notice includes the Commission's intent to waive protest and election proceedings, as provided in Government Code section 56662.

### **CEQA**

The reorganization is a discretionary action subject to CEQA. On September 5, 2023, the Woodland City Council adopted Resolution No. 8147 certifying the environmental impact report (EIR) for the Woodland Research and Technology Park Specific Plan Project, and adopting Findings of Fact, Mitigation Monitoring and Reporting Program (MMRP), and Statement of Overriding Considerations which analyzes and discloses the significant environmental effects associated with development in the proposal area. LAFCo is considered a "responsible agency" under CEQA, which means a public agency, other than the "lead agency" (i.e. the City), which has responsibility for carrying out or approving a project. In other words, LAFCo approval (i.e. the annexation) is required for the City to carry out development under its project approval. Pursuant to Government Code Section 15096, LAFCo as a responsible agency complies with CEQA by considering the EIR prepared by the City and reaching its own conclusions on whether and how to approve the annexation. LAFCo is required to make findings for each significant environmental effect of the project. CEQA requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the benefits outweigh the adverse effects, they may be considered "acceptable". The City's EIR identified significant and unavoidable impacts at the project site related to aesthetics, agricultural resources, and air quality. The City's EIR and associated documents have not all been attached due to size considerations, but can be found here: <https://www.cityofwoodland.gov/585/Documents>. Staff provided comments to the Notice of Preparation to ensure the EIR is consistent with LAFCo policy.

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### Attachments

ATT A-Reso 2024-06 Adopting CEQA Findings for Woodland Research and Tech Park Reorg to City of Woodland

ATT B-Reso 2024-07 Approving WRTP Reorg to the City of Woodlands LAFCo 23-07 03.28.2024

ATT C-Correspondence LAFCo 23-07

ATT D-WRTP SP EIR Findings of Fact and Statement of Overriding Considerations

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### Form Review

**Inbox**

Christine Crawford (Originator)

Christine Crawford (Originator)

Christine Crawford (Originator)

Form Started By: Christine Crawford

Final Approval Date: 03/18/2024

**Reviewed By**

Christine Crawford

Christine Crawford

Christine Crawford

**Date**

03/15/2024 02:12 PM

03/18/2024 01:27 PM

03/18/2024 01:38 PM

Started On: 03/13/2024 02:03 PM

**YOLO LOCAL AGENCY FORMATION COMMISSION**

**Resolution № 2024-06**

**Adopting Findings as a Responsible Agency for the Environmental Impact Report (EIR) and Statement of Overriding Considerations for the Woodland Research and Technology Park Specific Plan Project (SCH# 2017062042)**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, set forth in Government Code Sections 56000 et seq., governs the organization and reorganization of cities and special districts by local agency formation commissions (LAFCo) established in each county (unless otherwise indicated all statutory references are to the Government Code); and

**WHEREAS**, Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission; and

**WHEREAS**, Government Code Section 56021 defines "changes of organization" to include annexation to a city and detachment of the special district, among other actions; and

**WHEREAS**, on September 5, 2023, the Woodland City Council adopted Resolution No. 8147 certifying the environmental impact report (EIR) for the Woodland Research and Technology Park Specific Plan, and adopting Findings of Fact, Mitigation Monitoring and Reporting Program (MMRP), and Statement of Overriding Considerations; and,

**WHEREAS**, on September 5, 2023, the City of Woodland also approved the Woodland Research and Technology Park Specific Plan; and

**WHEREAS**, the City of Woodland submitted an application to Yolo LAFCo on January 31, 2024, to annex the subject area into the City of Woodland and concurrently detach it from the Springlake Fire Protection District (the "proposal"); and,

**WHEREAS**, the subject area is included within the Sphere of Influence for the City of Woodland as approved by Yolo LAFCo; and

**WHEREAS**, LAFCo staff has reviewed the proposal pursuant to the California Environmental Quality Act (CEQA) as a "Project" per CEQA Guidelines Section 21065 because it is an activity which may cause a direct or indirect physical change to the environment; and

**WHEREAS**, the environmental effects of the proposal are included and considered in the Final EIR (including the Draft EIR, Response to Comments on the Draft EIR, Errata to the Draft EIR, and MMRP) as certified by the City of Woodland as the Lead Agency; and

**WHEREAS**, Yolo LAFCo has limited approval and implementing authority over the Project and thus served as a responsible agency pursuant to the requirements of CEQA; and

**WHEREAS**, Yolo LAFCo complied with CEQA as a responsible agency by responding to the Notice of Preparation from the Lead Agency for the Project and reviewed the Draft Environmental Impact Report regarding issues germane to LAFCo's statutory responsibilities; and

**WHEREAS**, CEQA requires a Responsible Agency to accept an EIR as prepared by the Lead Agency and to treat the document as being legally adequate absent specified circumstances not present herein, and to make findings required by CEQA Guidelines Section 15096.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** that the Yolo Local Agency Formation Commission hereby adopts Resolution 2024-06 as follows:

1. Yolo LAFCo adopts and incorporates herein as true and accurate all of the statements and recitals set forth in the preceding portions of this resolution and the entirety of the EIR's Findings of Fact and Statement of Overriding Considerations as adopted by the City of Woodland, which is part of the Commission's administrative record.
2. Yolo LAFCo makes the following additional findings, conclusions, and determinations:
  - a. **CEQA Findings--Responsible Agency.** Under CEQA, Yolo LAFCo is considered a Responsible Agency for the EIR. Yolo LAFCo's CEQA review as a Responsible Agency is more limited than a Lead Agency and Yolo LAFCo has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the Project which it carries out, finances, or approves. Yolo LAFCo's use of the EIR is limited to the annexation of the subject parcel by the City of Woodland and detachment from the Springlake Fire Protection District. Pursuant to CEQA Guidelines section 15096, Yolo LAFCo has considered the EIR prepared by the City of Woodland and has determined that it is acceptable and legally adequate for use by Yolo LAFCo.
  - b. **Findings for Less Than Significant Environmental Impacts.** Various significant and potentially significant environmental impacts have been mitigated to less than significant levels, as set forth in the EIR's Findings of Fact and Statement of Overriding Considerations. With respect to those significant impacts identified in the EIR that require mitigation to be reduced to a less than significant level, LAFCo hereby finds that the measures at issue are within the responsibility and jurisdiction of another public agency and not LAFCo. Such changes either have been adopted by the City or can and should be adopted by other agencies. (Pub. Resources Code, § 21081, subd. (a)(2).)
  - c. **Findings for Significant and Unavoidable Impacts.** Certain significant environmental impacts are unavoidable as set forth in the EIR's Findings of Fact and Statement of Overriding Considerations. These impacts were determined by the City of Woodland to be significant and unavoidable. Upon review of the impacts identified by the City as being significant and unavoidable, Yolo LAFCo has determined these impacts will remain significant and unavoidable after approval of the reorganization and that there are no additional feasible mitigation measures that can be legally imposed by Yolo LAFCo. Yolo LAFCo specifically acknowledges these impacts and Yolo LAFCo adopts, to the extent applicable, the discussion of the significant and unavoidable impacts as set forth in the EIR's Findings of Fact and Statement of Overriding Considerations, incorporated herein by reference. With respect to those significant impacts that were subject to mitigation but could still not be reduced to less than significant levels, Yolo LAFCo hereby finds that the measures at issue are within the responsibility and jurisdiction of another public agency and not LAFCo. Such changes either have been adopted

by the City or can and should be adopted by other agencies. (Pub. Resources Code, § 21081, subd. (a)(2).)

- d. **Findings for Project Alternatives.** Project alternatives are discussed at length within the EIR. The alternatives set forth in the EIR were relevant to the City's consideration of the Project, in that the different options presented different permutations of development. Since the Woodland City Council has already rejected these alternatives as infeasible in detailed findings, Yolo LAFCo is not able to impose a different version of the development on the City, given its lack of direct authority over land use under the Cortese-Knox-Hertzberg Act. LAFCo's role is to determine the plan for future development and, if appropriate, annex territory to the City in accordance with its sphere of influence consistent with LAFCo's policies and the Cortese-Knox-Hertzberg Act. Although LAFCo has reviewed the City's findings for the Project alternatives, LAFCo declines to make separate findings regarding alternatives rejected by the City or to otherwise entertain alternatives over which it has no jurisdiction. For reasons set forth in the CEQA Findings of Fact and Statement of Overriding Considerations, the Woodland City Council rejected the alternatives set forth in the EIR as being infeasible or unacceptable for various reasons. The Commission finds these reasons acceptable and adopts them as its own to the extent that its statutory authority allows it to consider concerns such as those weighed by the Woodland City Council in approving the Project and rejecting alternatives. With respect to the alternatives rejected as infeasible by the City, LAFCo hereby finds that specific economic, legal, social, technological, or other considerations make infeasible the alternatives identified in the EIR. (Pub. Resources Code, § 21081, subd. (a)(3).)
  - e. **Statement of Overriding Considerations.** As set forth in the preceding sections, Yolo LAFCo's approval of the reorganization will result in impacts that remain significant and unavoidable. The City balanced the benefits of the Project against its significant and unavoidable environmental impacts and determined that the benefits of the Project outweigh its unavoidable adverse environmental impacts. Similarly, Yolo LAFCo also approves the reorganization because the substantial economic, social, legal, technological, and other benefits that the Project will produce render the significant effects acceptable. This determination is based on the EIR and other information in the record. In light of the foregoing economic, social, recreational, and planning benefits provided by the Project, pursuant to CEQA Guidelines section 15093, the Commission finds and determines that these considerable benefits of the reorganization outweigh the adverse effects that are unavoidable or that cannot be mitigated to a level of environmental insignificance are deemed acceptable.
  - f. **Mitigation Monitoring Plan.** Yolo LAFCo is aware of the Mitigation Monitoring Plan adopted by the City to ensure implementation of the above-mentioned mitigation measures, as well as all others within the City's control. The Mitigation Monitoring Plan is incorporated by reference herein. Since the EIR did not recommend or identify any mitigation measures that should be implemented by Yolo LAFCo, the Commission has no need to formally adopt any of its own mitigation measures or any separate mitigation monitoring plan or program.
3. The Executive Officer is directed to file a Notice of Determination with the County Clerk for Yolo County within five (5) days of the adoption of this resolution.

**PASSED AND ADOPTED** by the Yolo Local Agency Formation Commission, State of California, this 28th day of March 2024, by the following vote:

Ayes:

Noes:

Abstentions:

Absent:

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Olin Woods, Chair  
Yolo Local Agency Formation Commission

Attest:



---

Christine Crawford, Executive Officer  
Yolo Local Agency Formation Commission

Approved as to form:



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Eric May, Commission Counsel

**YOLO LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION № 2024-07**

**Approving The Woodland Research and Technology Park Reorganization to the City of  
Woodland (LAFCo № 23-07) and Waiving Protest Proceedings**

**WHEREAS**, on January 31, 2024, the City of Woodland submitted an application to the Yolo Local Agency Formation Commission (LAFCo) for a reorganization of a 363.11 +/- acre area south of the City of Woodland; and

**WHEREAS**, the application includes an annexation of Assessor's Parcel Numbers (APNs) 041-020-010, 041-020-017, 041-020-030 (portion), 041-020-031, 041-020-042 (portion), 041-020-043, and 041-080-022 (collectively, subject territory) to the City of Woodland (City) and a concurrent detachment of the subject territory from the Springlake Fire Protection District (the proposal); and

**WHEREAS**, the application was initiated via City Resolution No. 8150 adopted on September 5, 2023, pursuant to Section 56654 of the Government Code; and

**WHEREAS**, the proposal is subject to a negotiated property tax exchange per Revenue and Taxation Code Section 99 which was approved by the Yolo County Board of Supervisors (Agreement No. 18-44) and the City of Woodland (Agreement No. 18-01), effective February 20, 2018; and

**WHEREAS**, the proposal application was routed to all subject, affected, and interested agencies on January 31, 2024 and public notices were mailed to all landowners and registered voters within 300 feet and published in the Woodland Democrat on March 6, 2024; and

**WHEREAS**, the subject territory is within the City's Sphere of Influence adopted by Yolo LAFCo on December 6, 2018; and

**WHEREAS**, the proposal was analyzed in accordance with all applicable sections of the Cortese-Knox-Hertzberg Act, Yolo LAFCo Standards of Evaluation and Agricultural Policy, and all other matters presented as prescribed by law; and

**WHEREAS**, the Executive Officer reviewed the proposal and prepared and filed a report with recommendations with this Commission at least five (5) days prior to the date of the March 28, 2024, meeting during which the proposal was set to be considered; and

**WHEREAS**, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony, protests, objections, and any other information concerning the proposal and all related matters; and

**WHEREAS**, at said meeting, the Commission reviewed and considered the California Environmental Quality Act (CEQA) documentation, public comment, and the Executive Officer's Report including all the information, recommendations, findings, and conditions contained therein.

**NOW, THEREFORE, BE IT RESOLVED** that the Yolo Local Agency Formation Commission approves, without further notice or hearing, the Woodland Research and Technology Park Reorganization to the City of Woodland (LAFCo No. 23-07), consisting of (1) annexation to the City; and (2) concurrent detachment from the Springlake Fire Protection District of APNs 041-020-010, 041-020-017, 041-020-030 (portion), 041-020-031, 041-020-042 (portion), 041-020-043, and 041-080-022,



as illustrated and described in Exhibit A, and waiving protest proceedings, subject to the following findings and conditions of approval.

### **Findings for Approval of the Reorganization**

1. **Finding:** The reorganization proposal was considered and analyzed in accordance with the required factors listed in Government Code Section 56668 and Yolo LAFCo Standards of Evaluation for proposals (Yolo LAFCo Project Policies Section 2.0).

**Evidence:** The proposed annexation area is within the City's sphere of influence (SOI) and is a logical and orderly extension of the City's urban area. The City has the capacity and is the appropriate agency to provide urban services for the proposed development. The subject territory is mostly surrounded by existing city jurisdiction and the proposal does not create any "islands" or corridors of unincorporated territory. The proposal is consistent with the regional growth projections prepared by the Sacramento Area Council of Governments (SACOG) and is consistent with the City's General Plan land use designations. The City of Woodland has pre-zoned the territory consistent with its General Plan.

LAFCo Policy No. 4.4 requires LAFCo to review proposals based on a number of considerations to promote the Yolo LAFCo's Agricultural Conservation Policy's goal that "boundary changes for urban development should only be proposed, evaluated, and approved in a manner which, to the fullest extent feasible, is consistent with the continuing growth and vitality of agriculture within the county." The project site is undeveloped and is actively used for agricultural uses. Future development of the Project would result in conversion of approximately 346 acres of Prime Farmland to new urban development, and the off-site South Regional Pond would convert 4 acres of Prime Farmland to a detention basin. The proposed project is within the City's SOI and impacts were included as part of the cumulative analysis contained in the City's 2035 General Plan and Climate Action Plan Environmental Impact Report, which LAFCo relied upon when adopting the City's SOI Update. There are no substantial changes to environmental conditions, regulatory updates, or the project that require additional cumulative analysis or mitigation.

Because the project would result in the conversion of active agricultural land to urban uses, this is a significant impact. Multiple policies are identified in the 2035 General Plan to manage agricultural land conversion, including an urban limit line that is designed to protect agricultural land surrounding the city limits, which would reduce the potential impact associated with conversion of agricultural land. The 2035 General Plan also requires mitigation for lost farmland within the urban limit line at a rate of one acre of permanently conserved farmland for every acre converted to urban development or non-agricultural uses.

Although the project is required to mitigate to the extent feasible, the City has adopted a Statement of Overriding Considerations as the impact to agriculture remains significant and unavoidable. The subject property is surrounded by existing City development, State Route 113, and the City's voter-adopted urban limit line and, therefore, will not be growth inducing. Therefore, the proposal is consistent with Yolo LAFCo's Agricultural Conservation Policy.

The City's EIR analyzed the capacity and availability of public services and utilities and concluded that the City has the capacity to serve the project. The territory is intended to be developed with approximately 1,600 new dwelling units, 2.2 million square feet of non-residential building space, and 17.6 acres of parks and other types of open space. The Project will help the City in achieving its regional housing needs. The City's Specific Plan and Development Agreement commits at least 279 units will be developed at 30 dwelling units to the acre or higher to qualify for the "extremely

low, very low, and low income" income category. The remaining housing units will help the City meet its needs in the moderate and above moderate income categories. The proposed boundary does not exclude any existing communities that should be provided equal access to municipal services. The subject territory is not identified as a "very high fire hazard zone." Finally, the City and County have approved a property tax exchange agreement.

For all these reasons, staff recommends that the proposal complies with required state factors and local standards of evaluation.

**Findings to Waive Protest Proceedings (in accordance with Cortese-Knox-Hertzberg Act, Gov't Code § 56662(d))**

2. **Finding:** The reorganization is eligible for approval without notice and a waiver of protest proceedings because (1) the proposal consists of annexation, detachment, or a combination of both, or formation of a county service area, (2) the territory is uninhabited, (3) the proposal application for reorganization is accompanied by proof, satisfactory to the Commission, that all the owners of land within the affected territory have given their written consent to that reorganization, and (4) no subject agency has submitted written opposition to a waiver of protest proceedings.

**Evidence:** The proposal for reorganization (LAFCo № 23-07) is for annexation of uninhabited territory into the City of Woodland and detachment from the Springlake Fire Protection District. Consent forms were signed and submitted by all the landowners and represents 100% of the affected territory. Notice was provided to all landowners within the subject territory plus a 300' radius and all registered voters, as well as to all affected agencies, and no written opposition has been received. The notice includes the Commission's intent to waive protest and election proceedings, as provided in Government Code section 56662(d).

**Conditions of Approval**

1. The applicant and the real party of interest, if different, agree to defend, indemnify, hold harmless and release the Yolo Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against any of them, the purpose of which to attack, set aside, void, or annul the approval of this proposal or adoption of the environmental review which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this proposal, whether or not there is concurrent passive negligence of the part of the Yolo Local Agency Formation Commission its agents, officers, attorney or employees.
2. Approval of the proposal is subject to all appropriate LAFCo, State Board of Equalization, and County Clerk-Recorder fees prior to recording the Certificate of Completion for the Woodland Research and Technology Park Reorganization to the City of Woodland (LAFCo № 23-07).
3. The Executive Officer shall record a Certificate of Completion with the County Recorder following the 30-day reconsideration period, or Monday, April 29, 2024, at the earliest. The effective date of the approval of this reorganization is the date the Certificate of Completion is recorded by the County Recorder.
4. This reorganization memorializes the following delineation of jurisdictional and service-related issues requested by Yolo County and agreed upon by the City of Woodland:

- a) Prior to any ground disturbing activities, such as excavating or grading for the South Drainage Pond on agricultural lands, the City will mitigate at a 3:1 ratio for the converted area via payment of the established in-lieu agricultural mitigation fee, currently set at \$10,100 per acre (County Code Section 8-2.405).
- b) A County grading permit shall be obtained prior to initiating ground disturbing activities to develop the South Drainage Pond.
- c) Confirmation that the duties to maintain and operate the South Drainage Pond will not fall under County authority or responsibility.
- d) Parcel Map(s) may be required to separate the annexed areas from the remainder agricultural lands on APNs: 041-020-030 and 041-020-042 and that this will occur after annexation under City approvals.

**PASSED AND ADOPTED** by the Yolo Local Agency Formation Commission, State of California, this 28th day of March 2024, by the following vote.

AYES:

NOES:

ABSENT:

---

Olin Woods, Chair  
Yolo Local Agency Formation Commission

ATTEST:



---

Christine Crawford, Executive Officer  
Yolo Local Agency Formation Commission

Approved as to form:



---

Eric May, Commission Counsel

**WOODLAND RESEARCH AND TECHNOLOGY PARK  
REORGANIZATION TO THE CITY OF WOODLAND  
(LAFCo No. 23-07) PROPERTY DESCRIPTION:**

THAT CERTAIN PROPERTY WITHIN SECTIONS 4 & 9, TOWNSHIP 9 NORTH, RANGE 2 EAST, N.D.R. & M., ACCORDING TO THE OFFICIAL GOVERNMENT TOWNSHIP PLAT THEREOF, YOLO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 4, THENCE ALONG THE EASTERLY LINE OF SAID SECTION 4 SOUTH 00°52'48" WEST, 50.00 FEET TO A POINT ON THE CITY OF WOODLAND CITY BOUNDARY, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE THE FOLLOWING FIVE (5) COURSES:

- 1) SOUTH 00°52'48" WEST, 2,587.77 FEET ALONG THE EASTERLY BOUNDARY OF SAID SECTION 4 TO THE NORTHERLY BOUNDARY OF SAID SECTION 9;
- 2) THENCE CONTINUING ALONG THE EASTERLY BOUNDARY OF SAID SECTION 9, SOUTH 00°51'17" WEST, 2,676.58 FEET TO A POINT LOCATED 8 FEET SOUTH OF THE SOUTHERLY RIGHT-OF-WAY FOR COUNTY ROAD 25A;
- 3) THENCE ALONG A LINE 8 FEET SOUTH OF SAID SOUTHERLY RIGHT-OF-WAY NORTH 89°37'05" WEST, 1,253.50 FEET;
- 4) THENCE SOUTH 00°22'21" WEST, 1,288.97 FEET;
- 5) THENCE NORTH 89°37'05" WEST, 2,518.04 FEET TO A POINT ON THE STATE HWY 113 SOUTHEASTERLY RIGHT-OF-WAY.

THENCE ALONG SAID STATE HWY 113 RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

- 6) NORTH 23°15'56" EAST, 441.76 FEET;
- 7) THENCE ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 929.95 FEET, A CENTRAL ANGLE OF 27°55'52", AN ARC LENGTH OF 453.34 FEET, AND SUBTENDED BY A CHORD BEARING NORTH 37°13'52" EAST, 448.86 FEET;
- 8) THENCE NORTH 51°14'48" EAST, 525.08 FEET;
- 9) THENCE NORTH 38°21'56" EAST, 126.72 FEET TO A POINT ALONG THE SOUTHERLY BOUNDARY OF SAID STATE HWY 113 RIGHT-OF-WAY.

10) THENCE TRAVERSING THROUGH SAID HWY 113 RIGHT-OF-WAY TO A POINT ON THE NORTHERLY BOUNDARY OF SAID 113 RIGHT-OF-WAY NORTH 16°18'34" EAST, 160.31 FEET;

THENCE ALONG SAID STATE HWY 113 BOUNDARY THE FOLLOWING SEVEN (7) COURSES:

- 11) NORTH 80°17'42" WEST, 86.57 FEET;
- 12) THENCE NORTH 30°49'47" WEST, 174.86 FEET;
- 13) THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 929.95 FEET, A CENTRAL ANGLE OF 29°39'59", AN ARC LENGTH OF 451.19 FEET, A RADIAL BEARING OF NORTH 66°38'34" EAST, AND SUBTENDED BY A CHORD BEARING NORTH 10°04'27" WEST, 427.34 FEET;
- 14) THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2,932.88 FEET, A CENTRAL ANGLE OF 14°07'04", AN ARC LENGTH OF 722.67 FEET, A RADIAL BEARING OF SOUTH 85°17'10" EAST, AND SUBTENDED BY A CHORD BEARING NORTH 10°16'22" EAST, 720.84 FEET;
- 15) THENCE NORTH 17°19'54" EAST, 795.26 FEET;
- 16) THENCE NORTH 18°24'48" EAST, 345.00 FEET TO THE SOUTHERLY BOUNDARY OF SECTION 4;
- 17) THENCE NORTH 18°22'48" EAST, 2,746.25 FEET TO A POINT ON THE CITY OF WOODLAND BOUNDARY.

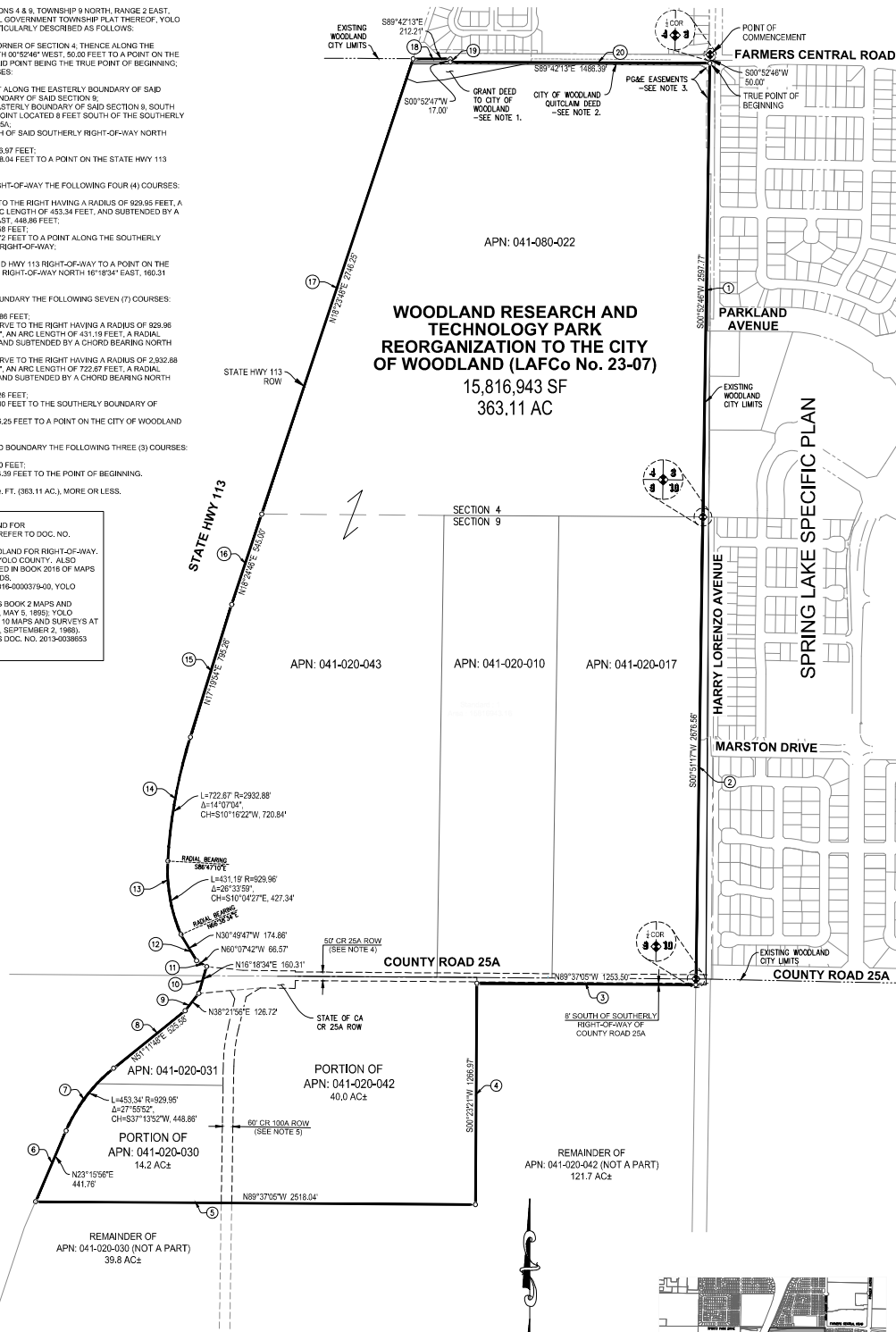
THENCE ALONG SAID CITY OF WOODLAND BOUNDARY THE FOLLOWING THREE (3) COURSES:

- 18) SOUTH 89°42'13" EAST, 212.21 FEET;
- 19) THENCE SOUTH 00°52'48" WEST, 17.00 FEET;
- 20) THENCE SOUTH 89°42'13" EAST, 1,486.39 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 15,816,943 SQ. FT. (363.11 AC.), MORE OR LESS.

**NOTES:**

1. GRANT DEED TO CITY OF WOODLAND FOR PEDESTRIAN/BICYCLE OVERPASS, REFER TO DOC. NO. 2021-0043525, YOLO COUNTY.
2. QUILTCLAND DEED TO CITY OF WOODLAND FOR RIGHT-OF-WAY, REFER TO DOC. NO. 2009-0004734, YOLO COUNTY. ALSO REFER TO RECORD OF SURVEY FILED IN BOOK 2016 OF MAPS AT PAGE 63, YOLO COUNTY RECORDS.
3. POKE EASEMENTS PER DOC. NO. 2016-0000379-00, YOLO COUNTY.
4. REFER TO YOLO COUNTY RECORDS BOOK 2 MAPS AND SURVEYS AT PAGE 2 (A.A. MERRITT, MAY 5, 1988); YOLO COUNTY BOOK OF RECORDS BOOK 10 MAPS AND SURVEYS AT PAGE 27 (YOLO CO. PUBLIC WORKS, SEPTEMBER 2, 1988).
5. REFER TO YOLO COUNTY RECORDS DOC. NO. 2013-0038653 (HEATON AND CHENGMEI).



**ENGINEER'S STATEMENT:**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION FOR THE SOLE PURPOSE OF DEFINING AN ANNEXATION BOUNDARY. IT WAS COMPILED FROM A VARIETY OF RECORD INFORMATION OF UNCERTAIN ACCURACY AND DOES NOT PURPORT TO CORRECTLY REPRESENT LAND TITLE OR OWNERSHIP LINES. DIMENSIONS GIVEN ARE APPROXIMATE ONLY.

Charles W. Cunningham  
CHARLES W. CUNNINGHAM

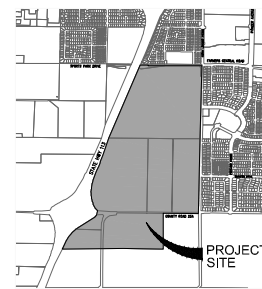


SIGNED: 2/20/2024

**LEGEND:**

- ANNEXATION AREA BOUNDARY
- EXISTING EASEMENT
- EXISTING PROPERTY LINES
- EXISTING ROADWAY
- EXISTING SECTION LINE

300 150 0 300 600  
SCALE: 1" = 300'



VICINITY MAP  
NTS

L.A.F.C.O.

DATE RESOLUTION NO.

**WOODLAND RESEARCH AND TECHNOLOGY PARK  
REORGANIZATION TO THE CITY OF WOODLAND (LAFCo No. 23-07)  
ANNEXATION MAP**

|  |          |    |       |               |                          |    |
|--|----------|----|-------|---------------|--------------------------|----|
|  | DESIGNED | SG | SCALE | 1" = 300'     | REVIEWED                 | 20 |
|  | DRAWN    | LE | DATE  | 02/20/2024    | DIRECTOR OF PUBLIC WORKS |    |
|  | CHECKED  | SG | SHEET | 1 OF 1 SHEETS | RD NO.                   |    |

**EXHIBIT "A"**  
**WOODLAND RESEARCH AND TECHNOLOGY**  
**PARK REORGANIZATION TO THE CITY OF**  
**WOODLAND (LAFCo No. 23-07)**  
**PROPERTY DESCRIPTION**

Page 1 of 2

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- 4) THENCE SOUTH 00°23'21" WEST, 1,266.97 FEET;
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**EXHIBIT "A"**  
**WOODLAND RESEARCH AND TECHNOLOGY**  
**PARK REORGANIZATION TO THE CITY OF**  
**WOODLAND (LAFCo No. 23-07)**  
**PROPERTY DESCRIPTION**

Page 2 of 2

- 12) THENCE NORTH 30°49'47" WEST, 174.86 FEET;
- 13) THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 929.96 FEET, A CENTRAL ANGLE OF 26°33'59", AN ARC LENGTH OF 431.19 FEET, A RADIAL BEARING OF NORTH 66°38'34" EAST, AND SUBTENDED BY A CHORD BEARING NORTH 10°04'27" WEST, 427.34 FEET;
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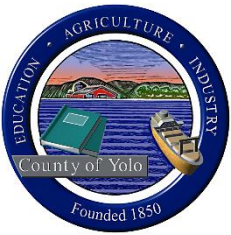
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SAID PROPERTY CONTAINS 15,816,943 SQ. FT. (363.11 AC.), MORE OR LESS.



SIGNED: 2/20/2024



# County of Yolo

## DEPARTMENT OF COMMUNITY SERVICES

Item 7-ATT C  
Leslie Lindbo, DIRECTOR

### **Planning, Building & Public Works**

292 West Beamer Street  
Woodland, CA 95695-2598  
(530) 666-8775  
FAX (530) 666-8156  
[www.yolocounty.org](http://www.yolocounty.org)

### **Environmental Health**

292 West Beamer Street  
Woodland, CA 95695-2598  
(530) 666-8646  
FAX (530) 669-1448  
[www.yolocounty.org](http://www.yolocounty.org)

### **Integrated Waste Management**

44090 CR 28 H  
Woodland, CA 95776  
(530) 666-8852  
FAX (530) 666-8853  
[www.yolocounty.org](http://www.yolocounty.org)

February 29, 2024

### **VIA E-MAIL**

Yolo Local Agency Formation Commission  
Attn: Christine Crawford, Executive Director  
[christine.crawford@yolocounty.org](mailto:christine.crawford@yolocounty.org)

Dear Ms. Crawford:

The County of Yolo appreciates the opportunity to review the City of Woodland's request to annex the Woodland Research and Technology Park project site (LAFCo No. 23-07) and offers the following comments.

The project, known as Woodland Research and Technology Park or WRTP, will occupy approximately 363.11 acres on multiple Assessor's Parcels located southwest of Farmers Central and Harry Lorenzo Avenue and east of the State Route (SR) 113 and County Road (CR) 25A interchange. The WRTP area is designated in the City's 2035 General Plan as a Specific Plan growth area that envisions a mixed-use community anchored by a technology and innovation campus. The project site is currently designated by the Yolo County General Plan as Agriculture and most of the land has historically been farmed in rotating crops, with almond orchards extending south of CR 25A.

While the majority of the project area is proposed for annexation, a portion of the project's stormwater management system is proposed to remain in the unincorporated area on an agricultural parcel currently planted in almonds (portion of APN: 041-020-042). To address the 100-year storm, the proposed drainage and stormwater system will incorporate an approximately 4.5-acre drainage pond, known as the South Regional Pond, that will be located on the south side of CR 25A, east of SR 113 and the annexation area. Based on an updated Memo prepared by Cunningham Engineering for the project (July 2023), acquisition of the South Drainage Pond will be required, but it is unclear if operations and maintenance of the pond will be the responsibility of the City or future Community Facility District.

County staff engaged early with the City to discuss these offsite drainage improvements and understood they were proposed to not only address project-specific stormwater management, but would be developed to achieve long-term regional drainage solutions. The County also understood that the City agreed to compensate for the loss of agricultural land in compliance with the County's Agricultural Conservation and Mitigation Program, which requires a mitigation ratio of 3:1 per converted acre (Yolo County Code Section 8-2.404). Additionally, all permitting for offsite improvements would fall under the County's jurisdiction.

Thus, in light of these offsite improvements and prior to annexation, the County respectfully requests assurances for the following:

- Prior to any ground disturbing activities, such as excavating or grading for the South Drainage Pond, the City will mitigate at a 3:1 ratio for the converted area via payment of the established



Christine Crawford

March 1, 2024

Page 2

in-lieu agricultural mitigation fee, currently set at \$10,100 per acre (County Code Section 8-2.405).

- A County grading permit shall be obtained prior to initiating ground disturbing activities to develop the South Drainage Pond.
- Confirmation that the duties to maintain and operate the South Drainage Pond will not fall under County authority or responsibility.

Lastly, the County understands that Parcel Map(s) may be required to separate the annexed areas from the remainder agricultural lands on APNs: 041-020-030 and 041-020-042 and that this will occur after annexation under City approvals.

County staff are available to address any questions or concerns that may arise from this comment letter. Please feel free to contact me directly at [stephanie.cormier@yolocounty.org](mailto:stephanie.cormier@yolocounty.org) or (530) 666-8041.

Sincerely,



Stephanie Cormier  
Chief Assistant Director

cc (via e-mail only):

County Director to the Department of Community Services Leslie Lindbo  
County Director of Strategic Operations Alex Tengolics  
City Manager Ken Hiatt  
City Deputy Director Erika Bumgardner

**From:** [Erika Bumgardner](#)  
**To:** [Christine Crawford](#)  
**Subject:** RE: WRTP comment letter  
**Date:** Friday, March 1, 2024 8:31:08 AM  
**Attachments:** [image001.png](#)

---

Good morning. Yes, we are ok with the three comments/requests provided by Stephanie. The 3:1 ag mitigation requirement is acknowledged in the WRTP EIR as a requirement for the south area detention facility and a County grading permit would be required unless the County decides it wants the City to review and permit that work. Maintenance of the pond will be covered through the WRTP Maintenance CFD and will not be the responsibility of the County.

Stephanie forwarded the comments to Ken and I as well. I can get back to her on those items.

Let me know if you need anything from us regarding these comments.

Thank you. Happy Friday!  
Erika

Erika Bumgardner, AICP  
Deputy Community Development Director  
City of Woodland | (530) 661.5886



---

**From:** Christine Crawford <[Christine.Crawford@yolocounty.org](mailto:Christine.Crawford@yolocounty.org)>  
**Sent:** Thursday, February 29, 2024 2:09 PM  
**To:** Erika Bumgardner <[Erika.Bumgardner@cityofwoodland.org](mailto:Erika.Bumgardner@cityofwoodland.org)>  
**Subject:** FW: WRTP comment letter

Hi Erika, just checking in to confirm the City is okay with these terms outlined in Stephanie's letter.  
Thanks, Christine

---

**From:** Stephanie Cormier <[Stephanie.Cormier@yolocounty.org](mailto:Stephanie.Cormier@yolocounty.org)>  
**Sent:** Thursday, February 29, 2024 11:35 AM  
**To:** Christine Crawford <[Christine.Crawford@yolocounty.org](mailto:Christine.Crawford@yolocounty.org)>  
**Cc:** Leslie Lindbo <[Leslie.Lindbo@yolocounty.org](mailto:Leslie.Lindbo@yolocounty.org)>; Alexander Tengolics <[Alexander.Tengolics@yolocounty.org](mailto:Alexander.Tengolics@yolocounty.org)>  
**Subject:** WRTP comment letter

Hello Christine,  
Happy leap day! Attached is a County comment letter on the Woodland Research and Technology Park annexation request. A copy has also been sent to City staff.

Please let us know if you have any questions or concerns that we might further address.

Sincerely,

Stephanie

*Stephanie Cormier*

**Chief Assistant Director**

Yolo County Department of Community Services

292 W. Beamer Street

Woodland, CA 95695

(530) 666-8041

[www.yolocounty.org](http://www.yolocounty.org)

[THIS EMAIL ORIGINATED FROM OUTSIDE YOLO COUNTY. PLEASE USE CAUTION AND VALIDATE THE AUTHENTICITY OF THE EMAIL PRIOR TO CLICKING ANY LINKS OR PROVIDING ANY INFORMATION. IF YOU ARE UNSURE, PLEASE CONTACT THE HELPDESK (x5000) FOR ASSISTANCE]

**From:** [Erika Bumgardner](#)  
**To:** [Christine Crawford](#); [Melanie Mathews](#)  
**Subject:** RE: WRTP Housing & RHNA  
**Date:** Tuesday, March 12, 2024 11:11:18 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

Existing undeveloped lots in the City that qualify under HCD's rules (essentially undeveloped and shovel ready). A mix of infill and Spring Lake lots shown on the maps below. Let me know if you need more detail.

**Figure C-2A: Location of Sites by Income Category**

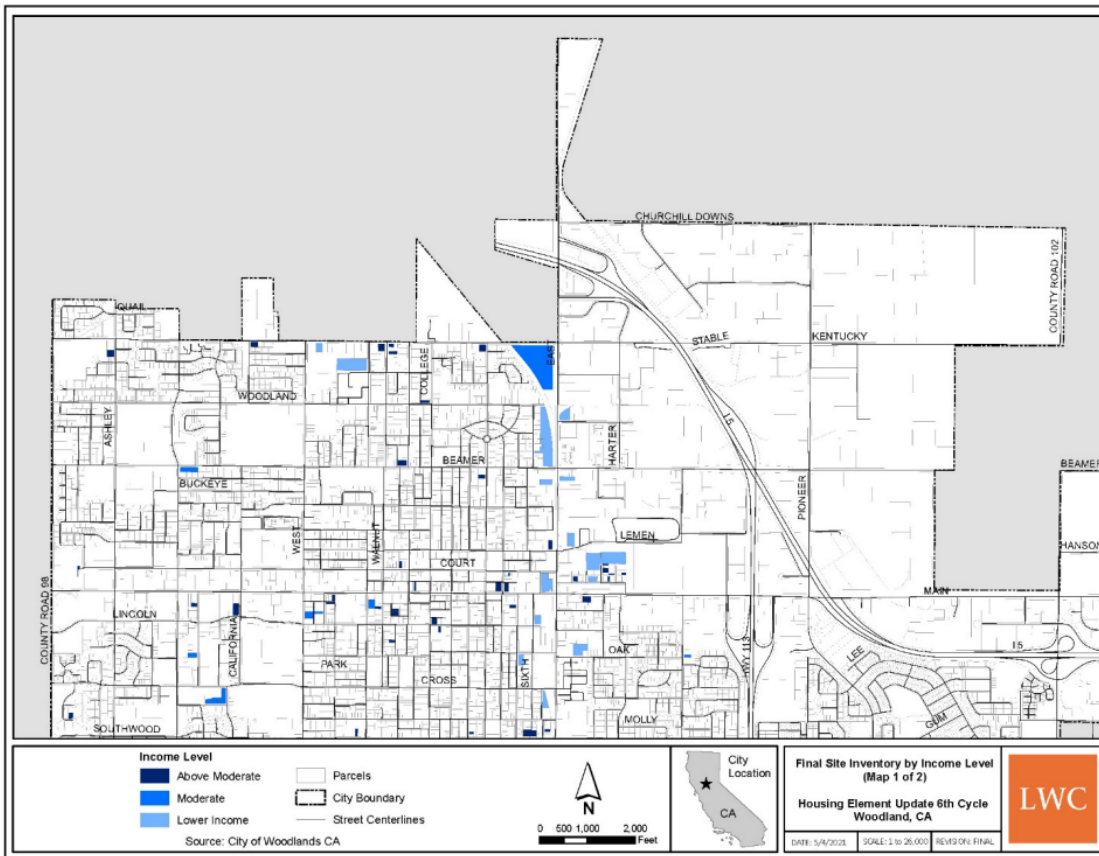
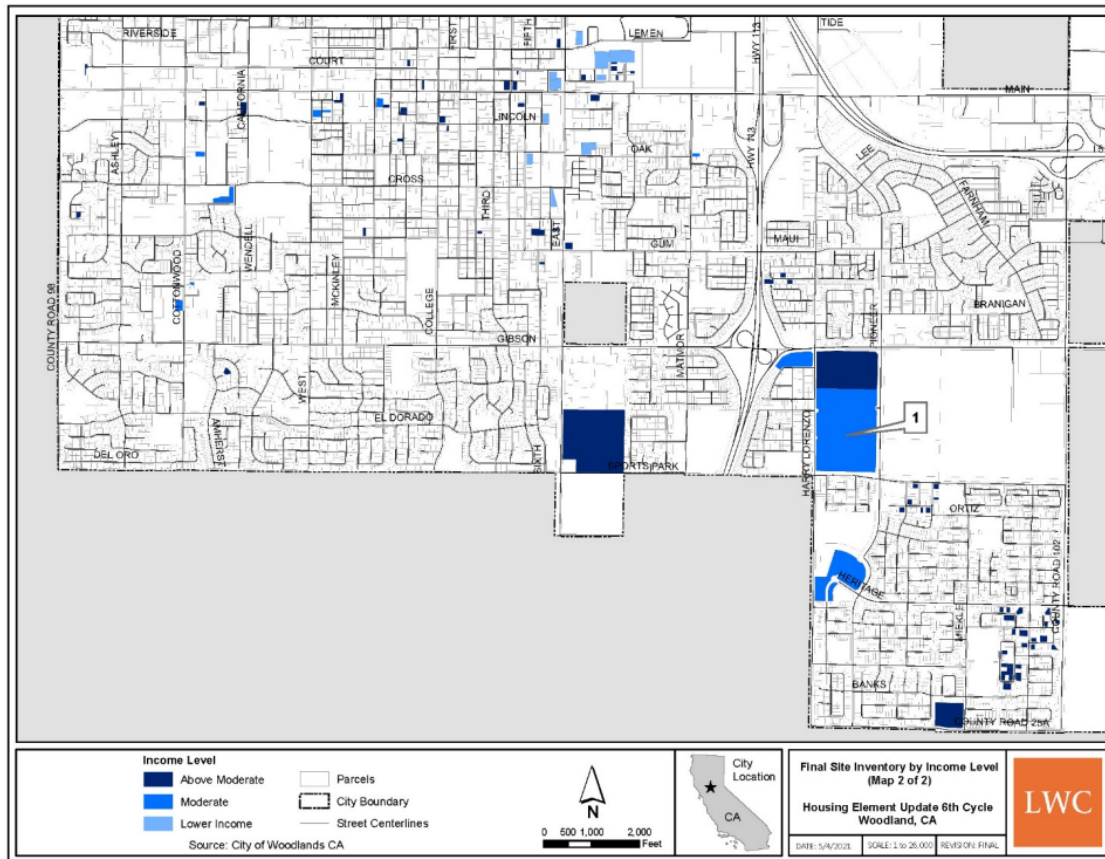


**Figure C-2B: Location of Sites by Income Category**



**From:** Christine Crawford <Christine.Crawford@yolocounty.org>

**Sent:** Tuesday, March 12, 2024 10:13 AM

**To:** Erika Bumgardner <Erika.Bumgardner@cityofwoodland.gov>; Melanie Mathews <melanie\_mathews@springlakedevelopment.org>

**Subject:** RE: WRTP Housing & RHNA

This is great – thank you.

One question though: what’s included in the “realistic unit capacity” row?

**From:** Erika Bumgardner <[Erika.Bumgardner@cityofwoodland.gov](mailto:Erika.Bumgardner@cityofwoodland.gov)>

**Sent:** Tuesday, March 12, 2024 9:44 AM

**To:** Christine Crawford <[Christine.Crawford@yolocounty.org](mailto:Christine.Crawford@yolocounty.org)>; Melanie Mathews <[melanie\\_mathews@springlakedevelopment.org](mailto:melanie_mathews@springlakedevelopment.org)>

**Subject:** RE: WRTP Housing & RHNA

Hi Christine,

Our capacity to meet RHNA is reliant upon the Tech Park for both “Extremely Low, Very Low and Low Income,” and “Above Moderate Income” categories. We have committed through the Specific Plan and Development Agreements that at least 279 units within the Tech Park will be developed at 30 dwelling unit per acre or higher to qualify for the “Extremely low...” category (regardless of whether they are deed restricted). The “excess capacity of above RHNA” will hopefully help us in the next housing cycle as the Tech

Park is not expected to build out in 8 years.

Does this help? Let me know if you have any questions.

**Table C-4: Summary of 6th Cycle Site Inventory**

|                                            | Extremely Low, Very Low, and Low-Income | Moderate Income | Above Moderate-Income | Total        |
|--------------------------------------------|-----------------------------------------|-----------------|-----------------------|--------------|
| RHNA                                       | 1,062                                   | 601             | 1,424                 | 3,087        |
| Pipeline Projects                          | 180                                     | 0               | 269                   | 449          |
| <b>Remaining RHNA</b>                      | <b>882</b>                              | <b>601</b>      | <b>1,155</b>          | <b>2,638</b> |
| Realistic Unit Capacity                    | 763                                     | 885             | 980                   | 2,628        |
| Research and Technology Park Specific Plan | 279                                     | 279             | 279                   | 837          |
| <b>Total Capacity</b>                      | <b>1,042</b>                            | <b>1,164</b>    | <b>1,259</b>          | <b>3,465</b> |
| <b>Excess Capacity Above RHNA</b>          | <b>160</b>                              | <b>563</b>      | <b>104</b>            | <b>827</b>   |

Erika

---

**From:** Christine Crawford <[Christine.Crawford@yolocounty.org](mailto:Christine.Crawford@yolocounty.org)>

**Sent:** Monday, March 11, 2024 3:13 PM

**To:** Erika Bumgardner <[Erika.Bumgardner@cityofwoodland.gov](mailto:Erika.Bumgardner@cityofwoodland.gov)>; Melanie Mathews <[melanie\\_mathews@springlakedevelopment.org](mailto:melanie_mathews@springlakedevelopment.org)>

**Subject:** WRTP Housing & RHNA

Hi there,

One of the things LAFCo has to consider is how annexation will affect the City's ability to meet its regional housing needs. Is there a brief analysis or break down somewhere you can send me that lists how the 1600 new units will fall into the City's RHNA categories? I'm just trying to beef up my resolution findings.

Thanks,  
Christine

**Christine M. Crawford, AICP**  
**Yolo LAFCo Executive Officer**

(916) 798-4618 – mobile

(530) 666-8048 – office

[THIS EMAIL ORIGINATED FROM OUTSIDE YOLO COUNTY. PLEASE USE CAUTION AND VALIDATE THE AUTHENTICITY OF THE EMAIL PRIOR TO CLICKING ANY LINKS OR PROVIDING ANY INFORMATION. IF YOU ARE UNSURE, PLEASE CONTACT THE HELPDESK (x5000) FOR ASSISTANCE]

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# County of Yolo

[www.yolocounty.org](http://www.yolocounty.org)

**TOM HAYNES**

Chief Financial Officer

**EVIS MORALES**

Deputy Chief Financial Officer

## DEPARTMENT OF FINANCIAL SERVICES

625 Court Street, Room 102

PO BOX 1268

WOODLAND, CA 95776

PHONE: (530) 666-8190

FAX: (530) 666-8215

EMAIL: [DFS@yolocounty.org](mailto:DFS@yolocounty.org)

- Financial Leadership
- Budget & Financial Planning
- Treasury & Finance

- Tax & Revenue Collection
- Accounting & Financial Reporting
- Internal Audit

March 12, 2024

TO: Christine Crawford, LAFCo

FROM: Tom Haynes, Interim CFO

By: Cynthia Bono

SUBJECT: LAFCo 23-07 Woodland Research and Technology Park Reorganization to the City of Woodland

The LAFCo project referenced above will reorganize approximately 363.11 acres. If granted the parcel would be annexed into the City of Woodland boundaries and detach from the Springlake Fire Protection District.

Per LAFCo, this proposal is subject to Section 99 of the Revenue and Taxation code. Pursuant to Revenue and Taxation Code §99 and related subsections, the County Assessor's Office provided the Department of Financial Services, in our role as Auditor-Controller, with the tax rate areas of those properties located within the boundaries of the proposed LAFCo project. Utilizing the Assessor's information, the agencies included in the Tax Rate Area are shown on the enclosure.

Pursuant to §99(b)(1)(B)3, the Auditor shall notify the government body of each local agency whose service area or service responsibility will be altered by the amount of, and allocation factors with respect to, property tax revenue estimated pursuant to §99(b)(2) that is subject to a negotiated exchange.

Except as otherwise provided by law, pursuant to §99(b)(1)(B)(4), upon receipt of the enclosed estimates, the local agencies shall commence negotiations to determine the amount of property tax revenues to be exchanged between the local agencies. This



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negotiation period shall not exceed 60 days. The final exchange resolution shall specify how the annual tax increment shall be allocated in future years. Note that the City of Woodland and Yolo County have already executed a tax exchange agreement for this proposal.

Please do not hesitate to contact Alexander Tengolics in the County Administrator's Office at (530) 666-8068 prior to the anticipated Board meeting with any concerns or questions about this determination.

Respectfully,

Cynthia Bono  
Department of Financial Services  
Property Tax Accounting Unit



TH:cb

Cc: Gerardo Pinedo, CAO  
City of Woodland  
Springlake Fire Protection District

LAFCo: 23-07  
 Project Name: Woodland Research and Technology Park  
 Reorganization to the City of Woodland  
 R&T Code Section: 99  
 Existing Tax Rate Area(s): 087-046  
 Net Assessed Value: 4,099,553  
 Estimated 1% Property Tax Revenue: \$40,995.53

**AGENCY NAME**

County General Fund  
 County ACO Fund  
 County Library  
 City of Woodland  
 County Road District #2  
 Springlake Fire Protection District  
 Sacto-Yolo Mosquito & Vector Control  
 Yolo County Resources Conservation District  
 Yolo County Flood Control District  
 Yolo County Office of Education  
 Woodland Joint Unified School District  
 Yuba Community College

| APN                      | TRA     | Acreage/SF | Land      | Imps    | Growing | Total     | Exemption | Total Value |
|--------------------------|---------|------------|-----------|---------|---------|-----------|-----------|-------------|
| 041-020-010              | 087-046 | 40.00      | 128,011   | 115,929 | -       | 243,940   | -         | 243,940     |
| 041-020-017              | 087-046 | 51.67      | 1,575,300 | 15,388  | -       | 1,590,688 | -         | 1,590,688   |
| 041-020-030<br>(portion) | 087-046 | 14.20      | 184,879   | -       | -       | 184,879   |           | 184,879     |
| 041-020-031              | 087-046 | 5.37       | 69,513    | 55,373  | -       | 124,886   | -         | 124,886     |
| 041-020-042<br>(portion) | 087-046 | 40.00      | 274,171   | 40,655  | 147,555 | 462,381   |           | 314,826     |
| 041-020-043              | 087-046 | 83.62      | 611,450   | 120,723 | -       | 732,173   | -         | 732,173     |
| 041-080-022              | 087-046 | 124.83     | 888,659   | 19,502  | -       | 908,161   | -         | 908,161     |
| Secured Total            |         | 359.69     | 3,731,983 | 367,570 | 147,555 | 4,247,107 | -         | 4,099,553   |

Listed below are the existing agencies in the 1% tax rate in tax rate area 087-046

| Agency                                   | Pre ERAF<br>DISTRIB% | Before<br>ERAF | % Of Factor<br>Shift to ERAF | Post ERAF<br>DISTRIB% | After<br>ERAF |
|------------------------------------------|----------------------|----------------|------------------------------|-----------------------|---------------|
| County General Fund                      | 0.3428423            | 14,055.00      | 0.6575421                    | 0.1174091             | 4,813.25      |
| County ACO Fund                          | 0.0140516            | 576.05         |                              | 0.0140516             | 576.05        |
| County Library                           | 0.0318526            | 1,305.81       | 0.3406287                    | 0.0210027             | 861.02        |
| County Road District #2                  | 0.0249782            | 1,023.99       | 0.1037848                    | 0.0223858             | 917.72        |
| Springlake Fire District                 | 0.0800495            | 3,281.67       | 0.0822308                    | 0.0734669             | 3,011.82      |
| Sacto-Yolo Mosquito & Vector Control     | 0.0098804            | 405.05         |                              | 0.0098804             | 405.05        |
| Yolo County Resources Conservation Dist. | 0.0004677            | 19.17          | 0.2766692                    | 0.0003383             | 13.87         |
| Yolo County Flood Control District       | 0.0116451            | 477.40         | 0.3814253                    | 0.0072034             | 295.31        |
| County Schools                           | 0.0354914            | 1,454.99       |                              | 0.0354914             | 1,454.99      |
| Woodland Joint Unified School District   | 0.3712005            | 15,217.56      |                              | 0.3712005             | 15,217.56     |
| Yuba Community College                   | 0.0775408            | 3,178.83       |                              | 0.0775408             | 3,178.83      |
| ERAF                                     |                      |                |                              | 0.2500292             | 10,250.08     |
| Total                                    | 1.0000000            | 40,995.53      |                              | 1.0000000             | 40,995.53     |

Listed below are the proposed agencies in the 1% tax rate in the proposed new tax rate area.

| <b>Agency Name</b>                             | <b>Pre ERAF<br/>DISTRIB%</b> | <b>Before<br/>ERAF</b> | <b>% of Factor<br/>Shift to ERAF</b> | <b>Post ERAF<br/>DISTRIB%</b> | <b>After<br/>ERAF</b> |
|------------------------------------------------|------------------------------|------------------------|--------------------------------------|-------------------------------|-----------------------|
| County General Fund                            | 0.2159907                    | 8,854.65               | 0.6575421                            | 0.0739677                     | 3,032.35              |
| County ACO Fund                                | 0.0088525                    | 362.91                 | 0.0000000                            | 0.0088525                     | 362.91                |
| City of Woodland                               | 0.2689310                    | 11,024.97              | 0.2320664                            | 0.2065211                     | 8,466.44              |
| County Library                                 | 0.0000000                    | -                      | 0.3406287                            | 0.0000000                     | -                     |
| County Road District #2                        | 0.0000000                    | -                      | 0.1037848                            | 0.0000000                     | -                     |
| Springlake Fire District                       | 0.0000000                    | -                      | 0.0822308                            | 0.0000000                     | -                     |
| Sacto-Yolo Mosquito & Vector Control           | 0.0098804                    | 405.05                 | 0.0000000                            | 0.0098804                     | 405.05                |
| Yolo County Resources Conservation<br>District | 0.0004677                    | 19.17                  | 0.2766692                            | 0.0003383                     | 13.87                 |
| Yolo County Flood Control District             | 0.0116451                    | 477.40                 | 0.3814253                            | 0.0072034                     | 295.31                |
| County Schools                                 | 0.0354914                    | 1,454.99               | 0.0000000                            | 0.0354914                     | 1,454.99              |
| Woodland Joint Unified School District         | 0.3712005                    | 15,217.56              | 0.0000000                            | 0.3712005                     | 15,217.56             |
| Yuba Community College                         | 0.0775408                    | 3,178.83               | 0.0000000                            | 0.0775408                     | 3,178.83              |
| Educational Revolving Augmentation<br>Fund     |                              |                        | 0.0000000                            | 0.2090039                     | 8,568.23              |
| Total                                          | 1.0000000                    | 40995.53               |                                      | 1.0000000                     | 40995.53              |

After review, there is a property tax loss or exchange between agencies for the subject property. A new tax rate area will be necessary to accomplish the proposed annexation.

## **EXHIBIT B**

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CEQA Findings of Fact and Statement of Overriding Considerations for  
Woodland Research and Technology Park Specific Plan



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# Acronyms

|                 |                                                                                                  |
|-----------------|--------------------------------------------------------------------------------------------------|
| AMM             | avoidance and minimization measures                                                              |
| ARB             | California Air Resources Board                                                                   |
| BMPs            | Best Management Practices                                                                        |
| CAAQS           | California ambient air quality standards                                                         |
| CalGreen        | California Green Building Standards                                                              |
| Cal-OSHA        | California Occupational Safety and Health Administration                                         |
| CAP             | Climate Action Plan                                                                              |
| CDFW            | California Department of Fish and Wildlife                                                       |
| CEQA            | California Environmental Quality Act                                                             |
| City            | City of Woodland                                                                                 |
| CO              | carbon monoxide                                                                                  |
| CWA             | Clean Water Act                                                                                  |
| dB              | decibels                                                                                         |
| DTSC            | Department of Toxic Substances Control                                                           |
| EIR             | Environmental Impact Report                                                                      |
| EMD             | Environmental Management Department                                                              |
| EPA             | Environmental Protection Agency                                                                  |
| EV              | electric vehicle                                                                                 |
| g/L             | grams per liter                                                                                  |
| Handbook        | California Air Resources Board Air Quality and Land Use Handbook: A Community Health Perspective |
| HCP             | Habitat Conservation Plan                                                                        |
| HEPA            | High Efficiency Particle Arresting                                                               |
| LAFCo           | Local Agency Formation Commission                                                                |
| LOS             | Level of Service                                                                                 |
| MERV            | Minimum Efficiency Reporting Value                                                               |
| MMRP            | Mitigation Monitoring and Reporting Program                                                      |
| MTP             | Metropolitan Transportation Plan                                                                 |
| NAAQS           | national ambient air quality standards                                                           |
| NCCP            | Natural Community Conservation Planning                                                          |
| NOP             | notice of preparation                                                                            |
| NO <sub>x</sub> | nitrogen oxide                                                                                   |
| OS              | Open Space                                                                                       |
| PM              | particulate matter                                                                               |

|                    |                                                                   |
|--------------------|-------------------------------------------------------------------|
| PM <sub>10</sub>   | particulate matter with aerodynamic diameter less than 10 microns |
| PPV                | peak particle velocity                                            |
| proposed project   | <i>Woodland Research and Technology Park Specific Plan</i>        |
| ROG                | reactive organic gas                                              |
| SACOG              | Sacramento Area Council of Governments                            |
| SCS                | Sustainable Communities Strategy                                  |
| SEIR               | Supplemental Environmental Impact Report                          |
| SMAQMD             | Sacramento Metropolitan Air Quality District                      |
| SP                 | Specific Plan                                                     |
| SP-1A              | Specific Plan Area is planned for development                     |
| SR                 | State Route                                                       |
| SVAB               | Sacramento Valley Air Basin                                       |
| TAC                | toxic air contaminant                                             |
| TRUs               | transport refrigeration units                                     |
| UC Davis           | University of California, Davis                                   |
| ULL                | Urban Limit Line                                                  |
| USACE              | U.S. Army Corps of Engineers                                      |
| USFWS              | U.S. Fish and Wildlife Service                                    |
| VdB                | vibration decibels                                                |
| VELB               | Valley Elderberry Longhorn Beetle                                 |
| VMT                | vehicle miles travelled                                           |
| VOC                | volatile organic compound                                         |
| WRTP Specific Plan | <i>Woodland Research and Technology Park Specific Plan</i>        |
| YCTD               | Yolo County Transportation District                               |
| YSAQMD             | Yolo-Solano Air Quality Management District                       |

# I. INTRODUCTION

The California Environmental Quality Act (“CEQA”) (Public Resources Code §§ 21000 et seq.) requires the City of Woodland (City), as the lead agency, to make certain written findings and to identify overriding considerations for significant and unavoidable impacts identified in the Environmental Impact Report (“EIR”) for the *Woodland Research and Technology Park Specific Plan* (referred to as the “WRTP Specific Plan” or “proposed project”). CEQA Guidelines (Title 14 of the California Code of Regulations) sections 15091, 15092, and 15093 set forth the specific requirements for these findings.

CEQA requires an EIR to be prepared when the lead agency has determined that a project may or will have significant impacts on the environment. Prior to project approval, the EIR must be certified pursuant to Section 15090 of the CEQA Guidelines. When an EIR has been certified that identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to Section 15091 of the CEQA Guidelines, for each identified significant impact:

- a) Changes or alterations have been required in, or incorporated into, such project which avoid or substantially lessen the significant environmental effect as identified in the final environmental impact report.
- b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.
- c) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

CEQA Guidelines Section 15092 states that after consideration of an EIR, and in conjunction with making the Section 15091 findings identified above, the lead agency may decide whether or how to approve or carry out the project. A project that would result in a significant environmental impact cannot be approved if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact.

However, in the absence of feasible mitigation, an agency may approve a project with significant and unavoidable impacts if there are specific economic, legal, social, technological, or other considerations that outweigh the unavoidable adverse environmental effects. Section 15093 requires the lead agency to document and substantiate any such determination in “statements of overriding considerations” as a part of the record.

The requirements of Guidelines Sections 15091, 15092, and 15093 as summarized above are all addressed herein. This document is intended to serve as the findings of fact and statement of overriding considerations authorized by those provisions of the CEQA Guidelines. The findings provide the written analysis and conclusions of the City Council regarding the proposed project’s environmental impacts, mitigation measures, alternatives to the proposed project, and the overriding considerations that justify approval of the proposed project despite its environmental effects.

## **II. GENERAL FINDINGS AND OVERVIEW: PROJECT DESCRIPTION**

### **A. PROPOSED PROJECT**

The proposed project is adoption of WRTP Specific Plan. The WRTP Specific Plan Area is an approximately 350-acre area located in the southern-central portion of the City of Woodland's Planning Area, south of Farmers Central Road, east of State Route (SR) 113, west of Harry Lorenzo Avenue, and north of the Urban Limit Line (ULL).

#### **1. RELATIONSHIP WITH THE GENERAL PLAN**

The City's General Plan requires that substantial new residential development on "greenfield" or previously undeveloped land be planned through the specific plan process, as has been done in the past with Spring Lake, the Southeast area, and others. Addressed in Government Code Section 65450, a specific plan is a comprehensive planning and zoning document for a defined geographic region. It implements the general plan by providing a special set of development policies and standards that are applied to the specific plan area, and by specifying zoning, needed infrastructure, and an infrastructure financing plan to facilitate implementation.

Per the City of Woodland 2035 General Plan, adopted May 16, 2017,<sup>1</sup> Woodland has designated three new growth areas for future specific plan development: Specific Plan (SP)-1 in the south, SP-2 in the east, and SP-3 in the north. SP-1 is further separated into three sub-areas. SP-1A, which is the area covered by the WRTP Specific Plan, encompasses approximately 350 acres and is located on the eastern portion of SP-1 between SR 113 and the Spring Lake Specific Plan Area. SP-1B is located between East Street and SR 113, covering 248 acres. SP-1C is the smallest of the three at 151 acres and is located west of East Street. The City's Planning Area and the designated Specific Plan areas and subareas are shown in Exhibit 2-2.

SP-1A and SP-1B are envisioned to develop as mixed-use neighborhoods anchored by a research and technology business park in the "Southern Gateway" located at CR 25 and SR 113. SP-1C will be entirely residential, with a lower-density residential profile containing executive homes and rural estates on larger lots. Referred to as "SP-1A" in the General Plan, the City "envision[s] the [WRTP] Specific Plan Area to develop as a mixed-use neighborhood anchored by a research and technology business park in the 'Southern Gateway' [to the city] located at CR 25A and SR 113" (City of Woodland 2017, page LU 2-55). According to direction in the 2035 General Plan, for SP-1A (the WRTP Specific Plan Area):

"The highest intensity of development will occur within the business park area, providing a prime opportunity for job creation within Woodland. The remainder of SP-1A will be largely residential with some open space and recreation areas."

As directed by the General Plan (Policy 2.L.2, page LU 2-77), the City will:

Promote development of SP-1A as a mixed-use residential district anchored by a research and technology business park in the Southern Gateway area at CR 25 and SR 113. Concentrate the highest intensity of development within and in close proximity to the business park area, with

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<sup>1</sup> The City's 1996 General Plan (amended in 2002) also included 316 acres of the WRTP Specific Plan Area in City's Planning Area and Urban Limit Line (ULL).

lower-density, largely residential uses to the north. Encourage sustainable development through the use of renewable energy sources and water conservation tools with the goal of striving to achieve zero net energy at the building and neighborhood level to the extent feasible.

Appendix B to the General Plan identifies assumed growth of 2.16 million square feet of nonresidential building space and 1,600 housing units will be developed within the WRTP Specific Plan (SP-1A) Area (City of Woodland 2017, Table B-1, page B-2). These assumptions serve to inform related planning efforts and the analysis of environmental impact of the General Plan – these assumptions were not adopted as a part of the 2035 General Plan. The City Council will consider consistency of the WRTP Specific Plan with the 2035 General Plan as a part of its actions on the WRTP Specific Plan.

## **2. PROJECT OBJECTIVES**

An early step in the WRTP Specific Plan process was the development of a vision for the future and guiding principles to inform the method to achieve that vision. The vision statement is an aspirational description of what the WRTP Specific Plan would be like in the future. Guiding principles are shared values that will be used to develop the WRTP Specific Plan that would, once implemented, achieve the vision. The vision statement and guiding principles are outlined below. The guiding principles serve as the Project Objectives for the EIR.

### **VISION STATEMENT**

The WRTP Specific Plan is envisioned as a new technology hub for the City of Woodland, intended to serve an array of research and technology companies interested in locating and growing near U.C. Davis, and other research and technology institutions within the Sacramento region. The WRTP Specific Plan will offer a unique business environment, supporting research and development, technology, and science and engineering-based companies. The WRTP Specific Plan is proposed as a new type of employment center that also includes a range of housing options, and a commercial mixed-use town center focused around a central green and connected by a multi-modal street network and trail system. Although the City anticipates that agricultural-related research will be a major focus at the WRTP Specific Plan, the plan will also support an environment of innovation in flexible formats for a wide variety of businesses in medical and veterinary, bio-tech, engineering, and other fields. The WRTP Specific Plan will also provide incubation spaces for small start-up firms, facilities for established mid-size or large size companies that require larger floorplates, flexible building spaces for high-tech research and light manufacturing/flex space for product testing and development. Employee-support services and retail will create an active landscape for collaboration and innovation.

### **GUIDING PRINCIPLES**

The following principles provide the envisioned outcome and overarching vision for development within the WRTP Specific Plan Area:

- ▶ **Innovation** – The Specific Plan Area will develop as a state-of-the-art innovation center campus for technology, research and development, and office uses. Flexibility in design and implementation is supported, allowing businesses to respond to market demand through phasing of construction and the ability to offer a variety of building types and sizes. Complementary uses within immediate proximity to the business park, including hotel, commercial, employee-serving retail and recreational opportunities will support day-to-day needs of businesses, their clients, and their employees.

- ▶ **Technology Capture / Talent Retention** – Collaboration with University of California, Davis (UC Davis), Woodland Community College and others will bolster start-up businesses and growing mid-to-large size companies through technology transfer and IP sourcing. The Specific Plan will accommodate advanced technology-related jobs and training that allow a greater number of Woodland residents and college graduates from the Woodland Community College and throughout the region to live and work in the community, generating an infusion of intellectual capital.
- ▶ **Business Partnerships** – Companies locating in the Tech Campus will have the opportunity to take positive advantage of the existing and thriving seed, food, and agricultural-based industries currently located and doing business in and around Woodland. Access to additional resources and new markets, new ideas, materials, and expertise will grow through strategic partnerships with new and existing businesses in Woodland.
- ▶ **Sustainable and Resilient** – The Specific Plan Area will lead in energy efficiency and sustainable design. Development within the Specific Plan Area will incorporate cutting edge green building practices. Land use strategies and transportation demand management will reduce vehicle miles traveled and facilitate the use of alternative fuel vehicles. The city’s urban forest canopy will be increased and projects will incorporate naturalized stormwater management. These and other measures will contribute to meeting City goals for greenhouse gas reduction by 2035 contained in its 2035 Climate Action Plan.
- ▶ **Gathering Place** – A successful Village Center and featured 11-acre linear park will provide a mix of social gathering spaces for employees, residents, and visitors to connect, recreate, and relax. These informal networking opportunities will foster greater innovation and engagement among the workforce and allow for the balanced integration of work and life that the next generation of professionals seek.
- ▶ **Connectivity / Mobility** – A combination of well-designed complete streets, protected bicycle lanes, and pedestrian / bicycle greenways will prioritize the pedestrian experience throughout the Specific Plan Area. Well-connected parks, open spaces and greenbelts will encourage residents and employees to walk, bike, or scooter rather than drive to work, home and play. Existing bike trails and greenbelts will extend from and connect to the adjacent community including nearby schools, community center and shopping center. A shared mobility hub will serve as a point of connection for those arriving and departing the Tech Campus by various forms of alternative transportation – including micro transit stops and fixed bus routes with frequent service to Downtown Woodland and UC Davis. Amenities to support last mile active transportation alternatives are featured, including bike and scooter share services.
- ▶ **Healthy Community** – Connected streets with bicycle and pedestrian facilities, trails, accessible parks and open spaces with passive and programmed recreation will facilitate and encourage active, healthy living. Access to healthy foods through community gardens, a farmer’s market and/or fresh produce market in the Village Center will be promoted. A mix of social gathering places will enable employees and residents to come together for fun and relaxation, boosting emotional wellness.
- ▶ **New Neighborhoods / Seamless Transitions** – Diverse, high quality and attractive new neighborhoods and housing options, including single and multi-family residential units and mixed-used projects will allow Tech Park employees to live and work close by and “move up” within the same neighborhood as families grow or nests are emptied. Land use and circulation planning, coupled with design and development standards will

ensure a thoughtful transition between the Specific Plan Area and the adjacent Spring Lake neighborhood, complementing the established community.

### 3. WRTP SPECIFIC PLAN SUMMARY

The WRTP Specific Plan is the overarching policy and planning document for the City’s designated new growth area for future specific plan development, SP-1A, as identified in the 2035 General Plan. The WRTP Specific Plan is comprehensive in scope, addressing land use, transportation, community design, housing, conservation of resources, economic development, public facilities and infrastructure, public safety, and open space, among many other subjects.

The Specific Plan chapters include:

- ▶ Chapter 1, “Introduction and Vision”
- ▶ Chapter 2, “Land Use Framework”
- ▶ Chapter 3, “Land Use Regulations, Development Standards & Guidelines”
- ▶ Chapter 4, “Circulation and Mobility”
- ▶ Chapter 5, “Public Utilities and Services”
- ▶ Chapter 6, “Implementation”
- ▶ Chapter 7, “Administration”

The WRTP Specific Plan would provide for a variety of housing types and non-residential land uses, as well as parks and open space and supportive public facilities and infrastructure. As described in Section 2.3 of the WRTP Specific Plan, “Land Use Plan,” and for the purpose of analysis in the EIR, at build out, the land use plan is estimated result in the development of approximately 1,600 new dwelling units, 2.2 million square feet of non-residential building space, the opportunity for up to 5,000 employees, and 17.6 acres of parks and other types of open space. The total number of dwelling units, the number of units shown for each land use designation, total square footage, and number of employees that could be accommodated are all *assumptions* used for the purposes of informing related planning efforts and the analysis of environmental impact of the WRTP Specific Plan.

In addition to the land use designations and zones, the WRTP Specific Plan delineates the Planning Area into three Planning Districts, each of which have sub-districts. The three Planning Districts are: (1) Technology Park, which contains two sub-districts of North Campus and South Campus, (2) the Village Center, which contains the sub-districts of the Village Center Mixed Use, The Yard, and the Village Center Residential, and (3) the Villages, which contains the sub-districts of the North Villages, East Villages, and Urban Villages. The Planning Districts are used to identify the geographic and form types within the Land Use Plan. The WRTP Specific Plan contains design standards and guidelines that are defined in the WRTP Specific Plan and organized by Planning District, with special character guidelines for selected zones within each District. The design standards are a prescribed set of threshold requirements for development, while the design guidelines are a set of discretionary recommendations for preferred outcomes of development. Together, the design standards and guidelines address the desirable features of the land uses identified in the WRTP Specific Plan within each Planning District, while informing development in ways that reduce environmental impacts and provide economic benefits.



## **MOBILITY AND CIRCULATION**

A multi-modal street network and bike-pedestrian trail system in the WRTP Specific Plan have been designed to balance the circulation and flow of vehicular traffic with the provision of safe and accessible facilities for walking, biking, public transit, and ride share drop-off/pick-up. A modified grid street network provides circulation and access within the WRTP Specific Plan Area, to the Spring Lake Specific Plan Area, and adjacent areas of the city.

A network of bike/pedestrian trails connecting from a linear open space system throughout the WRTP Specific Plan Area provide access between businesses, commercial centers, and residential areas throughout the WRTP Specific Plan Area as well as to the adjoining Spring Lake residential community. The WRTP Specific Plan provides for pedestrian and bicycle circulation, both in-street (sidewalks and bike lanes) and off-street (pedestrian/bicycle trails and paths). The WRTP Specific Plan provides for bicycle and pedestrian facilities on all streets, consistent with guidance from the General Plan and the function of each street (Principal or Minor Arterial, Collector, Local).

Bus service to the WRTP Specific Plan Area, including local, express, and intercity bus service, shuttle, and/or other potential future circulator for the WRTP Specific Plan Area and Spring Lake Specific Plan Area, will be coordinated with the Yolo County Transportation District (YCTD) and UC Davis Transportation and Parking Services/Unitrans to support the transit demands of the WRTP Specific Plan Area as it builds out.

To address both inter-city and intra-city public transit needs, the WRTP Specific Plan proposes development of a shared mobility hub along within the Village Center Planning District, with passenger drop-off and pick-up locations for bus and other transportation forms, such as carshare, local shuttle, and ride hailing services, as well as car and vanpool parking, electric vehicle charging stations, and bicycle and scooter share docking stations. The shared mobility hub will be the primary point of connection to fixed route bus service as part of the City's planned pulse route system

## **PARKS/OPEN SPACE**

The City's 2035 General Plan establishes a parkland requirement of 6.0 acres of parks for every 1,000 residents and encourages the distribution of parks such that every residence is within one-quarter mile of a neighborhood park. The City will require the WRTP Specific Plan to meet these 2035 General Plan requirements.

The WRTP Specific Plan proposes the following:

- ▶ Mini/Pocket Parks and Plazas are proposed within the WRTP Specific Plan Area neighborhoods and multi-family developments, as well as the Research and Technology Park and commercial zones. A 0.5-acre pocket park is planned east of Road E along the Harry Lorenzo Avenue greenbelt.
- ▶ An 11.8-acre central linear green space, "The Yard," is planned as the neighborhood park to serve the WRTP Specific Plan Area, inclusive of a pedestrian promenade.
- ▶ Greenways proposed for the WRTP Specific Plan Area also provide stormwater management, including drainage and connections to open space areas used for stormwater detention/retention.

## **B. OFF-SITE IMPROVEMENT AREAS**

While not a part of the WRTP Specific Plan Area, the EIR also addresses potential impacts associated with off-site improvement areas. Off-site improvement areas include a proposed approximately four-acre detention pond (i.e., South Regional Pond) that was not considered as part of the 2035 General Plan and Climate Action Plan (CAP) EIR and would be immediately south of the WRTP Specific Plan Area and adjacent to CR 25A, and the Caltrans Off-site Improvement Area, at which improvements would be made to the SR 113/CR 25A interchange adjacent to the southwest corner of the WRTP Specific Plan Area.

## **C. CONSIDERATION OF THE EIR**

In adopting these Findings, the City Council finds that the Final EIR was presented to the City Council, the lead agency's decision-making body, and that the City Council reviewed and considered the information in the Final EIR prior to approving the proposed project. The City Council finds that the Final EIR reflects the independent judgment and analysis of the City.

Adoption and implementation of the WRTP Specific Plan will require (but not be limited to) the following discretionary actions by the City of Woodland:

- ▶ Adopt a resolution certifying the Final Environmental Impact Report for the WRTP Specific Plan, adopting Findings of Fact, and adopting a Statement of Overriding Considerations;
- ▶ Adopt a resolution adopting the WRTP Specific Plan;
- ▶ Approve an amendment to the City's General Plan to reflect the new City limits following annexation of the WRTP Specific Plan Area and the Open Space (OS) land use designation for the South Regional Pond area; and
- ▶ Adopt Chapter 3, "Land Use Regulations, Development Standards and Guidelines, of the WRTP Specific Plan by ordinance, as Section 17.58 of the Zoning Ordinance (Chapter 17 of the Woodland Municipal Code).

## **D. SUBSEQUENT PROJECT REVIEW**

Further actions or decisions required to support implementation of the WRTP Specific Plan may include project-level approvals such as site plan reviews, tentative maps, building permits, grading permits, and other actions.

The WRTP Specific Plan permitted land use and design and development standards will be adopted by ordinance as part of the WRTP Specific Plan. The design and development standards supersede the City of Woodland Zoning Ordinance (Chapter 17 of the Municipal Code). Where a standard is not provided in the WRTP Specific Plan, the standards of the City's Zoning Ordinance and/or Standards and Specifications will apply.

The on-site and off-site public improvements necessary to serve the WRTP Specific Plan Area will be designed in adherence with applicable provisions of the City's Zoning and Subdivision Ordinances and the Design Standards and Design Guidelines provided in Section 3 of the WRTP Specific Plan, as applicable. Plans will include an infrastructure sequencing program that coordinates with and allows for orderly development. Building permits will not be issued until the City Engineer determines that proposed improvement plans are complete (engineered and approved) and found to be consistent with the WRTP Specific Plan and Financing Plan.

One of the City's goals in preparing the WRTP Specific Plan and EIR is to minimize the amount of new information that would be required to approve future projects that are consistent with the WRTP Specific Plan. Accordingly, the WRTP Specific Plan and the EIR anticipate the effects of subsequent projects proposed within the WRTP Specific Plan Area, as well as off-site infrastructure required to serve future development within the WRTP Specific Plan Area. The City will make full use of existing streamlining provided by CEQA, and will make use of streamlining techniques, as appropriate. Future projects that are consistent with the WRTP Specific Plan would either require no further environmental analysis or only focused, supplemental environmental analysis pursuant to CEQA and the CEQA Guidelines. The City will examine projects proposed under the WRTP Specific Plan to determine whether or not additional CEQA analysis will be necessary.

### III. GENERAL FINDINGS: CEQA PROCESS

Pursuant to Section 15082 of the CEQA Guidelines, the City prepared a CEQA notice of preparation (NOP) and provided copies directly by mail and through the Governor's Office of Planning and Research (State Clearinghouse) to CEQA responsible and natural resource trustee agencies, local municipalities, interested persons, organizations, agencies, and landowners. The City issued the NOP for the Specific Plan EIR and comments were accepted between June 16, 2017 and July 17, 2017.

The City held a public scoping meeting for the project on June 26, 2017 at the Woodland Community & Senior Center, 2001 East Street, Woodland, CA 95776. The NOP for the WRTP Specific Plan EIR, introducing the project and outlining the CEQA process, Notice of Special Meeting for the scoping meeting, and a Scoping Comment Form for directly providing comments were made available for review at <https://www.cityofwoodland.org/584/Community-Outreach-Public-Hearing-Inform>.

The Draft EIR (State Clearinghouse Number 2017062042) was received by the State Clearinghouse and circulated for a 45-day public review period from May 17 through July 2, 2021. A video presentation by staff, introducing the Project and outlining the CEQA process, was provided via teleconferencing.<sup>2</sup> A recording of the presentation was made available for review at <https://woodlandca.portal.civicclerk.com/event/1498/media>. Comments were accepted in during the meeting and in advance of the meeting via voice messages and email, as well as throughout the public comment period via mail to the City of Woodland Economic Development Department at 300 First Street, Woodland, CA, 95695, and via email to [Erika.Bumgardner@cityofwoodland.org](mailto:Erika.Bumgardner@cityofwoodland.org).

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<sup>2</sup> Public meetings that occur through virtual means are held in compliance with both the Ralph M. Brown Act and the Governor's Executive Orders, specifically Executive Orders N-29-20 and N-35-20. Those orders modified Brown Act requirements to allow public meetings to occur through teleconferencing means with limited person-to-person physical contact.

## **IV. GENERAL FINDINGS: RECORD OF PROCEEDINGS**

### **A. FINAL EIR**

The Final EIR for the Specific Plan includes the following items:

1. The Draft EIR (State Clearinghouse Number 2017062042) dated May 14, 2021;
2. Response to Comments on the Draft EIR dated August 10, 2023;
3. Errata to the Draft EIR dated August 10, 2023; and
4. Mitigation Monitoring and Reporting Program dated August 10, 2023.

As explained in Chapters 1 and 3 of the Draft EIR for the Specific Plan, the City's General Plan update explicitly considered development of the Specific Plan Area. The City's 2035 General Plan and CAP EIR addresses impacts of development of the City's Planning Area, including the W RTP Specific Plan Area. As such, the City's General Plan, Climate Action Plan, and 2035 General Plan and CAP EIR were extensively used in development of the Specific Plan and the Specific Plan EIR and these documents are a part of the administrative record for the Specific Plan EIR, along with technical reports prepared to support the General Plan and General Plan EIR.

### **B. THE ADMINISTRATIVE RECORD**

Public Resources Code section 21167.6(e) sets forth the contents of the administrative record for CEQA purposes and these findings. Pursuant to CEQA Guidelines Section 15091(e), the location and custodian of the documents and other materials which constitute the record of proceedings upon which these decisions are based is as follows:

Woodland Community Development Department  
300 First Street  
Woodland, CA 95695  
(530) 661-5820  
[www.cityofwoodland.org](http://www.cityofwoodland.org)

## V. FINDINGS REQUIRED UNDER CEQA

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” It also states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” And it states that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles of Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required or incorporated into the project to avoid or substantially lessen the significant environmental effect. Inclusion of mitigating General Plan policies and implementation programs are among the “changes or alterations” referenced in this finding. Other “changes and alterations” are discussed herein. For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level.

The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by such other agency or can and should be adopted by such other agency.

The third potential finding is that specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR (CEQA Guidelines Section 15091). “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, “feasibility” under CEQA encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

In the process of adopting mitigation, the City Council has made a determination regarding whether the mitigation proposed in the EIR is “feasible.” In some cases, modifications may have been made to the mitigating policies and implementation programs to update, clarify, streamline, correct, or make other revisions. These are discussed herein.

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons in support of the finding that the project benefits outweigh its unavoidable adverse environmental effects. In the process of considering the EIR for certification, the City Council has recognized that impact avoidance is not possible in all instances. To the extent that significant

adverse environmental impacts will not be reduced to a less-than-significant level with mitigating policies and implementation programs, the City Council has found that specific economic, social, and other considerations support approval of the proposed project. Those findings are reflected herein in Section V.B.4 (Findings Regarding Environmental Impacts not Fully Mitigated to a Level of Less than Significant) below and in Section VII (Statement of Overriding Considerations).

## **A. FINDINGS REGARDING EIR ERRATA AND EIR RECIRCULATION**

### **1. STANDARD FOR RECIRCULATION UNDER CEQA**

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR when “significant new information” is added to the EIR after the lead agency gives public notice of the availability of the Draft EIR but before certification. “Information” may include project changes, changes to the environmental setting, or additional data or other information. The Guidelines do not consider new information to be significant unless the lead agency changes the EIR in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect or a feasible way to mitigate the impact that the agency or project proponent has declined to implement.

Section 15088.5 states “significant new information” requiring recirculation may include:

- (1) A new significant environmental impact that had not previously been disclosed in the Draft EIR would result from the project or from a new mitigation measure;
- (2) A substantial increase in the severity of an environmental impact that had already been identified unless mitigation measures would be adopted to reduce the impact to a level of insignificance;
- (3) A feasible project alternative or mitigation measure would considerably lessen the significant environmental impacts of the project, but the proponents will not adopt it; or
- (4) The Draft EIR was so inadequate and conclusory that meaningful public review and comment were precluded.

Recirculation is not required if new information added to the EIR just clarifies or makes minor modifications to an otherwise adequate EIR.

### **2. CHANGES TO THE PROPOSED PROJECT**

Since the City released the Draft EIR, and as a result of public input and meetings, the City made various changes to the WRTP Specific Plan. The City made numerous non-substantive text changes to the proposed project to clarify terms, correct grammatical errors, correct figures, and place headers and other identifying information in the correct places. These changes did not substantively change the text of the WRTP Specific Plan. Rather, the changes corrected errors and provided additional clarity.

Within Exhibit 2-1, Land Use Plan, and Table 2.1, Land Use Summary, the proposed detention pond in the southeast corner of the WRTP Specific Plan Area was differentiated from the other open space land uses of the WRTP Specific Plan. Similarly, the general area available to serve a potential school was identified in Exhibit 2-1, Land Use Plan.

The definitions of Open Space/Park Zones in Section 3.2.4, Description of Zoning Categories, was refined for clarity.

A performance standard limiting truck trips serving any individual use was added as Performance Standard E to Section 3.3.2 to support the intent of the W RTP Specific Plan permitted land uses.

Table 3.1, Permitted Uses, was updated to clarify that greenhouses are allowed indefinitely when associated with Research and Development; to remove Warehouse, Storage and Distribution / Logistics as a permitted or ancillary use identified in the table; and to identify the permitted school as a Transitional Kindergarten/Kindergarten through 12<sup>th</sup> grade facility.

Additional design standards and design guidelines were added pertaining to sustainable materials and construction practices, and, consistent with the City's Climate Action Plan Consistency Checklist, to require all commercial and multifamily residential parking lots and/or structures provide electric vehicle charging pursuant to the California Green Building Standards Code Tier 1 requirements, and all single-family townhomes and duplexes be electric vehicle capable.

Additional detail regarding design features such as bicycle facilities, landscaping, walkways, car-share/vanpool spaces and EV charging in the parking areas of the shared mobility hub, *The Union*, were added to Section 4.2.2.

Street classifications in Exhibit 4.3, Road Circulation Diagram, were refined and clarified to be consistent with the City's General Plan, and detailed descriptions were refined throughout Section 4.5 for clarity.

Edits were made throughout Chapter 5, Public Utilities and Services, to reflect more current conditions and plans, such as reference to the more recently adopted 2020 Urban Water Management Plan, notation to the planned expansion of the recycled water utility into the Spring Lake and W RTP areas in 2024, and clarifications regarding proposed stormwater management systems. Additionally, changes to the green belt cross sections were made to accommodate the future recycled water line and provide at least 22 feet of clear distance between the underground utility and the western green belt property line in order to allow for a significant amount of tree coverage in the green belt.

Chapter 6, Implementation, was updated to acknowledge that implementation of the Specific Plan would also occur in accordance with the terms and conditions of the Nexus Study and Master Reimbursement Agreement, among the other plans and documents previously identified. In addition, the subsequent implementation documents and analysis, as listed in Section 6.2.3, was revised to more clearly describe the supplemental plans that must be prepared either prior to approval of the first development application or residential tentative map or as otherwise required by the conditions of approval and/or Environmental Impact Report and associated Mitigation Monitoring Program, or by the Community Development Director, as appropriate. Detailed assumptions and provisions pertaining to density transfer, as well as density requirements for each residential development zone, were also added to ensure future project consistency with the environmental analysis for the Specific Plan and with the General Plan development assumptions and project financing objectives.

**Finding:** None of the changes to the proposed project necessitated a change to the EIR. The changes did not create a new significant effect or worsen a previously identified one. The changes to the proposed project do not require any changes to the EIR; thus, recirculation is not necessary as the changes do not constitute significant new information under CEQA.



### 3. REVISIONS TO THE EIR AND ERRATA TO FINAL EIR

In response to comments from the public and public agencies on the Draft EIR, the City has incorporated minor revisions to the text of the Draft EIR into the Final EIR, which are described in Chapter 3, Errata, of the Final EIR. As discussed in the Final EIR, the revisions to the text of the Draft EIR outlined below present minor corrections, additions, and revisions initiated by the Lead Agency (City of Woodland) based on comments received during the public review period by reviewing agencies and/or the public, as well as minor corrections added by the City during preparation of the Mitigation Monitoring and Reporting Program (MMRP). None of the information added to the Draft EIR altered the significance conclusions. Rather, the new information amplified and clarified the information provided in the Draft EIR. None of the revisions or updates to the Draft EIR's analyses represents "significant new information" as that term is defined by the CEQA Guidelines Section 15088.5(a).

The City finds that recirculation of the Draft EIR is not required: (1) because the new information added to the EIR merely clarifies, amplifies, or makes insignificant modifications in an adequate EIR (CEQA Guidelines Section 15088.5(b); and (2) because no "substantial adverse" impact would result from any of the revisions to the portions of the Draft EIR that were not recirculated (CEQA Guidelines Section 15088.5(e)).

Changes are limited to Draft EIR Chapter 2, Project Description; and Sections 3.3, Air Quality; 3.4, Biological Resources; 3.9, Hydrology, Flooding, and Water Quality; 3.11, Noise and Vibration; and 3.12, Public Services and Recreation, as well as the Executive Summary.

Changes to Section 3.4 include updating the current listing status of the tricolored blackbird in Table 3.4-4 of the Draft EIR due to a change in this status since the drafting of the Draft EIR. Changes to Section 3.9 were to update the citation to Storm Drainage Facilities Master Plan South Urban Growth Area from the 2017 to the 2018 document, as the most current version of the plan and intended citation. The analysis throughout the section was reviewed for accuracy in the context of this 2018 plan. This revision does not change the findings, conclusions, or recommendations of the Draft EIR. Changes to Section 3.12 were to edit a typo from "design capacity" to "District capacity" when referencing the school capacity contained within Table 3.12-2 of the Draft EIR, and to update the grades at the elementary schools to include transitional kindergarten and update the enrollment and capacity data to reflect a more recent Woodland Joint Unified School District Annual Enrollment Project Report. Changes to the Project Description and Section 3.12 also include a change in the amount of park acreage to be included as a part of the Specific Plan. These changes were minor and did not substantively change the analysis presented in the EIR or any of the conclusions described in the EIR.

Changes to Section 3.2 include expanding the Draft EIR Mitigation Measure 3.3-2b to clearly distinguish the requirement for the use of equipment greater than 50 horsepower to be powered with engines that meet Tier 4 Final emissions standards and to incorporate additional feasible mitigation to further reduce construction-related emissions. Changes to Section 3.11 include revising Mitigation Measure 3.11-1 to include additional feasible actions to reduce potential construction-related noise associated with future construction activities associated with implementation of the W RTP Specific Plan. One edit has also been included to clarify that the intent of the mitigation measure already included in the Draft EIR requiring written notice to all known occupied noise-sensitive uses would occur for activities within 445 feet (not 400, as inadvertently stated in the Draft EIR as a typo) of the edge of the project site boundary. Since the City released the Draft EIR, the City made also amended two mitigation measures and Table ES-1 of the Draft EIR Executive Summary to take into account these changes. That errata is included as **Exhibit A** to the City Council's Resolution Certifying the EIR for the proposed project. The

amendments to the two mitigation measures are set forth as follows (new text shown in underline, deleted text shown in strikethrough):

**Mitigation Measure 3.3-2b: Construction-Related Mobile Emissions Reductions for NO<sub>x</sub> and PM<sub>10</sub> Emissions.**

Construction contractors shall adhere to the following requirements:

[bullets 'a.' and 'b.' are not revised from the Draft EIR]

...

- c. ~~Comply with the State On Road Regulation by using on-road~~ For all off-road heavy-duty equipment greater than 50 horsepower, utilize equipment that meet or exceed CARB's Tier 4 Final standards ~~for on-off-road heavy-duty diesel engines.~~
- d. Requiring off-road construction equipment to be zero-emission, where available, and all diesel-fueled off-road construction equipment, to be equipped with CARB Tier 4 Final engines, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- e. Prohibiting off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- f. Requiring on-road heavy-duty haul trucks to be model year 2010 or newer if diesel-fueled.
- g. Providing electrical hook ups to the power grid, rather than use of diesel-fueled generators, for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- h. Limiting the amount of daily grading disturbance area. Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- i. Forbidding trucks from idling for more than two minutes and requiring operators to turn off engines when not in use.
- j. Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- k. Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- l. Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

**Finding:** The City Council finds that this modified Mitigation Measure ensures that potential construction-related emissions are minimized to the extent feasible. This modified Mitigation Measure will not create a new, or worsen an existing, environmental impact.

**Mitigation Measure 3.11-1– Implement Construction Noise Reduction Strategies**

- a. Demolition, construction, site preparation, and related activities that would generate noise perceptible at the property line of the subject property are limited to the hours between 7:00 A.M. and 6:00 P.M. on Monday through Saturday and between 9:00 A.M. and 6:00 P.M. on Sunday and federal holidays. The building inspector may issue an exception to this limitation on hours in cases of urgent necessity where the public health and safety will not be substantially impaired.
- b. Idling times for noise-generating equipment used in demolition, construction, site preparation, and related activities shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two (2)~~5~~ minutes.
- c. Where construction work is within 445 feet of properties with existing, occupied noise-sensitive uses, construction shall be prohibited on weekends and holidays and construction should start no earlier than 8 a.m.
- d. Where non-residential construction work is within 445-feet of an existing off-site residence, installation of continuous noise curtains shall be required between the construction site and those residences.
- e. Demolition, construction, site preparation, and related activities that do not involve pile driving proposed within 445 feet from the edge of properties with existing, occupied noise-sensitive uses shall incorporate all feasible strategies to reduce noise exposure for noise-sensitive uses, including:
  - Provide written notice to all known occupied noise-sensitive uses within ~~445~~<sup>500</sup> feet of the edge of the project site boundary at least 2 weeks prior to the start of each construction phase of the construction schedule;
  - Ensure that construction equipment is properly maintained and equipped with noise control components, such as mufflers, in accordance with manufacturers' specifications;
  - Re-route construction equipment away from adjacent noise-sensitive uses;
  - Locate noisy construction equipment away from surrounding noise-sensitive uses;
  - Use sound aprons or temporary noise enclosures around noise-generating equipment;
  - Position storage of waste materials, earth, and other supplies in a manner that will function as a noise barrier for surrounding noise-sensitive uses;
  - Use the quietest practical type of equipment;
  - Use electric powered equipment instead of diesel or gasoline engine powered equipment;

- Use shrouding or shielding and intake and exhaust silencers/mufflers; and
  - Other effective and feasible strategies to reduce construction noise exposure for surrounding noise-sensitive uses.
- f. For construction of buildings that require the installation of piles, an alternative to installation of piles by hammering shall be used. This could include the use of augured holes for cast-in-place piles, installation through vibration or hydraulic insertion, or another low-noise technique.

**Finding:** The City Council finds that this modified Mitigation Measure ensures that potential construction-related noise is minimized to the extent feasible. This modified Mitigation Measure will not create a new, or worsen an existing, environmental impact.

Changes to the EIR that reflect a reduction in the amount of parkland acreage to be provided within the Specific Plan Area does not change the analysis provided in Section 3.12. As explained on page 3.12-4 of the Draft EIR, the City currently exceeds its parkland standard of 6 acres per thousand residents, and as explained on pages 3.12-17 through 3.12-19, the WRTP Specific Plan will meet its park obligation through a combination of park land development and through project impact fees – the WRTP Specific Plan will be required to meet the City’s requirements for new residential development to provide its fair-share of park acreage.

Because no new unmitigated environmental effects have been identified or created by the revised mitigation, and because no new significant information has been added to either the proposed project or the EIR, the EIR has not been changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental impact of the proposed project. The revisions to the EIR are improvements to the environmental analysis. No impacts identified in the EIR would be substantially increased as a result of changes to the proposed project or the EIR. There are no new feasible alternatives or mitigation measures that are considerably different from those considered in the EIR that the City Council has declined to adopt. Therefore, recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5 is not required.

## **B. FINDINGS REGARDING SPECIFIC ENVIRONMENTAL IMPACTS**

The Draft EIR identified a number of less than significant impacts associated with the WRTP Specific Plan that do not require mitigation. The Draft EIR also identified a number of significant and potentially significant environmental effects (or impacts) that may be caused in whole or in part by the Proposed WRTP Specific Plan. Some of these significant effects can be fully avoided or substantially lessened through the adoption of feasible mitigation measures. Other effects cannot be, and thus may be significant and unavoidable. For reasons set forth in Section VII (Statement of Overriding Considerations), however, the City Council has determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the WRTP Specific Plan.

The City Council’s findings with respect to the WRTP Specific Plan’s significant effects and mitigation measures are set forth in the Final EIR and these Findings of Fact. The Summary of Findings does not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Please refer to the Draft EIR and the Final EIR for more detail. Each of these documents is incorporated into these findings in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigating policies and implementation programs, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the

reasons for approving the WRTP Specific Plan project in spite of the potential for associated significant and unavoidable adverse impacts.

The Summary of Findings provides a summary description of each potentially significant and significant impact, describes the applicable mitigation measures identified in the Final EIR and adopted by the City Council, and states the findings of the City Council regarding the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR and associated record (described herein), both of which are incorporated by reference. The City Council hereby ratifies, adopts, and incorporates the analysis and explanation in the record into these findings, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The following general findings are made by the City Council:

- ▶ For all impacts identified as less-than-significant in the EIR, the less-than-significant impact determination is hereby confirmed by the City Council based on the evidence and analysis provided in the record.
- ▶ For all adopted mitigation measures, the City Council finds that each such measure is appropriate and feasible and will lessen the impact to some degree.

Some of the measures identified in these Findings may also be within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the City Council finds those agencies can and should implement those measures within their jurisdiction and control (CEQA Guidelines Section 15091[a][2]).

## **1. FINDINGS REGARDING IMPACTS NOT DISCUSSED FURTHER**

The 2035 General Plan and CAP EIR addresses impacts of development of the City’s Planning Area, including the WRTP Specific Plan Area. Consistent with Section 15183(b) of the CEQA Guidelines, the analysis contained within the Specific Plan EIR focuses on project-specific significant effects of the WRTP Specific Plan that: (a) are peculiar to the WRTP Specific Plan or the site; (b) were not addressed in the 2035 General Plan and CAP EIR (including off-site or cumulative impacts); or (c) would be more severe than previously described based on substantial new information. Pursuant to CEQA Guidelines Section 15150, relevant information from the 2035 General Plan and CAP EIR (State Clearinghouse Number 2013032015) has been incorporated by reference into the EIR. The 2035 General Plan, Climate Action Plan, and 2035 General Plan and CAP EIR are available for public review on the City of Woodland Planning Division website at: <https://www.cityofwoodland.org/1000/Documents>, or in person at the City’s Community Development Department at 300 First Street, Woodland, CA 95695.

The City Council agrees with the characterization in the Draft EIR of all project impacts identified as “not discussed further” and finds that a) there is no impact, or b) none of the factors triggering additional environmental review (as found in Section 15183(b)) exist because an impact was either addressed as a part of the 2035 General Plan and CAP EIR and/or substantially mitigated by uniformly applied development standards (CEQA Guidelines Section 15183[f][7]), as described in the Draft EIR. The following bulleted list summarizes the impacts of the WRTP Specific Plan that are not discussed further based on Section 15183(b) of the CEQA Guidelines.

## AESTHETICS

- ▶ **Substantial Adverse Effect on a Scenic Vista:** Woodland's relatively flat topography results in few scenic vistas. Views consist mainly of the farmland surrounding the built environment seen from some adjacent properties at the urban edge. The 2035 General Plan and CAP EIR concluded that although views may be obstructed in localized areas due to proposed new development, views would not be affected on an area-wide basis. Furthermore, since there are no new growth areas proposed along the western edge of the City's Planning Area, where views of the Coastal Ranges are more dominant, new development, including that of the WRTP Specific Plan Area, was not expected to affect views of the Coast Ranges. As noted, development of the WRTP Specific Plan Area was planned for in the 2035 General Plan and CAP EIR and determined to result in a less-than-significant impact on scenic vistas. And, while the proposed South Regional Pond was not considered in the 2035 General Plan and CAP EIR, the row crops and nut tree orchard, including the areas south of CR 25A that include the southern portion of the WRTP Specific Plan Area and the proposed South Regional Pond, are typical of farmland throughout Yolo County and northern California as a whole. Furthermore, only a small portion of the Coast Ranges is visible in background views to the west, and only from a portion of the houses along the western margin of the Spring Lake development. The WRTP Specific Plan Area and the off-site improvement areas are of moderate visual quality and do not represent scenic vistas. There are no impacts that are peculiar to the WRTP Specific Plan that were not addressed in the 2035 General Plan and CAP EIR. As provided by CEQA Guidelines Section 15183(b), no additional CEQA review is required. (Draft EIR, pp. 3.1-12 through 3.1-13.)
- ▶ **Damage to Scenic Resources in a State Scenic Highway:** There are no State designated scenic highways in Yolo County (California Department of Transportation 2017). Old River Road, locally designated as a scenic highway by Yolo County, parallels the west side of the Sacramento River from the southern end of the Sacramento Bypass north to the Fremont Weir and is approximately 6.75 miles east of the WRTP Specific Plan Area (Yolo County 2009). Because of the flat topography in the region, Old River Road is not visible from the WRTP Specific Plan Area or the off-site improvement areas. Since there are no designated scenic highways in the vicinity from which the WRTP Specific Plan Area or off-site improvement areas would be visible, there would be no impact. (Draft EIR, p. 3.1-13.)

## AGRICULTURAL AND FORESTRY RESOURCES

- ▶ **Conflict with Existing Williamson Act Contract:** No lands are under Williamson Act contract on the WRTP Specific Plan Area. Therefore, implementing the WRTP Specific Plan would not conflict with an existing Williamson Act contract. (Draft EIR, p. 3.2-16.)
- ▶ **Conflict with Existing Zoning for, or Cause Rezoning of, Forest Land, Timberland, or Timberland Zoned Timberland Production:** The WRTP Specific Plan Area and off-site improvement areas are not zoned as forestland, timberland, or a Timberland Production Zone. Thus, the WRTP Specific Plan would not conflict with existing zoning for, or cause rezoning of, forestry resources. (Draft EIR, p. 3.2-16.)
- ▶ **Result in the Loss of Forest Land or Conversion of Forest Land to Non-Forest Use:** The WRTP Specific Plan Area and off-site improvement areas do not contain timberland as defined by Public Resources Code Section 4526 or contain 10 percent native tree cover that would be classified as forestland under Public Resources Code Section 12220(g). Thus, the WRTP Specific Plan would not result in conversion of forest land to non-forest use. (Draft EIR, p. 3.2-16.)

## **BIOLOGICAL RESOURCES**

- ▶ **Substantial Adverse Effects on Special-Status Plant Species:** The WRTP Specific Plan Area and off-site improvement areas do not provide habitat for special-status plant species. Because the WRTP Specific Plan and off-site improvements would not affect special-status plants, this issue is not discussed further. (Draft EIR, p. 3.4-23.)
- ▶ **Substantial Adverse Effects on Riparian Habitat, or Other Sensitive Natural Community:** The WRTP Specific Plan Area and off-site improvement areas do not contain any riparian habitat or other sensitive natural communities (alkali prairie habitat) identified in the 2035 General Plan and CAP EIR or other local or regional plans. Because the WRTP Specific Plan and off-site improvements would not affect sensitive habitats, this issue is not discussed further. (Draft EIR, p. 3.4-23.)

## **CLIMATE CHANGE, GREENHOUSE GAS EMISSIONS, AND ENERGY**

- ▶ **Generation of Greenhouse Gas Emissions or Conflict with an Applicable Plan, Policy, or Regulation Adopted for the Purpose of Reducing the Emissions of Greenhouse Gases:** The WRTP Specific Plan is consistent with the City's 2035 CAP, and the CAP identifies reduction measures that would achieve reductions that would, based on substantial evidence, avoid a cumulatively considerable contribution to the significant cumulative impact of global climate change. Therefore, as provided by CEQA Guidelines Section 15183.5(b), the WRTP Specific Plan would not result in an incremental contribution to a cumulative effect and no additional CEQA review is required. (Draft EIR, p. 3.5-26.)

## **CULTURAL AND TRIBAL CULTURAL RESOURCES**

- ▶ **Cause a Substantial Adverse Change in the Significance of Historical Resources as defined in CEQA Guidelines Section 15064.5.** Based on review of background research, combined with cultural resources pedestrian surveys, and Native American correspondence, two previously unrecorded cultural resources were identified in the WRTP Specific Plan Area that may be potentially affected by the proposed project: a historic-age site with house foundations and associated refuse deposit, and two historic-age buildings consisting of a barn and residence on a single parcel. These resources are not considered significant under CRHR criteria or as City of Woodland historical resources. None of the cultural resources were identified as meeting the eligibility requirements to be considered historical resources for the purposes of CEQA. Therefore, further discussion of impacts to historical resources as defined in CEQA Guidelines Section 15064.5 is not discussed further. (Draft EIR, p. 3.6-11.)
- ▶ **Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resources as defined in Public Resources Code Section 21074:** There are no known tribal cultural resources that would be impacted resulting from implementation of WRTP Specific Plan or off-site improvement areas. Per AB 52 consultation for the WRTP Specific Plan and the EIR, the Yocha Dehe tribe sent a letter to the City indicating that they are not aware of any tribal cultural resources near the WRTP Specific Plan Area. Therefore, further discussion of impacts to tribal cultural resources as defined in Public Resources Code Section 21074 is not discussed further. (Draft EIR, p. 3.6-11.)

## GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES

- ▶ **Surface Fault Rupture.** The WRTP Specific Plan Area and the off-site improvement areas are not located within or adjacent to an Alquist-Priolo Earthquake Fault Hazard Zone, and there is no evidence of any known fault. Therefore, surface fault rupture would not pose a hazard for implementation of the WRTP Specific Plan, and this impact is not addressed further in the EIR. (Draft EIR, p. 3.7-10.)
- ▶ **Landslide Hazards.** Slopes within and immediately adjacent to the WRTP Specific Plan Area and off-site improvement areas are nearly flat, ranging from 0–4 percent. Therefore, landslides would not pose a hazard for the proposed project, and this impact is not addressed further in the EIR. (Draft EIR, p. 3.7-10.)
- ▶ **Soil Suitability for Septic Systems.** Wastewater treatment for the WRTP Specific Plan Area would be provided through connections with the City's existing wastewater conveyance pipelines for treatment at the City's Water Pollution Control Facility. Because septic systems or other forms of on-site wastewater treatment would not be employed under the WRTP Specific Plan, there would be no impact. Therefore, this impact is not addressed further in the EIR. (Draft EIR, p. 3.7-10.)
- ▶ **Loss of Availability of Mineral Resources.** There are no areas of known mineral resources within or immediately adjacent to the WRTP Specific Plan Area (i.e., areas that have been classified as MRZ-2 by CGS), and the WRTP Specific Plan Area and off-site improvement areas are more than 5 miles southeast of the designated Cache Creek mineral resource sector. Therefore, implementation of the WRTP Specific Plan would have no impact related to the loss of availability of mineral resources, and this impact is not addressed further in the EIR. (Draft EIR, p. 3.7-10.)
- ▶ **Seismic Hazards Related to Strong Seismic Ground Shaking and Liquefaction.** Although there are no faults present within the city of Woodland, people and structures within the Planning Area could experience seismic shaking or liquefaction as a result of earthquakes in the Sacramento Valley. However, the CBC regulates all aspects of building and foundation design and construction, including regulations that are specifically designed to reduce the risks from seismic hazards to the maximum extent practicable. Compliance with the CBC is required by law. General Plan Policies 8.A.1 and 8.A.2 are also designed to reduce the potential for adverse impacts to people or structures from seismic shaking and liquefaction. The 2035 General Plan and CAP EIR determined that this impact was less than significant. Crawford & Associates (2020) estimated that the projected PGA at the proposed Caltrans Off-site Improvement Area would be 0.36g. This calculation indicates that the proposed off-site interchange may be subject to moderate level of ground shaking during a large magnitude earthquake. They also determined that although active seismic sources are relatively close and most of the project site consists of Holocene-age deposits, these deposits are composed of stiff/dense soil layers, and given that groundwater is present at depths of 28.5 to 37.2 feet below the ground surface, Crawford & Associates (2020) determined that liquefaction likely does not represent a hazard. Because the Caltrans Off-site Improvement Area is located in the same geologic formations and is the same distance from active seismic sources as compared to the WRTP Specific Plan Area and the proposed off-site South Regional Pond location, the WRTP Specific Plan Area and the proposed off-site South Regional Pond would likely experience a similar level of seismic ground shaking and a similar susceptibility to liquefaction as the Caltrans Offsite Improvement Area. Design and construction of buildings, foundations, and retaining walls throughout the WRTP Specific Plan Area are subject to the requirements of the CBC. Design and construction of infrastructure in the WRTP Specific Plan Area are regulated by the City's Engineering Standards: Design Standards, Standard Details and



Construction Specifications (City of Woodland 2016a). Similarly, design and construction of the off-site South Regional Pond is an allowed use under Chapter 2 of Title 8 of the Yolo County Code, and would be subject to the Yolo County permit and ordinance requirements, including Title 7, Building Regulations, of the Yolo County Code. These standards apply to transportation, storm drainage, sewer, wastewater pumping, water distribution, graywater distribution, underground pipelines, and other improvements, and are designed, in part to avoid impacts related to geologic and seismic constraints. Existing seismic safety standards are enforced by the City through requirements that development to be designed to minimize risk related to earthquakes, and that site-specific geotechnical reports be prepared to identify methods to reduce hazards. Design and construction of the off-site SR 113/County Road 25A intersection improvements are regulated by Caltrans, and would comply with requirements contained in the Standard Plans and Specifications (Caltrans 2018) and the Highway Design Manual (Caltrans 2020). Therefore, impacts related to seismic hazards from implementation of the WRTP Specific Plan and related off-site infrastructure improvements were addressed in the 2035 General Plan and CAP EIR and are substantially mitigated by City-administered uniformly applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, p. 3.7-11.)

- **Impacts Related to Soil Erosion.** As discussed in the 2035 General Plan and CAP EIR Impact 4.7-2 (pages 4.7-27 through 4.7-29) (City of Woodland 2016b), construction projects have the potential to cause an increase in soil erosion due to increased grading, excavation, movement of construction vehicles, and other development-related construction activities. As presented above in Table 3.7-2, most soils within the WRTP Specific Plan Area and the off-site improvement areas have a moderate erosion potential and a high stormwater runoff potential. In addition, the Reiff soil type has a high wind erosion potential. Chapter 15.12 of the City of Woodland Municipal Code addresses erosion and sediment control under the City's Grading Ordinance. Project applicants for future projects proposed under the WRTP Specific Plan, including the off-site South Regional Pond if this feature is constructed by a private entity rather than the City, must obtain a grading permit that includes submittal of a soils engineering report and an engineering geology report specific to the project site, as required by Appendix Chapter 33 of the CBC, Section 3309. Chapter 8.08 of the City's Municipal Code regulates discharges into the municipal storm drain system including compliance with applicable provisions of construction NPDES permit requirements, including design of and discharge from the proposed off-site South Regional Pond. Furthermore, projects with the WRTP Specific Plan Area and the South Regional Pond, because they would disturb more than 1 acre of land, must comply with the requirements in the SWRCB General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-009-DWQ as amended by Order No. 2012-0006-DWQ). The SWRCB general permit contains a numeric, two-part, risk-based analysis process and requires development of a SWPPP and implementation of BMPs. The SWPPP must include a site map and a description of construction activities, and must identify the BMPs that will be employed to prevent soil erosion and discharge of other construction-related pollutants. Project applicants for future projects proposed under the WRTP Specific Plan must comply with the City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a). These standards apply to transportation, storm drainage, sewer, wastewater pumping, water distribution, graywater distribution, underground pipelines, and other improvements, and are designed, in part, to avoid impacts related to geologic and seismic constraints. Design and construction of the off-site South Regional Pond is an allowed use under Chapter 2 of Title 8 of the Yolo County Code, and would be subject to the Yolo County permit and ordinance requirements, including Title 7, Building Regulations, of the Yolo County Code. Design and construction of the off-site SR 113/County Road 25A intersection improvements is regulated by Caltrans, and

would comply with requirements contained in the Standard Plans and Specifications (Caltrans 2018) and the Highway Design Manual (Caltrans 2020). Furthermore, Caltrans has its own NPDES permit issued by SWRCB (Order No. 2012-0011-DWQ, NPDES No. CAS000003), with which all Caltrans projects are required to comply. This NPDES permit regulates construction-related erosion and operational discharge on all Caltrans projects throughout the state. Therefore, implementation of the WRTP Specific Plan and related off-site improvements would be consistent with the 2035 General Plan and CAP EIR, which determined that this impact was less than significant. Project applicants for future projects proposed under the WRTP Specific Plan, including the off-site South Regional Pond if this feature is constructed by a private entity rather than the City, must implement BMPs and develop and implement SWPPPs, as required by CVRWQCB, and obtain grading permits from the City, all of which are specifically designed to minimize constructed-related soil erosion to the maximum extent feasible. Caltrans also must implement BMPs and develop and implement a SWPPP as required by its agency-specific NPDES permit. Therefore, the soil erosion impact from construction of the WRTP Specific Plan and related off-site infrastructure improvements was addressed by the 2035 General Plan and CAP EIR and is substantially mitigated by City administered uniformly applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, pp. 3.7-11 through 3.7-12.)

- **Geologic Hazards Related to Unstable and Expansive Soils.** A review of NRCS (2020) soil data (see Table 3.7-2) indicates that most of the soils within the WRTP Specific Plan Area and off-site improvement areas have been rated with severe limitations for construction of buildings and roads because of high shrink-swell potential, low soil strength, and ponding and soil saturation. As discussed in the 2035 General Plan and CAP EIR Impact 4.7-3 (pages 4.7-30 and 4.7-31) (City of Woodland 2016b), construction in unstable and expansive soils could result in structural damage to buildings, roads, and bridges. Expansive soils shrink and swell as a result of moisture change. These volume changes can result in damage over time to building foundations, underground utilities, and other subsurface facilities and infrastructure if they are not designed and constructed appropriately to resist the damage associated with changing soil conditions. Low soil bearing strength and long periods of soil saturation can result in subsidence from the weight of overlying structures. However, the CBC regulates all aspects of building and foundation design and construction, including regulations that are specifically designed to reduce or eliminate hazards from construction in expansive soil. Compliance with the CBC, which is required by law, ensures appropriate design and construction of building foundations to resist soil movement. In addition, the CBC also contains drainage-related requirements to reduce seasonal fluctuations in soil moisture content. Construction in soils of low strength is also addressed in the CBC through implementation of soil engineering tests and amending and compacting soils. General Plan Policies such as 8.A.1, 8.A.2, and 8.A.3 are designed to reduce hazards from construction in unstable soils by requiring preparation of a site-specific geotechnical report and incorporating special design requirements in areas of differential settlement. The 2035 General Plan and CAP EIR determined that this impact was less than significant. Project applicants for future projects proposed under the WRTP Specific Plan are required to comply with design and construction requirements contained in the CBC and the City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a). Similarly, design and construction of the off-site South Regional Pond would be subject to the CBC and Yolo County permit and ordinance requirements including Title 7, Building Regulations, of the Yolo County Code. Project applicants must prepare site-specific geotechnical reports to identify soil constraints such as settlement and shrink-swell potential and implement design specifications to prevent damage associated with these limitations. Design and construction of the off-site SR 113/County Road 25A intersection improvements is regulated by Caltrans, and would comply with

requirements contained in the Standard Plans and Specifications (Caltrans 2018), which contain provisions to address unstable and expansive soils. Therefore, impacts from WRTP Specific Plan construction and related off-site infrastructure improvements in unstable and expansive soils are addressed by the 2035 General Plan and CAP EIR and are substantially mitigated by City-administered uniformly applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, pp. 3.7-12 through 3.7-13.)

## HAZARDS AND HAZARDOUS MATERIALS

- ▶ Disposal of Hazardous Materials. As discussed in the 2035 General Plan and CAP EIR Impact 4.8-1 (pages 4.8-29 through 4.8-32) (City of Woodland 2016b), new land uses would require the routine use, transport, and disposal of hazardous material and waste and may increase exposure to risk of hazards. Construction activities may also generate hazardous materials and waste, such as fuels and oils from construction equipment and vehicles. Federal and State regulations require adherence to specific guidelines regarding the use, transportation, disposal, and accidental release of hazardous materials, as described in the Regulatory Framework section above. The U.S. EPA is responsible for administering the Federal Toxic Substances Control Act and RCRA, which regulate the generation, transportation, treatment, storage, and disposal of hazardous waste. The Yolo County Department of Community Services Environmental Health Services Division is the CUPA for the County and responsible for implementing hazardous waste and materials State standards, including HMBP, California Accidental Release Prevention Program, and managing fuel storage tanks. The U.S. Department of Transportation, Caltrans, and the California Highway Patrol regulate and manage routine transport of hazardous materials on I-5 and SR 113. The Yolo County Environmental Health HazMat Unit and Multi-Agency Emergency Response Team, which includes the City of Woodland, respond to local hazardous materials emergencies. Furthermore, implementation of General Plan Policies 3.I.1, 3.I.2, 8.E.1, 8.E.2, 8.E.3, and 8.E.4 are also designed to reduce the potential for adverse impacts from routine transport and use of hazardous materials. The 2035 General Plan and CAP EIR determined that this impact was less than significant. As emphasized by WRTP Specific Plan Performance Standard C, in Section 3.3.2 of the WRTP Specific Plan, all permitted land uses under the WRTP Specific Plan, including industrial and commercial tenants in the WRTP Specific Plan Area, shall comply with the provisions of the California Hazardous Materials Regulations and other federal, State, and local regulations and requirements discussed in the “Regulatory Framework” section above, including preparation of a Hazardous Material Business Plan. Design and construction of the SR 113/CR 25A interchange improvements would be regulated by Caltrans, and hazardous materials at Caltrans projects are address in the Standard Specifications (Caltrans 2018). Impacts from implementation of the WRTP Specific Plan and off-site improvements related to the routine use, transport, and disposal of hazardous materials were addressed as a part of the City’s General Plan and CAP EIR and are substantially mitigated by uniformly applied development standards administered at the local, state, and federal level and, as provided by CEQA Guidelines Section 15183(f), no additional CEQA review is required. (Draft EIR, p. 3.8-15.)
- ▶ Be Located on a Hazardous Materials Site Compiled Pursuant to Government Code Section 65962.5 (the Cortese List). The results of records searches of federal, State, local, and tribal databases indicate that the WRTP Specific Plan Area and the off-site improvement areas are not located on a known hazardous materials site on the Cortese List. Thus, there would be no impact and this issue is not evaluated further in the EIR. (Draft EIR, p. 3.8-15.)

- ▶ **Safety Hazards Related to Public Use Airports.** The WRTP Specific Plan Area and the off-site improvement areas are located 6.2 miles northeast of the nearest public use airport (Yolo County Airport). The WRTP Specific Plan Area and the off-site improvement areas are not located within an Airport Land Use Compatibility Plan area. Thus, there would be no impact related to safety hazards from a public use airport, and this issue is not evaluated further in the EIR. (See Impact 3.8-3 for safety hazards related to the Medlock Field private-use airport.) Airport noise hazards are addressed in Section 3.11, “Noise and Vibration,” of the EIR. (Draft EIR, p. 3.8-15.)
  
- ▶ **Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan.** As discussed in the 2035 General Plan and CAP EIR Impact 4.8- 6 (pages 4.8-41 through 4.8-43) (City of Woodland 2016b), new development and population growth would result in an increased population that may require evacuation. The adopted Yolo County Emergency Operations Plan (of which the City is a participant) addresses the County and incorporated Cities’ planned response to extraordinary emergency situations associated with any type of natural disaster, technological incident, or state of war emergency. General Plan Policy 8.F.2 supports the continued coordination between the City and relevant agencies in preparing for and operating during an emergency. The 2035 General Plan and CAP EIR determined that this impact was less than significant. The WRTP Specific Plan and proposed off-site South Regional Pond are subject to design review by the City, and are required to comply with City standards relating to appropriate street design to accommodate emergency vehicles and emergency evacuation thoroughfares. Construction equipment would be staged on site, and therefore would not impede emergency access or emergency evacuation routes on the surrounding local roadways. Design and construction of the SR 113/CR 25A interchange improvements would be regulated by Caltrans, and would be designed for appropriate emergency vehicle access as per the Highway Design Manual (Caltrans 2020). Impacts from implementation of the WRTP Specific Plan and off-site improvements related to interference with an emergency response to evacuation plan were addressed as a part of the City’s General Plan and CAP EIR and are substantially mitigated by uniformly applied development standards and, as provided by CEQA Guidelines Section 15183 (f), no additional CEQA review is required. (Draft EIR, pp. 3.8-15 through 3.8-16.)
  
- ▶ **Exposure to Wildland Fire Hazards.** As shown on General Plan Figure 8- 7, “Fire Hazards,” and Exhibit 4.8-4 in the 2035 General Plan CAP EIR (City of Woodland 2016b:4.8-15), the WRTP Specific Plan Area and the off-site improvement areas are not located in or near a State Responsibility Area, but are located in a Local Responsibility Area. Furthermore, the WRTP Specific Plan Area and the off-site improvement areas are not located in a high or very high fire hazard severity zone and are not located in a wildlandurban interface fire area. As a result, the wildland fire threat is considered low by the local agency responsible for fire protection services (i.e., the City of Woodland). Furthermore, as discussed in the EIR in the “Regulatory Framework” of Section 3.8, “Hazards and Hazardous Materials,” and in Section 3.12, “Public Services and Recreation,” the WRTP Specific Plan Area and the off-site improvement areas would be provided with adequate fire suppression services by the City of Woodland, and design of the WRTP Specific Plan Area and the off-site South Regional Pond is required to comply with fire flow requirements contained in the City of Woodland Engineering Standards. Thus, there would be no impact related to wildland fire hazards, and this issue is not evaluated further in the EIR. (Draft EIR, p. 3.8-16.)

## HYDROLOGY, FLOODING, AND WATER QUALITY

- ▶ **Impede or Redirect Flood Flows.** General Plan Policy 2.B.2 was not intended to constrain development that is not located in a 200-year floodplain. The WRTP Specific Plan Area and the off-site improvement areas are classified by FEMA (2012) as unshaded Zone X, which is an area of minimal flood hazard that is located outside the 100-year (0.01 AEP) floodplain and is higher than the elevation of the 500-year (0.2 AEP) floodplain. Since the WRTP Specific Plan Area and the off-site improvement areas are not located in a floodplain, there would be no impact and this topic is not evaluated further in the EIR. (Draft EIR, p. 3.9-14.)
- ▶ **Risk Release of Pollutants in a Flood Hazard, Seiche, or Tsunami Zone.** — General Plan Policy 2.B.2 was intended to provide general guidance, and was not intended to constrain development that is not located in a 200-year floodplain. The WRTP Specific Plan Area and the off-site improvement areas are classified by FEMA (2012) as unshaded Zone X, which is an area of minimal flood hazard that is located outside the 100-year (0.01 AEP) floodplain and is higher than the elevation of the 500-year (0.2 AEP) floodplain. Furthermore, there are levees on both the east and west sides of the Yolo Bypass (which is located between the city and the Sacramento River), as well as levees on the west side of the Sacramento River, that were designed and engineered to meet U.S. Army Corps of Engineers standards for levee stability (see Exhibit 4.9-2 on page 4.9-9 of the 2035 General Plan and CAP EIR [City of Woodland 2016b]). Because of the WRTP Specific Plan Area's distance from the Pacific Ocean, tsunamis would not represent a hazard. Seismic seiches have not been recorded in the Sacramento River north of the Delta; furthermore, levees on both sides of the Sacramento River have been designed and engineered to withstand seismic hazards such as seiches. Therefore, because the WRTP Specific Plan Area and the off-site improvement areas are not located in a flood hazard, seiche, or tsunami hazard zone, the WRTP Specific Plan and the off-site improvements would not result in increased risk of release of pollutants, and this impact is not addressed further in the EIR. (Draft EIR, p. 3.9-14.)
- ▶ **Violation of Water Quality Standards.** As discussed in the 2035 General Plan and CAP EIR Impact 4.9-1 (pages 4.9-33 through 4.9-38) (City of Woodland 2016b), land use changes have the potential to alter the types, quantities, and timing of contaminant discharges in stormwater runoff. Sediment, trash, organic contaminants, nutrients, trace metals, pathogens (e.g., bacteria and viruses), and oil and grease compounds are common urban runoff pollutants that can affect receiving water quality. In addition, agricultural runoff commonly contains elevated levels of nutrients, pesticides, and herbicides. However, before new urban development can proceed, a grading and drainage plan must be submitted to the City Department of Public Works that must incorporate stormwater pollution control as well as storm drainage design features to control increased runoff from the implementation of the WRTP Specific Plan, as required by Municipal Code Chapter 16. The City's Urban Stormwater Quality Management and Discharge Control Ordinance requires implementation of BMPs where a discharge has the potential to cause or contribute to pollution or contamination of stormwater, the City's storm drainage system, or receiving waters. Urban development projects are also required to comply with the City's Post-Construction Standards Plan (2015) to reduce post-construction runoff through the incorporation of BMPs, LID, and hydromodification management techniques. Industrial and commercial facilities require appropriate NPDES permits/WDRs, and implementation of BMPs consistent with the CASQA Industrial/Commercial BMP Handbook (2019b) or its equivalent, including annual reporting of any structural control measures and treatment systems. Urban development projects must also comply with the requirements in the SWRCB's General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) (Order 2009-009-DWQ as amended by Order No. 2012-0006-DWQ) with requires preparation of a SWPPP and implementation of BMPs designed to reduce erosion and pollutant transport. Furthermore,

implementation of General Plan Policies 5.I.5, 5.I.7, and 7.A.4 are also designed to reduce the potential for violation of water quality standards and waste discharge requirements. The 2035 General Plan and CAP EIR included Mitigation Measure 4.9-1 (pages 4.9-38 and 4.9-39), which recommended adoption of General Plan Policy 5.I.4 related to implementation of LID features to improve stormwater quality. The 2035 General Plan and CAP EIR determined that after incorporation of General Plan Policy 5.I.4, the impact would be less than significant. Since the WRTP Specific Plan Area has been in use for cultivation of row crops for decades, existing stormwater runoff from the WRTP Specific Plan Area, which flows into Willow Slough, likely contains elevated levels of nutrients, pesticides, and herbicides. Project implementation would reduce these agricultural pollutants. However, long-term operational discharges of contaminants into the City's stormwater drainage system and ultimate receiving waters would still occur with development of the WRTP Specific Plan, because conversion to urban land uses would increase the amount of impervious surfaces. Therefore, stormwater runoff that transports pollutants from parking lots, driveways, streets, rooftops, and sidewalks would increase. In addition, the presence of additional industrial, commercial, and other urban land uses that utilize potential pollutants (e.g., cleaning agents, pesticides, oil) could result in discharges if proper storage, application, and/or disposal does not occur. However, project applicants for future projects proposed under the WRTP Specific Plan, as well as the off-site South Regional Pond are required to comply with the stormwater, grading, and erosion control regulations described above and with General Plan Policies 5.I.4, 5.I.5, 5.I.7, 5.I.8, and 7.A.4; all of which are designed to reduce stormwater runoff, improve water quality, and prevent violations of water quality standards and waste discharge requirements as set forth in the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (CVRWQCB 2018). Design and construction of the off-site SR 113/County Road 25A intersection improvements are regulated by Caltrans, and would comply with requirements contained in the Standard Plans and Specifications (Caltrans 2018) and the Highway Design Manual (Caltrans 2020). Furthermore, Caltrans has its own NPDES permit issued by SWRCB (Order No. 2012-0011-DWQ, NPDES No. CAS000003), with which all Caltrans projects are required to comply. This NPDES permit regulates construction-related erosion and operational discharge on all Caltrans projects throughout the state (SWRCB 2015). Therefore, impacts from WRTP Specific Plan construction and related infrastructure improvements related to violation of water quality standards are substantially mitigated by uniformly applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, pp. 3.9-14 through 3.9-15.)

- Substantial Depletion of Groundwater Supplies or Substantial Interference with Groundwater Recharge such that Sustainable Groundwater Management of the Basin would be Impeded. As discussed in the 2035 General Plan and CAP EIR Impact 4.9-4 (page 4.9-48) (City of Woodland 2016b), an increase in water demands and associated depletion of groundwater supplies could result from the land use changes throughout the City's Planning Area. In a partnership with the City of Davis, Woodland has secured water rights on the Sacramento River and the Woodland-Davis Clean Water Agency Regional Water Treatment Facility was designed to provide up to 18 million gallons per day (55 acre-feet per day) of surface water to Woodland. As part of the Woodland-Davis Regional Water Supply Project (which was completed in 2016), Woodland now has direct use of surface water, as well as the ability to store some of the treated surface water in the aquifer during low water demand months to be recovered and distributed to customers during high water demand months, under the City's aquifer storage and recovery program. The City also maintains wells for emergency use and for landscape irrigation in City parks. A limited amount of groundwater from three existing City wells is blended with the surface water; by adding surface water as well as recycled water (for industrial use) to the water supply that has previously been entirely dependent on groundwater, the potential for groundwater depletion is

decreased even though implementation of the 2035 General Plan would involve projects that could increase water demand. The 2015 Urban Water Management Plan projects zero retail water to come from groundwater sources between 2020 and 2040; 100 percent of water supplies would come from surface water and recycled water supplies. Thus, the addition of surface water to Woodland's water supply portfolio will substantially reduce groundwater extractions, reduce reliance on groundwater resources, as well as improved water quality. The 2035 General Plan and CAP EIR determined that this impact would be less than significant. The Sacramento Valley Groundwater Basin – Yolo Subbasin is a high priority basin as designated by DWR, but is not in a state of critical overdraft (DWR 2019). The Yolo Subbasin Groundwater Agency is the GSA responsible for preparation of the required GSP. The Yolo Subbasin GSP is in process and will be completed by January 1, 2022, as required by DWR (Yolo Subbasin Groundwater Agency 2020). As discussed in the 2035 General Plan and CAP EIR Impact 4.9-4 (pages 4.9-47 through 4.9-50) (City of Woodland 2016b), the primary areas of groundwater recharge in the Woodland area are the Sacramento River and other active stream channels. There are no major groundwater recharge areas in the City. Groundwater recharge also occurs as rainfall infiltrating through the soil to the aquifer, particularly in agricultural and open space areas. When impervious surfaces associated with new urban development are constructed on soils with a high water infiltration rate, a localized reduction in groundwater recharge can occur. However, most soils in the City are composed of loams and clays, which typically have low infiltration rates. Furthermore, new urban development projects in the City are required to comply with the City's Technical Guidance Manual for Stormwater Quality Control Measures (2006b) and Post Construction Standard Plan (2015) and incorporate BMPs, such as conserving natural areas and minimizing impervious area, which would reduce potential project interference with groundwater recharge. In addition, new development is required to comply with General Plan Policy 5.I.4 requiring the implementation of LID features, which could have the potential to locally, and likely minimally, increase groundwater recharge through the construction of infiltrative storm drainage facilities. The 2035 General Plan and CAP EIR determined that this impact would be less than significant. Implementation of the W RTP Specific Plan would convert a large agricultural area (approximately 350 acres, plus approximately 4 acres for the off-site South Regional Pond) to urban development with new impervious surfaces including streets, parking lots, and commercial, light industrial, and residential buildings. As discussed above, most of the W RTP Specific Plan Area and the off-site improvement areas are composed of hydrologic Group C soils (i.e., the Brentwood, Capay, and Sycamore soil types), which have a slow infiltration rate when thoroughly wet and therefore have a high runoff potential (NRCS 2020). However, a limited amount of groundwater recharge does occur in the W RTP Specific Plan Area through the Reiff Group A soil and the Yolo Group B soil. As shown in Exhibit 2-8 (Chapter 2, "Project Description") and discussed in the Woodland Research and Technology Park Specific Plan, Draft (City of Woodland 2020b), the proposed site design includes approximately 20 acres of landscaped open space. Some of the water applied to landscaping in the open space and in other landscaped areas throughout the W RTP Specific Plan Area (particularly to lawn grass in the residential housing areas), the on-site detention basin, and the on-site conveyance channel along the east side of SR 113 and the north side of County Road 25A, as well as the proposed off-site South Regional Pond would percolate through the soil and reach the groundwater aquifer as recharge. There are no active stream channels or other substantial sources of groundwater recharge in the W RTP Specific Plan Area or the off-site improvement areas. As stated above, the W RTP Specific Plan is required to comply with the City's Technical Guidance Manual for Stormwater Quality Control Measures (2006b) and Post Construction Standard Plan (2015) and incorporate BMPs, such as conserving natural areas and minimizing impervious area, which would reduce potential project interference with groundwater recharge. The proposed off-site improvements to the existing SR 113/County Road 25A would occur in hydrologic Group C soils and would involve only a minor increase in impervious surfaces. The W RTP Specific Plan is also

required to comply with General Plan Policy 5.I.4 requiring the implementation of LID features, could have the potential to locally, and likely minimally, increase groundwater recharge through the construction of infiltrative storm drainage facilities. Because development of the WRTP Specific Plan Area with urban land uses and the SR 113/County Road 25A interchange are planned as part of the City's General Plan, they will be included as part of regional planning efforts for the Sacramento Valley Groundwater Basin – Yolo Subbasin. Therefore, WRTP Specific Plan and associated off-site impacts from substantial depletion of groundwater supplies or substantial interference with groundwater recharge that would impede sustainable groundwater management of the basin are substantially mitigated by City-administered uniformly applied development standards, as provided by CEQA Guidelines Section 15183 (f), and no additional CEQA review is required. (Draft EIR, pp. 3.9-16 through 3.9-17.)

- On- and Off-site Erosion Impacts. As discussed in the 2035 General Plan and CAP EIR Impact 4.9-2 (pages 4.9-40 through 4.9-43) (City of Woodland 2016b), earth-moving activities associated with construction of new urban development would result in increased erosion and sedimentation, that could in turn result in degradation of waterways and conflict with beneficial uses, water quality objectives, and standards established in the as set forth in the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (CVRWQCB 2018). In addition, accidental spills of construction-related contaminants (e.g., fuels, oils, paints, solvents, cleaners, concrete) could also occur during construction, thereby degrading water quality. Construction dewatering also has the potential to degrade water quality if proper dewatering procedures are not followed and water is not properly stored and disposed of. Chapter 15.12 of the City of Woodland Municipal Code addresses erosion and sediment control under the City's Grading Ordinance. Project applicants for future projects proposed under the WRTP Specific Plan and supportive infrastructure improvements must obtain grading permits that include submittal of a soils engineering report and an engineering geology report specific to the project site, as required by Appendix Chapter 33 of the CBC, Section 3309. Chapter 8.08 of the City's Municipal Code regulates discharges into the municipal storm drain system including compliance with applicable provisions of construction NPDES permit requirements. Furthermore, projects that disturb more than 1 acre of land must comply with the requirements in the SWRCB General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-009-DWQ as amended by Order No. 2012-0006-DWQ). The SWRCB general permit contains a numeric, two-part, risk-based analysis process and requires development of a SWPPP and implementation of BMPs. The SWPPP must include a site map and a description of construction activities, and must identify the BMPs that will be employed to prevent soil erosion and discharge of other construction-related pollutants. Finally, project applicants for future projects proposed under the WRTP Specific Plan and supportive infrastructure improvements must comply with the City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a). These standards apply to transportation, storm drainage, sewer, wastewater pumping, water distribution, graywater distribution, underground pipelines, and other improvements, and are designed, in part to avoid impacts related to geologic and seismic constraints. Furthermore, implementation of General Plan Policies 5.I.3, 5.I.5, and 5.I.7 are also designed to reduce the potential for violation of water quality standards and waste discharge requirements. The 2035 General Plan and CAP EIR included Mitigation Measure 4.9-2 (page 4.9-43), which recommended adoption of General Plan Policy 5.I.4 related to implementation of LID features to improve stormwater quality. The 2035 General Plan and CAP EIR determined that after incorporation of General Plan Policy 5.I.4, the impact would be less than significant. As presented in Table 3.7-2 of the EIR (see Section 3.7, "Geology, Soils, Minerals, and Paleontological Resources"), most soils in the WRTP Specific Plan Area and the off-site improvement areas have a moderate erosion potential and a high stormwater runoff



potential. In addition, the Reiff soil type has a high wind erosion potential. Development of the WRTP Specific Plan must occur in compliance with the existing land use, stormwater, grading, and erosion control regulations described above and must implement applicable General Plan Policies such as 5.I.3, 5.I.4, 5.I.5, and 7.A.4. Project applicants for future projects proposed under the WRTP Specific Plan and the offsite South Regional Pond are required to implement BMPs and develop and implement SWPPPs as required by CVRWQCB, and obtain grading permits from the City, all of which are specifically designed to minimize degradation of water quality to the maximum extent feasible. Design and construction of the off-site SR 113/County Road 25A intersection improvements is regulated by Caltrans, and would comply with requirements contained in the Standard Plans and Specifications (Caltrans 2018) and the Highway Design Manual (Caltrans 2020). Furthermore, Caltrans has its own NPDES permit issued by SWRCB (Order No. 2012-0011-DWQ, NPDES No. CAS000003), with which all Caltrans projects are required to comply. This NPDES permit regulates construction-related erosion and operational discharge on all Caltrans projects throughout the state (SWRCB 2015). Therefore, impacts from WRTP Specific Plan construction and related off-site infrastructure improvements from construction-related degradation of water quality are substantially mitigated by uniformly applied development standards, as provided by CEQA Guidelines Section 15183 (f), and no additional CEQA review is required. (Draft EIR, pp. 3.9-17 through 3.9-18.)

## **LAND USE PLANNING, POPULATION, AND HOUSING**

- ▶ Physically Divide an Established Community. The WRTP Specific Plan would not physically divide an established community. Only one rural residence is within the WRTP Specific Plan Area and no residents are within the off-site improvement areas. This residence is not formally or informally known as a community. Implementing the WRTP Specific Plan would not physically divide an established community. Therefore, this issue is not evaluated further in the EIR. (Draft EIR, p. 3.10-15.)
- ▶ Conflict with an Airport Land Use Compatibility Plan. The WRTP Specific Plan Area and off-site improvement areas are outside of the Yolo County Airport and Sacramento International Airport Influence Areas<sup>1</sup>. Issues relating to potential conflicts with an Airport Land Use Compatibility Plan are discussed in Section 3.8, “Hazards and Hazardous Materials,” of the EIR. (Draft EIR, p. 3.10-15.)
- ▶ Conflict with the Yolo County General Plan and Planning Regulations. As discussed in the 2035 General Plan and CAP EIR Impact 4.10-2 (pages 4.10-24 through 4.10-26) (City of Woodland 2016), the 2035 General Plan proposes land use designations for all parcels within the City’s Planning Area, including on unincorporated county land. Yolo County has jurisdiction over unincorporated land in the County, including the WRTP Specific Plan Area, but approval and implementation of the WRTP Specific Plan requires no discretionary review by the County once the WRTP Specific Plan Area is annexed into the City’s jurisdictional boundary, so the County’s policies and standards do not apply. The South Regional Pond would not be annexed to the City. Land use inconsistencies resulting from development of the South Regional Pond and the Yolo County General Plan policies are not physical effects on the environment under CEQA unless it relates to a physical impact on the environment. Each technical section of the EIR provides a detailed analysis of other relevant physical environmental effects that could result from development of the South Regional Pond, as appropriate. The proposed WRTP Specific Plan would not conflict with the land use designation or zoning for the area proposed for the South Regional Pond in a way that would generate any adverse physical impacts beyond those addressed in detail in the environmental sections of the EIR (air quality, agricultural resources, biological resources, cultural resources, etc.). The WRTP Specific Plan Area is located outside the current City limits and will require

annexation into the City prior to development. The WRTP Specific Plan Area is within the City's Sphere of Influence and Urban Limit Line. The 2035 General Plan requires annexation before provision of City services to the area. Policy 2.B.6 Other Development in Unincorporated Areas within the Urban Limit Line. Prior to the provision of City services to unincorporated areas within the Urban Limit Line, require those unincorporated properties to be annexed into the City, or that a conditional service agreement be executed agreeing to annex when deemed appropriate by the City. There are no adverse physical environmental impacts related to Yolo County policies or standards that are not addressed in the General Plan and CAP EIR. Conflicts the Yolo County General Plan are addressed through the City's review and processing of the WRTP Specific Plan, which includes rezoning and annexation. As provided by CEQA Guidelines Section 15183(f), no additional CEQA review is required. (Draft EIR, p. 3.10-15.)

- ▶ Induce Substantial Unplanned Population Growth in an Area, either Directly (for example, by proposing new homes and businesses) or Indirectly (for example, through extension of roads or other infrastructure). As discussed in the 2035 General Plan and CAP EIR Impact 4.10-1 (pages 4.10- 26 through 4.10-30) (City of Woodland 2016), the 2035 General Plan anticipates development of currently undeveloped areas, which would result in infrastructure being extended into areas that are currently undeveloped and could result in pressure to plan for and entitle development beyond that anticipated under the 2035 General Plan. General Plan Policy 2.L.2 promotes development of SP-1A (the WRTP Specific Plan Area) as a mixed-use residential district, indicating that population growth in this area was considered. The WRTP Specific Plan Area had been subject to planning prior to the City's General Plan update, as well, as a part of broader planning for the Spring Lake Specific Plan Area and associated infrastructure master planning. More information on consistency with the 2035 General Plan is found below in Impact 3.10-1. The 2035 General Plan includes specific policies for both infill and new development that would avoid unplanned development that could be induced through infrastructure expansions into new growth areas (Policy 8.C.2 and Policy 8.C.5). This reduces the potential for unplanned, induced growth. In addition, the City's ultimate boundaries are circumscribed by a permanent Urban Limit Line established by a vote of the people in 2006 (Policy 2.A.1). The Urban Limit Line may only be modified by another vote by the people, and the initiative measure also places restrictions on the provision of services outside of the Urban Limit Line. The WRTP Specific Plan Area is within the Urban Limit Line. This provides an effective constraint to induced growth outside of the boundary. As stated in the 2035 General Plan and CAP EIR, growth inducement may indirectly lead to environmental effects. Such environmental effects may include increased traffic, degradation of air quality, conversion of agricultural land to urban uses directly from population and employment growth and indirectly from development associated with goods and services needed by such growth. Physical impacts associated with development of residential and nonresidential land uses, such as traffic, air quality degradation, noise generation, greenhouse gas emissions, and increased demand for public services and utilities, are evaluated in the respective specific resource areas throughout the EIR. The actual level of buildout and the timing of construction and development activities is subject to market conditions, economic trends, and other factors beyond the City's control. The 2035 General Plan and CAP EIR determined that this impact was less than significant. There are no impacts that are peculiar to the WRTP Specific Plan Area that were not addressed in the 2035 General Plan and CAP EIR. As provided by CEQA Guidelines Section 15183(b), no additional CEQA review is required. (Draft EIR, p. 3.10-16.)
- ▶ Displace Substantial Numbers of Existing People or Housing. As previously stated, only one rural residence is within the WRTP Specific Plan Area. Implementation of the WRTP Specific Plan could potentially result in the demolition of the one residence that is currently located within the WRTP Specific Plan Area. However, the demolition of one residence when compared to the number of existing residences currently located in Woodland

and in the unincorporated county is very minimal. Due to the low number of homes that could potentially be demolished with development of WRTP Specific Plan and because numerous homes are available, the City does not consider this level of displacement to be substantial. The WRTP Specific Plan would not displace substantial numbers of existing people or housing. Therefore, this issue is not evaluated further in the EIR. (Draft EIR, p. 3.10-16.)

## **NOISE AND VIBRATION**

- ▶ **Expose People to Excessive Airport Noise.** The 2035 General Plan and CAP EIR (pages 3.11-63 to 3.11-64) discusses noise impacts from aircraft noise exposure. The EIR determines that the closest airport to the City's Planning Area is the Watts Woodland Airport, which is located 3.7 miles from the western city limits. The Sacramento International Airport is located approximately five miles northeast and Yolo County Airport approximately five miles southwest of the City limits. Based upon the most recent noise contours for the Watts Woodland and Yolo County Airports contained within the Yolo County 2030 General Plan EIR (April 2009) and recent noise contours obtained from Sacramento International Airport Land Use Compatibility Plan (SACOG 2013), areas within the City's Urban Limit Line are located outside of the 60 dB CNEL contours. The WRTP Specific Plan Area is within the City's Urban Limit Line; the only proposed development outside of the Urban Limit Line is the off-site South Regional Pond, which is not considered a sensitive noise receptor. Implementation of the WRTP Specific Plan would result in no different impact conclusion than disclosed in the 2035 General Plan and CAP EIR. This impact is less than significant. (Draft EIR, p. 3.11-20.)

## **PUBLIC SERVICES AND RECREATION**

- ▶ **Impacts Related to Fire Protection Services.** As discussed in the 2035 General Plan and CAP EIR Impact 4.12-1 (pages 4.12-29 through 4.12-32) (City of Woodland 2016), Goal 5.B establishes a comprehensive program of fire protection services as a priority in the 2035 General Plan. Service standards for fire protection are addressed in Policies 5.B.1, which states the City should maintain a response time of 4 minutes or less for fire suppression calls, at least 90 percent of the time. Policy 5.B.4 requires development projects to develop and/or fund fire protection facilities, equipment, personnel, and operations and maintenance that maintain the City's standards. Policies 5.B.2 and 5.B.6 ensure high-quality staff and equipment, including adequate fire suppression throughout the city; Policy 5.B.7 reduces the need for new facilities through enforcement of safe building standards; and Policy 5.B.8 requires review of development applications by the fire department. Policy 5.B.10 of the 2035 General Plan specifically addresses the location of new fire stations in relation to planned growth. The environmental effects from construction and operation of new or expansion of existing fire stations were evaluated programmatically in the 2035 General Plan and CAP EIR throughout the individual environmental topic sections. Individual development projects would be required to conduct environmental review pursuant to CEQA prior to approval. Additionally, any new construction of fire facilities would be subject to construction permitting and Fire and Building Code standards. The 2035 General Plan and CAP EIR concluded that impacts related to fire protection services would be less than significant. Fire protection services for the WRTP Specific Plan Area would be provided by Station Three currently located at 1550 Springlake Court. As discussed in Section 3.12.1, "Environmental Setting," of the EIR, the City plans to relocate Station Three to improve service to existing and proposed development within the southeast portion of the City, including the WRTP Specific Plan Area. The City would conduct project-level CEQA analysis, if necessary, to analyze specific impacts and identify any required mitigation measures for construction and operation of Station Three. To the extent feasible, the environmental impacts associated with the construction of Station Three would be mitigated to

below a level of significance, consistent with CEQA. As concluded in the 2035 General Plan and CAP EIR, if siting and construction practices are consistent with the General Plan's policies and other existing regulatory standards, environmental impacts related to construction and operation of fire protection facilities should be minimal (2035 General Plan and CAP EIR page 3.12-32). Project applicants for future projects proposed under the WRTP Specific Plan would be required to submit project design plans to the Woodland Fire Department for review and implement recommended conditions (General Plan Policy 5.B.8). The proposed WRTP Specific Plan would not affect Woodland Fire Department response times because project applicants for future projects proposed under the WRTP Specific Plan would provide funding to ensure fire protection personnel and equipment is provided to meet increased demand for fire protection services (General Plan Policy 5.B.4). Incorporation of all California Fire Code, City development standards, and Woodland Fire Department requirements into project designs would reduce the dependence on fire department equipment and personnel by reducing fire hazards. Therefore, impacts from WRTP Specific Plan construction and related infrastructure improvements related to fire protection services are substantially mitigated by City-administered uniformly applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, pp. 3.12-13 through 3.12-14.)

- ▶ **Impacts Related to Police Protection Services.** As discussed in the 2035 General Plan and CAP EIR Impact 4.12-2 (pages 4.12-32 through 4.12-35) (City of Woodland 2016), future development consistent with the General Plan is not expected to require new Woodland Police Department facilities, but may require additional staff and policing resources to account for workload and to meet response time standards. Goal 5.A provides for sufficient law enforcement services that will adequately meet the needs of increasing population and non-residential development. Policies 5.A.1 and 5.A.2 require efficient and high-quality service standards. Development projects are required to fund police facilities according to Policy 5.A.3. Policies 5.A.4, 5.A.5, 5.A.6, and 5.A.7 reduce the need for additional police services through public safety programs and Crime Prevention through Environmental Design strategies, and development application review by the Police Department. In the event that new police facilities would be needed, they would be located within the development footprint analyzed in the 2035 General Plan and CAP EIR. The environmental effects from construction and operation of new police stations were evaluated programmatically in the 2035 General Plan and CAP EIR throughout the individual environmental topic sections. Individual development projects would be required to conduct environmental review pursuant to CEQA prior to approval. The 2035 General Plan and CAP EIR concluded that impacts related to police protection services would be less than significant. Police protection for future development in the WRTP Specific Plan Area would be provided by the Woodland Police Department. Project applicants for future projects proposed under the WRTP Specific Plan would be required to submit project design plans to the Woodland Police Department for review and implement recommended conditions of approval (General Plan Policy 5.A.7). The proposed WRTP Specific Plan would not affect Woodland Police Department response times or other performance objectives because project applicants for future projects proposed under the WRTP Specific Plan would provide funding to ensure police protection personnel and equipment is provided to meet increased demand for police protection services (General Plan Policy 5.A.3). Therefore, impacts from WRTP Specific Plan construction and related infrastructure improvements related to police protection services are substantially mitigated by City-administered uniformly applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, pp. 3.12-14 through 3.12-15.)
- ▶ **Impacts Related to School Services.** As discussed in the 2035 General Plan and CAP EIR Impact 4.12-3 (pages 4.12-35 through 4.12-39) (City of Woodland 2016), future development consistent with the General Plan, based

on the State’s classroom loading factors, would require new schools. Implementation of the 2035 General Plan will reduce the impacts related to school services. Specifically, Goal 5.E and Policy 5.E.2 encourages coordination with WJUSD and other educational institutions regarding future school sites. However, the siting of new schools is regulated by the California Department of Education, not the City of Woodland. As a result, the potential impacts associated with the construction of new schools could not be fully predicted at the time of analysis for the 2035 General Plan; the 2035 General Plan and CAP EIR found this impact to be potentially significant. Funding for new school construction is provided through State and local revenue sources. Senate Bill 50 (Chapter 407, Statutes of 1998) governs the amount of fees that can be levied against new development. Payment of fees authorized by the statute is deemed “full and complete mitigation.”<sup>3,4</sup> The 2035 General Plan and CAP EIR concluded that pursuant to State law the impact is considered less than significant after mitigation. The WRTP Specific Plan Area is located within the WJUSD boundaries and could result in the construction and occupation of approximately 1,600 residential dwelling units. WJUSD uses student generation factors (students per new dwelling units) for single- and multi-family development in order to project student enrollment as shown in Table 3.12-5. Based on student-yield generation rates from WJUSD, implementation of the WRTP Specific Plan would generate approximately 376 new elementary school students (grades K–6), 104 middle school students (grades 7–8), and 222 high school students (grades 9–12). This yield is a general estimate. Actual student generation could be different for different housing types and would vary according to demographic and other influences. The WRTP Specific Plan Land Use Plan provides for a new elementary school in the area zoned for medium density residential, south of Parkland Avenue and east of Road B, should it be determined necessary by the WJUSD to support the anticipated student yield from development within the WRTP Specific Plan Area. Should residential development occur within the WRTP Specific Plan Area prior to the construction of this school, students within the WRTP Specific Plan Area would attend Spring Lake Elementary School, Tafoya Elementary School, Woodland Prairie Elementary School, Douglass Middle School, and Pioneer High School. As shown in Table 3.12-2 (as revised in Chapter 3, “Errata,” of this Final EIR, these schools are below capacity. Furthermore, projections through 2030 indicate that, with 2,800 new residential units becoming occupied and generating growth in the number of students districtwide, Tafoya Elementary School, Douglass Middle School, and Pioneer High School all maintain capacity, indicating that the nearby existing schools could accommodate all anticipated elementary school, middle school, and high school students at build out of the WRTP Specific Plan Area (DecisionInsight 2021). Therefore, a shortfall of elementary school, middle school, or high school services and facilities would not occur. Depending on the timing of future development within the WRTP Specific Plan Area, future students could potentially be bused or driven to schools within the WJUSD boundaries, resulting in indirect impacts related to transportation, such as air pollutant emissions, greenhouse gas emissions, and transportation noise. These potential impacts were considered in the 2035 General Plan and CAP EIR analysis for the relevant resource areas, and are addressed as part of the impact analyses in each of the environmental topic-specific sections of the EIR. As noted, in the case that additional students resulting from new residential development within the WRTP Specific Plan Area would exceed the elementary school capacity or an additional school is otherwise determined by the WJUSD and the California Department of Education to be necessary, the WRTP Specific Plan provides for a new elementary school within the Planning Area. The proposed development in the WRTP Specific Plan is consistent with that assumed for analysis in the 2035 General Plan and CAP EIR, including increased students within the school district due to residential development, and planning for additional schools. Funding for new school construction, as provided through fees authorized by SB 50 and identified as mitigation under the 2035 General Plan and CAP EIR would be applicable to development within the WRTP Specific Plan Area. Project applicants for future projects proposed under the WRTP Specific Plan would pay the State-mandated school

impact fees to the WJUSD that are being levied at the time of development. The City would determine the assessable square footage that would be subject to the fee at the time of development. The California Legislature has declared that payment of the applicable school impact fee is deemed to be full and adequate mitigation under CEQA for impacts on school facilities (California Government Code Section 65996). Direct effects associated with the construction and operation of a new elementary school within the WRTP Specific Plan Area are addressed in specific resource area analyses, as appropriate, throughout the EIR. The indirect effects associated with transporting students were addressed in the General Plan and CAP EIR and are addressed, as appropriate, in the respective sections throughout the EIR. No additional CEQA review is required. (Draft EIR, pp. 3.12-15 through 3.12-16.)

- Impacts Related to Parks and Recreation Services. As discussed in the 2035 General Plan and CAP EIR Impact 4.12-4 (pages 4.12-39 through 4.12-43) (City of Woodland 2016), 2035 General Plan Policy 5.C.3 states the City will “strive to achieve” 6.0 acres of parkland per 1,000 residents. The Quimby Act authorizes cities and counties to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. General Plan Policy 5.C.3 requires that the development of parks and recreation facilities keeps pace with development according to the City’s parkland standard. Policy 5.C.4 requires that new residential development meet its fair share of the park acreage goal by either dedicating land for new parks, paying a fair share of the costs for new parks and recreation facilities, and/or renovating existing parks and facilities. Policy 5.C.12 requires that the City’s parks, open space, and recreational resources and facilities include a variety of amenities and features to meet the needs of the community, and that factors such as water conservation, urban forest canopy, drinking fountains, restrooms, lighting, and parking be considered in the design of new parks and recreation facilities. The 2035 General Plan and CAP EIR states that for any new future master or specific plan area, parkland would be required to support residential development according to the 2035 General Plan standard, which is 6.0 acres of parkland per 1,000 residents. The amount, type, and location of the new parks and recreational facilities are determined during the planning process. The environmental effects from construction and operation of new parkland were evaluated in the 2035 General Plan and CAP EIR throughout the individual environmental topic area sections. The 2035 General Plan and CAP EIR concluded that impacts related to parks and recreation services would be less than significant. Table 3.12-6 shows the parkland acreage calculations based on the projected new residential population in the WRTP Specific Plan Area. For the purpose of this analysis, it is assumed that the planned residential land use will support a total projected population of approximately 4,386 people. Therefore, assuming 6 acres per thousand residents, 26.3 acres of parkland would be required. As explained in Chapter 5 of the WRTP Specific Plan, additional parks, open space, mini parks and public or private plazas may be identified within individual developments and with Tentative Subdivision Maps. The WRTP Specific Plan will meet its park obligation through a combination of park land development and through project impact fees. Therefore, the WRTP Specific Plan would meet or exceed the City’s requirements for new residential development to provide its fair-share of park acreage. As stated above, General Plan Policy 5.C.12 requires that the City’s parks, open space, and recreational resources and facilities include a variety of amenities and features to meet the needs of the community, and that factors such as water conservation, urban forest canopy, drinking fountains, restrooms, lighting, and parking be considered in the design of new parks and recreation facilities. The WRTP Specific Plan includes a central park, “The Yard”, of 11.6 acres that would serve as the primary park/open space feature; smaller parks, open spaces, and greenways are proposed throughout the WRTP Specific Plan Area. The Yard would include one or more areas for field and court sports, playgrounds/tot lots, restrooms, picnic tables, shade structures and shaded seating areas, passive recreation areas, and improvements at the southern end to provide a central gathering

place for outdoor socializing and events (such as a weekly farmers market). Smaller parks and open spaces would be designed for a variety of passive and active uses, depending on the size and configuration of the park/open space. The interconnected open space, and thee active and passive recreation facilities will be required to provide ample places for physical activity and recreation. The Design Standards and Design Guidelines in Chapter 3 of the WRTP Specific Plan contain criteria for parkland design related to water conservation, urban forest canopy, drinking fountains, restrooms, lighting, and parking. The environmental effects from construction and operation of the WRTP Specific Plan, including proposed recreational facilities, are evaluated throughout the individual environmental topic area sections in the EIR. There are no other known environmental effects associated with park facilities or services that are beyond the impacts disclosed in the relevant environmental topic area sections of the EIR. Therefore, impacts from WRTP Specific Plan implementation related to parks and recreation services are substantially mitigated by City-administered uniformly applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, pp. 3.12-16 through 3.12-18.)

- Impacts Related to Increased Use of Existing Parks and Recreational Facilities. As discussed in the 2035 General Plan and CAP EIR Impact 4.12-6 (pages 4.12-46 through 4.12-48) (City of Woodland 2016), additional population growth would place added physical demands on existing park facilities by increasing the number of people using the parks, lengthening the periods of time during which the parks would be in active use, and/or increasing the intensity of use over the course of a typical day. However, the City also anticipated that new parkland would be created to serve new residential growth areas. Therefore, as additional parkland was added over time with new development, impacts related to use overall would be spread over more facilities, and thus the increased use of existing parks and recreational facilities would not result in substantial physical deterioration of existing facilities. Furthermore, General Plan Policy 5.C.3 requires that the development of parks and recreation facilities keeps pace with development and growth within the city according to the City's parkland standard. General Plan Policy 5.C.4 requires that new residential development meet its fair share of the park acreage goal by either dedicating land for new parks, paying a fair share of the costs for new parks and recreation facilities, and/or renovating existing parks and facilities. Therefore, the 2035 General Plan and CAP EIR concluded that impacts related to increased use of existing parks and recreational facilities would be less than significant. The WRTP Specific Plan would provide a total of 17.6 acres of parks and open space for the use of new residents, visitors, and employees in the WRTP Specific Plan Area. Parkland created in the WRTP Specific Plan Area would be located in proximity to proposed and existing nearby housing, promoting use of new parkland. In addition, new residents, visitors, and employees may also use existing City park facilities such as the 28-acre Woodland Sports Park approximately 0.35 mile west of the WRTP Specific Plan Area, the 10-acre Rick Gonzales Sr. Park approximately 0.6 mile east of the WRTP Specific Plan Area, and the Woodland Regional Park approximately 1 mile east of the WRTP Specific Plan Area. As the Spring Lake Specific Plan continues to be implemented, additional parks would also be developed north and east of the WRTP Specific Plan Area. Additionally, although it cannot be fully ascertained with any degree of certainty exactly how many residents and with what frequency they would choose to use off-site recreational facilities, General Plan Policy 5.C.11 promotes mechanisms to adequately fund the ongoing maintenance and repair of the City's open space, parks, and recreational resources and facilities. In addition, General Plan Implementation Program 5.2 calls for the production and regular update of the Parks, Recreation, and Community Services Master Plan that would, among other items, identify funding sources for the development and maintenance of parks, recreation centers and open space resources. Therefore, impacts related to increased use of existing parks and recreational facilities from implementation of the WRTP Specific Plan are substantially mitigated by City-administered uniformly

applied development standards, as provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, p. 3.12-19.)

- **Impacts Related to New Parks and Recreational Facilities.** As discussed in the 2035 General Plan and CAP EIR Impact 4.12-7 (pages 4.12-48 through 4.12-52) (City of Woodland 2016), new recreational facilities would be created to serve new growth. For any new future master or specific plan area, parkland is required to support residential development, and there may be new recreational facilities associated with new parkland. The precise amount, type, and location of the new parks and recreational facilities would be determined during the planning process for individual development projects or Specific Plans, and must be consistent with the requirements of the 2035 General Plan. Any new construction or expansion of recreation facilities would be subject to construction permitting and Fire and Building Code standards. Additionally, General Plan Policy 5.C.3 requires that development of recreation facilities keeps pace with development and growth within the city and Policy 5.C.5 supports the placement of parks and recreational facilities in proximity of housing. New development is required to meet its fair share of the park acreage goal, including greenbelt parks, according to Policies 5.C.4 and 5.C.9. Appropriate funding mechanisms for parks and recreational facilities must be identified according to Policy 5.C.11. Policy 5.C.12 requires that a variety of factors are considered in the design of new and renovated parks and recreational facilities, including flexibility for programming activities, travel distance of users, and citizen input. The 2035 General Plan and CAP EIR concluded that impacts related to creation of new parks and recreational facilities would be less than significant. The WRTP Specific Plan includes the creation of new on-site parks and recreational facilities, as well as payment of in-lieu fees towards expansion of the Woodland Sports Park, as required by the City. Parkland created in the WRTP Specific Plan Area would be located in proximity to proposed and existing nearby housing. The WRTP Specific Plan Design Standards contained in Chapter 3 of the WRTP Specific Plan require that a variety of factors are considered and incorporated into the new parks, including safety, security, water conservation, urban forest canopy, accessibility, restroom facilities, drinking fountains, and bike access and accommodations. The environmental effects from construction and operation of the WRTP Specific Plan, including proposed recreational facilities, are evaluated throughout the individual environmental topic area sections in the EIR. There are no other known environmental effects associated with park facilities or services that are beyond the impacts disclosed in the relevant environmental topic area sections of the EIR. Thus, no additional CEQA review is required. (Draft EIR, p. 3.12-19.)

## **TRANSPORTATION AND CIRCULATION**

- **Conflict or Be Inconsistent with CEQA Guidelines Section 15064.3(b).** The proposed land use types and density and the proposed transportation network for the WRTP Specific Plan are consistent with that anticipated under the 2035 General Plan. The transportation network described in the WRTP Specific Plan is consistent with the planned Citywide Circulation Diagram (Figure 3-2) in the General Plan Transportation and Circulation Element as follows. The General Plan Citywide Circulation Diagram shows planned arterial and collector streets for the South Growth Area (SP-1) in which the WRTP is located. This includes Parkland Avenue (a new east-west principal arterial between East Street and Pioneer Avenue), a new north-south road designated as Road B in the WRTP Specific Plan (a new north-south minor arterial between CR 25A and Parkland Avenue), an extension of Marston Road (east-west collector street, new segment between Parkland Avenue and Road B), and widening of CR 25A (east-west minor arterial, widening between Road B and SR 113). Planned bikeways shown on Figure 3-3 in the General Plan Transportation and Circulation Element include Class I and II facilities on portions of Parkland Avenue, CR 25A, and Road B as well as a Class I bicycle facility on Marston Road. All



of these streets and bicycle facilities are included in the WRTP Specific Plan, as shown on the network alignment and street crosssections. The WRTP Specific Plan includes a Comprehensive Transportation Demand Management/Vehicle Miles Traveled Reduction Program (TDM/VMT Program) that requires the project “achieve a 10 percent reduction in Plan Area VMT per capita compared to baseline conditions by 2035,” as required by the 2035 General Plan Policy 3.A.4 (Reduce Vehicle Miles Traveled [VMT]) for new development, as well as “financing strategies, sources, and mechanisms to ensure short-term and long-term funding for implementation and monitoring of the TDM/VMT Program.” As detailed in Section 6.2.3, “Subsequent Implementation Documents/Analysis,” of the WRTP Specific Plan, the Master TDM/VMT Program shall: 1) establish transportation strategies, programs, facilities or services for the purpose of VMT reduction that are financed by and consistent with the strategies and requirements of the Development Agreement<sup>2</sup>; and 2) provide project-specific VMT reduction strategies that all property owners/tenants shall be required to implement through individual project-level TDM Plans consistent with the Master TDM Program. These measures are consistent with Policy 3.A.4 of the 2035 General Plan, and shall, in combination, achieve a 10 percent reduction in VMT per capita for the WRTP Specific Plan Area compared to baseline conditions by 2035. The Master TDM/VMT Program will include a monitoring plan for collecting VMT data in the interim years to 2035, every five years as input to citywide GHG monitoring, so that the effectiveness of the VMT reduction strategies can be confirmed and any required strategy adjustments made to reach VMT reduction targets. Monitoring reports shall be reviewed by the City, which may make adjustments to reach project VMT reduction targets, as necessary. CEQA Guidelines Section 15064.3 establishes VMT as the most appropriate measure of transportation impacts, shifting away from the level of service (LOS) analysis that evaluated a project’s impacts on traffic conditions on nearby roadways and intersections. Although the State’s Office of Planning and Research (OPR) provides recommendations for adopting new VMT analysis guidelines, lead agencies have discretion in selecting and developing a methodology to evaluate VMT. Lead agencies must demonstrate that their selected analysis methodology aligns with SB 743’s goals to promote infill development, reduce GHGs, and reduce VMT. OPR Tech Advisory is guidance and not a program, plan, ordinance, or policy. The 2035 General Plan and CAP EIR demonstrated that the mix of actions and policies to reduce emissions, inclusive of a 10 percent reduction in VMT across the City’s Planning Area, would achieve the necessary GHG reductions for the City’s Planning Area. The City’s CAP provides for interim monitoring and reevaluation over time to ensure that reduction targets are being met and to allow for adjustments in reduction strategies and policies if they are not being met. As the WRTP Specific Plan is consistent with the 2035 General Plan transportation network and land use program, including residential density and population estimates and non-residential building square footage, and includes a TDM/VMT Program and funding to achieve the 10 percent VMT reduction required for new projects per General Plan Policy 3.A.4, there are no impacts that are peculiar to the WRTP Specific Plan that were not addressed in the 2035 General Plan and CAP EIR, and potential impacts are substantially mitigated by uniformly applied development standards, being the WRTP Specific Plan’s TDM/VMT Program and funding mechanism. As provided by CEQA Guidelines Section 15183(f), no additional CEQA review is required. (Draft EIR, pp. 3.13-15 through 3.13-16.)

## UTILITIES

- Impacts Related to Increased Demand for Water Supplies. As discussed in the 2035 General Plan and CAP EIR Impact 4.14-2 (pages 4.14-37 through 4.14-42) (City of Woodland 2016), additional residential, commercial, and industrial uses would increase demand for water supplies and water treatment facilities. General Plan goals and policies call for reductions in water use and ensure water system facilities are provided. General Plan Goal 5.G is to provide adequate potable water supply and delivery system to meet the needs of the city. General Plan

Policy 5.G.1 directs the City to provide an adequate water supply, while Policy 5.G.3 requires connection to the City's water system. Policy 5.G.2 requires preparation of a Water Supply Assessment for significant projects (those larger than a 500-dwelling unit project or 250,000 square foot commercial development), pursuant to Sections 10910 through 10915 of the California Water Code. Policies 5.G.5, 5.G.7, 5.G.9, and 7.A.5 reduce the demand on potable water production and delivery systems by requiring the expansion of the recycled water system, maintenance of existing facilities, coordination with regional partners to improve water efficiency and conservation, and updated landscaping regulations. Policy 7.A.5 encourages efficient use of water in landscaping. CAP Water and Solid Waste Objective 1 promotes reduced water demand, which is supported by a number of Actions outlined in Chapter 4 the CAP. The 2035 General Plan and CAP EIR determined that, based on the supply of surface water and groundwater, the City is expected to successfully meet water demand through 2035 (Table 4.14-3 of the 2035 General Plan and CAP EIR). The environmental effects from placement of infrastructure were evaluated in the 2035 General Plan and CAP EIR throughout the individual environmental topic area sections. The 2035 General Plan and CAP EIR concluded that impacts related to increased demand for water supplies and water treatment facilities would be less than significant. Development of the proposed WRTP Specific Plan would increase the demand for municipal water supplies. The City of Woodland Engineering Standards water-demand factors were applied to the acreage for each land use designation that generates municipal water use within the city. As shown in Table 3.14-2, the estimated potable water demand would be approximately 1.14 million gallons per day, which is approximately 1,278 afy at build-out of the WRTP Specific Plan. Table 3.14-1 identifies water supplies and demand within the City over the UWMP's planning period in normal, single-dry, and multiple-dry years. In all year types, if demand cannot be met from surface water alone, the City plans to meet any additional demand through reclaimed water and groundwater pumping. As stated above and shown in the Table 3.14-1, water supply is projected to be sufficient to meet demand through 2035 in all water years. The future water demands accounted for within the City's UWMP are based upon the population growth rate developed in the City's 2035 General Plan for the anticipated development within the City's Urban Limit Line, which included projections for the WRTP Specific Plan Area (West Yost Associates 2016); for the purposes of analysis, the EIR assumes the mix of land uses and overall amount of development in this WRTP Specific Plan Area of approximately 1,600 dwelling units and 2.2 million square feet of nonresidential building space, consistent with the 2035 General Plan. Therefore, the water demands for the WRTP Specific Plan Area were accounted for in water demand projections contained in the City's UWMP and evaluated in the 2035 General Plan and CAP EIR, and sufficient water supplies would be available to meet the demands of the WRTP Specific Plan. The WRTP Specific Plan provides guidelines and recommendations to reduce water demands through the use of highperformance, low-flow water fixtures; minimizing use of lawn and turf grass; the use of native plants and non-living groundcovers; and installation of climate sensitive irrigation systems. A reclaimed water system would be installed to meet landscape irrigation demands for medians, parks, and greenways to further reduce potable water demands. The City Public Works Department completed a Water Supply Assessment for the proposed land use plan contained within the WRTP Specific Plan. As documented in the Water Supply Assessment and Certification Form, the City has sufficient water supplies for the proposed project during normal, single dry, and multiple dry years over a 20-year period (City of Woodland 2019b). Therefore, as with the 2035 General Plan and CAP EIR, the impact related to additional water demand is less than significant. (Draft EIR pp. 3.14-12 through 3.14-13.)

- Impacts Related to Exceedance of Wastewater Treatment Requirements and Increased Demand for Wastewater Treatment Facilities. As discussed in the 2035 General Plan and CAP EIR Impact 4.14-1 (pages 4.14-32 through 4.14-36), Impact 4.14-2 (pages 4.14-37 through 4.14-42), and Impact 4.14-5 (pages 4.14-49 through 4.14-51)

(City of Woodland 2016), additional residential, commercial, and industrial uses anticipated under the General Plan would generate greater amounts of wastewater effluent compared to existing conditions. General Plan Goal 5.H ensures that wastewater treatment facilities are provided in a timely fashion to serve existing and future needs. General Plan Policy 5.H.6 requires all sewage generators within the Planning Area to connect to the City's system. General Plan Policies 5.F.1 ensures that there would be sufficient public services, including wastewater treatment facility capacity, to serve existing and new development in Woodland. Policies 5.F.2, 5.F.3, 5.F.4, and 5.F.5 address fiscal and funding impacts of new development to ensure there is funding available to support public facilities and services. Policies 5.H.2, 5.H.3, 5.H.4, and 5.H.5 address the need to plan for wastewater needs by requiring updates to the Sanitary Sewer Management Plan, consideration of the wastewater needs in amendments to the adopted General Plan, active planning for maintenance and repairs, and evaluation and updates to the Capital Improvement Program. Policy 5.H.9 requires a reduction in wastewater system demand. The WPCF was permitted and meeting facility specific permitted conditions under the State Water Resource Control Board National Pollution Discharge Elimination System permit requirements at the time of adoption of the 2035 General Plan, and the permit has been renewed and conditions continue to be met. Implementation of policies in the 2035 General Plan, along with existing local, State, and federal requirements would ensure that the wastewater treatment requirements of the Central Valley Regional Water Quality Control Board would continue to be met for amount of wastewater effluent. In terms of wastewater treatment, the hydraulic capacity of the City's WPCF is expected to meet the city's projected needs through 2035. The environmental effects from placement of infrastructure were evaluated in the 2035 General Plan and CAP EIR throughout the individual environmental topic area sections. The 2035 General Plan and CAP EIR concluded that impacts related to increased demand for wastewater treatment facilities would be less than significant. Wastewater flows generated by development of the WRTP Specific Plan Area were accounted for in wastewater flow projections contained in the 2035 General Plan and CAP EIR. Land use proposed in the WRTP Specific Plan is consistent with that contemplated for SP-1A in the 2035 General Plan, and therefore anticipated wastewater flows analyzed as part of the General Plan and CAP EIR would be the same, if not less due to recent regulatory changes and conservation measures, as that analyzed in the 2035 General Plan and CAP EIR. As described in the WRTP Wastewater Collection System Technical Memorandum, due to recent regulatory changes and implementation of the Model Calibration and Master Plan Update Recommendations prepared by Water Works Engineers in 2012, the City has reduced residential and commercial wastewater design sanitary sewer flow rate assumptions for the WRTP Specific Plan Area (Cunningham Engineering 2020c). As analyzed in support of the 2035 General Plan and CAP EIR, future average hydraulic flow to the WPCF would increase to about 8.3 mgd in 2035 with buildout of the General Plan, which is within the capacity of the WPCF (City of Woodland 2015). Similarly, the WPCF organic capacity would not be exceeded with buildout of the 2035 General Plan (City of Woodland 2015). As stated above and confirmed by the City's Wastewater Treatment Capacity Verification, the capacity of the City's WPCF is expected to exceed the city's projected needs through 2035, including the needs of the WRTP Specific Plan (City of Woodland 2019a). Thus, the WPCF would have adequate capacity to treat wastewater flows generated by the WRTP Specific Plan, as well as future development within the WPCF service area. Therefore, impacts from the WRTP Specific Plan related to exceedances of wastewater treatment requirements and increased demands that would be placed upon existing wastewater treatment facilities were addressed for the proposed WRTP Specific Plan as part of the 2035 General Plan and CAP EIR and are substantially mitigated by City-administered uniformly applied development standards. The 2035 General Plan and CAP EIR determined that this impact was less than significant. There are no impacts that are peculiar to the WRTP Specific Plan Area that were not addressed in the 2035 General

Plan and CAP EIR. As provided by CEQA Guidelines Section 15183(f), no additional CEQA review is required. (Draft EIR, pp. 3.14-13 through 3.14-14.)

- Impacts Related to Increased Generation of Solid Waste and Compliance with Solid Waste Regulations. As discussed in the 2035 General Plan and CAP EIR Impacts 4.14-6 and 4.14-7 (pages 4.14-51 through 4.14-56) (City of Woodland 2016), future residential, commercial, and industrial land uses anticipated under the General Plan would increase solid waste generation compared to existing conditions. General Plan Policies 5.J.1 and 5.J.2 require adequate solid waste services and compliance of solid waste collection in new development with local regulations, and Policy 5.J.4 requires compliance with State regulations. The 2035 General Plan and CAP EIR determined that existing State laws and regulations would reduce the potential environmental impact associated with solid waste generation (AB 341's solid waste diversion requirements and AB 1826's mandatory commercial organics recycling requirements). Furthermore, the City of Woodland Municipal Code reduces the potential environmental impact by regulating solid waste receptacles and disposal services, recyclable materials, and construction and demolition debris. The 2035 General Plan and CAP determined existing landfills have sufficient capacity to accommodate the solid waste disposal needs from anticipated future growth. The 2035 General Plan and CAP EIR concluded that impacts related to increased generation of solid waste and compliance with solid waste regulations would be less than significant. Construction activities for future projects under the WRTP Specific Plan would require site clearing and generate various construction-period wastes, including scrap lumber, scrap finishing materials, various scrap metals, and other recyclable and nonrecyclable construction-related wastes. The 2019 CALGreen Code (Title 24, Part 11 of the California Code of Regulations) requires all construction contractors to reduce construction waste and demolition debris by 65 percent. Code requirements include preparing a construction waste management plan that identifies the materials to be diverted from disposal by efficient usage, recycling, reuse on the project, or salvage for future use or sale; determining whether materials will be sorted on-site or mixed; and identifying diversion facilities where the materials collected will be taken. The code also specifies that the amount of materials diverted should be calculated by weight or volume, but not by both (California Building Standards Commission 2019). In addition, the 2019 CALGreen Code requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting primarily from land clearing be reused or recycled. In addition, the City requires contractors to comply with the Construction and Demolition Debris Recycling and Diversion Ordinance (Title 13, Chapter 13.40 of the City of Woodland Municipal Code) by reducing project waste entering landfill facilities by 65 percent as recycling 100 percent of excavated soil and land-clearing debris. Contractors are required to prepare a waste management plan that must be submitted to and approved by City's Community Development Department before issuance of a building permit and waste management logs must be submitted to the City's Community Development Department before final inspections (see Section 3.14.2, "Regulatory Framework," above). It is estimated the total population and employees resulting from implementation of the WRTP Specific Plan would generate 13.1 tpd and 32.25 tpd of solid waste, respectively. 5,6 These totals do not account for recycling programs required by AB 1826 or other City recycling programs. Therefore, the actual amount of solid waste generated by the proposed WRTP Specific Plan would be less than this estimate. Solid waste collected from the WRTP Specific Plan Area would be hauled to the Yolo County Central Landfill. The Yolo County Central Landfill has a maximum permitted throughput of 1,800 tpd, a remaining capacity of approximately 35 million cubic yards, and an expected closure date of 2081 (CalRecycle 2019a). The estimated 45.4 tpd of solid waste generated by the proposed project would be approximately two percent of the maximum tpd that could be received at the landfill. Therefore, sufficient landfill capacity would be available to accommodate solid-waste disposal needs for the WRTP Specific Plan. Development of the WRTP Specific

Plan would result in increased long-term generation of solid waste during operation. The City provides recycling programs, such as curbside recycling of paper, plastics, bottles, and organics, to reduce the volume of solid waste transported to landfills. In addition, the Recyclable Materials Ordinance (City Municipal Code Title 13, Chapter 13.36) reduces wastes further by requiring businesses and multi-family residential uses to provide integrated collection areas with recycling components. Furthermore, AB 1826 requires businesses to recycle organic wastes. Future projects developed under the WRTP Specific Plan will be required to comply with all statutes and regulations related to solid waste. Compliance with the CalGreen Code, the City's Construction and Demolition Debris Recycling and Diversion Ordinance, AB 1826, the City's Recyclable Materials Ordinance, and other City recycling programs would ensure that sufficient landfill capacity would be available to accommodate solid-waste disposal needs for future development. The anticipated increase in solid waste generation of time is based on an increase in population in the county. Per resident and per employee generation rates in the WRTP Specific Plan Area are likely to be less than existing rates as the City continues to implement waste diversion programs to comply with State regulations (AB 341 and AB 1826) and support State goals. Development assumptions and related population growth within the WRTP Specific Plan Area are within the envelope assumed in the 2035 General Plan. Therefore, impacts from WRTP Specific Plan and related infrastructure improvements related to increased generation of solid waste and compliance with solid waste regulations were addressed for the proposed WRTP Specific Plan as part of the 2035 General Plan and CAP EIR and are substantially mitigated by City-administered uniformly applied development standards in the form of 2035 General Plan and CAP EIR policies and implementation programs, or in the form of existing City standards or code requirements. The 2035 General Plan and CAP EIR determined that this impact was less than significant. There are no impacts that are peculiar to the WRTP Specific Plan Area that were not addressed in the 2035 General Plan and CAP EIR. As provided by CEQA Guidelines Section 15183(f), and no additional CEQA review is required. (Draft EIR, pp. 3.14-14 through 3.14-16.)

## **2. FINDINGS REGARDING LESS THAN SIGNIFICANT IMPACTS NOT REQUIRING MITIGATION**

The City Council agrees with the characterization in the Draft EIR of all project impacts identified as “less than significant” and finds that those impacts have been described accurately and are either less than significant or have no impact, as described in the Draft EIR.

CEQA Guidelines Section 15091 does not require specific findings to address environmental effects that an EIR identifies as “no impact” or a “less than significant” impact. However, the impacts where the project would result in either no impact or a less-than-significant impact, and which require no mitigation, are detailed below. The less-than-significant conclusions and findings for these impacts are consistent with the findings of the EIR. Please refer to the Draft EIR and the Final EIR for more detail.

### **AGRICULTURE AND FORESTRY RESOURCES**

- Impact 3.2-2. Conflict with Existing Zoning for Agricultural Use.

Finding: Less than significant. (Draft EIR, p. 3.2-19.)

Explanation: The WRTP Specific Plan and off-site improvement areas are zoned by Yolo County as Agricultural Intensive (AN). The A-N zoning designation is intended to promote intensive agricultural uses while preventing the encroachment of nonagricultural uses. The Yolo County Zoning Regulations (Chapter 2

of Title 8 of the Yolo County Code) state that privately-owned ponds for agricultural-related use are an allowable use in the A-N zoning designation (Yolo County 2020). Development of the WRTP Specific Plan Area will require annexation into the City and pre-zoning prior to development. The WRTP Specific Plan will also require amending the City's Zoning Ordinance to reference the WRTP Specific Plan for allowable land use, development standards, performance standards, and design guidelines. With approval of the WRTP Specific Plan, annexation of the WRTP Specific Plan Area into the City of Woodland, and associated zoning changes, development of the WRTP Specific Plan Area would not conflict with zoning for agricultural use. Land for the proposed South Regional Pond would not be annexed to the City and would remain within Yolo County jurisdiction in land designated as A-N. The balance of the parcel on which the South Regional Pond would be located is in agricultural use and the WRTP Specific Plan would not propose to change that. While this proposed land use could conflict with existing zoning, any potential adverse physical impacts associated with construction and operation of the South Regional Pond, such as loss of farmland, changes to the visual character, and other potential physical impacts, have been comprehensively analyzed throughout the EIR. Potential impacts associated with development of the South Regional Pond would be mitigated through implementation of mitigation measures presented in the EIR and through uniformly applied City administered development standards. There is no impact beyond those comprehensively considered throughout the other sections of the EIR. This impact is considered less than significant.

## **BIOLOGICAL RESOURCES**

- Impact 3.4-6. Impacts on Migratory Corridors and Nursery Sites: Interference with Wildlife Movement Corridors and Nursery Sites.

Finding: Less than significant. (Draft EIR, p. 3.4-37)

Explanation: The city of Woodland is located within the Pacific flyway, which is a major north-south route for migratory birds along western North America. Large numbers of waterfowl and shorebirds may move through the area seasonally and may congregate and forage in wetlands, grasslands, and agricultural fields during winter or use them as resting grounds during longer migrations from the Arctic to Central or South America. Land use changes would allow development to occur in the agricultural habitats within the WRTP Specific Plan Area and off-site improvement areas within the Pacific flyway, but this development would not create a barrier to movement of migratory species or alter the character of existing habitat available to migrating birds such that it would no longer function as a migratory corridor because there still would be abundant agricultural habitat of equal or better value to migrating birds surrounding the WRTP Specific Plan Area and off-site improvement areas and this agricultural habitat, along with Cache Creek, Willow Slough, and the Yolo Bypass would continue to support the needs of migratory birds and provide wildlife movement opportunities for other native resident or migratory wildlife species in the area. Development of the WRTP Specific Plan Area and off-site improvement areas would not cause any areas of natural habitat to become isolated. Waterways consist of agricultural and roadside ditches that do not support riparian vegetation that would provide cover for wildlife movement. The WRTP Specific Plan Area and off-site improvement areas do not currently provide an important connection between any areas of natural habitat that would otherwise be isolated, and the WRTP Specific Plan Area and offsite improvement areas are not located within any of the ecological corridors identified in the Yolo Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP) as important to maintaining connectivity between communities, habitat patches, species populations, or the Yolo HCP/NCCP proposed reserve system. No native wildlife nursery sites have been identified in the WRTP Specific Plan Area or off-

site improvement areas. Therefore, implementing the WRTP Specific Plan would not interfere substantially with the movement of any native resident or migratory species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The impact is less than significant.

- Impact 3.4-7. Consistency with Local Policies and Ordinances: Conflict with Local Ordinances Protecting Biological Resources.

Finding: Less than significant. (Draft EIR, p. 3.4-37.)

Explanation: Although a tree inventory has not been completed for the WRTP Specific Plan Area, the reconnaissance surveys confirmed several trees are present in the WRTP Specific Plan Area and off-site improvement areas. Implementing the proposed WRTP Specific Plan would allow development in the WRTP Specific Plan Area and off-site improvement areas, and several of these trees could be potential, heritage trees or other trees protected under the City of Woodland Tree Ordinance (Woodland Municipal Code Chapter 12.48). However, the City will require compliance with the Tree Ordinance as a part of WRTP Specific Plan implementation. The impact is less than significant.

- Impact 3.4-8. Conflict with an Adopted Habitat Conservation Plan: Conflict with an Adopted Habitat Conservation Plan / Natural Community Conservation Plan.

Finding: Less than significant. (Draft EIR, p. 3.4-38.)

Explanation: The avoidance, minimization, and mitigation measures included in the EIR are consistent with the Yolo HCP/NCCP (Yolo Habitat Conservancy 2018). In addition, the WRTP Specific Plan would comply with the 2035 General Plan policies and implementation programs, and these maintain consistency with the Yolo HCP/NCCP. The proposed WRTP Specific Plan and 2035 General Plan were designed for consistency with the Yolo HCP/NCCP. Goal 7.B of the 2035 General Plan is to maintain and protect natural habitats throughout the Planning Area, especially types that are considered sensitive by the Yolo HCP/NCCP, and Policy 7.B.1 of the 2035 General Plan requires full implementation of the Yolo HCP/NCCP, once adopted, to mitigate the impacts of growth projected under the General Plan on plant and wildlife habitats in the Woodland area (City of Woodland 2017). There are no sensitive habitats or other lands in the WRTP Specific Plan Area or off-site improvement areas that are identified in the Yolo HCP/NCCP as a part of the future reserves system. Therefore, implementing the WRTP Specific Plan would not reduce the effectiveness of the Yolo HCP/NCCP conservation strategy and would not interfere with attaining the overall biological goals and objectives of the Yolo HCP/NCCP. The City of Woodland is a permittee and participant of the Yolo HCP/NCCP, and will avoid, minimize, and mitigate impacts on covered species and habitats consistent with the Yolo HCP/NCCP conservation strategy, as described above. The impact is less than significant.

## **CLIMATE CHANGE, GREENHOUSE GAS EMISSIONS, AND ENERGY**

- Impact 3.5-1. Result in Potentially Significant Environmental Impact Due to Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources during Project Construction or Operations.

Finding: Less than significant. (Draft EIR, pp. 3.5-26 through 2.5-31.)

Explanation: The 2035 General Plan and CAP EIR (pages 4.5-43 to 4.5-63) discusses potential impacts related to the consumption of energy from implementation of the 2035 General Plan and CAP. The EIR estimated the maximum annual energy demand in the form of natural gas, electricity, and fuel associated with future operations within the City's Planning Area with implementation of the 2035 General Plan. The 2035 General Plan and CAP EIR also discussed the anticipated construction-related energy demand associated with development with implementation of the General Plan. With regard to construction-related energy consumption, the 2035 General Plan and CAP determined that the Planning Area and anticipated development do not have any unusual characteristics that would necessitate the use of construction equipment or methods that would be less energy-efficient than at comparable construction sites in the City. With regard to operational transportation and building energy consumption, the General Plan contains several policies that promote mixed-use and infill development and site residents, jobs, and retail amenities in proximity of each other to reduce the need for motor vehicle travel. Many policies through various mechanisms also support development of pedestrian and bicycle facilities and encourage alternative transportation and transit that would promote non-vehicular modes of travel. General Plan policies also encourage minimizing energy and water demand and wastewater generation and encourage methods to minimize solid waste generation and increase waste diversion systems. Policy 2.C.2 also requires new development to be consistent with the objectives and targets of the City's CAP, which specifically provides objectives, strategies, and implementation measures to reduce energy demand associated with the City's Planning Area. The 2035 General Plan and CAP EIR determined that implementation of the General Plan, for either alternative, would improve overall energy efficiency on a per-service population bases compared to existing conditions. The 2035 General Plan and CAP EIR found this impact to be less than significant.

Energy would be consumed through all phases of project construction and operations. Energy-requiring activities range from equipment operation during construction, to building operations, to transportation during all phases of the WRTP Specific Plan implementation. Table 3.5-5 summarizes total energy requirements for development under the WRTP Specific Plan. For comparison purposes, Table 3.5-5 shows conversion of all energy requirements to a common energy unit of British thermal units (Btu) per year. Operational transportation would be the greatest energy consuming factor associated with implementation of the WRTP Specific Plan. The WRTP Specific Plan provides for employment-generating land uses as well as a range of housing options, and implements land use and transportation planning strategies that would reduce the demand for motor vehicle travel, and thereby minimize overall transportation energy (fuel) demands. Building operations would account for approximately 30 percent of the energy consumption for the WRTP Specific Plan Area. Compliance with existing regulations would ensure that the proposed facilities would be more energy efficient than existing, average, similar-use buildings, as energy efficiency requirements have become more stringent over time. In addition, the implementation of the WRTP Specific Plan would be consistent with the City's 2035 General Plan and, as described above in Table 3.5-1 and further detailed in Section 3.10, "Land Use Planning, Population, and Housing," of the EIR. As detailed in the Design Standards and Design Guidelines in Chapter 3 of the WRTP Specific Plan, building design and construction of development under the WRTP Specific Plan will incorporate features that achieve energy and resource efficiencies. Considering this information, the WRTP Specific Plan would not be expected to cause inefficient, wasteful, or unnecessary consumption of energy and this impact is considered less than significant. No mitigation is required. Energy efficiency is a possible indicator of environmental impacts. The actual adverse physical environmental effects associated with energy use and the efficiency of energy use are detailed throughout the EIR in the environmental topic-specific sections. For example, the use of energy for transportation leads to air pollutant emissions, the impacts of which are addressed



in Section 3.3 of the EIR. There is no physical environmental effect associated with energy use that is not addressed in the environmental topic-specific sections of the EIR.

- Impact 3.5-2. Conflict with or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency

Finding: Less than significant. (Draft EIR, p. 3.5-32.)

Explanation: As described above in the discussion of Impact 3.5-1, implementation of the WRTP Specific Plan would result in the development of new land uses that would induce new demand for electricity and natural gas, as well as induce additional VMT that would result in the consumption of fossil fuels. However, design and construction of buildings would comply with the most recently adopted California Building Energy Efficiency Standards Code and California Green Building Standards Code (CalGreen), and the City's CAP. This would ensure that future development would consume energy efficiently through the incorporation of such features as efficient water heating systems, high performance attics and walls, and high efficacy lighting. The Design Standards and Design Guidelines in Chapter 3 of the WRTP Specific Plan also promote energy efficient design standards and transportation systems, promote energy efficiency in new construction that meet or exceed State Building Energy Efficiency Standards, promote energy efficiency and conservation programs associated with utilities, and require compliance with federal, State, and local energy-related regulations. Therefore, implementation of the WRTP Specific Plan would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. This impact is less than significant.

## HAZARDS AND HAZARDOUS MATERIALS

- Impact 3.8-3. Result in a Safety Hazard for People Residing or Working in a Project Area Located in the Vicinity of a Private Airstrip.

Finding: Less than significant. (Draft EIR, pp. 3.8-22 through 3.8-23.)

Explanation: The 2035 General Plan and CAP EIR (page 4.8-29) (City of Woodland 2016b) stated that since there are no private airstrips within the General Plan Planning Area, implementation of 2035 General Plan land use changes and policies would have no impact related to the safety hazard for people residing or working in the vicinity of a private airstrip, and this impact was not addressed further in the 2035 General Plan and CAP EIR. Medlock Field is a privately owned and operated airport located approximately 1.3 miles south of the WRTP Specific Plan Area on CR 101. The north end of the runway is approximately 1.4 miles south of the WRTP Specific Plan and the proposed off-site South Regional Pond. Approximately 15 single-engine airplanes are based at the airport, which includes an administration building, aircraft hangers, maintenance sheds, a fueling station, and parking areas (AirNav 2020). As discussed above in the "Regulatory Framework," the Caltrans Division of Aeronautics applies the FAA Part 77 height regulations and notice requirements to private use airports. However, the height of buildings within the WRTP Specific Plan Area would have to exceed a slope of 25:1 at the imaginary surface extending outward and upward from the airport runway to the WRTP Specific Plan Area. As detailed in Section 3.4, "Site Development Standards," of the WRTP Specific Plan, buildings constructed within the WRTP Specific Plan Area would not exceed a height of 70 feet, and land within the WRTP Specific Plan Area is flat. Therefore, construction of buildings within the WRTP Specific Plan Area would not result in a height above the ground surface that would be tall enough to result in a flight hazard at Medlock Field (i.e., would not exceed the 25:1 slope limitation). The WRTP Specific Plan Area would include an approximately 4-acre water quality/hydromodification basin the southeastern corner. However, this

basin would be used only for detention of stormwater flows, which would be released over a 48-hour period. Therefore, this proposed on-site basin would not result in a large open area of water that would be retained for long periods of time that could attract waterfowl and thereby result in wildlife strike hazards. Proposed land uses in the WRTP Specific Plan Area include Village Center (retail or mixed use); Commercial–Business Park, Office, Research, High-Tech, or Light Industrial Flex; and Commercial–Highway. These facilities may handle hazardous substances, although they would not be expected to handle large quantities of acutely hazardous substances since the WRTP Specific Plan Area does not include zoning for heavy industrial land uses. Therefore, the potential for explosion hazard is minimal. As discussed in detail in Section 3.1, “Aesthetics,” of the EIR, the WRTP Specific Plan would not be implemented in a “dark sky” area; rather, existing nighttime lighting is already generated by the Woodland Sports Park west of SR 113, from street lighting along the east and west sides of SR 113 on the west side of the project site, and from street and residential lighting in the adjacent Spring Lake development to the east. General Plan Policies 2.F.4 and 2.F.5 require that artificial lighting be controlled to avoid spill-over lighting, preserve the night sky, and prevent glare. The proposed land uses in the WRTP Specific Plan Area would not include high mast, high foot-candle-power lighting towers such as those used at the Woodland Sports Park. Rather, standard City street lights would be constructed along the arterial, collector, and residential streets at heights of 31, 28, and 25 feet, respectively, as required by Section 9 of the City’s Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a). The Engineering Standards also direct the maximum allowable amount of foot-candle illumination that may be used for arterial, collector, and residential streets (200, 100, and 70 watts, respectively). Furthermore, the WRTP Specific Plan Performance Standards and Design Standards and Design Guidelines, contained in Sections 3.3.2 and 3.5.2, respectively, of the WRTP Specific Plan also state that proposed land uses may not create new sources of glare, and that sign illumination must be confined to the area of the sign and may not cast a glare that is visible from any street or adjacent lot. The off-site South Regional Pond would not require nighttime lighting. The existing SR 113/CR 25A interchange is lighted with high-mast light standards that are shielded and direct the lighting downward; the proposed interchange improvements would include the continued use of shielded, directional high-mast light standards, but would not substantially change the amount of skyglow that is already emitted as compared to the existing interchange. Therefore, the WRTP Specific Plan and the off-site improvements would not include lighting that could be mistaken for airport lighting and/or cause glare in the eyes of pilots of aircraft using Medlock Field. For the reasons stated above, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact would be less than significant.

## **LAND USE PLANNING, POPULATION, AND HOUSING**

- Impact 3.10-1 Conflict with the Woodland 2035 General Plan and Municipal Code.

Finding: Less than significant. (Draft EIR, pp. 3.10-17 through 3.10-33.)

Explanation: Specific plans, under State law, are required to be consistent with the relevant jurisdiction’s general plan. The environmental topic-specific sections of the EIR include a discussion of relevant General Plan policies and implementation programs, which are used to frame mitigation measures presented throughout the EIR. The WRTP Specific Plan is one of three subareas designated by the City of Woodland General Plan 2035 within the Specific Plan 1 (SP-1) new growth area. Referred to as “SP-1A” in the General Plan, the City “envision[s] the Specific Plan to develop as a mixed-use neighborhood anchored by a research and technology

business park in the ‘Southern Gateway’ [to the city] located at CR 25A and SR 113” (City of Woodland 2017, page LU 2-55). According to direction in the General Plan, for the WRTP Specific Plan Area:

“The highest intensity of development will occur within the business park area, providing a prime opportunity for job creation within Woodland. The remainder of SP-1A will be largely residential with some open space and recreation areas.”

As directed by the General Plan (Policy 2.L.2, page LU 2-77), the City will:

Promote development of SP-1A as a mixed-use residential district anchored by a research and technology business park in the Southern Gateway area at CR 25 and SR 113. Concentrate the highest intensity of development within and in close proximity to the business park area, with lower-density, largely residential uses to the north. Encourage sustainable development through the use of renewable energy sources and water conservation tools with the goal of striving to achieve zero net energy at the building and neighborhood level to the extent feasible.

The WRTP Specific Plan Area is identified “New Growth (Planned Development)” and designated as SP-1A in the General Plan, but does not currently have specific City land use zoning designations. Because the WRTP Specific Plan Area is outside of the current City limits, development of the WRTP Specific Plan will require annexation into the City and pre-zoning prior to development. The WRTP Specific Plan will also require amendment of the City’s Zoning Ordinance. Table 3.10-4 provides a discussion of the WRTP Specific Plan’s consistency with the General Plan. Tables 3.5-1 and 3.5-2 in Section 3.5, “Climate Change, Greenhouse Gas and Energy,” of the EIR, lists the 2035 General Plan policies relevant to greenhouse gas emissions and the relevant policies of the City’s Climate Action Plan, respectively, and briefly explains the WRTP Specific Plan consistency with these policies. As shown in Table 3.10-1, implementation of the WRTP Specific Plan would be consistent with the 2035 General Plan policies. As noted in Section 3.10.2 and shown in Table 3.10-3 of the EIR, the current Housing Element and Land Use Plan was developed with consideration for the City of Woodland’s RHNA for the planning period of 2013 through 2021 (as shown in Table 3.10-3), which projected a need for the construction of an additional 1,877 housing units, allocated as follows: 195 extremely low income units, 195 very low income units, 274 low income units, 349 moderate income units, and 864 above moderate income units. The City met the rezoning requirement for the 2013-2021 planning period in May 2018 through the adoption of the Interim Zoning Ordinance. SACOG’s RHNA for the planning years 2021 through 2029 projected a need for the City of Woodland for the construction of an additional 3,087 housing units, allocated as follows: very low income (663 units), low income (399 units), moderate income (601 units), and above moderate income (1,424 units) (Table 3.10-2). The WRTP Specific Plan, once fully developed, could provide opportunities for approximately 1,673 new dwelling units, helping the City meet the RHNA. The WRTP Specific Plan includes a Housing Mix land use policy (Section 2.2 of the WRTP Specific Plan) to provide a mix of housing types at a range of densities and affordability levels that accommodate residents at all states of life. With densities ranging from less than 8 units per acre to 40 units per acre, a variety of housing types, sizes, and densities are planned, including conventional and small-lot single family homes, accessory dwellings (or secondary units), townhomes, multi-story apartments and condominiums, and livework units. WRTP Specific Plan consistency related to environmental topics is addressed in each technical section of the EIR, as appropriate. These technical sections provide a detailed analysis of other relevant physical environmental effects that could result from implementation of the WRTP Specific Plan and identify mitigation measures, as necessary, to reduce impacts. Implementation of the proposed WRTP Specific Plan would not conflict with

adopted City General Plan policies, land use designations, or zoning in a way that would generate any adverse physical impacts beyond those addressed in detail in the environmental sections of the EIR (air quality, biological resources, cultural resources, etc.). Therefore, and consistent with the finding in the 2035 General Plan and CAP EIR, this impact is considered less than significant.

- Impact 3.10-2 Potential conflicts with the Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan (MTP)/Sustainable Communities Strategy (SCS).

Finding: Less than significant. (Draft EIR, pp. 3.10-33 through 3.10-34.)

Explanation: The SACOG MTP/SCS showed the WRTP Specific Plan Area as a Developing Community. According to the MTP/SCS, this community type is “typically, though not always, situated on vacant land at the edge of existing urban or suburban development; they are the next increment of urban expansion. Areas are identified in local plans as special plan areas, specific plans, or master plans and may be residential-only, employment-only, or a mix of residential and employment uses.” Although the WRTP Specific Plan Area was identified as a new growth area, only a portion of the WRTP Specific Plan Area is assumed for development within the MTP/SCS horizon of the year 2040. However, the methodology and purpose of the City’s estimate of development capacity under the 2035 General Plan is different from the methodology and purpose of SACOG’s forecast for the purposes of the MTP/SCS. The SACOG projections are market-based growth estimates that project the amount and location of likely growth in the region based on a variety of socio-economic factors that are updated every four years. The City’s general plan and this WRTP Specific Plan serve as long range planning tools that seek to create opportunities for growth and provides a range of land use options to encourage economic investment and promote other City policy objectives. In addition, the MTP/SCS is updated every four years, and new growth areas, as well as other regulatory and market factors not previously considered, can be considered when creating the land use forecasts for the ensuing MTP/SCS. Given these different purposes, it is reasonable to expect variations in the growth forecasts between the two. Finally, the EIR analyzes full development of the WRTP Specific Plan Area and all direct and reasonably foreseeable effects of implementing the WRTP Specific Plan including impacts related to transportation and greenhouse gas emissions and other topics that are the focus of the MTP/SCS. There is no impact related to plan consistency that is not addressed in the environmental topic-specific sections of the EIR (e.g., air quality, greenhouse gas emissions, etc.). This impact is considered less than significant.

- Impact 3.10-3 Potential conflicts with the Local Agency Formation Commission (LAFCo) Policies, Standards, and Procedures Guidelines.

Finding: Less than significant. (Draft EIR, pp. 3.10-33 through 3.10-34.)

Explanation: LAFCo is charged with applying the policies and provisions of the Cortese-Knox Act (California Government Code Section 56000 et seq.) to its decisions regarding incorporations, reorganizations, and other changes in government organization. This act establishes the process through which a local agency boundary change is made, and associated planning authority is transferred from one local agency to another. Generally, LAFCo is responsible for determining whether any incorporations are consistent with the LAFCo objectives and policies of ensuring that services would be available to new development; avoiding premature conversion of farmland; and ensuring planned, logical, and orderly patterns of urban growth. California Government Code Section 56668 sets forth criteria for evaluation of annexation projects. This statute establishes factors that

LAFCo agencies must use in reviewing annexation proposals. Any future urban development within the WRTP Specific Plan Area would require annexation by the City of Woodland and would be subject to this statute. A Municipal Service Review and Sphere of Influence Amendment was conducted for Woodland in 2018. This Municipal Service Review covered the portion of the WRTP Specific Plan Area south of CR 25A and east of SR 113 (Yolo LAFCo 2019). The City created a framework of controlled growth by adopting its voter-approved Urban Limit Line. The General Plan 2035 included policies to ensure that the development of finite land resources will be carefully planned and managed. The WRTP Specific Plan provides controlled, yet flexible, land use planning for development within the WRTP Specific Plan Area, identified as SP-1A in the 2035 General Plan. The WRTP Specific Plan includes non-residential uses that will accommodate advanced technology-related jobs and training that allow a greater number of Woodland residents and college graduates from the Woodland Community College and throughout the region to live and work in the community. The WRTP Specific Plan, once fully developed, could provide opportunities for 1,600 new dwelling units at a range of densities and affordability levels that accommodate residents at all states of life, helping the City meet the RHNA. The WRTP Specific Plan also provides for adequate public facilities and services, and would not exceed the capacity of existing water support or other public resources. There are planned land uses within this portion of the WRTP Specific Plan Area that would create the need for an expanded service area and would result in the loss of prime agricultural land or open space. However, the City's Urban Limit Line preempts any uncontrolled sprawl. Section 3.2, "Agricultural and Forestry Resources," of the EIR discusses this loss and explains that development under the WRTP Specific Plan shall comply with applicable City and County regulations, including mitigation requirements to address the conversion of farmland to urban uses. The WRTP Specific Plan also includes policy (Section 2.2) requiring a 150-foot buffer from adjacent agricultural land at the Urban Limit Line, where feasible. Detailed discussion of impacts and mitigation measures associated with implementation of the WRTP Specific Plan that would require expansion of the WRTP Specific Plan Area are evaluated throughout other sections of the EIR, including Agricultural Resources; Hydrology, Flooding, and Water Quality; Public Services and Recreation; and Utilities. As described above implementation of the WRTP Specific Plan, is consistent with LAFCo policies. Thus, this impact is considered less than significant.

## TRANSPORTATION AND CIRCULATION

- Impact 3.13-3. Result in Inadequate Emergency Access.

Finding: Less than significant. (Draft EIR, p. 3.13-22.)

Explanation: The WRTP Specific Plan will modify the existing transportation network generally to expand existing facilities or to construct new facilities to accommodate planned population and employment growth. Construction of the WTP Specific Plan Area would not require temporary lane or street closures or detours, therefore, would not affect emergency access. In addition, there are no pedestrian and bicycle facilities currently around the site. Construction-related vehicular movements may not need to be restricted or redirected to accommodate material hauling, construction, staging, and modifications to existing infrastructure. This impact would be less than significant. The plan for operations under the WRTP Specific Plan must meet City's standards for turning radii, drive aisle width, and other road geometry and must comply with City landscaping standards requiring that vegetation be set back to maintain the line of sight. Maintaining adequate safety and operation at internal intersections and drive aisles and trimming the shrubbery and landscaping near the internal intersections and site access points would ensure adequate emergency access. Therefore, operational impacts would be less than significant.

### 3. FINDINGS REGARDING IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

In accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15091, subdivision (a), this section provides a specific finding for each potentially significant environmental impact and its associated mitigation measures.

The City Council hereby finds that feasible mitigation measures have been identified in the EIR and these Findings of Fact that will avoid or substantially lessen the following potentially significant environmental impacts to a less-than-significant level. The potentially significant impacts and the mitigation measures that will reduce them to a less-than-significant level are summarized below and herein incorporated by reference. Please refer to the Draft EIR and the Final EIR for more detail.

#### AIR QUALITY

##### Impact 3.3-3. Expose Sensitive Receptors to Substantial Pollutant Concentrations.

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.3-31 through 3.3-43.)

**Explanation:** Construction activities and the operational phase of the WRTP Specific Plan could involve activities that could expose sensitive receptors to substantial pollutant concentrations. The WRTP Specific Plan Area is bordered by the Spring Lake Specific Plan development area to the north and east, which includes residential development and open space immediately adjacent to the WRTP Specific Plan Area. To the west is SR 113, with open space and agricultural land uses to the south and opposite SR 113. As the WRTP Specific Plan buildout occurs, sensitive land uses would be developed within the WRTP Specific Plan Area, including residential uses and parks and recreational facilities. These land uses could be built within proximity to other future construction sites, as well as operations of emissions generating activities from surrounding existing and future land uses.

Emissions and ambient concentrations of carbon monoxide (CO) have decreased substantially throughout California in the past three decades. The national statewide CO standard is attained statewide in California, and an exceedance of NAAQS or CAAQS in the region was last recorded in 1993. This is primarily attributable to requirements for cleaner vehicle emissions. The Federal Motor Vehicle Control Program has mandated increasingly lower emission levels for vehicles manufactured since 1973. Between 2000 and 2019, national average CO concentrations, as well as regional average CO concentrations in the California and Nevada region, have decreased by approximately 65 percent.

While ambient CO concentrations in the region have not exceeded NAAQS or CAAQS in many years, localized CO concentrations could still occur, particularly at intersections of high-volume roadways. Relevant screening metrics that serve as indicators of potential CO hotspots include whether a project would contribute to substantial traffic delays at or along high-volume intersections and roadways or contribute additional traffic to a unique setting in which mixing of air, and therefore pollutant dispersion, would be substantially limited, such as within a tunnel, underpass, urban street canyon, below-grade roadway, or other similar setting. Several air districts, including the surrounding Bay Area Air Quality Management District, San Joaquin Valley Unified Air Pollution Control District, and Placer County Air Pollution Control District provide recommended screening methodologies as a conservative indication of whether implementation of a proposed project would result in localized CO emissions that would generate a hotspot and potentially significant impact. Traffic volumes at roads and streets affected by Specific Plan

traffic would be substantially less than the historical Sacramento Metropolitan Air Quality Management District (SMAQMD) second-tier screening criterion of 31,600 vehicles per hour, as well as the above noted BAAQMD screening criterion of 44,000 vehicles per hour. In addition, the future development within the WRTP Specific Plan Area would not contribute to a tunnel, parking garage, bridge underpass, urban street canyon, below-grade roadway, or other locations where horizontal or vertical mixing of air would be substantially limited, and the mix of vehicle types at the intersections is not anticipated to be substantially different from the County average. Therefore, emissions of CO from local mobile sources generated by operations with future development of the WRTP Specific Plan Area would not result in, or substantially contribute to, emissions concentrations that exceed the ambient air quality standards for CO. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact from potential CO hotspots would be less than significant.

Heavy-duty construction equipment, haul trucks, on-site generators, and construction worker vehicles associated with construction could generate diesel PM (DPM), which the CARB has identified as a TAC. Implementation of the WRTP Specific Plan and off-site improvement areas would result in the construction of new buildings, structures, paved areas, roadways, utilities, and other improvements. Generation of DPM from construction projects typically occurs in a single area (e.g., at the project site) for a short period of time, but could also include linear infrastructure projects to support new land uses. Concentrations of mobile-source DPM emissions are typically reduced by 70 percent at a distance of approximately 500 feet. Therefore, even in intensive phases of construction, any potential substantial DPM concentrations would be limited to the immediate vicinity of the construction site.

For buildout of the WRTP Specific Plan Area and off-site improvement areas, construction activities and related emissions would vary depending on the phase of construction (e.g., grading, building construction), and therefore, the construction-related emissions to which nearby receptors are exposed would also vary throughout the construction period. Existing off-site residents and other sensitive receptors would only be within close proximity to construction activities associated with development near the perimeter of the WRTP Specific Plan Area. Potential future on-site receptors are unknown at this time, but it is reasonable to assume future sensitive receptors may at some time be located in close proximity to future construction activities associated with buildout of the WRTP Specific Plan Area. Therefore, it is conservatively assumed that certain construction activities would result in the exposure of sensitive receptors to substantial TAC concentrations. This impact from construction-related TACs is considered potentially significant.

Certain land uses are more likely than others to generate substantial TAC emissions due to allowable activities within those land use designations. Residential land uses do not typically generate substantial TAC emissions. Commercial land uses may potentially include stationary sources of TACs, such as dry-cleaning establishments and diesel-fueled back-up generators. Land uses that are more likely to generate substantial TAC emissions include industrial land uses that involve stationary sources and manufacturing processes. In addition, heavily trafficked roadways can serve as a TAC source due to the vehicle emissions, particularly DPM.

Future development within the WRTP Specific Plan Area is anticipated to include mixed-use, residential, retail, commercial and industrial uses, as well as parks and open space. Commercial land uses may potentially include stationary sources of TACs, such as dry-cleaning establishments and diesel-fueled back-up generators. Land uses that are more likely to generate substantial TAC emissions include industrial land uses that involve stationary sources and manufacturing processes. Existing sources of DPM emissions within the WRTP Specific Plan Area include diesel-fueled agricultural vehicles and equipment and backup generators that serve agricultural wells. While these vehicles and equipment may continue as part of existing and ongoing agricultural operations until the land is

developed, these sources are limited and would, at the most, generate intermittent emissions proximate to future development. These uses are not considered a substantial TAC emissions source.

Mobile sources of TACs from future development within the WRTP Specific Plan Area could include operational activities associated with planned land uses could require the use of diesel-fueled vehicles for extended periods, such as commercial trucking facilities or delivery/distribution areas, and thereby generate emissions that could expose sensitive receptors to DPM emissions. The DPM emissions generated by these uses could be produced primarily at single locations on a regular basis (e.g., loading dock areas). Occupants of nearby existing and proposed residences or other sensitive land uses could be exposed to DPM emissions on a recurring basis. Although commercial and industrial uses that would be developed under the WRTP Specific Plan have not been specifically identified, it is possible that uses developed under the WRTP Specific Plan could have tenants that would emit TACs during operations, such as through the operations of gasoline-dispensing facilities or diesel-fueled backup generators.

Exposure of existing or future sensitive receptors to operational TACs could occur due to proximity to operational sources of TACs associated with specific future land uses. Although land use designations within the WRTP Specific Plan Area are defined in Chapter 2 of the WRTP Specific Plan, specific proposed uses have not been determined at the time of this analysis. The Land Use Plan Layout for the WRTP Specific Plan generally separates incompatible land uses and applies permitting conditions to those that could have external effects. In addition, as detailed in Table 3.1 of the WRTP Specific Plan, specific land uses have been identified as permitted, subject to conditions, allowed as ancillary use, and not allowed within the WRTP Specific Plan Area. Adherence to these allowed uses during siting and permitting of future development within the WRTP Specific Plan Area would reduce potential impacts to sensitive receptors that could otherwise reside or spend other time in proximity to operational sources of TACs. In addition, Section 3.3.2 of the WRTP Specific Plan contains performance standards, including Performance Standard D, with regard to odor, particulate matter, and air contaminants. This performance standard restricts the emissions of dust and particulate matter to the property lines from which it is generated, and requires that exhaust air ducts be located or directed away from abutting residentially-zoned properties. In addition, as described in Chapter 3 of the WRTP Specific Plan, large canopy shade trees will be provided along all major arterial and collector streets, to shade road surfaces and reduce the urban heat island effect. The design and location of trees and landscaping for homes shall consider opportunities for solar access and solar panels, as well as address shading and ventilation needs during hot summer months. Adjacent to SR-113, a landscaped buffer (20-foot when adjacent to commercial zones and 30-foot when adjacent to residential zones) shall be maintained, consisting of a mix of trees, low groundcover and vine training on all sound walls or highway adjacent perimeter fencing, further reducing the potential for exposure by sensitive land uses to substantial pollutant concentrations.

Due to uncertainty associated with specific development within each land use type identified within the WRTP Specific Plan, it is possible that development within the WRTP Specific Plan Area could generate substantial TAC emissions as a result of long-term operations. It is possible that sensitive receptors could be located at distances from stationary sources that would expose them to substantial TAC concentrations. This TAC impact is considered potentially significant.



**Mitigation Measure 3.3-3a: Implement Mitigation Measure 3.3-2b - Construction-Related Mobile Emissions Reductions for NO<sub>x</sub> and PM<sub>10</sub> emissions.**

**Mitigation Measure 3.3-3b: Implement Guidelines in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective, and subsequent Technical Advisory.**

New development that would result in substantial TAC emissions directly or indirectly (e.g., industrial sources) or that would expose sensitive receptors to substantial TAC concentrations (e.g., residential land uses located near existing TAC sources) shall implement California Air Resources Board's (CARB's) Air Quality and Land Use Handbook: A Community Health Perspective (Handbook) guidance concerning land use compatibility with regard to sources of TAC emissions, or CARB guidance as it may be updated in the future.

**Mitigation Measure 3.3-3c: Conduct Project-Level Analysis and Implement Mitigation for Sources of TACs.**

For projects with the potential to generate substantial TAC emissions or expose sensitive receptors to substantial TAC pollutant concentrations, the City will require a site-specific analysis for construction and/or operational activities, and appropriate mitigation, as necessary, to ensure that sensitive receptors are not exposed to substantial pollutant concentrations. In communication with the Yolo-Solano Air Quality Management District (YSAQMD), the City will require, if necessary, a site-specific analysis for operational activities to determine whether health risks attributable to future proposed projects in relation to proposed, planned, and/or existing sensitive receptors would exceed applicable thresholds of significance. Site-specific analysis may include screen level analysis, dispersion modeling, and/or a health risk assessment, consistent with applicable guidance from the YSAQMD. Analyses shall take into account regulatory requirements for proposed uses.

The City will require the project applicant(s) to identify and implement feasible mitigation measures to reduce any potentially significant effect and communicate with the YSAQMD to identify measures to reduce exposure of sensitive receptors to substantial pollutant concentrations to levels consistent with thresholds recommended by the YSAQMD applicable at the time the project is proposed. If the YSAQMD does not have applicable thresholds at the time of this analysis, the thresholds will be a probability of contracting cancer for the Maximally Exposed Individual equal to 10.0 in a million or more attributable to the project, or a non-cancer risk of 1.0 Hazard Index (chronic or acute) or more attributable to the project. If the project would exceed applicable thresholds recommended by the YSAQMD or the substitute thresholds outlined above, mitigation will be required to reduce the impact to a less-than-significant level. Agreed upon feasible mitigation actions shall be documented as a project condition of approval.

If the results of analysis for the operational activities of any future development project within the W RTP Specific Plan Area determine that the performance standard for this mitigation would be exceeded, actions shall be taken to reduce potential operational impacts which may include, but not necessarily be limited to:

- locating air intakes and designing windows to reduce particulate matter exposure by, for example, not allowing windows facing the source to open;
- providing electrification hook-ups for TRUs to avoid diesel-fueled transport refrigeration units (TRUs) continuing to operate at loading docks during loading and unloading operations;

- requiring the TAC-generating activity (e.g., loading docks) be located away from sensitive receptors;
- incorporating exhaust emission controls on mobile and/or stationary sources (e.g., filters, oxidizers);
- develop and implement a dock management system at the time of occupancy to minimize on-site idling below regulatory limits;
- require all on-site user owned and operated trucks with transportation refrigeration units to be capable of plugging into power at loading docks and require plug-in when at the loading dock;
- utilize on-site cargo and material handling equipment that is the lowest emitting equipment available at the time of occupancy;
- evaluate the potential to electrify a portion of entirety of an on-site user-owned and operated truck fleet;
- evaluate the potential to consolidate delivery or haul truck trips to increase the load and decrease vehicle trips;
- provide building air filtration units with a Minimum Efficiency Reporting Value (MERV) that is adequate to address adjacent sensitive land uses according to performance standards of this mitigation measure;
- ensure adequate distance between existing and planned sensitive receptors and gasoline dispensing facilities, based on the proposed size and design of any gasoline-dispensing facilities;
- utilize vegetated buffers between substantial TAC-generating source locations and sensitive receptors.

If analysis demonstrates that construction activities associated with development of on-site W RTP Specific Plan land uses or off-site improvement components would exceed the performance standards identified in this mitigation measure, actions shall be taken to reduce potential construction-related impacts which may include, but not necessarily be limited to:

- installing diesel particulate filters or implementing other CARB-verified diesel emission control strategies on all construction equipment to reduce diesel particulate matter (PM) emissions;
- using equipment during time when receptors are not present (e.g., when school is not in session or during non-school hours, or when office buildings are unoccupied);
- establishing staging areas for the construction equipment that are as far as possible from sensitive receptors;
- rerouting construction trucks away from congested streets or sensitive receptor areas;
- communicating requirements through daily kick-off meetings and signage that off-road diesel equipment operators shut down their engines rather than idle for more than five minutes;
- documenting that all off-road equipment is compliant with the CARB in-use off-road diesel vehicle regulation;

- establishing an electrical supply to the construction site and use electric-powered equipment instead of diesel-powered equipment or generators, where feasible;
- using haul trucks with on-road engines instead of off-road engines;
- equipping nearby buildings with High Efficiency Particle Arresting (HEPA) filters systems at all mechanical air intake points to the building to reduce the levels of diesel PM that enter buildings;
- planning construction phasing so that future construction activities continue to move further away from occupied land uses; and
- planning construction phasing to complete mass site grading, which typically generates the largest portion of diesel PM emissions, prior to occupancy of the project site.

**Significance after Mitigation:** Mitigation Measures 3.3-3a and 3.3-3b would reduce impacts associated with construction-related mobile emissions from construction equipment and heavy-duty trucks, and operational TAC sources, respectively. The WRTP Specific Plan would be compliant with General Plan Policy 7.F.3 that would discourage development in locations that would conflict with the buffer recommendations in the CARB Air Quality and Land Use Handbook. The buffer distances incorporated into Mitigation Measure 3.3-3b are consistent with guidance from CARB.

Implementation of Mitigation Measure 3.3-3c would ensure that future development that could generate TAC emissions during operations would evaluate and mitigate TAC emissions to ensure that sensitive receptors are not exposed to substantial TAC concentrations. This evaluation and mitigation design is only possible once project-specific details for the TAC-generating use and the sensitive receptors are known. With the feasible actions outlined that have been demonstrated to substantially reduce exposure to TAC emissions and the clear performance standards included in this mitigation, with implementation of mitigation, this impact would be reduced to a less-than-significant level. (Draft EIR, pp. 3.3-43.)

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**Impact 3.3-4. Generation of Other Emissions (Such as Those Leading to Odors) Adversely Affecting a Substantial Number of People.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.3-43 through 3.3-45.)

**Explanation:** Future development in the WRTP Specific Plan Area could result in short-term odorous emissions from diesel exhaust generated by on-site construction equipment or from asphalt paving and architectural coating activities; this would be temporary and intermittent in nature and dissipate rapidly from the source. Operational activities of future land uses within the WRTP Specific Plan Area could involve odor sources. The WRTP Specific Plan would implement measures that would avoid exposure of a substantial number of people to objectionable odors. This impact is considered potentially significant.

**Mitigation Measure 3.3-4: Reduce Exposure of Sensitive Receptors to Odorous Emissions.**

The City of Woodland shall require, as part of plans for development within the WRTP Specific Plan Area, the implementation of strategies to avoid exposure of sensitive receptors to objectionable odors:

- a. Project applicant(s) for residential development in areas adjacent to ongoing agricultural operations shall include a disclosure clause advising buyers and tenants of the potential adverse odor impacts in the deeds to all residential properties. Residential subdivisions shall provide notification to buyers in writing of odors associated with existing dairies, agricultural burning, and decay of agricultural waste.
- b. For existing odor-producing sources, sensitive receptors shall be sited as far away as possible from the existing sources.
- c. For new project-generated odor-producing sources, sensitive receptors shall be sited as far away as possible from the new sources.
- d. Apply Sacramento Metropolitan Air Quality District (SMAQMD) Recommended Odor Screening Distances in the siting of land uses.
- e. As an alternative to these buffer distances, indoor air filtration systems could be implemented to reduce exposure to odors. For odor-producing sources, activities would be maintained within and enclosed space and appropriate air filtration systems would be implemented to reduce odors expelled from the building. For developments that would host sensitive receptors, design would include air site layout, landscaping, and indoor air filtration systems to minimize exposure to odors.

**Significance after Mitigation:** Implementation of Mitigation Measure 3.3-4 would reduce impacts related to other emissions, such as those leading to odors, because siting measures imposed would avoid conflicts between odor emissions and sensitive receptors. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact would be less than significant.

## BIOLOGICAL RESOURCES

### Impact 3.4-1. Swainson's Hawk, White-tailed Kite, and Burrowing Owl.

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.4-24 through 3.4-26.)

**Explanation:** WRTP Specific Plan implementation would result in loss of suitable nesting and foraging habitat for Swainson's hawk, white-tailed kite, and burrowing owl. Construction could disturb active nests on or near the construction area, potentially resulting in nest abandonment by the adults and mortality of chicks and eggs. This impact is considered potentially significant.

Implementing the WRTP Specific Plan and off-site improvement areas would result in removal of up to approximately 310 acres of cultivated land under Caltrans Off-site Improvement Area Alternative 1 (i.e., 306 acres from the WRTP Specific Plan Area, plus up to 4.1 acres of impact related to the Caltrans Off-site Improvement Area Alternative 1), or up to 307 acres under Caltrans Off-site Improvement Area Alternative 2 (i.e., 306 acres from the WRTP Specific Plan Area, plus up to 1.1 acre of impact related to the Caltrans Off-site Improvement Area Alternative 2 ) that may provide suitable foraging habitat for Swainson's hawk, white-tailed kite, and burrowing owl, which are covered under the Yolo HCP/NCCP. This habitat type is classified under the Cultivated Lands Seminatural Community under the Yolo HCP/NCCP, and includes lands that are cultivated for alfalfa, field crops, truck/berry crops, and grain/hay crops. Trees that provide potential nest sites for Swainson's hawk, white-tailed kite, and other raptors (discussed under Impact 3.4-2) would also be removed. All raptors and their nests are protected under Section 3503.5 of the California Fish and Game Code. Common raptors that could nest on or near

the WRTP Specific Plan Area include red-tailed hawk, great horned owl, and barn owl. Impacts to and mitigation measures for common raptors are provided under Impact 3.4-2. No burrowing owl were observed during the reconnaissance visits; however, ground squirrel burrows were observed along the southern slope of the Farmers Central Ditch near the western boundary of the Caltrans off-site improvement area, and under valley oak trees in the traffic median immediately southeast of the CR 25A overpass. Burrowing owl could also use a debris pile observed in the vicinity of a warehouse within the WRTP Specific Plan Area, and a pile of broken concrete in the southwest traffic median in the Caltrans off-site improvement area, as nesting and cover habitat. Furthermore, small mammal burrows (gopher/vole sized) were found in friable soils along the slopes of a ditch immediately adjacent to, but outside of the WRTP Specific Plan Area, within the dry roadside ditches along CR 25A and along the interior slopes of the SR 113/CR 25A traffic medians that could be used by burrowing owls in the future. Burrowing owls need burrows at all times to survive, and displacing individuals from their burrows can result in indirect impacts such as predation, increased energetic costs, increased stress, and risks associated with having to find and compete for burrows, all of which can lead to take or reduced reproduction. Vegetation removal, grading, and other construction activities could result in mortality of burrowing owl individuals and nest abandonment. If trees are to be removed during the breeding season for Swainson's hawk and white-tailed kite, mortality of eggs and chicks could result if an active nest were present. In addition, project construction could disturb active nests near the construction area, potentially resulting in nest abandonment by the adults and mortality of chicks and eggs. Swainson's hawks generally nest within two miles of suitable foraging habitat, which consists of alfalfa, disked fields, fallow fields, dry-land pasture, beets, tomatoes, irrigated pasture, grains, other row crops, and uncultivated grasslands (Estep 1989, Estep pers. comm. 2007, Estep 2009). The most important foraging habitat lies within a one-mile radius of each nest (City of Sacramento et. al 2003: Appendix H, page 5-29). However, Swainson's hawks have been recorded foraging up to 18.6 miles from nest sites (Estep 1989) and foraging habitat within 10 miles of an active nest is generally considered to be important to supporting the reproductive success of that pair. According to the Yolo HCP/NCCP, the WRTP Specific Plan Area is within modeled agricultural foraging and nesting habitat for Swainson's hawk, and secondary foraging habitat for white-tailed kite (Yolo Habitat Conservancy 2018). There are 17 nesting Swainson's hawk records within 2 miles of the study area. There is one occurrence of an active nest (within the last 5 years) within 1 mile of the WRTP Specific Plan Area. The loss of up to 307 to 310 acres (the greater of which is due to Caltrans Off-site Improvement Area Alternative 1 resulting in 4.1 acres of impact as opposed to Alternative 2 resulting in 1.1 acres of impact) of foraging habitat (i.e., cultivated fields) from the WRTP Specific Plan Area and off-site improvement areas could affect nesting success, survival rates, and availability of prey for the local population, or result in displacement of nesting pairs of Swainson's hawk or white-tailed kite. Therefore, the loss of foraging habitat resulting from development of the WRTP Specific Plan Area is considered a potentially significant impact. Project construction could result in direct destruction of an active Swainson's hawk, white-tailed kite, burrowing owl, or other raptor nest or disturb nesting raptors located on or near the WRTP Specific Plan and off-site improvement areas, resulting in nest abandonment by adult birds and abandonment of chicks and eggs, causing mortality. Direct and indirect impacts on active raptor nests or burrows are considered potentially significant. Mitigation for impacts to nesting common raptors is included under Mitigation Measure 3.4-2a (Avoid Direct Loss of Protected Bird Nests).

**Mitigation Measure 3.4-1a: Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and WhiteTailed Kite**

- a. In accordance with AMM 16 of the Yolo HCP/NCCP, the City will require project proponent/s to retain a qualified biologist to conduct species-specific surveys and identify any nesting habitat present within 1,320 feet of the footprint of a proposed project prior to any ground disturbing activities necessary to

implement proposed development and infrastructure projects. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

b. If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the City will require project proponent/s to retain a qualified biologist to conduct preconstruction surveys for active nests consistent with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 1 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Yolo Habitat Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project-related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the City, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks.

c. For covered activities that involve pruning or removal of a potential Swainson's hawk or whitetailed kite nest tree, the City will require project proponent/s to conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

#### **Mitigation Measure 3.4-1b: Comply with Yolo HCP/NCCP Requirements for Compensation for Loss of Swainson's Hawk Foraging Habitat**

Before any ground-disturbing activities, the City will require project proponent/s to identify and quantify (in acres) Swainson's hawk habitat (as defined in the Yolo County HCP/NCCP Appendix A, Covered Species Accounts [Yolo HCP/NCCP 2018]) in and within 1,320 feet of a project footprint. The City will require project proponent/s to submit the Yolo HCP/NCCP Application Form for non-member agency projects and Member Agency Reporting Form for member agency projects, as applicable, and will pay applicable fees to the Yolo Habitat Conservancy as specified in the appropriate form.

#### **Mitigation Measure 3.4-1c: Minimize Take and Adverse Effects on Western Burrowing Owl**

Suitable habitat for the western burrowing owl is present within the WRTP Specific Plan Area and the Caltrans off-site improvement area. There is no suitable habitat for burrowing owl in the South Regional Pond off-site improvement area. In accordance with avoidance and minimization measures (AMM) 18 of the Yolo Habitat Conservation Plan (HCP)/Natural Community Conservation Planning (NCCP), the City will require project proponent/s to retain a qualified biologist to conduct species-specific surveys and within

30-days but no less than 14 days prior to any ground disturbing activities necessary to implement proposed development and infrastructure projects, consistent with Appendix L of the Yolo HCP/NCCP, which follows California Department of Fish and Wildlife (CDFW) guidelines.

If burrowing owls are identified during the species-specific pre-project survey, the City will require project proponent/s to minimize activities that will affect occupied habitat, as follows. Occupied habitat is considered fully avoided if the project footprint does not impinge on a non-disturbance buffer around the suitable burrow. For occupied burrowing owl nest burrows, this non-disturbance buffer could range from 150 to 1,500 feet (Table 4-2 of the Yolo HCP/NCCP, Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls), depending on the time of year and the level of disturbance, based on current guidelines. A copy of this table is provided below as Table 3.4-8.

**Table 3.4-8. Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls (Yolo HCP/NCCP 2018)**

| Time of Year           | Low (Feet) | Medium (Feet) | High (Feet) |
|------------------------|------------|---------------|-------------|
| April 1 – April 15     | 600        | 1,500         | 1,500       |
| August 16 – October 15 | 600        | 600           | 1,500       |
| October 16 – March 31  | 150        | 300           | 1,500       |

Source: Yolo Habitat Conservancy 2018

The Yolo HCP/NCCP generally defines low, medium, and high levels of disturbances of burrowing owls as follows.

- **Low:** Typically 71–80 decibels (dB), generally characterized by the presence of passenger vehicles, small gas-powered engines (e.g., lawn mowers, small chain saws, portable generators), and high tension power lines. Includes electric hand tools (except circular saws, impact wrenches and similar). Management and enhancement activities would typically fall under this category. Human activity in the immediate vicinity of burrowing owls would also constitute a low level of disturbance, regardless of the noise levels.
- **Moderate:** Typically 81–90 dB, and would include medium- and large-sized construction equipment, such as backhoes, front end loaders, large pumps and generators, road graders, dozers, dump trucks, drill rigs, and other moderate to large diesel engines. Also includes power saws, large chainsaws, pneumatic drills and impact wrenches, and large gasoline-powered tools. Construction activities would normally fall under this category.
- **High:** Typically 91–100 dB, and is generally characterized by impacting devices, jackhammers, compression (“jake”) brakes on large trucks, and trains. This category includes both vibratory and impact pile drivers (smaller steel or wood piles) such as used to install piles and guard rails, and large pneumatic tools such as chipping machines. It may also include large diesel and gasoline engines, especially if in concert with other impacting devices. Felling of large trees (defined as dominant or subdominant trees in mature forests), truck horns, yarding tower whistles, and muffled or underground explosives are also included. Very few covered activities are expected to fall under this category, but some construction activities may result in this level of disturbance.

In accordance with AMM 18 of the Yolo HCP/NCCP, the project proponent may qualify for a reduced buffer size, based on existing vegetation, human development, and land use, if agreed upon by CDFW and U.S. Fish and Wildlife Service (USFWS) (Yolo Habitat Conservancy 2018).

If the project does not fully avoid direct and indirect effects on nesting sites (i.e., if the project cannot adhere to the buffers described above), the City will require the project proponent/s to retain a qualified biologist to conduct preconstruction surveys and document the presence or absence of western burrowing owls that could be affected by the covered activity. Prior to any ground disturbance related to covered activities, the qualified biologist will conduct the preconstruction surveys within three days prior to ground disturbance in areas identified in the planning-level surveys carried out in preparation of the EIR as having suitable burrowing owl burrows, consistent with CDFW preconstruction survey guidelines (Appendix L of the Yolo HCP/NCCP, Take Avoidance Surveys) (Yolo Habitat Conservancy 2018). The qualified biologist will conduct the preconstruction surveys three days prior to ground disturbance. Time lapses between ground disturbing activities will trigger subsequent surveys prior to ground disturbance. If the biologist finds the site to be occupied<sup>3</sup> by western burrowing owls during the breeding season (February 1 to August 31), the City will require project proponent/s to avoid all nest sites, based on the buffer distances described above, during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups that forage on or near the site following fledging). Construction may occur inside of the disturbance buffer during the breeding season if the nest is not disturbed and the project proponent develops an AMM plan that is approved by the Conservancy, CDFW, and USFWS prior to project construction, based on the following criteria:

- The Conservancy, CDFW, and USFWS approves the AMM plan provided by the project proponent.
- A qualified biologist monitors the owls for at least three days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.
- If the qualified biologist identifies a change in owl nesting and foraging behavior as a result of construction activities, the qualified biologist will have the authority to stop all construction-related activities within the non-disturbance buffers described above. The qualified biologist will report this information to the Conservancy, CDFW, and USFWS within 24 hours, and the Conservancy will require that these activities immediately cease within the non-disturbance buffer. Construction cannot resume within the buffer until the adults and juveniles from the occupied burrows have moved out of the project site, and the Conservancy, CDFW, and USFWS agree. If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, the project proponent may remove the nondisturbance buffer, only with concurrence from CDFW and USFWS. If the burrow cannot be avoided by construction activity, the biologist will excavate and collapse the burrow in accordance with CDFW's 2012 guidelines to prevent reoccupation after receiving approval from the wildlife agencies. If evidence of western burrowing owl is detected outside the breeding season (December 1 to January 31), the City will require the project proponent/s to establish a non-disturbance

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<sup>3</sup> Occupancy of burrowing owl habitat during preconstruction surveys is confirmed at a site when at least one burrowing owl or sign (fresh whitewash, fresh pellets, feathers, or nest ornamentation) is observed at or near a burrow entrance.



buffer around occupied burrows, consistent with Table 4-2 of the Yolo HCP/NCCP (Yolo Habitat Conservancy 2018), as determined by a qualified biologist. Construction activities within the disturbance buffer are allowed if the following criteria are met to prevent owls from abandoning important overwintering sites: A qualified biologist monitors the owls for at least three days prior to construction to determine baseline foraging behavior (i.e., behavior without construction). The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.

- If there is any change in owl roosting and foraging behavior as a result of construction activities, these activities will cease within the buffer. If the owls are gone for at least one week, the project proponent may request approval from the Conservancy, CDFW, and USFWS for a qualified biologist to excavate and collapse usable burrows to prevent owls from reoccupying the site if the burrow cannot be avoided by construction activities. The qualified biologist will install one-way doors for a 48-hour period prior to collapsing any potentially occupied burrows. After all usable burrows are excavated, the buffer will be removed and construction may continue.

Monitoring must continue as described above for the nonbreeding season as long as the burrow remains active. A qualified biologist will monitor the site, consistent with the requirements described above, to ensure that buffers are enforced and owls are not disturbed.

If burrowing owls are detected during the nonbreeding season, instead of establishing buffers and monitoring for behavior, the qualified biologist in consultation with the Conservancy may determine that passive relocation (i.e., exclusion) of owls is necessary, in which case the project proponent will develop a burrowing owl exclusion plan in consultation with CDFW biologists. Exclusion and burrow closure will not be conducted during the breeding season for any occupied burrow. The methods will be designed, as described in the species monitoring guidelines (California Department of Fish and Game 2012) and consistent with the most up-to-date checklist of passive relocation techniques maintained by the Yolo Habitat Conservancy. This may include the installation of one-way doors in burrow entrances by a qualified biologist during the nonbreeding season. These doors will be in place for 48 hours and monitored twice daily to ensure that the owls have left the burrow, after which time the biologist will collapse the burrow to prevent reoccupation. Burrows will be excavated using hand tools. During excavation, an escape route will be maintained at all times. This may include inserting an artificial structure, such as piping, into the burrow to prevent collapsing until the entire burrow can be excavated and it can be determined that no owls are trapped inside the burrow. The Yolo Habitat Conservancy may allow other methods of passive or active relocation, based on best available science, if approved by the wildlife agencies. Artificial burrows will be constructed prior to exclusion and will be created less than 300 feet from the existing burrows on lands that are protected as part of the reserve system.

**Significance after Mitigation:** Implementing Mitigation Measures 3.4-1a through 3.4-1c would reduce significant impacts on Swainson's hawk, white-tailed kite, and burrowing owl to a less-than-significant level because it would ensure that these species are not disturbed during nesting so that project construction would not result in nest abandonment and loss of eggs or young and implementation of the WRTP Specific Plan would not result in decreased reproductive success of Swainson's hawks. These measures would also ensure that Swainson's hawk foraging habitat would be preserved at the appropriate ratio of habitat value lost, consistent with the conservation strategy of the Yolo HCP/NCCP (Yolo Habitat Conservancy 2018). The in-lieu fees paid by the City for loss of

Swainson's hawk foraging habitat would help achieve the Yolo HCP/NCCP Goal SH1 to provide for the conservation of Swainson's hawk in the Plan Area. The WRTP Specific Plan will be implemented in accordance with the Yolo HCP/NCCP avoidance and minimization measures. Through payment of HCP/NCCP fees or equivalent mitigation, the WRTP Specific Plan will contribute to the HCP/NCCP's conservation strategy, thereby benefiting the above-listed covered species. Therefore, with incorporation of HCP/NCCP fees or equivalent mitigation and adherence to other HCP/NCCP avoidance and minimization measures, the WRTP Specific Plan's individual impacts and its contribution to cumulative impacts to covered species are less than significant.

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**Impact 3.4-2. Special-Status and Migratory Nesting Birds and Raptors.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.4-30 through 3.4-32.)

**Explanation:** WRTP Specific Plan implementation would result in potential loss of wintering habitat for mountain plover and loss of potential foraging habitat for tricolored blackbird and loss of potential nesting and foraging habitat for common migratory birds and raptors. Construction could disturb active nests on or near the construction area, potentially resulting in nest abandonment by the adults and mortality of chicks and eggs. This impact is considered potentially significant.

Mountain plover may winter in mowed ruderal areas (i.e., urban ruderal and semiagricultural/incidental to agriculture land cover types under the Yolo HCP/NCCP) and cultivated lands in the WRTP Specific Plan Area and off-site improvement areas. Tricolored blackbirds nest colonially in marshes, riparian scrub, and other areas that support cattails or dense thickets of shrubs or herbs, such as blackberry. Ideal breeding habitats consist of a suitable nesting substrate surrounded by foraging habitats in annual grasslands, shrublands, or agricultural fields that produce large numbers of grasshoppers, dragonflies, and other large insects, with a source of surface water nearby (Beedy and Hamilton 1999, Meese 2014, cited in Beedy and Meese 2015). Tricolored blackbirds are known to forage up to 3 miles from active breeding colonies (Beedy and Meese 2015). No suitable nesting habitat for tricolored blackbird was observed within the study area or in a 1,300-foot buffer the study area during biological surveys. According to the Yolo HCP/NCCP tricolored blackbird modeled habitat, there is no nesting habitat within the WRTP Specific Plan Area, but suitable foraging habitat is present (Yolo Habitat Conservancy 2018). The closest known active breeding colony is located approximately 2 miles east of the WRTP Specific Plan Area and was estimated to contain a breeding colony of 7,000 tricolored blackbirds in 2014 (CNDDDB 2017). Implementing the WRTP Specific Plan would result in removal of up to approximately 310 acres of cultivated lands that may provide potential suitable foraging habitat for tricolored blackbird and wintering habitat for mountain plover. Loss of this cultivated land would not substantially affect nesting success or survival rates of tricolored blackbird and survival rates of mountain plover because approximately 5 miles south and at least 7 miles east and west of the WRTP Specific Plan Area consists of agricultural land that provides many times the acres of potential foraging habitat for tricolored blackbird and wintering habitat for mountain plover than that provided in the WRTP Specific Plan Area. Therefore, the loss of foraging habitat resulting from development of the WRTP Specific Plan Area is considered a less-than-significant impact. All raptors and their nests are protected under Section 3503.5 of the California Fish and Game Code. Common raptors that could nest on or near the WRTP Specific Plan Area and off-site improvement areas include red-tailed hawk, great horned owl, and barn owl. If trees are to be removed during the raptor breeding season (February – August), mortality of eggs and chicks of tree-nesting raptors could result if an active nest were present. In addition, project construction could disturb active nests near the construction area, potentially resulting in nest abandonment by the adults and mortality of chicks and eggs. Construction resulting from implementation of the WRTP Specific Plan could disturb active bird nests in and near the construction area, potentially resulting in

nest abandonment by the adults and mortality of chicks and eggs. Tree and vegetation removal and structure removal could result in the direct destruction of active nests of birds protected under the MBTA and California Fish and Game Code. Loss of common migratory birds and raptors (those not meeting the definition of special-status as provided above) would not be a significant impact under CEQA, but mitigation to avoid the loss of active nests of these species is required for compliance with the MBTA and California Fish and Game Code.

#### **Mitigation Measure 3.4-2a: Avoid Direct Loss of Protected Bird Nests**

While not required as mitigation for a significant impact under CEQA, the following would be required for compliance with the MBTA and California Fish and Game Code:

- To the extent feasible, the City will require that construction activities be carried out during the nonbreeding season (between September 1 and January 31) for protected bird species in this region to avoid and minimize impacts to common migratory nesting birds.
- For any ground disturbance activity necessary to implement proposed development and infrastructure projects that would occur during the nesting season (between February 1 and August 31), the City will require the project applicant to conduct a preconstruction survey. The preconstruction survey shall be conducted by a qualified biologist before any activity occurring within 500 feet of suitable nesting habitat for any protected bird species. The survey shall be timed to maximize the potential to detect nesting birds, and should be repeated within 10 days of the start of project-related activity.
- If an active common bird species protected by the Migratory Bird Treaty Act or California Fish and Game Code nest is found, the qualified biologist shall establish a buffer around the nest. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The size of the buffer shall be determined in consultation with CDFW. Buffer size is anticipated to range from 50 to 500 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances as determined by a qualified biologist in consultation with CDFW.
- Monitoring of all protected nests by a qualified biologist during construction activities will be required if the activity has potential to adversely affect the nest. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer shall be increased until the agitated behavior ceases. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

#### **Mitigation Measure 3.4-2b: Implement Mitigation Measure 3.4-1b**

**Significance after Mitigation:** Implementing Mitigation Measure 3.4-2 would avoid disturbing birds during nesting so that project construction would not result in nest abandonment and loss of eggs or young and would ensure compliance with the MBTA and California Fish and Game Code. Loss of common migratory birds and raptors (those not meeting the definition of special status as provided above) would not be a significant impact under CEQA, but mitigation would avoid the loss of active nests of these species, consistent with the requirements of the MBTA and California Fish and Game Code. Mitigation Measure 3.4-2b would require developers for each individual project within the W RTP Specific Plan Area are responsible for applying for the HCP/NCCP coverage

and payment of development-based fees to fund mitigation that will offset losses of land cover types, covered species habitat, and other biological values.

These one-time fees pay for the full cost of mitigating project effects on the covered species and natural communities. Implementing Mitigation Measure 3.4-2b would reduce significant impacts on foraging habitat for tricolored blackbird and wintering habitat for mountain plover to a less-than-significant level because it would ensure that foraging habitat (i.e., 310 acres of cultivated lands) would be preserved at the appropriate ratio of habitat value lost, consistent with the conservation strategy of the Yolo HCP/NCCP.

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**Impact 3.4-3. Loss of Valley Elderberry Longhorn Beetle (VELB) Larvae and Habitat.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.4-32 through 3.4-34.)

**Explanation:** WRTP Specific Plan implementation could result in the loss of elderberry found in the WRTP Specific Plan Area. The elderberry shrub is potential habitat for valley elderberry longhorn beetle and removal of the shrub could result in direct loss of Valley Elderberry Longhorn Beetle (VELB) larvae and habitat. This impact is considered potentially significant.

A single elderberry shrub was identified along the western boundary of the WRTP Specific Plan Area during the 2017 reconnaissance survey that has the potential to support valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). Additional elderberry shrubs could become established in the WRTP Specific Plan Area by the time future construction projects are implemented. This species is entirely dependent on its host plant, the elderberry shrub (*Sambucus* spp.), during its life cycle. The majority of the species' life is spent in larval form within the stem of an elderberry plant. If an elderberry shrub is removed as part of the WRTP Specific Plan implementation – either the existing shrub or one that becomes established in the future, loss of valley elderberry longhorn beetle larvae and loss of habitat could occur. Indirect impacts from ground-disturbing activities or use of herbicides could also result if the health of elderberry shrubs containing valley elderberry longhorn beetle larvae is adversely affected. This impact is considered potentially significant. The U.S. Fish and Wildlife Service's Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) (2017b), recommends conducting a habitat assessment and appropriate surveys to determine VELB occupancy of elderberry shrubs(s) in a project site. This includes assessing potential habitat within the range of VELB to determine if the habitat is riparian or non-riparian habitat and conducting exit hole surveys to further determine potential occupancy. The elderberry shrub in the WRTP Specific Plan Area is in non-riparian habitat. Mitigation Measure 3.4-3 is consistent with the VELB AMM described in the Yolo HCP/NCCP (Yolo Habitat Conservancy 2018).

**Mitigation Measure 3.4-3: Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle**

- In accordance with AMM 12 of the Yolo HCP/NCCP, the City will require project proponent/s to retain a qualified biologist who is familiar with valley elderberry longhorn beetle and evidence of its presence (i.e., exit holes in elderberry shrubs) to map all elderberry shrubs in and within 100 feet of a proposed project footprint with stems that are greater than one inch in diameter at ground level during the project design phase. To avoid take of valley elderberry longhorn beetle fully, the City will require project proponent/s to design projects to avoid mapped elderberry shrubs, if feasible. To avoid effects on shrubs, the City will require that project proponent/s maintain a buffer of at least 100 feet from any elderberry shrubs with stems greater than one inch in diameter at ground level. AMM 1 of the Yolo

HCP/NCCP, Establish Buffers, describes that a lesser buffer may be approved by the Conservancy, USFWS, and CDFW if they determine that the covered species is avoided to an extent that is consistent with the project purpose.

- For elderberry shrubs that cannot be avoided with a designated buffer distance as described above, the qualified biologist will quantify the number of stems one inch or greater in diameter to be affected, and the presence or absence of exit holes. The Conservancy will use this information to determine the number of plants or cuttings to plant on a riparian restoration site to help offset the loss, consistent with Section 6.4.2.4.1 Valley Elderberry Longhorn Beetle, of the Yolo HCP/NCCP (Yolo Habitat Conservancy 2018). Additionally, prior to construction, the City will require that the project proponent/s transplant elderberry shrubs identified within the project footprint that cannot be avoided.
- Transplantation will only occur if a shrub cannot be avoided and, if indirectly affected, the indirect effects would otherwise result in the death of stems or the entire shrub. If the project proponent/s choose/s, in coordination with a qualified biologist and the City, not to transplant the shrub because the activity would not likely result in death of stems of the shrub, then the qualified biologist will monitor the shrub annually for a five-year monitoring period. The monitoring period may be reduced with concurrence from the wildlife agencies if the latest research and best available information at the time indicates that a shorter monitoring period is warranted. If death of stems at least one inch in diameter occurs within the monitoring period, and the qualified biologist determines that the shrub is sufficiently healthy to transplant, the City will require the project proponent/s to transplant the shrub as described in the following paragraph, in coordination with the qualified biologist. If the shrub dies during the monitoring period, or the qualified biologist determines that the shrub is no longer healthy enough to survive transplanting, then the Conservancy will offset the shrub loss consistent with the preceding paragraph.
- The City will require project proponent/s to transplant the shrubs into a location in the HCP/NCCP reserve system that has been approved by the Conservancy. Elderberry shrubs outside the project footprint but within the 100-foot buffer will not be transplanted. Transplanting will follow the following measures:
  1. Monitor: A qualified biologist will be on-site for the duration of the transplanting of the elderberry shrubs to ensure the effects on elderberry shrubs are minimized.
  2. Timing: The project proponent will transplant elderberry plants when the plants are dormant, approximately November through the first two weeks of February, after they have lost their leaves. Transplanting during the non-growing season will reduce shock to the plant and increase transplantation success.
  3. Transplantation procedure:
    - a. Cut the plant back three to six feet from the ground or to 50 percent of its height (whichever is taller) by removing branches and stems above this height. Replant the trunk and stems measuring one inch or greater in diameter. Remove leaves that remain on the plants.

- b. Relocate plant to approved location in the reserve system, and replant as described in Section 6.4.2.4.1, Valley Elderberry Longhorn Beetle of the Yolo HCP/NCCP (Yolo Habitat Conservancy 2018).

**Significance after Mitigation:** Implementing Mitigation Measure 3.4-3 would reduce potentially significant impacts on VELB to a less-than-significant level because all elderberry shrubs would be mapped and impacts would be avoided and if impacts cannot be avoided, compensatory mitigation will be required. The WRTP Specific Plan will be implemented in accordance with the Yolo HCP/NCCP avoidance and minimization measures. Therefore, with incorporation of HCP/NCCP equivalent mitigation and adherence to other HCP/NCCP avoidance and minimization measures, WRTP Specific Plan's individual impacts and its contribution to cumulative impacts to covered species would be less than significant.

#### **Impact 3.4-4. Loss of Bat Roosts, and Special-status Bats.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.34 through 3.4-35.)

**Explanation:** WRTP Specific Plan implementation would allow development that could result in the removal of human-made structures and trees that may support bat roosts. If these structures or trees are used by bats as a day roost, hibernation roost, or maternity colony roost, implementation of the WRTP Specific Plan could result in loss of a roost, or injury and mortality of pallid bat or western red bat. This impact is considered potentially significant.

The almond orchard (i.e., the deciduous fruits/nuts land cover type under the Yolo HCP/NCCP) and other trees in the WRTP Specific Plan Area and off-site improvement areas could provide day, hibernation, or maternity roosting habitat for western red bat and other common foliage roosting bat species. Several structures in the WRTP Specific Plan Area, including an old barn and trailer, could also provide day, hibernation, or maternity roosting habitat for pallid bat or other common bat species. Both the western red bat and pallid bat are CDFW species of special concern. Direct adverse effects on these special-status bat species may occur during construction, when tree removal and road improvements occur. The bat maternity season is from May 1 to August 31 and the overwintering season from November 1 to March 15. Loss of a maternity roost, regardless of species, could adversely affect a regional population of a species that reproduces very slowly. This impact is considered potentially significant.

#### **Mitigation Measure 3.4-4: Avoid Direct Loss of Bat Roosts and Special-status Bats**

For any project activity necessary to implement proposed development and infrastructure projects that would require removal of roost habitat (i.e., trees or structures) and would occur during the maternity season (between May 1 and August 31), the City will require the project applicant to conduct a preconstruction survey for special-status bats. Camera inspection as well as an emergence (exit survey with night optics) and/or acoustic survey shall be conducted in the summer prior to construction/land disturbance, which provides the best opportunity to determine if roosting bats are present.

If bats are found during the preconstruction survey(s), then removal of roost habitat will be delayed until the end of maternity season (August 31) or until the young are capable of flights, as determined by a qualified bat biologist and in consultation with CDFW. Any removal of highly suitable roost habitat should be conducted during the shoulder season, September 1 to October 31, to avoid harm to the species. If a highly suitable roost tree or structure is to be removed, trees and/or structures surrounding the roost habitat

should be removed first, allowing any bats that may be present time to leave the area. A qualified monitor shall be present during removal of the habitat tree or structure.

Significance after Mitigation: Implementing Mitigation Measure 3.4-4 would reduce potentially significant impacts on bat roosts and special-status bat species, including pallid bat and western red bat, to a less-than-significant level because appropriate avoidance and minimization measures will be implemented.

#### **Impact 3.4-5. Loss and Degradation of State or Federally Protected Wetlands.**

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**Finding:** Less than significant with mitigation. (Draft EIR, PP. 3.4-35 through 3.4-37.)

**Explanation:** Implementing the WRTP Specific Plan could result in conversion of land that currently supports waterways to developed land. These waters may be subject to U.S. Army Corps of Engineers (USACE) jurisdiction under the Clean Water Act (CWA) and/or may be considered waters of the state by the Central Valley RWQCB. This impact is considered potentially significant.

Implementing the WRTP Specific Plan would allow development in areas that currently support agricultural and roadside ditches. Impacts on waters could occur through habitat conversion, encroachment, routine maintenance, or other activities in the immediate vicinity of waterways. Land conversion could result in direct fill of waters. Indirect impacts could result from adjacent development that leads to habitat modifications, such as changes in hydrology and reduction in water quality caused by urban runoff, erosion, and siltation. It is possible that some waterways in the WRTP Specific Plan Area and off-site improvement areas would qualify as waters of the United States due to hydrological connectivity to navigable waters (e.g., the Sacramento River via Willow Slough) or adjacency to other waters of the United States; however, some waters may be disclaimed by the USACE as isolated waters or may be excluded from regulation under the Clean Water Act. Ditches, including agricultural ditches that were not constructed in streams, are not modified streams, do not drain wetlands, and have only ephemeral or intermittent flows are generally excluded from the Clean Water Act according to the Clean Water Rule issued July 13, 2015 (80 Federal Register [FR] 37053). The Navigable Waters Protection Rule: Definition of “Waters of the United States” (2020 Final Rule) (85 Federal Register [FR] 22250) outlines four clear jurisdictional categories of waters considered “waters of the United States.” These four categories are defined as follows:

- Territorial Seas and Traditional Navigable Waters (TNWs)—all waters subject to the ebb and flow of the tide, or waters that are presently used, have been used in the past, or may be used in the future to transport interstate or foreign commerce, and all waters that are navigable in fact under federal law for any purpose;
- Tributaries— rivers, streams, or similar naturally occurring surface water channels that contribute surface water flow in a typical year either directly or indirectly through another water, including an impoundment or adjacent wetlands, to a TNW, interstate waters or wetlands, or a territorial sea. A tributary must be perennial or intermittent in a typical year;
- Lakes and Ponds, and impoundments of jurisdictional waters - standing bodies of open water that contribute surface water flow in a typical year either directly or indirectly through another water to a TNW, interstate waters or wetlands, or a territorial sea.
- Adjacent Wetlands—waters bordering, contiguous with, or neighboring jurisdictional waters, including waters separated by natural river berms, banks, dunes or similar natural feature, or constructed dikes or

barriers or the like, so long as that structure allows for a direct hydrologic surface connection between the wetlands and the waters in a typical year, such as through a culvert, flood or tide gate, pump, or similar artificial feature. An adjacent wetland is jurisdictional in its entirety when a road or similar artificial structure divides the wetland, as long as the structure allows for a direct hydrologic surface connection through or over that structure in a typical year.

Any waters disclaimed by the USACE would still be subject to regulation by Central Valley RWQCB as waters of the state, and impacts to waters of the state would require mitigation. For work in the Caltrans right-of-way at the Caltrans off-site improvement area, standard BMPs will be implemented as required under the Construction General Permit and Caltrans MS4 Permit. Compliance with the requirements of these permits and adherence to the conditions would reduce or avoid potentially significant construction-related impacts in this off-site improvement area (Caltrans 2013). For other portions of the study area where implementation of the WRTP Specific Plan could result in development of land that currently supports waterways the impact is potentially significant.

#### **Mitigation Measure 3.4-5: Avoid Loss of and Degradation of Federally Protected Waters**

- If the implementation of the WRTP Specific Plan would result in ground disturbance on the agricultural or roadside ditches, the City will require project proponent/s to conduct a delineation of waters of the United States according to U.S. Army Corps of Engineers' methods, and to submit the completed delineation to the U.S. Army Corps of Engineers for jurisdictional determination.
- If implementation of the WRTP Specific Plan would result in fill of waters of the United States, the City will require that project proponent/s obtain a Section 404 Clean Water Act permit from the U.S. Army Corps of Engineers and water quality certification from the Regional Water Quality Control Board pursuant to Section 401 of the Clean Water Act.
- If implementation of the WRTP Specific Plan involves work in areas containing waters disclaimed by the USACE, the City will require that the applicant obtain a Waste Discharge Requirement permit from the Regional Water Quality Control Board pursuant to the Porter Cologne Act.
- The City will require that the applicant obtain all needed permits prior to project implementation, to abide by the conditions of the permits, including all mitigation requirements, and to implement all requirements of the permits in the timeframes required therein.

Significance after Mitigation: Implementing Mitigation Measure 3.4-5 would reduce potentially significant impacts on potentially jurisdictional water features, to a less-than-significant level because implementation of the Best Management Practices (BMPs), and permit conditions, and mitigation requirements will avoid, minimize and mitigate for impacts on jurisdictional waters.

## **CULTURAL AND TRIBAL CULTURAL RESOURCES**

### **Impact 3.6-2. Disturb Human Remains, including those Interred Outside of Formal Cemeteries.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.6-14 through 3.6-15.)

**Explanation:** The WRTP Specific Plan would result in development and infrastructure improvement projects throughout the WRTP Specific Plan Area and off-site improvement areas that would involve earthmoving activities



that could impact human remains. There is the potential for discovery of human remains during construction. This impact is considered potentially significant.

The 2035 General Plan and CAP EIR (pages 4.6-29 to 4.6-32) discusses potential impacts related to the disturbance of human remains from implementation of the General Plan. The 2035 General Plan EIR identifies existing regulations and includes 2035 General Plan Goal 7.E and Policies 7.E.1 and 7.E.2 that would reduce impacts. However, the 2035 General Plan and CAP EIR determined that potential impacts related to the discovery of human remains during implementation of the General Plan, even with implementation of Mitigation Measure 4.6-2, would be significant and unavoidable. The WRTP Specific Plan plans for development and infrastructure improvement projects throughout the WRTP Specific Plan Area and off-site improvement areas that would involve grading, trenching, excavation, soil stockpiling, and other earthmoving activities that could impact human remains. Although there is presently no indication that any particular area in the WRTP Specific Plan Area or off-site improvement areas has been used for human burial purposes outside of designated cemeteries in the recent or distant past, there is nonetheless the potential for discovery during construction of development and infrastructure under the WRTP Specific Plan. As described, these existing regulations will reduce potential impacts associated with implementation of the WRTP Specific Plan by requiring a stop to potentially damaging excavation. However, human remains can occur below ground with little or no surface manifestation. Therefore, the potential for the WRTP Specific Plan to result in the disturbance of human remains is considered potentially significant.

#### **Mitigation Measure 3.6-2: Treatment of Human Remains**

Consistent with Health and Safety Code, Section 7050 through 7052 and Health and Safety Code Section 8010 through 8030, in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery during construction, the City and contractor/s shall take the following steps:

- (1) No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent human remains will occur until:
  - (A) the coroner of Yolo County has been contacted to determine that no investigation of the cause of death is required, and
  - (B) if the coroner determines the remains to be Native American:
    1. the coroner shall contact the Native American Heritage Commission within 24 hours;
    2. the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendant from the deceased Native American; and
    3. the most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, as provided in Section 5097.98 of the Public Resources Code; or

- (2) Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
- (A) the Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant fails to make a recommendation within 24 hours after being notified by the commission;
  - (B) the most likely descendant identified fails to make a recommendation; or
  - (C) the landowner or his or her authorized representative rejects the recommendation of the most likely descendant, and mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

**Significance after Mitigation:** Mitigation Measure 3.6-2 would reduce the potential impacts in the event of the accidental discovery or recognition of any human remains. In addition, records searches, Native American consultation, and intensive pedestrian field survey did not indicate that the WRTP Specific Plan Area or off-site improvement areas are sensitive for buried human remains. Therefore, although human remains can occur below ground with little or no surface manifestation, encountering such during buildout of the WRTP Specific Plan is considered unlikely. If buried human remains are encountered during construction without prior discovery, implementation of Mitigation Measure 3.6-2 and compliance with regulatory requirements reduce this impact to a less-than-significant level

## **GEOLOGY, SOILS, MINERALS RESOURCES, AND PALEONTOLOGICAL RESOURCES**

### **Impact 3.7-1. Possible Damage to or Destruction of Unique Paleontological Resources.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.7-13 through 3.7-15.)

**Explanation:** Most of the WRTP Specific Plan Area and all of the proposed SR 113/County Road 25A interchange area are underlain by Holocene-age rock formations, which are not paleontologically sensitive. However, the southern portion of the WRTP Specific Plan Area and the proposed South Regional Pond would be constructed in paleontologically sensitive rock formations. This impact is considered potentially significant.

Most of the WRTP Specific Plan Area is underlain by Holocene-age Levee, Channel, and Basin Deposits. Furthermore, the geotechnical report prepared by Crawford & Associates (2020) demonstrated, based on the results of site-specific soil borings, that only Holocene-age deposits are present at the proposed SR 113/County Road 25A interchange improvements. As a common industry threshold, a fossil is typically considered a unique paleontological resource if it is more than 11,700 years old (i.e., the generally accepted end of the last glacial period of the Pleistocene Epoch). Holocene deposits contain only the remains of extant, modern taxa (if any resources are present), which are not considered “unique” paleontological resources. Therefore, earth-moving activities in the Levee, Channel, and Basin Deposits throughout most of the WRTP Specific Plan Area, and the entirety of the proposed Caltrans Off-site Improvement Area, would have no impact on unique paleontological resources. However, a mixture of the Riverbank and Modesto Formations is present in the southern portion of the WRTP Specific Plan Area and at the proposed South Regional Pond. As presented above in Table 3.7-1 and discussed in the 2035 General Plan and CAP EIR Impact 4.7-4 (pages 4.7-33 and 4.7-34) (City of Woodland 2016b), due to the

large number of vertebrate fossils recovered from these formations throughout the Sacramento and San Joaquin Valleys, including the vicinity of Woodland, these formations are considered paleontologically sensitive. General Plan Policies 7.E.1 and 7.E.2 are designed to help avoid impacts to paleontological resources. Earth-moving activities in the Riverbank and Modesto formations have the potential to accidentally damage or destroy unique paleontological resources, and the 2035 General Plan and CAP EIR determined that this impact was significant. For the same reasons discussed herein, WRTP Specific Plan and proposed South Regional Pond impacts to unique paleontological resources from earth-moving activities in the Riverbank and Modesto Formations are considered potentially significant.

**Mitigation Measure 3.7-1: Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan, as Required.**

To minimize the potential for destruction of, or damage to potentially unique, scientifically important paleontological resources during earth-moving activities, the measures described below shall be implemented by project applicants and contractors for future projects proposed under the WRTP Specific Plan within the Riverbank or Modesto Formations (in the southern portion of the WRTP Specific Plan Area and the proposed South Regional Pond area) before and during construction activities.

- Prior to the start of earthmoving activities that would disturb 1 acre of land or more within the Riverbank or Modesto Formations (in the southern portion of the WRTP Specific Plan Area and the proposed South Regional Pond area), inform all construction personnel involved with earthmoving activities regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. This worker training may either be prepared and presented by an experienced field archaeologist at the same time as construction worker education on cultural resources or prepared and presented separately by a qualified paleontologist.
- If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City of Woodland Community Development Department. Retain a qualified paleontologist to evaluate the resource and prepare a recovery plan. The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum curation for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.

**Significance after Mitigation:** This mitigation measure is consistent with the 2035 General Plan and CAP EIR Mitigation Measure 4.7-4 (pages 4.7-34 and 4.7-35). Consistent with the findings of the 2035 General Plan and CAP EIR, implementation of Mitigation Measure 3.7-1 would reduce the impacts of WRTP Specific Plan and associated offsite infrastructure implementation on unique paleontological resources to a less-than-significant level because construction workers would be alerted to the possibility of encountering paleontological resources and, in the event that resources were discovered, fossil specimens would be recovered and recorded and would undergo appropriate curation.

## HAZARDS AND HAZARDOUS MATERIALS

### Impact 3.8-1. Create a Significant Hazard to the Public or the Environment through Reasonably Foreseeable Upset and Accident Conditions Involving the Release of Hazardous Materials into the Environment.

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.8-16 through 3.8-20.)

**Explanation:** The WRTP Specific Plan Area includes above-ground storage tanks containing fuels and chemicals; several small sheds; a large building where equipment is stored and maintained; water wells and associated equipment; residual pesticides from agricultural activities in soils; and a residence with an on-site septic system and the potential for asbestos and lead-based paint. Construction of the off-site improvements could result in exposure to lead-based paint, aerially-deposited lead in soils, chemically-treated wood residue, and residual pesticides from agricultural activities in soils. Therefore, workers and members of the public could be exposed to hazards during construction activities from accidental releases of hazardous materials. This impact is considered potentially significant.

Federal, State, and local regulations and City of Woodland General Plan Policies 3.I.1, 3.I.2, 8.E.1, 8.E.2, 8.E.3, and 8.E.4 (many of which are described in detail in Section 3.8.3, “Regulatory Framework” of the EIR) are designed to reduce the potential for adverse impacts from accidental release of hazardous materials, including risks associated with future operation of the various types of land uses that are proposed as part of the WRTP Specific Plan. The 2035 General Plan and CAP EIR determined that this impact was less than significant. As described in detail in the “Environmental Setting” above, a search of State and federal hazardous materials databases indicated there are no known hazardous materials sites within 0.5 mile of the WRTP Specific Plan Area, proposed off-site South Regional Pond, or the proposed off-site SR 113/CR 25A interchange improvements (DTSC 2020, SWRCB 2020, EPA 2020). Caltrans has entered into an agreement with DTSC to ensure the safe reuse of soils contaminated with aeriallydeposited lead during construction of highway projects. The agreement requires Caltrans to sample and test soils for lead content, place a certain volume of cover material on top of the soils when the lead content is above specified levels, place the soils only in areas that are at least 5 feet above the maximum water table elevation, cover leadcontaining soil stockpiles with plastic until the soil is reused, and properly dispose of excavated soils that are not reused (DTSC 2016a). Because Caltrans is required to implement the conditions of the Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils (DTSC 2016b) per California Health and Safety Code 25187(b)(5), impacts from human health and environmental exposure to aerially-deposited lead at the off-site Caltrans SR 113/CR 25A interchange are considered less than significant. Geocon (2020) noted that concrete, asphalt, and expansion joint fill material at the Caltrans SR 113/CR 25A interchange bridge structure may contain asbestos; asbestos-containing pipe may be also present within the bridge structure; roadway traffic striping at the interchange may contain lead and chromium; and treated-wood guardrail posts are present at the interchange. Asbestos, lead in traffic striping, and treated-wood waste require proper handling and disposal in accordance with State and federal regulatory requirements. Design and construction of the off-site SR 113/CR 25A intersection improvements are regulated by Caltrans, and would comply with requirements related to the proper handling and disposal of hazardous materials contained in the Standard Plans and Specifications (Caltrans 2018). Therefore, impacts from human health and environmental exposure to asbestos, lead-based paint, and treated wood at the off-site Caltrans SR 113/CR 25A interchange are considered less than significant. As described in detail in the “Environmental Setting” above, based on the results of a site-specific Phase I ESA (Geocon 2018:12–13), the WRTP Specific Plan Area includes several above-ground storage tanks containing fuels and fertilizers; a large building where equipment is stored and maintained; several small sheds; numerous agricultural water wells and

associated equipment; an older existing residence and barn (with a domestic water well); and a former residence that has been demolished. Although the current property owner indicated that the large storage building is not used to store agricultural chemicals, Geocon was not provided with access to the interior of the 1,500-square-foot storage building or any of the smaller storage sheds. Since the WRTP Specific Plan Area and the off-site South Regional Pond site, as well as the areas that would be acquired for improvements adjacent to the existing SR 113/CR25A interchange, have been in agricultural use for decades, the potential exists for elevated levels of residual agricultural chemicals to be present in the soil. This is particularly true for the southern portion of the WRTP Specific Plan Area and the off-site South Regional Pond site, which consist of an almond orchard. Orchards and orchard-cultivated soils generally require the repeated application of higher levels of agricultural chemicals to fruit or nut trees. Geocon conducted a limited Phase II screening-level pesticide assessment for soils in the WRTP Specific Plan Area. Geocon obtained 20 soils samples from locations throughout the WRTP Specific Plan Area, including two soil samples from the southeastern parcel where the almond orchard is located. The results indicated that trace amounts of 4,4'-DDT (dichlorodiphenyltrichloroethane), 4,4'-DDE (dichlorodiphenyldichloroethylene), and dieldrin were present in WRTP Specific Plan Area soils. Because the proposed South Regional Pond and the areas that would be acquired for improvements adjacent to the existing SR 113/CR 25A interchange have also been in agricultural use for decades, it is likely that similar residual pesticides are present in those locations as well. DDT was used as an insecticide prior to 1972, when it was banned by EPA. DDE is a byproduct of the breakdown of DDT. Dieldrin was used as an insecticide on crops until 1974, when it was also banned by EPA. The amounts of DDT, DDE, and dieldrin detected at the WRTP Specific Plan Area do not exceed EPA screening levels for residential land uses, and the same is likely the case for the adjacent South Regional Pond site. The Phase II pesticide assessment also found arsenic in all of the 20 WRTP Specific Plan Area soil samples at concentrations that exceed DTSC's Health and Ecological Risk screening level. However, because arsenic is widely found in soil as a result of the natural geologic weathering cycle, arsenic levels are generally compared to standardized "background" concentration levels as part of a risk assessment. The amount of arsenic in the soil in the WRTP Specific Plan Area does not exceed DTSC's arsenic background screening levels, and the same is likely the case for the off-site improvement areas. Therefore, Geocon determined there is no evidence that a hazard exists to human health or the environment from on-site agricultural chemicals, and further testing in the WRTP Specific Plan Area is not necessary (Geocon 2018:13–15). Based on the similar nature of crops and the time period of agricultural use at the off-site improvement areas, residual metal and pesticide levels are likely similar to those found in the WRTP Specific Plan Area, and thus residual metal (arsenic) and agricultural pesticides in the off-site improvement areas would not represent a human health or environmental hazard. Geocon noted that any unused agricultural and domestic wells, along with septic systems in the WRTP Specific Plan Area should be properly abandoned per Yolo County permit requirements, which are designed to reduce adverse impacts to the environment such as leaks and spills of hazardous materials during the decommissioning process. Due to the age of the on-site residence and barn, asbestos and lead-based paint could be encountered during demolition activities. Therefore, Geocon recommended that an asbestos-containing materials and lead-based paint survey be completed prior to demolition. Finally, Geocon determined that one REC is present at the project site: the diesel above-ground storage tank associated with the agricultural well on the East Central Parcel in the WRTP Specific Plan Area. Geocon recommended that this tank be removed, replaced with a double-walled tank, or placed within secondary containment to prevent further releases. Because soil staining was observed, soils around the tank should be tested, and if the soil has been contaminated with petroleum hydrocarbons, it should be removed and properly disposed of (Geocon 2018:15). Furthermore, the on-site agricultural residence may have septic system which, if not cleaned and closed properly, could result in exposure of construction workers and future residents to hazardous materials. Therefore, for the reasons stated above, this impact is considered potentially significant.

**Mitigation Measure 3.8-1: Prepare a Remedial Action Plan, and Conduct Phase I and/or II Environmental Site Assessments and Implement Required Measures if Stained or Odiferous Soil is Discovered.**

To reduce health hazards associated with potential exposure to hazardous substances in the WRTP Specific Plan Area and the off-site South Regional Pond, implement the following measures before the start of ground-disturbing activities in areas of debris piles, pole-mounted transformers, where demolition will occur, and other areas where evidence of hazardous materials contamination is observed or suspected through either obvious or implied evidence (i.e., stained or odorous soil):

- Prepare a remedial action plan that identifies any necessary remediation activities including excavation and removal of contaminated soils and redistribution of clean fill material at the diesel above-ground storage tank associated with the agricultural well on the East Central Parcel, and other areas within the WRTP Specific Plan Area, if necessary. All above-ground storage tanks shall be removed in accordance with State and local regulations. The remedial action plan shall include measures for the safe transport, use, and disposal of contaminated soil and building debris removed from the project site. During construction, project applicants for future projects proposed under the WRTP Specific Plan and the offsite South Regional Pond shall be required to comply with the remedial action plan and all applicable federal, State, and local laws. The remedial action plan shall outline measures for specific handling and reporting procedures for hazardous materials and disposal of hazardous materials removed from the project site at an appropriate off-site disposal facility.
- In the event that contaminated groundwater is encountered during site excavation activities, the contractor shall report the contamination to the appropriate regulatory agencies, dewater the excavated area, and treat the contaminated groundwater to remove contaminants before discharge into the sanitary sewer system.
- If stained or odiferous soil is discovered during project-related construction activities, project applicants for future projects proposed under the WRTP Specific Plan and the off-site South Regional Pond shall retain a registered environmental assessor to conduct a Phase I ESA, and if necessary, Phase II ESAs and/or other appropriate testing. Recommendations in the Phase I and II ESAs to address any contamination that is found shall be implemented before initiating ground-disturbing activities in these areas.
- Notify the appropriate federal, State, and local agencies if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) or if known or previously undiscovered underground storage tanks are encountered during construction activities. Any contaminated areas shall be remediated in accordance with recommendations made by the Environmental Management Department (EMD), Central Valley RWQCB, Department of Toxic Substances Control (DTSC), and/or other appropriate federal, State, or local regulatory agencies.
- Retain a licensed contractor to remove all septic systems in accordance with local, State, and federal regulations.
- Retain a California Occupational Safety and Health Administration (Cal-OSHA) certified Asbestos Consultant before demolition of any buildings in the WRTP Specific Plan Area to investigate whether any asbestos-containing materials or lead-based paints are present, and could become friable or mobile

during demolition activities. Provide a copy of the report to YSAQMD. If any materials containing asbestos or lead-based paints are found, they shall be removed by an accredited contractor in accordance with Environmental Protection Agency (EPA) and Cal-OSHA standards as required by YSAQMD. In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal-OSHA asbestos and lead worker construction standards. The materials containing asbestos and lead shall be disposed of properly at an appropriate off-site disposal facility.

- Properly close and abandon all on-site groundwater wells in accordance with Yolo County requirements.

**Significance after Mitigation:** Implementing Mitigation Measure 3.8-1 would reduce the potentially significant impact from accidental release of hazardous materials to a less-than-significant level, consistent with the findings of the 2035 General Plan and CAP EIR, because potentially hazardous materials would be identified; a site management plan that specifies remediation activities and procedures to appropriately identify, stockpile, handle, reuse, and/or remove and dispose of hazardous materials would be prepared and implemented; and hazardous materials that are encountered would be removed and properly disposed of or otherwise remediated by licensed contractors in accordance with federal, State, and local laws and regulations.

**Impact 3.8-2. Emit Hazardous Emissions or Handle Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-Quarter Mile of an Existing or Proposed School.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.8-20 through 3.8-22.)

**Explanation:** Existing schools are located approximately 300 feet and 0.3 mile from the WRTP Specific Plan boundary. The WRTP Specific Plan accommodates up to 10 acres for a future school in the medium density residential zone at the southwestern corner of Parkland Avenue and Harry Lorenzo Avenue. The WRTP Specific Plan also includes retail, commercial, and light industrial land uses that may use and store hazardous materials. Because the exact types of businesses and the exact types and quantities of hazardous materials that may be used by these businesses in the future cannot be known at this time, this impact is considered potentially significant.

The privately owned and operated Woodland Christian School (grades K–12), located at 1787 Matmor Road, is approximately 300 feet northwest of the WRTP Specific Plan Area, on the west side of SR 113. Pioneer High School (part of the Woodland Joint Unified Public School District), located at 1400 Pioneer Avenue, is approximately 0.3-mile northeast of the WRTP Specific Plan Area. The WRTP Specific Plan accommodates up to 10 acres for a future school in the medium density residential zone at the southwestern corner of Parkland Avenue and Harry Lorenzo Avenue. The relevant school district (or the private entity responsible for operating the school if it is privately owned) would be responsible for conducting the appropriate site-specific analysis required by the California Department of Education to determine the suitability of the potential school site, before moving forward with improvement plans. Under Public Resources Code Section 21151.4, unless certain conditions are first met, an EIR or mitigated negative declaration may not be certified or adopted for a project within one-quarter mile of a school if a project would involve constructing or altering facilities that meet any of the following criteria:

- ▶ might reasonably be anticipated to emit hazardous air emissions (i.e., toxic air contaminants);

- ▶ would handle an extremely hazardous substance or a mixture containing extremely hazardous substances in a quantity equal to or greater than the State threshold quantity specified in Section 25532(j) of the California Health and Safety Code; or
- ▶ may pose a health or safety hazard to persons who would attend or would be employed at the school.

For an EIR to be certified or mitigated negative declaration to be adopted for such a project, both of the following must have already occurred:

1. The lead agency preparing the EIR must have consulted with the school district with jurisdiction about the potential impact of the project on the school.
2. The school district must have been notified about the project in writing at least 30 days before the proposed certification of the EIR or adoption of the mitigated negative declaration.

Proposed land uses in the WRTP Specific Plan Area include Village Center (retail or mixed use); Commercial–Business Park, Office, Research, High-Tech, or Light Industrial Flex; and Commercial–Highway. These facilities may handle hazardous substances, although they would not be expected to handle large quantities of acutely hazardous substances since the WRTP Specific Plan Area does not include zoning for heavy industrial land uses. However, because the exact businesses that would be operating in the WRTP Specific Plan Area and the types and quantities of hazardous materials that may be used by those businesses cannot be known at this time, in order to be conservative, this impact is considered potentially significant.

**Mitigation Measure 3.8-2: Notify and Consult with Affected Schools, and Implement a Hazardous Materials Business Plan (if Required).**

Project applicants for future retail, commercial, or industrial projects proposed under the WRTP Specific Plan and supportive infrastructure improvements that would involve the long-term use of hazardous materials for project operation shall notify the Woodland Christian School, the Pioneer High School, and the Woodland Joint Unified School District, as appropriate based upon project location relative to school locations, in writing, and shall consult with appropriate school or district personnel about the types of activities that would occur and their estimated timing. Examples of the types of hazardous materials that could be used during proposed operational activities shall be provided. The written notification shall be provided at least 30 days before the commencement of any construction activities.

Future businesses within the WRTP Specific Plan Area that handle and/or store a hazardous material or a mixture containing a hazardous material in amounts greater than the specified threshold quantities in Chapter 6.95, Section 25505 of the California Health & Safety Code shall prepare a Hazardous Materials Business Plan. The plan shall provide emergency plans and procedures that the businesses will follow in the event of a release or threatened release of a hazardous material, along with the other requirements of Section 25505 including an inventory of hazardous materials, site plan showing material storage areas and ingress and egress points for emergency vehicles, and employee safety training.

**Significance after Mitigation:** Implementing Mitigation Measure 3.8-2, along with compliance with other regulations, guidelines, and laws related to hazardous materials use, handling, transport, and disposal (discussed in the “Regulatory Framework” section above) would reduce the impact related to handling of hazardous materials



within one-quarter mile of a school to a less-than-significant level, consistent with the findings of the 2035 General Plan and CAP EIR, because affected schools would be notified prior to the start of construction activities, and proper hazardous materials spill prevention techniques would be implemented during construction and operational activities. Furthermore, the relevant school district (or the private entity responsible for operating the school if it is privately owned) would be responsible for conducting the appropriate site-specific analysis required by the California Department of Education to determine the suitability of the potential school site, before moving forward with improvement plans.

## **HYDROLOGY, FLOODING, AND WATER QUALITY**

### **Impact 3.9-1. Substantially Increase the Rate or Amount of Surface Runoff Resulting in Flooding, Create or Contribute Runoff Water which would Exceed the Capacity of Existing or Planned Stormwater Drainage Systems, Provide Substantial Additional Sources of Polluted Runoff.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.9-18 through 3.9-22.)

**Explanation:** Implementation of the W RTP Specific Plan and the off-site supporting infrastructure would increase the rate and amount of surface water runoff (primarily from construction of new impervious surfaces), which could exceed the capacity of stormwater conveyance systems, result in on-site or off-site flooding, and result in additional sources of polluted runoff. This impact is considered potentially significant.

As discussed in the 2035 General Plan and CAP EIR Impact 4.9-3 (pages 4.9-43 through 4.9-47) (City of Woodland 2016b), new urban development on currently undeveloped land would result in alteration of site-specific drainage patterns, which in turn could result in erosion, sedimentation, and on-site or downstream flooding. Increased peak flow rates may exceed drainage system capacities, exacerbate erosion in overland flow and drainage swales and creeks, and result in downstream sedimentation. Sedimentation, in turn, could increase the rate of deposition in natural receiving waters and reduce conveyance capacities, resulting in an increased risk of flooding. Erosion of upstream areas and related downstream sedimentation typically leads to adverse changes to water quality and hydrology.

The addition of impervious surfaces and drainage infrastructure from urbanization results in increased runoff volumes and dry weather flows, increased frequency and number of runoff events, and increased long-term cumulative duration of flows, as well as increased peak flows. However, the City of Woodland's Storm Drainage Facilities Master Plan Update and Preliminary Engineering (2006a) includes requirements for development to preserve water quality and minimize localized flooding during storm events. It outlines floodplains, design criteria, storm drainage water quality monitoring, and implementation of future facilities. The City's Drainage Master Plan was updated in 2017, and revised in 2018, to address issues specific to the South Urban Growth Area, particularly as related to additional urban development projected in the City's updated General Plan, in the Storm Drainage Facilities Master Plan South Urban Growth Area (City of Woodland 2018). Design Standards include drainage facility capacity criteria designed to ensure the containment and/or conveyance of the design storm. The City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a) include design capacities for storm drains, open channels, bridges, culverts, regional storage facilities, and drains, as well as requirements to ensure access for maintenance and operation of drainage systems. All development projects in the City are required to comply with City's Post Construction Standard Plan (2015) to reduce post-construction runoff and control urban runoff pollution in compliance with of the City's Phase II MS4 permit through

the incorporation of BMPs, LID, and hydromodification management techniques. This includes the requirement to treat stormwater runoff through evapotranspiration, infiltration, stormwater harvesting and reuse, or biotreatment. Hydromodification management requires regulated projects to slow and minimize the amount of runoff so that there is no net-increase in post-construction runoff flow rate as compared to the pre-construction value for a 2-year, 24-hour storm event (City of Woodland 2015:24). Furthermore, a SWPPP would be required in compliance with the NPDES Construction General Permit and would include BMPs to avoid construction-related erosion and sedimentation on- or off-site. Furthermore, implementation of General Plan Goal 5.I and Policies 5.I.1, 5.I.3, 5.I.4, 5.I.5, 5.I.7, and 7.A.4 are also designed to reduce on-site and downstream erosion and sedimentation and alteration of drainage patterns. The 2035 General Plan and CAP EIR included Mitigation Measure 4.9-3 (page 4.9-47), which recommended adoption of General Plan Policy 5.I.4 related to implementation of LID features to improve stormwater quality. The 2035 General Plan and CAP EIR determined that after incorporation of General Plan Policy 5.I.4, the impact would be less than significant (City of Woodland 2001:Section 6).

The City has determined that a new off-site regional detention basin, called the South Regional Pond, is necessary to detain a portion of the stormwater flows from the WRTP Specific Plan Area as well as future planned growth. The proposed South Regional Pond would detain stormwater flows from a portion of the WRTP Specific Plan Area. The South Regional Pond would be constructed to a size of approximately 4 acres, and would be located adjacent to and east of the southern portion of the WRTP Specific Plan Area, south of County Road 25A (Cunningham Engineering 2020). Because the South Regional Pond is outside of (but adjacent to) the City's Planning Area boundary, it was not included as part of the 2035 General Plan and CAP EIR. Construction of the proposed South Regional Pond would include clearing, excavating, and grading of the basin, and installing inflow and outflow structures. The City would perform periodic maintenance activities once the basin is operational. The potential environmental impacts of constructing and operating the South Regional Pond are evaluated in all of the topic area sections throughout the EIR. Preliminary stormwater engineering, in the form of a Stormwater Management Technical Memorandum, has been performed for the WRTP Specific Plan Area and surrounding areas that drain to the WRTP Specific Plan Area (Cunningham Engineering 2020). Stormwater in the northern portion of the WRTP Specific Plan Area drains to the east. As part of the Spring Lake Specific Plan, stormwater from the northerly portion of the WRTP Specific Plan Area was planned for future drainage to and detention in the existing off-site East Regional Pond, which was sized at the time of construction to accommodate flows from this portion of the WRTP Specific Plan Area with proposed development. The East Regional Pond functions as a water quality treatment basin and serves to attenuate postdevelopment peak flows for a 100-year storm/10-day event (as required by the City). Furthermore, underground drainage pipelines adjacent to the WRTP Specific Plan Area to the east, in the Spring Lake development, were sized to accommodate projected future stormwater drainage outflows from development in the northern portion of the WRTP Specific Plan Area. A small portion of the WRTP Specific Plan Area adjacent to SR 113 would be required to completely retain, detain, and treat all of the stormwater flows that are generated within this approximately 30- acre area using LID measures and distributed water quality BMPs (to allow the large central proposed park area to fully function as a park, rather than integrating a detention basin). An existing unlined, on-site drainage channel along the east side of SR 113 would be modified (to a wider and deeper trapezoidal channel) to carry a portion of the WRTP Specific Plan Area's stormwater flows southward to a new underground drainage pipe, that would cross underneath County Road 25A and discharge to the South Regional Pond. An approximately 4-acre on-site water quality and hydromodification basin would be constructed in the southeast corner of the WRTP Specific Plan Area; this basin would receive flows from the southeastern portion of the WRTP Specific Plan Area. A new on-site underground drainage pipeline would be installed south of County Road 25A to convey flows in this area eastward to the proposed South Regional Pond. A network of appropriately

sized underground drainage pipelines would be installed throughout the WRTP Specific Plan Area to convey stormwater flows to the on-site and off-site basins. Flows from the proposed on-site basin in the southeast corner and proposed South Regional Pond would be conveyed eastward along County Road 25A to the existing South Canal, where flows are conveyed northward to the City's storm drainage pumping facility at the intersection of County Road 103 and East Main Street. From the East Regional Pond (which would accept stormwater from the northern portion of the WRTP Specific Plan Area as described above), stormwater is conveyed from the pond to the Gibson Canal, then to the South Canal northward to the City's storm drainage pumping facility. From the pumping facility, all City flows are conveyed eastward to an outfall channel that discharges directly into the Yolo Bypass, approximately 4.5 miles northeast of the WRTP Specific Plan Area (City of Woodland 2006a: Map 14).

The City of Woodland Storm Drainage Facilities Master Plan South Urban Growth Area (City of Woodland 2018) estimates that 30 cubic feet per second of pumping and construction of the North Regional Pond will accommodate the buildout of the Spring Lake Specific Plan plus approximately 80 additional acres of currently unbuilt residential development, flowing to the existing Farmers Central Channel. It is assumed that non-residential development could alternatively be accommodated, as long as the development acreage is hydrologically equivalent to 80 acres of residential use. Based on the modeling conducted for the Storm Drainage Facilities Master Plan South Urban Growth Area, development of more than the equivalent of 80 acres within the WRTP Specific Plan Area would trigger further improvements to the new pump station constructed near the site of the existing South Canal Pump Station, the East Main Channel, and the Yolo Bypass Outfall. However, in support of the more recent ongoing update of the City's Citywide Storm Drainage Facility Master Plan, Wood Rodgers provided preliminary findings to the City for revised baseline conditions from the overall City modeling being performed for the City's North Area. The findings of this recent downstream analysis indicate that the amount of developable acreage is likely higher without implementation of these downstream improvements. With the full combination of the North and South Areas of the City and the incorporation of the 2009 Yolo County rainfall, the South Area conditions have changed along the High Line Ditch. In the revised simulation, the volume of water spilling over the High Line Ditch under baseline is greater than previously estimated. With the recently installed infrastructure and a higher allowable spill over the High Line Ditch, it is anticipated that more than 80 acres of development in the South Area can occur before triggering new improvements (Nick Ponticello, personal communication, February 22, 2021). To extend development in the WRTP Specific Plan Area beyond the 80-acre residential equivalent, additional study will be necessary, if downstream improvements are not yet operational.

Design and construction of the off-site SR 113/County Road 25A intersection improvements is regulated by Caltrans, and would comply with requirements contained in the Standard Plans and Specifications (Caltrans 2018) and the Highway Design Manual (Caltrans 2020), as well as the Caltrans NPDES permit issued by SWRCB (Order No. 2012-0011-DWQ, NPDES No. CAS000003). Although only a small amount of additional impervious surfaces would be created by the proposed interchange improvements, the stormwater runoff from these improvements would flow onto the surrounding areas including the WRTP Specific Plan Area, and therefore must be included in stormwater planning for the WRTP Specific Plan.

Operational water quality treatment design for the WRTP Specific Plan Area would be addressed by implementing a combination of LID measures, standard treatment control BMPs, and 'end-of-pipe' temporary water quality storage within existing and proposed detention basins (Cunningham Engineering 2020). The NPDES General Permit also contains requirements related to hydromodification, including matching the post-project 2-year/24-hour peak flows to pre-project levels. The hydromodification requirements would be accomplished via a combination of

upland LID-style runoff reduction measures and end-of-pipe detention storage within existing and/or proposed detention basins. As noted by Cunningham Engineering (2020) these measures could include the following:

- ▶ Small-scale distributed drainage management features such as shallow, decentralized surface detention areas and/or infiltration areas that are included in streetscapes and individual site landscapes as a design element (in addition to a functional requirement) throughout the WRTP Specific Plan Area;
- ▶ Reducing new impervious surfaces, which could be accomplished by using compact building footprints, alternative driveway layouts and/or materials, narrower roadway cross-sections (as appropriate), pervious pavement, and efficient parking to minimize the overall area of the lot on a per-parking-space basis;
- ▶ Disconnection of new impervious areas by placing pervious areas (e.g., landscaping and/or pervious pavement) downstream of a site's impervious surfaces (e.g., roofs and conventional pavement), with site grading/landscaping designs that provide for sheet flow from those impervious surfaces onto the pervious surface areas;
- ▶ Treatment control BMPs, which could include vegetated swales, stormwater planters, rain gardens, pervious pavement, and inclusion of a water quality treatment component as part of the detention basins.

In accordance with General Plan Policies 5.I.3 and 5.I.7, the Technical Guidance Manual for Stormwater Quality Control Measures (City of Woodland 2006b), and the Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a), project applicants for future projects proposed under the WRTP Specific Plan are required to design site-specific on-site stormwater systems and submit the proposed designs to the City for approval prior to the start of any construction activities. The WRTP Specific Plan identifies BMPs, LID, and hydromodification management techniques that will be incorporated into the site-specific stormwater system designs and operation as required by the City's Post Construction Standard Plan (2015) to reduce post-construction runoff and control urban runoff pollution in compliance with of the City's Phase II MS4 permit. The proposed development in the WRTP Specific Plan Area would substantially increase the rate or amount of surface runoff, primarily as a result of new impervious surfaces. Because detailed drainage and stormwater flooding calculations and designs for the WRTP Specific Plan Area and the off-site SR 113/County Road 25A interchange improvements have not yet been performed, stormwater generated from implementation of the WRTP Specific Plan and the off-site interchange improvements could result in on- or off-site flooding, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, and/or provide substantial additional sources of polluted runoff. Therefore, this impact is considered potentially significant.

**Mitigation Measure 3.9-1a: Prepare Additional Storm Drainage Analysis for determining Amount of New Development Acreage Beyond the Previously Identified 80 Residential Acres Allowable in the South Urban Growth Area and Submit to the City for Review and Approval.**

The WRTP shall be required to fund an additional stormwater drainage analysis that utilizes the revised baseline conditions modeling and includes detailed information defining the operational capacity of the newly-installed infrastructure. A model will then be created that incorporates the pump station, detention, and conveyance improvements that have already been constructed, and then incorporates the full buildout of the Spring Lake Specific Plan Development. At that point, the fully developed acreage of the WRTP Specific Plan will be added to determine the new developable acreage (in terms of stormwater drainage)

that can be accommodated with current infrastructure. This additional drainage analysis will also be required to determine what additional storm drainage infrastructure is needed to support full buildout of the WRTP Specific Plan. Building permits for development beyond the identified currently developable acreage will only be approved with confirmation that the required storm drainage and water quality treatment infrastructure is in place.

**Significance after Mitigation:** Implementation of Mitigation Measure 3.9-1 would reduce the WRTP Specific Plan's impacts from increased stormwater runoff resulting in an increased need for stormwater conveyance, stormwater-related flooding, and stormwater pollutants to a less-than-significant level because appropriately sized pipelines and detention basins, along with the appropriate LID features and water quality BMPs, that are specifically engineered to ensure that WRTP Specific Plan Area flows are conveyed such that flooding does not occur and to provide appropriate water quality treatment, would be integrated as part of the design and implementation of the WRTP Specific Plan Area.

## **TRANSPORTATION AND CIRCULATION**

### **Impact 3.13-1. Conflict with A Program, Plan, Ordinance, or Policy Addressing the Circulation System, including Transit, Roadway, Bicycle, and Pedestrian Facilities.**

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**Finding:** Less than significant. (Draft EIR, pp. 3.13-16 through 3.13-20.)

**Explanation:** The WRTP Specific Plan does not conflict with adopted policies, plans, or programs for bicycle, transit, or pedestrian facilities, nor would it adversely affect performance or safety of such facilities. The WRTP Specific Plan contains provisions that will enhance these modes to encourage greater use of transit and more walking and bicycling in the future. All new facilities, as proposed in Chapter 4 of the WRTP Specific Plan, "Circulation and Mobility," would be constructed to applicable design standards that have been created to minimize the potential for conflicts or collisions. The impact is considered less than significant.

#### **Mitigation Measure 3.13-1a: The Draft WRTP Specific Plan Finance Plan shall incorporate a Transit Contribution.**

While not required as mitigation for a significant impact under CEQA, the following would be required for planning purposes to ensure transit equipment, infrastructure, and service is adequately funded to provide necessary service to the WRTP Specific Plan Area:

The project applicant shall contribute its fair-share of the cost associated with providing transit service to the WRTP Specific Plan Area. It is anticipated that new transit vehicles may be required to provide additional service to the WRTP Specific Plan Area. However, the final determination of additional capital equipment or other costs shall be determined by the City of Woodland in coordination with YCTD and as identified in the Master TDM/VMT Program. The fair-share cost or a plan for providing the fair-share cost over time shall demonstrate funding is adequate to provide the necessary transit service or range of services required to meet the demand in the WRTP Specific Plan Area, as determined through the WRTP Specific Plan's required coordination with YCTD and UC Davis. The funding mechanism(s) for transit and other TDM measures shall be outlined in the WRTP Specific Plan Finance Plan, and development projects shall be required to commit to contributing fair-share costs prior to the issuance of respective building permits by the City of Woodland.

### **Mitigation Measure 3.13-1b: On-site Transit Stops.**

While not required as mitigation for a significant impact under CEQA, the following would be required for planning purposes to ensure proposed transit infrastructure provides for adequate service to the WRTP Specific Plan Area:

The WRTP Specific Plan calls for development of a shared mobility hub in the Village Center. The project applicant shall develop detailed plans, to be reviewed and approved by the City of Woodland and YCTD and construct the shared mobility hub improvements in the Village Center and identify the specific locations of sheltered transit stops with bus turnouts at other locations. It is anticipated that other stops would be located near the business park uses north and west of the Village Center. The City of Woodland and YCTD shall approve the location, design, and implementation timing of the sheltered transit stops and bus turnouts prior to the approval of the first final map or as otherwise required by the City. If transit stops are located on-street for segments of roadways that do not have designated curbside on-street parking that can be designated for a bus stop (i.e., only travel lanes, bike lanes), the street cross-sections shall be modified to provide for a curbside bus stop, or multiple stops if needed for bus operations.

**Significance after Mitigation:** The WRTP Specific Plan does not conflict with adopted policies, plans, or programs for bicycle, transit or pedestrian facilities, nor would it adversely affect performance or safety of such facilities. This impact is less than significant. Mitigation Measures 3.13-1a and 3.13-1b are not required to address a significant impact under CEQA, but serve as conditions of approval for planning purposes to ensure that adequate funding is contributed by future development within the WRTP Specific Plan Area, as well as provides for a transit infrastructure plan for the WRTP Specific Plan Area.

### **Impact 3.13-2. Substantially Increase Hazards Due to a Design Feature or Incompatible Uses.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.13-20 through 3.13-21.)

**Explanation:** Construction vehicles and equipment associated with development of the WRTP Specific Plan Area and off-site improvement areas would result in utilize local roadways, which could cause disruptions to the transportation network and degradation to the roadways. Also, the use of large trucks to transport equipment and materials to and from the worksite could also affect roadway conditions on the access routes by increasing the rate of roadway wear. The degree to which this impact would occur would depend on the design (pavement type and thickness) and the existing condition of the roadway. Implementation of the WRTP Specific Plan will modify the existing transportation network to accommodate existing and future users that could change existing travel patterns or traveler expectations. This impact is considered potentially significant.

The WRTP Specific Plan will modify the existing transportation network generally to expand existing facilities or to construct new facilities to accommodate planned population and employment growth. Construction vehicles and equipment associated with development in the WRTP Specific Plan Area and off-site improvement areas would maneuver among the general-purpose vehicles on local roads, which could cause safety hazards. The presence of haul trucks and other on-road construction vehicles could increase hazard risks on existing roadways. Construction activities could result in disruptions to the transportation network near project sites, including the possibility of temporary lane closures, street closures, sidewalk closures, and bikeway closures. Also, the use of large trucks to transport equipment and materials to and from the worksite could also affect roadway conditions on the access routes by increasing the rate of roadway wear. The degree to which this impact would occur would depend on the

design (pavement type and thickness) and the existing condition of the roadway. This impact is considered potentially significant. The WRTP Specific Plan would not increase hazards due to design features of transportation facilities. Implementation of the Specific Plan will adhere to applicable design standards. All existing facility modifications and new facilities resulting from the circulation diagram proposed improvements would be constructed to the City of Woodland Engineering Standards: Design Standards, Standard Details and Construction Specifications (2016), which have been developed to minimize the potential for conflicts or collisions. In addition, the Caltrans off-site improvements would be regulated by Caltrans, and would be designed and constructed in accordance with Caltrans standards and guidelines developed to promote safety. This anticipated increase in traffic during operations and expansion of the transportation network with implementation of the Specific Plan has no potential to substantially increase traffic safety hazards on area roadways, and no impact would result from operations under the WRTP Specific Plan.

### **Mitigation Measure 3.13-2: Implement a Construction Traffic Control Plan**

Prior to any construction activities for the WRTP Specific Plan, the applicant shall prepare a detailed Construction Traffic Control Plan and submit it for review and approval by the City Department of Public Works. The applicant and the City shall consult with Caltrans, YoloBus, and local emergency service providers for their input prior to approving the Plan. The plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained during construction. A copy of the construction traffic control plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways. At a minimum, the plan shall include:

- The number of truck trips, time, and day of street closures
- Time of day of arrival and departure of trucks
- Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting
- Provision of a truck circulation pattern
- Provision of a driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)
- Maintain safe and efficient access routes for emergency vehicles
- Maintain safe and efficient access routes for farming equipment and vehicles
- Manual traffic control when necessary
- Proper advance warning and posted signage concerning street closures
- Provisions for pedestrian safety

**Significance after Mitigation:** Mitigation Measures 3.13-2 would reduce the construction-related impacts to the transportation network and roadways to a less-than-significant level because the plan shall ensure that acceptable operating conditions on local roadways facilities are maintained during construction.

## UTILITIES

### Impact 3.14-1. Increased Demand for Water Supply Conveyance Facilities.

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.14-16 through 3.14-17.)

**Explanation:** Implementation of the WRTP Specific Plan would require construction of on-site water supply conveyance facilities. Water transmission pipelines to distribute the water to individual residences would be constructed and would be required to be sufficiently sized to provide fire flows. The preliminary network leading from these connections was designed in accordance with the City of Woodland Engineering Standards.

Reclaimed water would be conveyed to the WRTP Specific Plan Area via a pressure system and routed to serve areas with irrigation demands. The reclaimed water network within the WRTP Specific Plan Area is designed to provide service to typical areas with commercial and public irrigation demands such as medians, parks, and greenways. The public reclaimed water supply pipelines would be within the right-of-way of public streets and greenways.

Physical impacts associated with construction and operation of utilities is evaluated throughout the EIR, such as Air Quality, Biological Resources, and Greenhouse Gas Emissions, which specifically analyze the potential for project construction and implementation. Impacts of the WRTP Specific Plan would be mitigated through implementation of mitigation measures presented in the EIR and through uniformly applied City-administered development standards. There is no impact beyond those comprehensively considered throughout the other sections of the EIR. This impact is considered less than significant.

However, the City requires project applicants to demonstrate necessary public facilities are available or adequately financed before approval of proposed development (General Plan Policy 5.F.1). The City will only approve new development that connects to the City's public water supply system (General Plan Policy 5.G.3) and requires project applicants to demonstrate adequate water supply conveyance facilities are in place prior to occupancy and that an adequate funding source is in place to finance system development and maintenance (City General Plan Policy 5.G.6). The following mitigation measure is provided for planning purposes to ensure water supply infrastructure is designed and sized to provide adequate service to the WRTP Specific Plan.

**Mitigation Measure 3.14-1: Prepare and Submit A Water Supply Conveyance Improvement Plan in Compliance with Applicable Standards and Construct Water Supply Conveyance Infrastructure Prior to Occupancy.**

While not required as mitigation for a significant impact under CEQA, the following would be required for planning purposes to ensure the water supply infrastructure is designed and sized to provide adequate service to the WRTP Specific Plan:

Before approval of the final subdivision map and issuance of building permits, project applicants for projects proposed under the WRTP Specific Plan shall prepare a detailed water conveyance infrastructure improvement plan that depicts the locations and appropriate sizes of all required conveyance infrastructure,



in conjunction with other site-specific improvement plans. Proposed on-site water facilities shall be designed and sized to provide adequate service to the project site for the amount of development identified in the tentative subdivision map, based on City of Woodland Engineering Standards. A final water conveyance infrastructure improvement plan shall be approved by the City of Woodland Engineering Division before approval of the final subdivision map by the City of Woodland Planning Division and issuance of building permits from the City of Woodland Building Division. All required infrastructure shall be in place prior to occupancy of development anticipated under the proposed project.

**Significance after Mitigation:** This impact is less than significant. There are no additional significant impacts beyond those comprehensively considered throughout the other sections of the EIR. Mitigation Measure 3.14-1 would ensure adequate water supply conveyance facilities would be documented before approval of the final subdivision map and issuance of building permits.

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**Impact 3.14-2. Increased Demand for Wastewater Collection and Conveyance Facilities.**

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**Finding:** Less than significant with mitigation. (Draft EIR, pp. 3.14-17 through 3.14-19.)

**Explanation:** There are currently no wastewater mains or services located within the WRTP Specific Plan Area. A combination of on-site gravity and pressure sewers would be required to convey new wastewater flows from the WRTP Specific Plan Area to the SLSP Pump Station located at Farmers Central Road and Mickle Avenue. A 7.5-acre area within the WRTP Specific Plan Area would require a lift station to convey wastewater runoff to the existing gravity main in SLSP.

Physical impacts associated with construction and operation of utilities is evaluated throughout other sections of the EIR, such as Air Quality, Biological Resources, and Greenhouse Gas Emissions, which specifically analyze the potential for project construction and implementation. Impacts of the WRTP Specific Plan would be mitigated through implementation of mitigation measures presented in the EIR and through uniformly applied City-administered development standards. There is no impact beyond those comprehensively considered throughout the other sections of this EIR. The impact is considered less than significant.

The City will only approve new development that connects to the City's sewer system (General Plan Policy 5.H.6). In addition, the City requires project applicants demonstrate necessary public facilities are available or adequately financed to serve new development (General Plan Policy 5.F.1). The following mitigation measure is provided for planning purposes to ensure wastewater conveyance infrastructure is designed and sized to provide adequate service to the WRTP Specific Plan Area.

**Mitigation Measure 3.14-2: Prepare Additional Analysis to Verify the Spring Lake Specific Plan Pump Station Capacity Prior to Development Beyond 87 Percent of the WRTP Specific Plan Area.**

While not required as mitigation for a significant impact under CEQA, the following would be required for planning purposes to ensure the existing wastewater conveyance infrastructure has the capacity to provide adequate service to the WRTP Specific Plan Area:

Prior to any development beyond 87 percent of the WRTP Specific Plan, the WRTP shall fund additional analysis to verify that the Spring Lake Specific Plan Pump Station has adequate capacity to provide for sewer flows from full buildout of the WRTP Specific Plan. If additional capacity is required, it may be

provided by upsizing the pumps as part of the City's regular maintenance work of replacing the pumps. If the increased capacity is not provided by the City's maintenance work, then the WRTP Specific Plan will be responsible for funding improvements at the pump station to provide the additional required capacity.

**Significance after Mitigation:** This impact is less than significant. There are no additional significant impacts beyond those comprehensively considered throughout the other sections of this EIR. Implementation of Mitigation Measure 3.14-2 requires evaluation of the Spring Lake Specific Plan Pump Station Capacity prior to development and prior to development beyond 87 percent of the WRTP Specific Plan, and specific improvements or funding of improvements to address any capacity shortfall.

#### **4. FINDINGS REGARDING ENVIRONMENTAL IMPACTS THAT CANNOT BE FULLY MITIGATED TO A LESS THAN SIGNIFICANT LEVEL**

The following significant environmental impacts of the proposed project are significant and unavoidable and cannot be mitigated in a manner that would substantially lessen the environmental impact despite the incorporation of Mitigation Measures identified in the EIR and in these Findings. The City Council finds that the project's environmental, economic, social, and other benefits outweigh and override the significant adverse impact related to change in the environment." (see Section VII, "Statement of Overriding Considerations")

##### **AESTHETICS AND VISUAL RESOURCES**

###### **Impact 3.1-1. Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and its Surroundings.**

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**Finding:** Implementation of the WRTP Specific Plan and the off-site South Regional Pond would substantially change the existing visual character from agricultural cropland to a mix of urban land uses and supporting infrastructure. The proposed WRTP Specific Plan and off-site improvement areas would be visually incompatible with surrounding agricultural land to the west, south, and southeast. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

All feasible mitigation in the form of policies and programs in the 2035 General Plan, as well as the WRTP Specific Plan (Chapter 2, "Specific Plan Concepts" and Chapter 3, "Land Use, Development Standards, and Design Guidelines"), are presented herein. No additional feasible mitigation measures are available that would avoid this impact without fundamentally changing the purpose of the WRTP Specific Plan. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact would be significant and unavoidable.

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. (Draft EIR, pp. 3.1-13 through 3.1-16.)

###### **Impact 3.1-2: Create a New Source of Substantial Light or Glare Which Would Adversely Affect Day or Nighttime Views in the Area.**

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**Finding:** The WRTP Specific Plan would require nighttime lighting of new streets and buildings for security purposes near existing and proposed sensitive receptors, which could cause increased light and glare that could

adversely affect day or nighttime views in the area effects. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact would be significant.

As discussed in the 2035 General Plan and CAP EIR Impact 4.1-4 (pages 4.1-32 through 4.1-33) (City of Woodland 2016b), development in new growth areas would produce light and glare in areas that currently do not experience these effects. Parking lots, commercial buildings, and signs often emit light 24 hours per day. In contrast, most residential buildings produce limited light during the night. In addition, new buildings with reflective surfaces, such as office buildings with glazed windows, may add daytime glare in new development areas. General Plan Policy 3.E.7 requires that adequate pedestrian-scale lighting be provided near sidewalks, trails, and parking lots to improve visibility of pedestrians and provide a safe walking environment. General Plan Policy 2.B.1 requires that new Specific Plans must examine impacts on the completion of infrastructure and amenities within existing Specific Plan Areas that are still developing. Policy 2.E.2 encourages high-quality new development that enhances and blends with the established fabric of the natural, social, and built environment, while allowing for innovative architectural styles. However, since new development would add to the overall amount of lighting and glare in the City, the 2035 General Plan and CAP EIR concluded that impacts from new sources of light and glare would be significant. Mitigation measures recommending new General Plan Policies 2.F.4 and 2.F.5 (requiring that artificial lighting be controlled to avoid spill-over lighting, preserve the night sky, and prevent glare) were adopted as part of the 2035 General Plan. Because additional nighttime lighting would still occur and no other feasible mitigation measures were available, the 2035 General Plan and CAP EIR concluded that impacts from new sources of light and glare would be significant and unavoidable.

The WRTP Specific Plan would not be implemented in a “dark sky” area; rather, existing nighttime lighting is already generated by the Woodland Sports Park west of SR 113 (see Viewpoint 3, above), from street lighting along the east and west sides of SR 113 on the west side of the WRTP Specific Plan Area, and from street and residential lighting in the adjacent Spring Lake development to the east. Additional nighttime lighting will be present in the future in the planned Spring Lake development to the north and east. Because the WRTP Specific Plan Area would be developed with a mix of urban uses, this would create new sources of additional nighttime lighting that would be visible to adjacent residents in the Spring Lake development, as well as motorists traveling on SR 113 and County Roads 25A and 101. WRTP Specific Plan implementation could also create new sources of daytime glare from new buildings. As discussed above, General Plan policies 2.F.4 and 2.F.5 require that artificial lighting be controlled to avoid spill-over lighting, preserve the night sky, and prevent glare. The WRTP Specific Plan Performance Standards and Design Standards and Design Guidelines, contained in Sections 3.3.2 and 3.5.2, respectively, of the WRTP Specific Plan, state that lighting would include of a variety of types and styles designed to illuminate the intended surfaces or spaces, avoid light spillover and glare into surrounding areas, reduce night sky pollution, and contribute to the City’s Climate Action Plan objectives for reducing energy use. A common overall theme, material, and color palette would be considered for the entire WRTP Specific Plan Area, except that the Research and Technology Park may have different but complementary lighting and street furnishings, to create a unified identity throughout the WRTP Specific Plan Area.

Pedestrian-scaled pathway lighting would be provided in both residential and non-residential zoning districts. Exterior lighting on individual lots, particularly with the Research and Technology Park campus, would emphasize lighting entries, walkways, parking and loading, and service areas. Lighting on buildings would be designed to reinforce the architectural design of the building, including lighting of building entries, landscape elements, and major architectural features, and would contribute to enhancing the safety and security within the Research and Technology Park, as well as the remainder of the community. A comprehensive signage plan would be implemented

for the entire Research and Technology Park that governs the location, size, height, color, lighting, orientation, and type of signs to be permitted. Energy-efficient exterior lighting fixtures, such as LED or other energy-efficient lighting technologies, would be used throughout the WRTP Specific Plan Area. Furthermore, the Design Standards and Design Guidelines provided in Section 3.5.2 of the WRTP Specific Plan also state that proposed land uses may not create new sources of glare, and that signs shall be spot illuminated from the front or consist of letters, numbers, or graphics that are halo backlit and may not cast a glare that is visible from any street or adjacent lot. (The potential for nighttime lighting within the WRTP Specific Plan Area to result in airport safety hazards is discussed in Section 3.8, “Hazardous Materials and Toxics,” of the EIR).

The proposed off-site South Regional Pond would not require nighttime lighting and would not represent a new source of daytime or nighttime glare. The existing SR 113/CR 25A interchange is currently lighted with high-mast light standards that are shielded and direct the lighting downward; the proposed interchange improvements would include the continued use of shielded, directional high-mast light standards, but would not substantially change the amount of skyglow that is already emitted as compared to the existing interchange. Where direction is not otherwise provided in the WRTP Specific Plan, development in the WRTP Specific Plan Area must be designed in accordance with City of Woodland regulations and requirements, including the City’s Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a). Section 9 of the Engineering Standards describes typical design practices for new or modified street lighting systems within the City. The Engineering Standards include requirements for lighting values for each type of street; street light locations, types, and spacing; poles; mast arm lengths; service connections; pull boxes; and conductors. The Engineering Standards require that all street lights be equipped with light-emitting diode (LED) lights. Furthermore, the developer must prepare and submit improvement plans to the City for review that show existing and proposed street lighting locations, along with the following details:

- ▶ existing City-owned electrical facilities and electrical conduits;
- ▶ proposed street light types, locations, conduit sizes and locations, service locations, pull boxes, mast arm lengths, and light pattern to be installed;
- ▶ rights-of-way and easements;
- ▶ subdivision and lot details; and
- ▶ amount and type of luminaires on each new or existing service, the service location and voltage, the number of lights removed or added from an existing service, and any other pertinent information affecting the service load.

Finally, the Engineering Standards require that master planning be employed in the determination of street light locations so that an overall uniform street light system meeting minimum City requirements is achieved. If an elementary school were to be developed in the WRTP Specific Plan Area, it would not include nighttime outdoor sports events and therefore would not include lighted outdoor sports fields. Minor nighttime security lighting for school buildings and parking lots would be provided. This lighting would be shielded and directed downward to avoid light spillover and nighttime glare effects, as required by CDE school facility design standards and the Division of the State Architect. Therefore, as discussed above, the WRTP Specific Plan would employ all feasible measures to avoid light spillover and glare into surrounding areas, and reduce night sky pollution. However, WRTP Specific Plan implementation would still add to the overall amount of lighting and glare in the City; therefore, this impact is considered significant.

All feasible mitigation in the form of policies and programs in the 2035 General Plan and the WRTP Specific Plan Design Standards, are presented herein. No additional feasible mitigation measures are available that would avoid this impact without fundamentally changing the purpose of the WRTP Specific Plan. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact would be significant and unavoidable.

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. (Draft EIR, pp. 3.1-16 through 3.1-18.)

## **AGRICULTURE AND FORESTRY RESOURCES**

### **Impact 3.2-1. Loss of Important Farmland and Conversion of Agricultural Land to Nonagricultural Urban Uses.**

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**Finding:** Implementation of the WRTP Specific Plan and off-site improvements would result in the permanent conversion agricultural land, including Important Farmland, to urban uses. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

As discussed in the 2035 General Plan and CAP EIR Impact 4.2-1 (pages 4.2-28 through 4.1-36) (City of Woodland 2016), development in new growth areas would convert farmland, including Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, to urban land uses. General Plan Policy 2.A.1 establishes an ULL that permanently circumscribes urban development and complies with provisions for protection of agricultural lands. The WRTP Specific Plan Area is located in an area planned for development that is inside the ULL. The 2035 General Plan and CAP EIR concluded that, despite proposed policies, implementation of the 2035 General Plan would still accommodate development in new growth areas that would convert farmland, including Important Farmland, defined as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance, to urban uses. Mitigation Measure 4.2-1 recommending new General Plan Policy 2.A.3 (requiring for every acre of farmland that is converted, an acre of that same type (or better) of farmland will be conserved) was adopted as part of the 2035 General Plan. However, the 2035 General Plan and CAP EIR concluded that there is no additional feasible mitigation available that would mitigate the loss of Important Farmland and conversion of agricultural land to nonagricultural urban uses, and the impact was significant and unavoidable. Yolo LAFCo prepared a municipal service review and sphere of influence study for the City of Woodland (Yolo LAFCo 2019b). The Yolo LAFCo determined that:

“Development of the proposed SOI would result in the loss of prime agricultural land. However, most of Yolo County is fertile agricultural soils and it is difficult to expand the City’s footprint without impacting agricultural land and the City’s Urban Limit Line preempts any uncontrolled sprawl. The City’s General Plan Environmental Impact Report mitigates for this loss consistent with LAFCo policies and concludes that this loss is significant and unavoidable.”

Chapter 15.33 of the City of Woodland Municipal Code implements Policy 2.A.3 of the 2035 General Plan. As described above, the Chapter 15.33 requires that for every acre converted to urban development, one acre of mitigation will be required (1:1 ratio); agricultural mitigation land must be of same quality of land or higher than the land being converted; and specified agricultural mitigation lands must be located wholly within Yolo County. 3 General Plan Policy 2.A.1 establishes the ULL that permanently circumscribes urban development and complies with provisions for protection of agricultural lands. The WRTP Specific Plan Area is located in an area planned for development that is inside the ULL. The 2035 General Plan included site-specific conversion of this farmland to

urban land uses as shown in Figure 2-5, “Land Use Diagram” (page LU 2-33 of the 2035 General Plan). As discussed in Chapter 2, “Project Description,” the City promotes development of SP-1A [the WRTP Specific Plan Area] as a mixed-use residential district anchored by a research and technology business park in the Southern Gateway area at CR 25 and SR 113 (page LU 2-77 of the 2035 General Plan). The proposed South Regional Pond would be adjacent to, but south of, the Specific Plan Area, and existing agricultural lands in this off-site improvement area were not considered in the 2035 General Plan and CAP EIR. Agricultural uses within the WRTP Specific Plan Area would be converted to urban land uses from implementation of the WRTP Specific Plan and the proposed 4-acre South Regional Pond. Based on analysis of the Yolo County Important Farmland map (DOC 2016), approximately 346 acres of Prime Farmland and 3 acres of Farmland of Local Potential within the WRTP Specific Plan Area would be directly and permanently converted to urban uses. 4 Off-site improvements, specifically the proposed South Regional Pond, would directly and permanently convert approximately 4 acres of Prime Farmland to a detention pond for stormwater management. There is no Farmland of Statewide Importance or Unique Farmland identified within the WRTP Specific Plan Area or off-site improvement areas. In 2016, approximately 250,588 acres of Prime Farmland existed in Yolo County, of which 1,545 acres were located in the City’s Planning Area (Tables 3.2-1 and 3.2-2). A conversion of approximately 350 acres of Prime Farmland would account for less than one percent of the total Prime Farmland in Yolo County as a whole, but approximately 23 percent of total Prime Farmland in the City’s Planning Area. Project applicants for future projects proposed within the WRTP Specific Plan Area are required to comply with Municipal Code Chapter 15.33, which requires replacement of Prime Farmland at a 1:1 ratio. In addition, the South Regional Pond development area would not be annexed to the City. Therefore, this use would require compliance with the County’s agricultural conservation ordinance (Section 8-2.404 and Section 8.2-405 of the Yolo County Code), which requires replacement of Prime Farmland at a ratio of three acres of conserved farmland to one acre of converted land and replacement of other types of farmland at a ratio of two acres to one; small projects of less than 20 acres may pay an in-lieu fee rather than conserve farmland directly. While the WRTP Specific Plan would comply with City and County municipal code requirements for the loss of farmland that require permanent protection of agricultural land proportional to that proposed for conversion to urban use, 1:1 for the City and 3:1 for the County, as detailed, above, no new farmland would be made available, and a net loss of Important Farmland would occur as a result of development under the WRTP Specific Plan. This impact is considered significant.

All feasible mitigation in the form of policies in the 2035 General Plan, as well as the City’s Municipal Code Chapter 15.33 and Yolo County Code Section 8-2.404 and 8-2.405, are presented herein. No additional feasible mitigation measures are available that would avoid this impact without fundamentally changing the purpose of the WRTP Specific Plan. Therefore, and consistent with the findings in the 2035 General Plan and CAP EIR, impacts related to the conversion of Important Farmland to urban uses would be significant and unavoidable.

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. (Draft EIR, pp. 3.2-16 through 3.2-18.)

### **Impact 3.2-3. Conflict with Existing On-Site and Off-Site Agricultural Operations.**

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**Finding:** Implementation of the WRTP Specific Plan would locate residential land uses adjacent to existing on-site and off-site agricultural lands, resulting in potential conflicts with adjacent agricultural operations. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

As discussed in the 2035 General Plan and CAP EIR Impact 4.2-1 (pages 4.2-38 through 4.2-41) (City of Woodland 2016), urban development can result in direct and indirect impacts on agricultural. Urban development has the potential to divide large tracts of agricultural land leaving smaller, less viable tracts of land for farming. Urban development can result in conflicts at the urban edge with adjacent agricultural practices, and lead to restrictions on the use of agricultural chemicals, complaints regarding noise, dust and odors, trespassing, and vandalism. The Yolo County Agricultural Commissioner requires a buffer between pesticide application and environmentally sensitive areas, including residential developments, as explained in the Regulatory Framework. Unless otherwise provided, the farmer has responsibility for providing this buffer, and therefore the buffer potentially limits the amount of land that can be used for agriculture. These conflicts may increase costs of agricultural operations and, together with other factors, encourage the conversion of additional farmland to urban uses. In addition, urban growth may increasingly compete with agriculture for the use of water resources and may conflict with farm-to-market use and/or operational use of area roadways.

The 2035 General Plan and CAP EIR concluded that impacts related to conflicts with existing agricultural operations and urban land uses would be significant. The 2035 General Plan includes policies to support agriculture in Woodland and minimize conflicts between urban and agricultural uses. 2035 General Plan Policy 7.C.4 requires the City to ensure that urban development within the ULL does not affect the economic viability of adjacent farms outside of the ULL. 2035 General Plan Policies 4.G.2 and 4.C.9 help strengthen specific segments of the agricultural industry and explicitly supports the continuation and development of the agricultural industry in Woodland, and Policy 8.G.10 requires the City's support for both the City's and the County's right to farm ordinances. Policy 7.C.2 helps protect existing agriculture within the ULL. Although proposed policies will reduce the impact that development and other changes to the existing environment would have on existing agricultural uses and support the continued viability of the agricultural industry in Woodland, it cannot be guaranteed that farmland would not be indirectly impacted by development envisioned in the 2035 General Plan. Mitigation Measure 4.2-3 recommending new General Plan Policy 7.C.5 (requiring new development that occurs at the edge of the ULL to be set back a minimum of 150 feet from adjacent agricultural land where possible) was adopted as part of the 2035 General Plan. However, the 2035 General Plan and CAP EIR concluded that there is no additional feasible mitigation available that would mitigate the potential conflicts of future development with existing agricultural uses, and the impact was significant and unavoidable. The WRTP Specific Plan is consistent with 2035 General Plan Policies 7.C.2, 7.C.4, 4.C.9 and 4.G.2, which support existing agricultural uses and the development of agricultural-related industries.

As noted in Impact 3.2-1, development of the WRTP Specific Plan Area is envisioned as part of the 2035 General Plan and would occur in phases; Chapter 3 of the WRTP Specific Plan states that "existing agricultural uses may be permitted to continue until the area is required for the development of infrastructure or other allowed uses. Agricultural operations shall comply with applicable local, state, and federal laws and regulations." As discussed in Chapter 2 of the EIR, the City anticipates that agricultural-related research will be a major focus at the WRTP Specific Plan. In addition, one of the WRTP Specific Plan's Guiding Principles would be to take positive advantage of the existing and thriving seed, food, and agricultural-based industries currently located and doing business in and around Woodland. Chapter 9.52, "Right to Farm," of the Woodland Municipal Code protects the rights of agricultural property owners and farmers to continue agricultural operations on their land, even if it is adjacent to other land uses. The ordinance requires a right-to-farm deed restriction on any transfer of property within 500 feet of agricultural land or agricultural operations. The deed restriction notifies prospective purchasers and users of property near or adjacent to agricultural operations of the sounds, odors, dust and chemicals that may accompany agricultural operations. The Right to Farm ordinance also establishes a procedure for settling disputes regarding

agricultural operations. Residential land uses would be developed in phases on the WRTP Specific Plan Area and agricultural production could potentially continue within the WRTP Specific Plan Area until these lands are ready to be developed, resulting in potential conflicts when the development edge is adjacent to ongoing agricultural operations on undeveloped portions of the WRTP Specific Plan Area. No buffers or other features are proposed, other than those encouraged by the WRTP Specific Plan, that would separate urban land uses from ongoing agricultural operations on undeveloped portions of the WRTP Specific Plan Area, resulting in potential agricultural-urban interface conflicts. However, these conflicts would be resolved as the WRTP Specific Plan Area is developed to urban uses. In addition, land use conflicts could occur where the development edge within the WRTP Specific Plan Area is adjacent to off-site agricultural operations south of the WRTP Specific Plan Area along the ULL.

In order to be consistent with 2035 General Plan Policy 7.C.5, which implements the 2035 General Plan and CAP EIR Mitigation Measure 4.2-3, the WRTP Specific Plan policy encourages a minimum 150-foot buffer, where feasible, along the southern edge of the Plan Area, adjacent to agricultural lands along the ULL, as stated in the WRTP Specific Plan Policies in section 2.2.3 of the WRTP Specific Plan as well as in the Site Development Standards detailed in Section 3.4 of the WRTP Specific Plan. Buffers may include parking, streets, bike/pedestrian multi-use trails, shipping/receiving yards, stormwater management uses/facilities, or uses. Additionally, uses consistent and compatible with agricultural uses, such as agricultural field research or similar (i.e. greenhouses, field research offices, community gardens or agricultural uses/structures), are permitted within the agricultural buffer. Areas identified for medium density residential development in the southeastern corner of the WRTP Specific Plan Area along the border of the ULL would be buffered from on-going agricultural operations by an on-site detention pond and the 4-acre South Regional Pond south of the WRTP Specific Plan Area. These buffers would reduce the conflicts associated with on-going offsite agricultural operations within the ULL. Prospective residents within 500 feet of agricultural uses would be notified of potential land use conflicts associated with agricultural activities as required by the Chapter 9.52, "Right to Farm," of the Woodland Municipal Code and a buffer zone would be established between the edge of development and adjacent off-site agricultural land. Conflicts could still occur between agricultural and urban land uses, particularly in areas where the development edge is adjacent to ongoing agricultural operations on undeveloped portions of the WRTP Specific Plan Area. This impact is considered significant.

All feasible mitigation in the form of policies and programs in the 2035 General Plan are presented herein. No additional feasible mitigation measures are available that would avoid this impact without fundamentally changing the purpose of the WRTP Specific Plan. Therefore, and consistent with the findings in the 2035 General Plan and CAP EIR, this impact would be significant and unavoidable.

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. (Draft EIR, pp. 3.2-19 through 3.2-21.)

## **AIR QUALITY**

### **Impact 3.3-1. Conflict with or Obstruct Implementation of the Applicable Air Quality Plan.**

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**Finding:** YSAQMD and other air districts in the Sacramento Valley Air Basin (SVAB) developed air quality plans to enable the region to achieve attainment of the national ambient air quality standards (NAAQS) and California ambient air quality standards (CAAQS) for ozone and PM. These air quality plans are based on an inventory of



existing emission sources, as well as projections about the future level of land use development in the SVAB. Because the levels of growth associated with the construction and operation of future land uses anticipated under the WRTP Specific Plan were not accounted for in these projections of emissions-generating activity, and emissions could exceed the YSAQMD quantitative thresholds for short-term and long-term emissions, the WRTP Specific Plan could conflict with or obstruct the applicable air quality plan. Consistent with the findings of the 2035 General Plan and CAP EIR, the impact is considered significant.

A project is non-conforming with an air quality plan if it conflicts with or delays implementation of any applicable attainment or maintenance plan. YSAQMD recommends that an evaluation for consistency with AQAP and SIP consider consistency with the AQAP and SIP population and vehicle use projections and AQAP and SIP transportation control measures, as well as a consideration of buffer zones around sources of odors and toxics (YSAQMD 2007). The most current update for YSAQMD AQAP to address the regional nonattainment status for CAAQS was adopted in July 2016. The most current plan for the Sacramento Federal Nonattainment Area, within which the WRTP Specific Plan Area is located and YSAQMD is included, is the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan updated in 2017. The AQAP specifically addresses the area's nonattainment status for ozone and, to a lesser extent, CO and PM10. The AQAP stresses attainment of ozone standards and focuses on strategies to reduce emissions of ozone precursors (ROG and NOX). The AQAP promotes active public involvement, enforcement of compliance with district rules and regulations, and public education in both the public and private sectors. It also urges development and promotion of transportation and land use programs designed to reduce vehicle miles traveled within the region and implementation of stationary- and mobile-source control measures. Emissions inventory forecasts for both the YSAQMD AQAP and the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan incorporate population and VMT projections, in part, based on data from the SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) for the region. SACOG developed population and employment projections that inform transportation planning throughout the region and that are based, in part, on land use information from General Plans. According to the projections available to inform development of the most recently adopted air quality plans, the city's population was expected to increase to 66,041 people in 2035, the number of housing units to increase to 24,452, and employment in the city to increase to 33,368 jobs (City of Woodland 2013). As indicated in Table 4.10-4 of the 2035 General Plan and CAP EIR, the population, housing, and employment projections under the 2035 General Plan are higher than the SACOG projections for 2035. Although the WRTP Specific Plan Area was identified as a new growth area, SACOG growth projections at the time of development of the relevant air quality plans did not assume full development of the WRTP Specific Plan Area within the MTP planning horizon. The methodology and purpose of the City's estimate of development capacity under the 2035 General Plan is different from the methodology and purpose of SACOG's forecast for the purposes of the MTP/SCS. The SACOG projections are market-based growth estimates that project the amount and location of likely growth in the region based on a variety of socio-economic factors that are updated every four years. The City's General Plan and this WRTP Specific Plan serve as long-range planning tools that seek to create opportunities for growth and provide a range of land use options to encourage economic investment and promote other City policy objectives. Given these different purposes, it is expected that there would be variations in the growth forecasts between the two.

Future development and operations under the WRTP Specific Plan would be required to comply with all applicable rules and regulations, including YSAMD Rules and Regulations and permitting requirements for any stationary sources, adopted for the purposes of reducing air pollutant emissions and supporting regional attainment of the CAAQS and NAAQS pursuant to the AQAP and SIP. As detailed in Section 6.2.3 of the WRTP Specific Plan, a Comprehensive Transportation Demand Management strategy, in conjunction with key stakeholders that identifies

check-in points to demonstrate consistency, as well as a Mobility Hub Master Plan, shall be prepared no later than prior to the approval of the first development application or tentative map or as otherwise required by the City's Community Development Director. Similarly, coordination with the Yolo County Transportation District, Yolo County, and University of California, Davis, on policies of the WRTP Specific Plan will be required to ensure timely provision of transit service and appropriate funding mechanisms in place. As shown in Exhibit 4-2 of the WRTP Specific Plan, a network of bike/pedestrian trails connecting from a linear open space system throughout the WRTP Specific Plan Area provides access to planned businesses, commercial centers, and residential areas, as well as to the adjoining Spring Lake residential community. The detailed planning and policies of the WRTP Specific Plan are consistent with the intent of the transportation control measures of the AQAP and SIP to reduce regional mobile source emissions of criteria air pollutants and ozone precursors. Adopted YSAQMD rules and regulations, as well as the YSAQMD-recommended thresholds of significance, have been developed with the intent to ensure continued attainment, or work toward attainment, of the NAAQS and CAAQS, consistent with the air quality plans. By exceeding the YSAQMD's mass emission thresholds, a project may be considered to conflict with or obstruct implementation of the YSAQMD air quality planning efforts. As detailed in Impact 3.3-2 below, construction and operation of future development under the WRTP Specific Plan could exceed the YSAQMD mass emissions thresholds of significance for criteria air pollutants and ozone precursors.

Although the WRTP Specific Plan is designed and includes policies to minimize air pollutant emissions, implementation of the WRTP Specific Plan would result in population growth beyond that contemplated under the current AQAP and SIP planning efforts, and short-term and long-term emissions generated by future development under the WRTP Specific Plan could exceed YSAQMD thresholds of significance. Therefore, implementation of the WRTP Specific Plan is considered to potentially conflict with the applicable air quality plans and, consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

#### **Mitigation Measures Mitigation Measure 3.3-1a – Implement Mitigation Measures 3.3-2a through 3.3-2d**

**Significance after Mitigation:** Mitigation Measure 3.3-2a would reduce emissions of fugitive dust PM and exhaust emissions that would be generated during construction of future development in the WRTP Specific Plan Area and off-site improvement areas. Implementation of Mitigation Measure 3.3-2b, would require the use of heavy-duty equipment powered with engines that meet CARB Tier 4 emissions standards, and thereby further reduce construction-related exhaust emissions, particularly NO<sub>x</sub>. Mitigation Measure 3.3-2c would require the use of ultra-low volatile organic compound (VOC) architectural coatings in all possible applications during construction, thereby further reducing reactive organic gas (ROG) emissions from this construction-related source. Mitigation Measure 3.3-2d would reduce operational emissions of ROG and PM associated with wood burning stoves and fireplaces.

However, emissions of criteria air pollutants and precursors could still exceed significance thresholds. In addition, although the regional planning efforts and relevant air quality plans are updated on a regular basis and it is, therefore, reasonable to assume that future air quality plans will account for development of the WRTP Specific Plan Area, growth projections used for the purposes of the relevant air quality plans do not currently account for development of the WRTP Specific Plan Area. As such, implementation of the WRTP Specific Plan could conflict with or obstruct implementation of the applicable air quality plan. There are no additional feasible mitigation measures available to address this impact. This impact is significant and unavoidable. (Draft EIR, pp. 3.3-18 through 3.2-20.)

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts.

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**Impact 3.3-2. Result in a Cumulatively Considerable Net Increase of Criteria Air Pollutant and Precursor Emissions.**

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**Finding (Construction):** The WRTP Specific Plan Area was assumed as part of the land use development anticipated under the 2035 General Plan. However, the General Plan EIR assessed emissions for all proposed development within the City's Planning Area and not individually for the specific proposed land uses and implementation timeline of the WRTP Specific Plan. Due to the size of the WRTP Specific Plan Area and variability of land uses, as well as the uncertainty of the construction timing, it was assumed that different types of construction activities (i.e. site grading, trenching, asphalt paving, building construction, and application of architectural coatings) could occur simultaneously at various locations within the WRTP Specific Plan Area. Modeling of construction emissions was conducted for the year 2021, as this is assumed to be the earliest year during which construction would occur for the future development of the WRTP Specific Plan Area. For purposes of modeling emissions associated with construction of future development of the WRTP Specific Plan, it is conservatively assumed that up to 25 percent of all land uses within the WRTP Specific Plan Area could be developed within the earliest possible construction year (2021).

Based on the conservative assumptions made for the purpose of this analysis, emissions associated with construction for implementation of the WRTP Specific Plan and off-site South Regional Pond could exceed YSAQMD thresholds of significance. The Caltrans Off-site Improvement Area is not anticipated to be constructed in the first year of construction, but was conservatively modeled using emissions factor for this earliest year. While it would not on its own exceed the YSAQMD thresholds of significance, in conjunction with other development within the WRTP Specific Plan Area, it could result in an exceedance of YSAQMD PM<sub>10</sub> threshold. Thus, construction of future development within the WRTP Specific Plan Area and off-site improvement areas could exceed or contribute substantially to an existing or projected air quality violation due to incremental contribution to PM and ozone precursor emissions. The YSAQMD thresholds of significance are considered the allowable amount of emissions each project can generate without resulting in a cumulatively considerable net increase of criteria air pollutants and precursor emissions. Consequently, because implementation of the WRTP Specific Plan, including the construction of off-site improvement areas, could generate construction-related emissions that exceed the YSAQMD thresholds, this impact is considered significant. (Draft EIR, pp. 3.3-20 through 3.2-31.)

**Mitigation Measure 3.3-2a – Implement Construction Best Management Practices.**

New development shall incorporate the following construction best management practices, those included in an updated set of mitigation recommendations prepared by the YSAQMD, or those determined by the City to be as effective:

- a. Water all active construction areas at least twice daily.
- b. Haul trucks shall maintain at least two feet of freeboard.
- c. Cover all trucks hauling soil, sand, and other loose materials.
- d. Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut-and-fill operations and hydroseed area.

- e. Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- f. Plant vegetative ground cover in disturbed areas as soon as possible.
- g. Cover inactive storage piles.
- h. Sweep streets if visible soil material is carried out from the construction site.
- i. Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.
- j. Limit all idling of vehicles and equipment that use gasoline or diesel fuel to five minutes maximum.
- k. Use alternative power source, such as electricity, for construction equipment or use reformulated and emulsified fuels, incorporate catalyst and filtration technologies, and generally modernize the equipment fleet with cleaner and newer engines.

**Mitigation Measure 3.3-2b: Construction-Related Mobile Emissions Reductions for NO<sub>x</sub> and PM<sub>10</sub> Emissions (as revised in Chapter 3, "Errata," of the Final EIR).**

- a. Construction contractors shall adhere to the following requirements: a. Maintain all construction equipment properly according to manufacturer's specifications.
- b. Fuel all off-road and portable diesel-powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- c. For all off-road heavy-duty equipment greater than 50 horsepower, utilize equipment that meet or exceed CARB's Tier 4 Final standards for off-road heavy-duty diesel engines.
- d. Requiring off-road construction equipment to be zero-emission, where available, and all diesel-fueled off-road construction equipment, to be equipped with CARB Tier 4 Final engines, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- e. Prohibiting off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- f. Requiring on-road heavy-duty haul trucks to be model year 2010 or newer if diesel-fueled.
- g. Providing electrical hook ups to the power grid, rather than use of diesel-fueled generators, for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- h. Limiting the amount of daily grading disturbance area. Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- i. Forbidding trucks from idling for more than two minutes and requiring operators to turn off engines when not in use.

- j. Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- k. Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- l. Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

**Mitigation Measure 3.3-2c: Require the Use of Ultra-Low VOC (10 grams per liter [g/L] or less) Architectural Coatings for Construction-related Application**

Construction contractors shall be required to use architectural coatings that are ultra-low VOC (10 g/L or less) in all possible applications. These products are identified by manufacturers as “super-compliant.” For construction-related applications, the product manufacturer, product name, product code, and intended use shall be identified on the construction design drawings for approval prior to the issuance of a building permit.

**Significance after Mitigation (Construction):** As proposed within the 2035 General Plan and CAP EIR, Mitigation Measures 3.3-2a is consistent with General Plan Policy 7.F.2 and would reduce potentially significant impacts related to fugitive dust PM and exhaust emissions that would be generated during construction of future development in the W RTP Specific Plan Area and off-site improvement areas. Mitigation Measure 3.3-2a will reduce construction-related emissions impacts. These dust control BMPs are identified by YSAQMD and the effectiveness of such practices is estimated to range from 4 up to 99 percent effective, depending on the details of the site and project at hand (YSAQMD 2007). When multiple measures are applied to the same source of particulates, the effectiveness of a second measure would be based on the amount of dust that remains after implementing the first measure. Implementation of Mitigation Measure 3.3-2b, would require the use of heavy-duty equipment powered with engines that meet CARB Tier 4 emissions standards, and thereby further reduce construction-related exhaust emissions generated from use of heavy-duty construction equipment. Mitigation Measure 3.3-2c would require the use of ultra-low VOC architectural coatings in all possible applications during construction, thereby further reducing ROG emissions from this construction-related source. All construction contractors would comply with the California Code of Regulations Title 14, Sections 2449(d) and 2485, which would limit heavy-duty construction truck and equipment idling time to five minutes or less. In addition, according to the YSAQMD Air Quality Handbook, all incremental emission sources must be mitigated to the greatest extent possible in order to achieve and maintain ambient air quality standards. Implementation of Mitigation Measures 3.3-2a, 3.3-2b and 3.3-2c would substantially reduce PM and ozone precursor emissions. Annual emissions of ROG and NO<sub>x</sub> are anticipated to be less than YSAQMD thresholds of significance, which is a result of Mitigation Measure 3.3-2b (use of Tier 4 equipment) and Mitigation Measure 3.3-2c (use of ultra-low VOC architectural coatings). However, PM<sub>10</sub> emissions would still exceed YSAQMD thresholds. In addition, although ROG emissions would be reduced substantially as a result of implementation of Mitigation Measure 3.3-2c to use ultra-low VOC architectural coatings wherever possible, there may be instances in which the necessary application is not available as an ultra-low VOC product, and emissions could be higher than modeled. However, even without the use of ultra-low VOC architectural coatings, implementation of Mitigation Measures 3.3-2 a and 3.3-2b, alone, reduces emissions to just over 10 tons per year, so use of ultra-low VOC architectural coatings for the majority of

applications, with some required use of higher VOC architectural coatings, would still substantially reduce ROG emissions from construction to below the YSAQMD annual threshold for ROG. Because the assumptions used to estimate potential construction-related emissions are conservative, it is possible that construction related to implementation of the WRTP Specific Plan would not exceed YSAQMD thresholds of significance. However, since the timing and level of construction activities each year is unknown, it is not possible to refine these assumptions and determine the extent to which additional reduction strategies are feasible or would result in emission reductions. Therefore, it is conservatively assumed that construction-related emissions could exceed significance thresholds and, consistent with the findings of the 2035 General Plan and CAP EIR, this impact is significant and unavoidable.

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts.

**Finding (Operation):** Development of the WRTP Specific Plan Area was assumed as part of the development anticipated under the 2035 General Plan. However, the General Plan EIR assessed emissions for all proposed development within the City's Planning Area and not individually for the anticipated land uses and implementation timeline of the WRTP Specific Plan. Buildout of the WRTP Specific Plan is anticipated to occur in phases over approximately two decades. For purposes of modeling emissions associated with operation of future development of the WRTP Specific Plan, full operations are modeled for the year 2035, consistent with the City's planning horizon of the 2035 General Plan; this is considered a conservative assumption, as it is unlikely that the entire Specific Plan will be built out in 2035 and emissions from building operations and mobile sources would likely be reduced in future years due to increasingly stringent regulatory requirements and technological advances to reduce emissions.

Operations of proposed development under the WRTP Specific Plan would generate long-term emissions that would exceed YSAQMD thresholds of significance. Area emissions and related threshold exceedances of ROG and PM<sub>10</sub> are primarily driven by the assumed use of wood burning fireplaces in new residential developments. The NO<sub>x</sub> threshold exceedance is driven by mobile source emissions. As detailed in Section 3.5.4 of the Climate Change, Greenhouse Gas Emissions & Energy section of the EIR, implementation of the WRTP Specific Plan would achieve a 10 percent reduction in VMT; this would be achieved through a Comprehensive Transportation Demand Management/Vehicle Miles Traveled Reduction Program (TDM/VMT Program) to be prepared prior to approval of the first development application of tentative map. As the TDM/VMT Program may include a range of transportation strategies, programs, facilities, or services for the purpose of VMT reduction, it is speculative at this time to attempt to quantify the reduction in criteria air pollutant emissions that would be achieved.

The YSAQMD thresholds of significance are considered the allowable amount of emissions each project can generate without resulting in a cumulatively considerable net increase of criteria air pollutants and precursor emissions. Consequently, because operational activities associated with buildout of the WRTP Specific Plan could generate emissions that exceed the YSAQMD thresholds, this impact is considered significant.

In addition to the emissions from mobile, energy, and area sources, it is possible that operational activities within the WRTP Specific Plan Area could include new stationary sources, which also generate long-term operational emissions. For example, agricultural processing and manufacturing uses, which are a conditionally allowed use, could potentially include stationary emissions sources. Any such stationary sources would be required to obtain permits from YSAQMD, which are issued with the intent of reducing air pollution and attaining (or maintaining) the ambient air quality standards. Permitted stationary-source facilities are required to implement BACT, which

may include the installation of emissions control equipment or implementation of administrative practices to reduce emissions. Stationary-source facilities may also be required to offset their emissions of criteria air pollutants in order to be permitted. Information on operations of stationary sources within the WRTP Specific Plan Area is not available at this time and associated emissions have not been estimated.

While compliance with YSAQMD and WRTP Specific Plan policies and implementation of land use planning strategies to reduce VMT would reduce overall operational emissions, emissions associated with operations of future development of the WRTP Specific Plan could exceed or contribute substantially to an existing or projected air quality violation. This impact is considered significant.

Health effects associated with ozone include respiratory symptoms, worsening of lung disease, and damage to lung tissue. In 2020, SMAQMD published Guidance to Address the Friant Ranch Ruling for CEQA Projects in the Sac Metro Air District, which provides a screening level analysis estimating the health effects of criteria air pollutants and their precursors, as well as provides guidance for conducting a health effects analysis of a project that satisfies the requirements of the Friant Ranch court decision. Modeling results using this guidance support a conclusion that the WRTP Specific Plan does not, on its own, lead to sizeable regional health effects from the emissions of criteria air pollutants and precursors. However, as the ROG emissions are well above the screening tool maximum limits, and emissions overall exceed the YSAQMD thresholds of significance set with consideration of attaining the CAAQS and NAAQS for the region, implementation of the WRTP Specific Plan could result in a cumulatively considerable net increase of emissions of criteria air pollutants for the region and this impact is considered potentially significant. (Draft EIR, pp. 3.3-20 through 3.2-31.)

#### **Mitigation Measure 3.3-2d: Ban Wood-burning Stoves and Fireplaces in New Development**

Wood burning or pellet stoves and fireplaces shall not be permitted. Natural gas or propane fired fireplaces shall be clearly delineated on plans submitted to obtain building permits.

**Significance after Mitigation (Operation):** Implementation of Mitigation Measure 3.3-2d would reduce area source emission, particularly ROG and PM. Mitigated emissions are substantially reduced compared to unmitigated. The mobile source emissions estimates would likely be lower than as estimated due to the WRTP Specific Plan's TDM/VMT Program. However, because the specific development projects within the WRTP Specific Plan Area cannot be defined at the time of this analysis, precise effectiveness and feasibility of these measures cannot be determined for individual future projects, and operational emissions of criteria air pollutants and precursors could still exceed significance thresholds. As such, operational emissions could exceed or contribute substantially to an existing or projected air quality violation and thereby could conflict with or obstruct implementation of the applicable air quality plan. There are no additional feasible mitigation measures available to address this impact. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact is significant and unavoidable.

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts.

Criteria air pollutant emissions would be substantially reduced as a result of implementation of Mitigation Measures 3.3-2a through 3.3-2d. In particular, long-term maximum daily ROG emissions would be reduced to 202 pounds per day, NO<sub>x</sub> to 383 pounds per day, and PM<sub>2.5</sub> to 126 pounds per day. These emissions would fall within the SMAQMD Strategic Area Project Health Screening Tool limits. When applying these maximum daily emissions

estimates for the strategic growth area location of Woodland, the screening tool estimates that an increase of 0.65 premature deaths per year or a 0.0015-percent increase from background health incidences across the five-area-district region due to the increase in PM concentrations, and 0.082 premature deaths per year or a 0.00027-percent increase from background health incidences across the five-area-district region due to an increase in ozone. Criteria air pollutants generated as a result of the proposed WRTP Specific Plan would not result in the exposure of sensitive receptors to substantial criteria air pollutant concentrations and this impact would be less than significant with mitigation.

## **CULTURAL AND TRIBAL CULTURAL RESOURCES**

### **Impact 3.6-1. Cause a Substantial Adverse Change in the Significance of Archaeological Resources as defined in CEQA Guidelines Section 15064.5.**

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**Finding:** The WRTP Specific Plan plans for the construction of new buildings and structures. Although there are no previously recorded archaeological resources within the WRTP Specific Plan Area or off-site improvement areas, implementation of the WRTP Specific Plan has the potential to damage or destroy subsurface archaeological resources that may qualify as archaeological resources under CEQA. The significance of such resources could be materially impaired because their ability to convey significance could be destroyed or diminished. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

The 2035 General Plan and CAP EIR (pages 4.6-21 to 4.6-23) discusses potential impacts related to the discovery of archaeological resources from implementation of the General Plan. The 2035 General Plan EIR identifies existing regulations and includes 2035 General Plan Goal 7.E and Policies 7.E.1, 7.E.2, and 7.E.3 that would reduce impacts to unanticipated finds. However, the 2035 General Plan and CAP EIR determined that potential impacts to previously undiscovered archaeological resources could be significant and, even with implementation of Mitigation Measure 4.6-1d, the impact would be significant and unavoidable. Implementation of the WRTP Specific Plan, inclusive of off-site improvement areas, could result in significant impacts to archaeological resources through either direct physical impacts or by changes to the setting. Direct physical impacts would result from activity such as excavation, demolition, grading, or ground compaction required for construction of new land uses. For resources that qualify as archaeological resources, such damage would be significant if it diminished the qualities that contribute to the significance of these resources. Changes to the setting would occur where new land uses and built environment features are placed on rural, undeveloped land. Changes to the setting could result in significant impacts where the natural or undeveloped setting forms part of the significance or integrity of a resource. Though record searches did not identify known archaeological resources in the WRTP Specific Plan Area or off-site improvement areas, the broader area does have an elevated sensitivity for archaeological resources, due to the long-standing Native American inhabitation and past historical agricultural and settlement uses. It is reasonable to assume that the area may contain resources not yet identified but that would qualify as archaeological resources under CEQA. Ground-disturbing construction would result from buildout in the WRTP Specific Plan Area and off-site improvement areas. These areas have historically been used for, and are currently utilized primarily for, agricultural purposes consisting of relatively large, rural, open, and minimally developed parcels and agricultural fields. In these areas, implementation of the WRTP Specific Plan would involve development of a mix of uses, including research and technology facilities, light industrial, commercial, retail and residential uses, public facilities (e.g., schools and parks), supporting infrastructure (e.g. roadways, utilities), and preserved open space that may also include some habitat restoration activities. Off-site improvements include the proposed South Regional Pond (a stormwater detention pond) within an agricultural field adjacent to, but south of, the WRTP Specific Plan Area, which was not



considered in the 2035 General Plan and CAP EIR, and the Caltrans Off-site Improvement Area. There is a moderate to low likelihood that archaeological resources may be present in the WRTP Specific Plan Area and South Regional Pond off-site area and implementation of the WRTP Specific Plan has the potential to affect such unidentified archaeological resources through ground-disturbing activities. The Caltrans Intersection Off-site Improvement Area is assumed to be imported fill with no archaeological sensitivity. With implementation of policies in the 2035 General Plan and CAP EIR, combined with current laws, regulations, and policies, including Public Resources Code 5097, the impact on cultural resources would be reduced. However, implementation of the WRTP Specific Plan would involve grading, trenching, excavation, soil stockpiling, and other earthmoving activities that could impact previously unknown archaeological resources. Potential impacts to previously undiscovered archaeological resources are considered potentially significant.

### **Mitigation Measure 3.6-1: Treatment of Unanticipated Archaeological Discoveries**

Project applicants for future projects proposed under the WRTP Specific Plan would be required to implement the following procedures during and ground-disturbing activities:

- a. Prior to ground-disturbing activities necessary to implement proposed development and infrastructure projects, contractors shall receive cultural resource sensitivity training to identify potential archaeological resources and that all work should cease within 150 feet of prehistoric cultural resources that may be discovered during project implementation.
- b. During ground-disturbing activities necessary to implement proposed development and infrastructure projects, if any prehistoric or historic subsurface resources are discovered, all work within 150 feet of the resources shall be halted and a qualified archaeologist shall be consulted within 24 hours to assess the significance of the find, according to CEQA Guidelines Section 15064.5, and implement, as applicable, CEQA Guidelines Sections 15064.5(d), (e), and (f).
- c. If any find is determined to be a unique archaeological resource according to CEQA Guidelines Section 15064.5, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. Cultural resources shall be recorded on appropriate Department of Parks and Recreation forms, and all significant cultural materials recovered shall be, as necessary and at the discretion of the qualified archaeologist and in consultation with the local Native American community if the discovery is prehistoric in age, subject to scientific analysis, professional curation, and documentation according to professional standards. If it is determined that the proposed development or infrastructure project could damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with Section 21083.2 of the California Public Resources Code and CEQA Guidelines Section 15126.4, with a preference for preservation in place. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out. Preservation in place may be accomplished by planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement.
- d. If avoidance is not feasible, the qualified archaeologist shall develop and oversee the execution of a treatment plan. The treatment plan shall include, but shall not be limited to, data recovery procedures

based on location and type of archaeological resources discovered and a preparation and submittal of report of findings to the Northwest Information Center of the California Historical Resources Information System. Data recovery shall be designed to recover the significant information the archaeological resource is expected to contain, based on the scientific/historical research questions that are applicable to the resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable resource questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by project proponents' actions. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.

**Significance after Mitigation:** Implementation of Mitigation Measure 3.6-1 provides for the identification and evaluation in the case that a potential archaeological resource is discovered during ground disturbing activities associated with construction of future projects under the WRTP Specific Plan, as well as for the assessment of potential impacts to such resources and the development of mitigation strategies.

Although Mitigation Measure 3.6-1 will help to avoid impacts to archaeological resources and minimize the severity of potentially significant impacts associated with implementation of the WRTP Specific Plan, impacts may occur that cannot be reduced to a less-than-significant level through mitigation. Beyond existing regulations that protect cultural resources and the proposed mitigation, no further mitigation is available. Consistent with findings of the 2035 General Plan and CAP EIR, this impact is considered significant and unavoidable. (Draft EIR, pp. 3.6-11 through 3.6-14.)

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts.

## **NOISE AND VIBRATION**

### **Impact 3.11-1. Generation of a Substantial Temporary (Construction-related) Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies.**

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**Finding:** Future development and implementation of the WRTP Specific Plan would result in exposure of existing and anticipated noise sensitive land uses (if occupied during construction of the remaining properties within the WRTP Specific Plan Area) to noticeable increases from construction activities. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

The 2035 General Plan and CAP EIR (pages 4.11-47 to 4.11-51) discusses construction noise impacts resulting from construction activities that occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), and when the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction durations last over extended periods of time, and when construction noise occurs in new growth areas, including the City's Specific Plan Areas. The EIR noted that, while most portions of the WRTP Specific Plan Areas are not directly adjacent to existing noise-sensitive uses, they have the ability to accommodate planned noisesensitive uses, and depending on the timing and location of development, the Specific Plans, including SP-1, could have construction noise occurring near locations that have been developed with noise-sensitive land uses. As

discussed in the 2035 General Plan and CAP EIR, without noise control, typical noise levels generated by large pieces of earth-moving equipment, such as graders, excavators, and dozers, range from approximately 80 dB Leq to 90 dB Leq, measured at a distance of 50 feet, as shown in Table 3.11-6 (assuming no pile driving is required, which would be atypical) (EPA 1971); should the installation of piles for foundations be required, this type of construction activity could produce noise levels of approximately 105 dB Leq at 50 feet. Noise from localized point sources (such as construction sites) typically decrease at a rate of approximately 6 dB with each doubling of distance between the noise source and receptor. Intervening structures would provide shielding from the noise source, resulting in lower noise levels; however, these reductions would vary and are not quantifiable at the plan level. Therefore, the 2035 General Plan and CAP EIR determined that construction within the City's Planning Area could result in the temporary exposure of sensitive receptors to noise levels that would exceed the City's then-existing standards of 45 dB Leq nighttime, 50 dB Leq daytime, 65 dB Lmax nighttime, 70 dB Lmax daytime (as shown in Table 3.11-5, the 2035 General Plan increased daytime standards to 60dB Leq and 75 dB Lmax). Even with implementation of noisemitigating practices incorporated into construction of future development within the City's Planning Area (now Implementation Program 8.13 of the 2035 General Plan), the 2035 General Plan and CAP EIR determined that that there could still be a noticeable temporary increase in noise levels for noise-sensitive uses that are adjacent to construction sites, and the impact was determined to be significant and unavoidable.

Construction activities anticipated within the WRTP Specific Plan Area are consistent with those analyzed in the 2035 General Plan and CAP EIR, but also took into consideration construction of the off-site improvements and sensitive land uses that have been constructed or are planned for construction within the Spring Lake Specific Plan Area. With respect to increase above existing ambient noise levels, as shown in Table 3.11-2 measurement LT-01 represents the WRTP Specific Plan Area south of CR 25A, and Measurement LT-02 represents the WRTP Specific Plan Area north of CR 25A. The measured daytime average ambient noise levels at LT-01 and LT-02 are 48 dB Leq (70 dB Lmax) and 55 dB Leq (93 dB Lmax), respectively. The measured nighttime average ambient noise levels at LT01 and LT-02 are 49 dB Leq (66 dB Lmax) and 54 dB Leq (71 dB Lmax), respectively. Construction activities associated with development of the WRTP Specific Plan Area and off-site improvement areas would substantially increase noise-levels above existing ambient conditions. Construction activities within the WRTP Specific Plan Area are anticipated along the eastern and northern boundaries adjacent to existing and potential future residences associated with the Spring Lake development. In addition, as development of the WRTP Specific Plan Area proceeds, construction activities could take place in proximity to future sensitive land uses within the WRTP Specific Plan Area. With respect to the Caltrans Off-site Improvement Area, the nearest construction would occur within approximately 120 feet of the residence southwest of the SR 113/CR 25A interchange. At this distance, assuming an approximately 6dB decrease in noise from construction equipment with each doubling of distance, the estimated average 80 to 90 dB generated by potential construction equipment at 50 feet could still exceed 75 dB. Therefore, construction activities within the WRTP Specific Plan Area and off-site improvement areas could result in exposure of existing and future noise-sensitive land uses to noticeable increases in noise levels. If construction activities were to occur during more noise-sensitive hours, construction source noise levels could also result in annoyance and/or sleep disruption to occupants of existing and proposed noise-sensitive land uses, and could create a substantial temporary increase in ambient noise levels. Section 9.28.090 of the City's Municipal Code limits noisy construction activities within or near residential areas to weekdays and Saturdays between 7:00 A.M. and 6:00 P.M. and Sundays between 9:00 A.M. and 6:00 P.M. Land use and development under the WRTP Specific Plan will comply with all applicable regulations, including the City's Municipal Code. Compliance with the City's Municipal Code and implementation of the performance standards of the WRTP Specific Plan, which are consistent with the 2035 General Plan policies and Implementation Programs, would reduce the potential for significant noise exposure

impacts from the implementation of the W RTP Specific Plan. However, there could still be a noticeable temporary increase above ambient noise levels for noise-sensitive uses that are adjacent to future construction sites. This impact is considered significant.

**Mitigation Measure 3.11-1– Implement Construction Noise Reduction Strategies (as revised in Chapter 3, “Errata,” of the Final EIR)**

- a. Demolition, construction, site preparation, and related activities that would generate noise perceptible at the property line of the subject property are limited to the hours between 7:00 A.M. and 6:00 P.M. on Monday through Saturday and between 9:00 A.M. and 6:00 P.M. on Sunday and federal holidays. The building inspector may issue an exception to this limitation on hours in cases of urgent necessity where the public health and safety will not be substantially impaired.
- b. Idling times for noise-generating equipment used in demolition, construction, site preparation, and related activities shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two (2) ~~5~~ minutes.
- c. Where construction work is within 445 feet of properties with existing, occupied noise-sensitive uses, construction shall be prohibited on weekends and holidays and construction should start no earlier than 8 a.m.
- d. Where non-residential construction work is within 445-feet of an existing off-site residence, installation of continuous noise curtains shall be required between the construction site and those residences.
- e. Demolition, construction, site preparation, and related activities that do not involve pile driving proposed within 445 feet from the edge of properties with existing, occupied noise-sensitive uses shall incorporate all feasible strategies to reduce noise exposure for noise-sensitive uses, including:
  - Provide written notice to all known occupied noise-sensitive uses within 400 feet of the edge of the project site boundary at least 2 weeks prior to the start of each construction phase of the construction schedule;
  - Ensure that construction equipment is properly maintained and equipped with noise control components, such as mufflers, in accordance with manufacturers’ specifications;
  - Re-route construction equipment away from adjacent noise-sensitive uses;
  - Locate noisy construction equipment away from surrounding noise-sensitive uses;
  - Use sound aprons or temporary noise enclosures around noise-generating equipment;
  - Position storage of waste materials, earth, and other supplies in a manner that will function as a noise barrier for surrounding noise-sensitive uses;
  - Use the quietest practical type of equipment;
  - Use electric powered equipment instead of diesel or gasoline engine powered equipment;

- Use shrouding or shielding and intake and exhaust silencers/mufflers; and
  - Other effective and feasible strategies to reduce construction noise exposure for surrounding noise-sensitive uses.
- f. For construction of buildings that require the installation of piles, an alternative to installation of piles by hammering shall be used. This could include the use of augured holes for cast-in-place piles, installation through vibration or hydraulic insertion, or another low-noise technique.

**Significance after Mitigation:** Mitigation Measure 3.11-1 would reduce construction-related noise exposure. However, since the timing and specific details with regard to equipment use and intensity of future construction activities is unknown, it is not possible to quantify the noise reductions achievable by implementation of this mitigation. Therefore, there could still be a substantial temporary increase in noise levels for existing and future noise-sensitive uses in proximity to construction activities within the WRTP Specific Plan Area and off-site improvement areas, which could lead to adverse noise-related impacts.

The City has accepted the potentially significant outcome of construction noise as a trade-off for promoting compact development. This is communicated in the 2035 General Plan, including Policy 2.C.1, that promotes compact development patterns, mixed land use, and higher-development intensities that conserve land resources, reduce vehicle trips, improve air quality, and facilitate walking, bicycling, and transit use, but may result in some less desirable impacts, such as increased traffic, greater noise, reduced private residential open space, and reduced privacy than in lower density areas. The City acknowledges that temporary construction noise is a necessary byproduct of meeting the City's objectives for development, resource conservation, air quality and greenhouse gas emission reduction, and related topics. General Plan Policy 8.G.11 considers construction noise to be an acceptable impact that is an expected byproduct of planned growth, so long as the land use is consistent with the General Plan, and noise levels are consistent with the General Plan and Construction Noise Ordinance. Where growth and increased density is allowed pursuant to the City's General Plan, including the WRTP Specific Plan Area, these issues are acknowledged and accepted (please refer to Page 4.11-51 of the 2035 General Plan and CAP EIR for details). There are no additional policies that would reduce the potential environmental impact beyond the analysis presented above. There is no additional feasible mitigation. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact is significant and unavoidable. (Draft EIR, pp. 3.11-20 through 3.11-24.)

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts.

**Impact 3.11-2. Generation of a Substantial Permanent (Long-term Operations) Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies.**

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**Finding:** Land uses contemplated under the WRTP Specific Plan could potentially expose existing or anticipated noise-sensitive uses to noise levels that exceed standards. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

The 2035 General Plan and CAP EIR (pages 4.11-51 to 4.11-60) analyzed long-term operational noise impacts resulting from the future development, with assumed development within the City's new growth areas, including the WRTP Specific Plan Area. The analysis determined that future development of noise-sensitive uses within the WRTP Specific Plan Area could occur adjacent to areas that are exposed to noise from transportation sources and from non-transportation noise sources, as well as in areas that either are currently exposed to or would be exposed to ambient noise levels that exceed the existing ambient exterior noise levels at noise-sensitive uses. The analysis also determined that future development would include the creation of long-term sources of noise that could increase noise levels above existing ambient levels. Although the General Plan policies were designed to avoid substantial disturbances to noise-sensitive receptors, the City anticipated that, despite implementation of feasible noise reduction strategies, noise-sensitive uses could be exposed to noise in exceedance of the City's standards, including noise generated by new development within the WRTP Specific Plan Area, and concluded in the 2035 General Plan and CAP EIR that impacts related to the generation of a permanent increase in ambient noise levels would be significant and unavoidable. As a necessary outcome of development allowed under the WRTP Specific Plan, long-term sources of noise would be created. Also, future development of noise-sensitive uses would occur in areas that either are currently exposed to or would be exposed to ambient noise levels that exceed the existing ambient exterior noise levels at noisesensitive uses. Table 3.11-2 shows the long-term measured ambient noise levels in the vicinity of the WRTP Specific Plan Area. Sources of ambient noise in the vicinity of the WRTP Specific Plan Area are vehicular traffic noise, non-transportation noise sources, as well as noise generated by landscape and building maintenance activities, mechanical equipment, solid waste collection, parking lots, commercial, office, residential, school, and recreation activities and events. As noted, the WRTP Specific Plan Area was assumed as part of the development anticipated under the 2035 General Plan. Land use contemplated by the WRTP Specific Plan is consistent with the vision of the General Plan for SP-1A and the 2035 General Plan Policy 2.L.2, which describes the intended land use concept for SP-1A. Although the off-site South Regional Pond was not specifically analyzed in the 2035 General Plan and CAP EIR, the operational noise associated with this land use is negligible as a passive open-space detention pond. Potential increases in noise levels associated with traffic at the SR 113/CR 25A interchange, with implementation of the proposed Caltrans interchange improvements, are detailed below as part of the discussion of "Transportation Noise."

Transportation Noise: Development under the WRTP Specific Plan would generate and attract vehicular traffic, which would increase traffic noise levels along existing and future roadways. Analysis in support of the 2035 General Plan and CAP EIR evaluated future highway and roadway (arterials, collectors and local roadways) noise levels anticipated with implementation of the 2035 General Plan, which included assumed development of the WRTP Specific Plan Area. Future noise levels were modeled for buildout of the General Plan in the year 2035 and accounted for traffic volumes assuming full development of the City's Planning Area, including all new growth areas. Based on noise modeling for these conditions, the 2035 General Plan and CAP EIR identified up to 14 roadway segments for which the change in noise levels due to traffic would be perceptible, and up to four roadway segments for which the change would be clearly noticeable (6 dB change or more) (Tables 4.11-11 and 4.11-12 of the 2035 General Plan and CAP EIR, City of Woodland 2017). The analysis also determined that noise-sensitive uses could be developed in areas where transportation-related noise could exceed City's noise standards. One such location proximate to the WRTP Specific Plan Area is along SR 113, at which existing noise levels for modeled segments within the Planning Area were between 75 Ldn and 76 Ldn. The nearest modeled roadway segment to the WRTP Specific Plan Area was on SR 113 south of East Gibson Road; at this location, existing transportation-related noise was modeled to be 76 Ldn and the future condition with implementation of the General Plan, including development of the WRTP Specific Plan Area, was modeled to be 77 Ldn. In order to more specifically evaluate

the traffic noise associated with the proposed roadway network under the WRTP Specific Plan, traffic noise was modeled using traffic study conducted in support of the EIR (see Appendix E, Transportation Impact Study, Fehr & Peers 2020). As shown in Tables 3.11-8a,b, there are several roadway segments associated with the WRTP Specific Plan's proposed circulation network for which the addition of vehicular trips would increase noise levels so that they would be perceptible (by at least 3 dB) and some roadways where the increase over existing conditions is anticipated to be clearly noticeable (by at least 5 dB). The predicted traffic noise levels shown in Tables 3.11-8a,b represent conservative potential noise exposure associated with roadways within and at the perimeter of the WRTP Specific Plan Area. In reality, noise levels may vary from that represented, since the calculations do not assume natural or artificial shielding or reflection from existing or proposed structures or variations in attenuation rates resulting from changes in intervening surfaces. In addition, noise levels would vary from day to day depending on factors such as local traffic volumes, speed, and meteorological conditions. Tables 3.11-8a,b lists the predicted distances to the 60 dB, 65 dB, and 70 dB Ldn traffic noise contours, and compares projected future traffic noise levels at proposed and existing roadways within and adjacent to the WRTP Specific Plan Area under the buildout of the WRTP Specific Plan to those under existing conditions. These contour distances are used to identify portions of the WRTP Specific Plan Area that could be subject to noise impacts. Table 3.11-9 compares projected future traffic noise levels from approved projects and buildout of the WRTP Specific Plan with existing traffic noise levels. This table provides an evaluation of the changes in traffic noise levels that would result from development of the WRTP Specific Plan and other approved projects. As shown in Tables 3.11-8a,b, traffic associated with implementation of the WRTP Specific Plan is expected to increase noise levels by 3 to 10 dB from existing condition. The increase of 10 dB would only occur along CR 25A from SR 113 NB Ramps to the proposed Road A; the WRTP Specific Plan land use designations adjacent to this roadway segment are Highway Commercial and Research and Technology Park, in which permitted uses would primarily not accommodate noise sensitive uses, except Highway Commercial does allow for hotels and the Research and Technology Park could accommodate daycare facilities. Also, as shown, existing plus project condition traffic noise would range from 61 to 68 dB at 100 feet. Therefore, traffic noise levels would not exceed the City's noise standards of 70 dB, as shown in Table 3.11-5, for noise-sensitive uses. Although transportation-related noise would be less than the City's standards at existing and planned roadways within and adjacent to the WRTP Specific Plan Area, future development of new noisesensitive land uses could occur under the WRTP Specific Plan within areas that are currently exposed to noise from transportation sources (e.g., west of SR 113). This impact is significant. Traffic noise due to improvement at the SR 113 and CR 25A interchange was not modeled\evaluated in this analysis. Traffic noise was not computed along SR 113 as the traffic study did not evaluate freeway volume increase along SR 113 due to the project and future conditions. However, Project-related traffic increase along SR 113 would not even cause doubling of the traffic volumes, in which case it would have only caused a 3 dB (barely perceptible) increase in traffic noise. Improvements to the SR 113 and CR 25A interchange would slightly increase traffic noise at the nearest sensitive receiver located to the southwest of the interchange. However, the traffic noise along SR 113 would be the dominant noise source and would mask the slight noise increase due to the interchange movements. Therefore, implementation of the SR 113/CR 25A interchange improvements would result in noise related impacts that are less than significant.

**Stationary and Area Source Noise:** The WRTP Specific Plan would accommodate a variety of land uses, including residential, commercial, retail, light industrial, research facilities within office complexes, open space and recreation; and institutional and public facilities (e.g., electrical substations, wastewater conveyance facilities, and school facilities). The long-term operation of these uses could result in stationary and area source noise from, but not limited to:

- ▶ landscape and building maintenance activities (e.g., hand tools, power tools, lawn and garden equipment);
- ▶ whistles, amplified voices, and other sounds associated with sporting or other organized activities;
- ▶ amplified music;
- ▶ mechanical equipment (e.g., pumps, generators heating, ventilation, and cooling systems);
- ▶ loading dock activities;
- ▶ parking lots;
- ▶ safety and warning devices;
- ▶ garbage collection; and
- ▶ other noise sources.

The 2035 General Plan and CAP EIR determined that the proposed intensification of land uses within the City's Planning Area would result in somewhat greater ambient noise levels. The General Plan included noise performance standards and required feasible mitigation to reduce the potential for significant noise exposure impacts. Performance Standard F of the WRTP Specific Plan (Section 3.3.2.) requires application of the noise-related provisions in Chapter 8 of the General Plan and applicable sections of the City of Woodland Municipal Code that relate to noise and nuisance considerations to all proposed projects within the WRTP Specific Plan Area. The noise provisions in Chapter 8 of the General Plan are detailed in Section 3.11.3, "Regulatory Framework," of the EIR, limiting the maximum noise levels at property lines to not exceed 70 dB Ldn. Similarly, Chapter 3 of the WRTP Specific Plan contains Design Standards and Design Guidelines for ensuring compatibility between adjacent uses with regard to noise and nuisance impacts. For example, Table 3.1 of the WRTP Specific Plan identifies permitted uses within each land use designation, with consideration for, among other factors, noise sources and receivers. Specific commercial and retail uses within the medium-density and high-density residential zones are permitted as part of a mixed-use project along the perimeter of a subdivision/development project, but may be subject to, at the discretion of the Community Development Director, conditions that limit noise, odor, or other potential impacts to adjoining residential uses and/or the Director may elevate review/approval to a Zoning Administrator Permit or Conditional Use Permit. Similarly, Design Guidelines and Special Character Guidelines throughout Chapter 3 provide for building orientation and separation guidelines, as well as consideration of placement and orientation of noise-generating equipment, such as vents/fans and refrigeration units, to minimize potential noise levels at future noise-sensitive receivers. Finally, the guidelines provide for set back distances, landscaping, and other noise attenuating recommendations, and standards with regard to solid masonry or block wall, should the be required as a last resort measure for noise attenuation to achieve noise standards; as noted Section 3.5, "Design Standards and Design Guidelines," in the WRTP Specific Plan, sound walls are not expected to be required within the WRTP Specific Plan Area, except where necessary along SR 113 in locations where residential development is planned. The policies referenced above would reduce long-term noise exposure impacts by establishing noise compatibility standards and requiring new development to include certain measures and strategies to achieve acceptable noise environments, wherever feasible. Although the policies are designed to avoid substantial disturbances to noise-sensitive receptors, despite implementation of feasible noise reduction strategies contained in Chapter 8 of the



General Plan and Chapter 3 of the WRTP Specific Plan, noise-sensitive uses could be exposed to noise generated by new development anticipated under the WRTP Specific Plan. This impact is significant.

#### **Mitigation Measure 3.11-2– Reduce Noise Exposure from Transportation and Non-Transportation Sources**

Future development within the WRTP Specific Plan Area shall be required to meet allowable outdoor and indoor noise exposure standards. Noise mitigation measures that may be approved to achieve these noise level targets include but are not limited to the following:

- Construct facades with sound insulation to achieve acceptable interior noise;
- Use sound-rated windows for primary sleeping and activity areas;
- Use sound-rated doors for all exterior entries at primary sleeping and activity areas;
- Use setbacks and/or sound barriers where applicable, feasible, and reasonable; • Use acoustic baffling of vents for chimneys, attic and gable ends;
- Install a mechanical ventilation system that provides fresh air under closed window conditions; and
- Maximize site design so that buildings shelter outdoor areas

**Significance after Mitigation:** Land use and development within the WRTP Specific Plan Area is subject to conformance with the permitted uses, the site development regulations, development standards, and design guidelines, as outlined in Chapter 3 of the WRTP Specific Plan and inclusive of the General Plan noise mitigating provisions and the City’s Municipal Code noise performance standards. Development of the land use plan for the WRTP Specific Plan Area took into consideration land use-noise compatibility, including the potential for noise source and noise sensitive land uses, of allowable land uses within each land use designation and zoning classification. The WRTP Specific Plan requires noise performance standards be met, as outlined in Section 3.3.2 of the WRTP Specific Plan. These standards are consistent with the 2035 General Plan policies described above, and would reduce the potential for significant noise exposure impacts from the implementation of the WRTP Specific Plan. Mitigation Measure 3.11-2 would further ensure implementation of all noise mitigation features and strategies with future development. Although the WRTP Specific Plan policies and Mitigation Measure 3.11-2 are designed to avoid substantial disturbances to noise-sensitive receptors, because the exact location and design of future noise generating sources and noise-sensitive uses is unknown at this time, it cannot be demonstrated at this time that policies in the WRTP Specific Plan and would reduce impacts of the WRTP Specific Plan related to exposure of noise-sensitive uses to transportation- and non-transportation noise sources to a less-than-significant level. There is no additional feasible mitigation available. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant and unavoidable. (Draft EIR, pp. 3.11-24 through 3.11-28.)

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts.

### Impact 3.11-3. Generation of Vibration.

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**Finding:** Construction of projects under the WRTP Specific Plan could cause temporary, short-term disruptive vibration for locations near sensitive receptors within and adjacent to the WRTP Specific Plan Area. Under the WRTP Specific Plan, new vibration-sensitive uses could locate in areas exposed to vibration. Consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant.

The 2035 General Plan and CAP EIR (pages 4.11-60 to 4.11-63) discusses vibration impacts resulting from operation and construction activities that occur in areas immediately adjoining vibration-sensitive land uses, and when construction vibration occurs in new growth areas, including the WRTP Specific Plan Areas. The 2035 General Plan and CAP EIR anticipated that existing and future vibration-sensitive receptors could be located within close proximity to construction sites that could generate temporary, short-term vibration levels from construction sources that exceed FTA's maximum-acceptable vibration standard of 80 VdB with respect to human response for residential uses (i.e., annoyance) at vibration-sensitive land uses. Table 3.11-7 provides vibration levels for typical construction equipment. If construction activities were to occur during more noise-sensitive hours, vibration from construction sources could annoy and/or disrupt the sleep of occupants of existing and proposed residences and expose persons to excessive groundborne vibration or groundborne noise levels. The 2035 General Plan and CAP EIR also acknowledged that vibration levels from future vibration sources associated with planned development, including within the WRTP Specific Plan Area, could exceed FTA's maximum-acceptable vibration standard of 80 VdB with respect to human response for residential uses (i.e., annoyance) at vibration-sensitive land uses. Vibration from future sources could annoy and/or disrupt the sleep of occupants of existing and proposed residences and expose persons to excessive groundborne vibration or groundborne noise levels if vibration-generating activities were to occur during more noise-sensitive hours. The 2035 General Plan and CAP EIR found that, even with implementation of mitigation that would reduce the level of impact associated with temporary construction-related vibration exposure for sensitive uses, and the potential for vibration levels in areas of new vibration-sensitive land uses, impacts may not be avoidable in all instances, and the impact was determined to be significant and unavoidable. Implementation of the WRTP Specific Plan would include construction and operation of future land uses within the WRTP Specific Plan Area and off-site improvement areas. Construction activities associated with the off-site improvements would be consistent with other construction proposed throughout the WRTP Specific Plan Area and anticipated under the 2035 General Plan. Implementation of the WRTP Specific Plan would result in no additional or different impact than disclosed in the analysis presented in the General Plan EIR, summarized below. Construction and demolition activities associated with the WRTP Specific Plan have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used, the location of construction activities relative to sensitive receptors, and operations/activities involved. The required construction equipment for future proposed projects under the WRTP Specific Plan is not known at this time, but could include maximum generation of vibration from pile drivers, trucks, and bulldozers. According to the FTA, vibration levels associated with the use of such equipment would be approximately 0.089 in/sec PPV and 87 VdB at 25 feet, as shown in Table 3.11-7. Using FTA's recommended procedure for applying a propagation adjustment to these reference levels, predicted worst-case vibration levels with respect to construction related to improvements of SR 113 and Road 25A interchange, would be 67 VdB (0.008 in/sec PPV) at the nearest vibrationsensitive use which is located at approximately 120 feet to the southwest of the interchange. Also, the vibration levels would not exceed 0.2 in/sec PPV (Caltrans's recommended standard with respect to the prevention of structural damage for normal buildings) within the WRTP Specific Plan Area, but would exceed 80 VdB (FTA's maximum-acceptable vibration standard with respect to human annoyance for residential uses) within 60 feet of vibration-sensitive receptors. The WRTP Specific Plan provides for multi-story development integrated into the

various land use designations, as detailed in Section 3 of the WRTP Specific Plan. Therefore, while unlikely, it is possible that pile-driving could occur at some development sites. This type of construction activity could produce very high vibration levels of approximately 112 VdB (1.518 PPV) at 25 feet, as shown in Table 3.11-7. These vibration levels drop off at a rate of about 9 VdB per doubling of distance between the noise source and receptor. Vibration levels from construction sources could exceed FTA's maximum-acceptable vibration standard of 80 VdB with respect to human response for residential uses (i.e., annoyance) at vibration-sensitive land uses. More importantly, vibration from construction sources could annoy and/or disrupt the sleep of occupants of existing and proposed residences and expose persons to excessive groundborne vibration or groundborne noise levels if vibration-generating activities were to occur during more noise-sensitive hours. Therefore, vibration levels would exceed the established standards. This impact is potentially significant.

#### **Mitigation Measure 3.11-3a – Implement Vibration Reduction Measures**

- a. New development that proposes the use of piles for foundations shall include all feasible measures necessary with the goal to ensure that vibration exposure for adjacent buildings is less than 0.5 peak particle velocity (PPV) and less than 80 vibration decibels (VdB) for adjacent vibration-sensitive uses and less than 0.2 PPV for adjacent historic buildings. These performance standards shall take into account the reduction in vibration exposure that would occur through coupling loss provided by each affected building structure. If it is determined necessary to avoid damage, the project applicant shall coordinate with the Chief Building Official to implement corrective actions, which may include, but is not limited to building protection or stabilization.
- b. New developments that would generate substantial long-term vibration shall provide analysis and mitigation, as feasible, to achieve velocity levels, as experienced at habitable structures of vibration-sensitive land uses, of less than 80 vibration decibels.

#### **Mitigation Measure 3.11-3b – Implement Mitigation Measure 3.11-1**

**Significance after Mitigation:** Mitigation Measure 3.11-3a requires use of project-specific vibration mitigation measures (preparation of vibration analysis and implementation of vibration abatement measures, as necessary and to the greatest extent feasible) and best practices during construction to mitigate vibration impacts to sensitive land uses. Mitigation Measure 3.11-1 requires noise mitigation measures be implemented during construction, which, in many cases, would also reduce vibration-generation associated with construction activities. Implementation would reduce the potential for vibration levels in areas of new vibration-sensitive land uses and the level of impact associated with temporary construction-related vibration exposure for sensitive uses. However, since the timing and specific details with regard to equipment use and intensity of future construction activities is unknown, it is not possible to quantify the noise reductions achievable by implementation of this mitigation. Therefore, there could still be a substantial temporary increase in noise levels for existing and future noise-sensitive uses in proximity to construction activities within the WRTP Specific Plan Area and off-site improvement areas, which could lead to adverse noise-related impacts. There is no additional feasible mitigation.

Land use and development within the WRTP Specific Plan Area is subject to conformance with the permitted uses, the site development regulations, development standards and design guidelines, as outlined in Chapter 3 of the WRTP Specific Plan. The WRTP Specific Plan requires performance standards be met, as outlined in Section 3.3.2 of the WRTP Specific Plan. These standards are consistent with the 2035 General Plan policies described above,

and would reduce the potential vibration levels associated with implementation of the WRTP Specific Plan. However, because the exact location of future vibration generating sources and sensitive uses is unknown at this time, construction associated with future development of the WRTP Specific Plan could cause temporary, shortterm disruptive vibration for locations near sensitive receptors and planned vibration-sensitive uses could be located in areas exposed to future vibration. There is no additional feasible mitigation. Therefore, and consistent with the findings of the 2035 General Plan and CAP EIR, this impact is considered significant and unavoidable. (Draft EIR, pp. 3.11-28 through 3.11-30.)

The impact would remain **significant and unavoidable**. As described in Section VII, specific social, economic, and environmental benefits of the Project outweigh the identified potential unavoidable significant impacts. As described in Section VII, specific social, economic, and environmental benefits of the proposed project outweigh the identified potential unavoidable significant impacts.

## C. MANDATORY FINDINGS OF SIGNIFICANCE

CEQA Guidelines Section 15065(a) states that a project may have a significant effect on the environment when one of the following four conditions occurs:

- (1) The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory.
- (2) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (3) The project has possible environmental effects that are individually limited but cumulatively considerable, which means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (4) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

Section 15061(a)(1) states that a lead agency shall find that a project may have a significant effect on the environment when there is substantial evidence that the project has the potential to (1) substantially reduce the habitat of a fish or wildlife species; (2) cause a fish or wildlife population to drop below self-sustaining levels; (3) substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or (4) eliminate important examples of major periods of California history or prehistory. The EIR fully addresses any impacts that might relate to reduction of habitat and the effect on species. Impacts related to wildlife and plant species are addressed under Impacts 3.4-1, 3.4-2, 3.4-3, and 3.4-4, and as outlined above, impacts are less than significant with mitigation. Historic and prehistoric impacts are addressed under Impact 3.6-1, as outlined above, impacts are significant and unavoidable.

Section 15061(a)(2) states that a lead agency shall find that a project may have a significant effect on the environment when there is substantial evidence that the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. Chapter 5 of the EIR includes a section on Significant Irreversible Environmental Effects of the Proposed Project. In addition, Section 5.4 of the EIR identifies all significant and unavoidable impacts that could occur and create a long-term impact on the environment. Finally, Chapter 5 of the EIR also identifies any long-term environmental impacts caused by the proposed project.

Section 15061(a)(3) states that a lead agency shall find that a project may have a significant effect on the environment when there is substantial evidence that the project has potential environmental effects that are individually limited but cumulatively considerable. This means that the “incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects.” Cumulative impacts are addressed for each of the environmental topics in the EIR and are discussed in each technical section of the EIR.

Section 15065(a)(4) requires a lead agency to find that a project will have a significant effect on the environment when there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. This factor relates to effects to the environment on human beings generally but not to effects on specific individuals. Any of the environmental effects analyzed in the EIR could cause adverse impacts to human beings, but all impacts that could directly affect human beings (such as aesthetics, air quality, hazardous materials, hydrology, flooding, and water quality, noise and vibration, and transportation) were examined in Chapter 3 of the EIR.

The City Council finds that the EIR for the proposed project analyzed and reported on all four mandatory findings of significance.

## **D. MITIGATION MONITORING AND REPORTING PROGRAM**

Pursuant to CEQA Guidelines Section 15091(d), the City has included all feasible mitigation measures that avoid or substantially lessen the potentially significant and significant effects of the proposed project. These mitigation measures are fully enforceable by the City Council.

The MMRP includes Table 2-1, which is a summary of the impacts and mitigation measures, and is simultaneously being adopted by the City Council with its Resolution Certifying the EIR for the proposed project.

## **E. GROWTH INDUCEMENT**

Chapter 5, “Other CEQA Considerations,” of the Draft EIR provides a discussion of the growth-inducing impacts of the 2035 General Plan pursuant to Section 15126.2(d) of the CEQA Guidelines. The WRTP Specific Plan Area is located outside the existing City limits; however, the WRTP Specific Plan Area would ultimately be annexed to the City and was considered as part of the City’s 2035 General Plan, adopted in 2017.

The development framework for the WRTP Specific Plan area was guided by Policy 2.L.2 of the 2035 General Plan, which describes the WRTP Specific Plan Area as “a mixed-use residential district anchored by a research and technology business park in the Southern Gateway area at CR 25 and SR 113” and supports development that would “concentrate the highest intensity development within and in close proximity to the business park area, with lower density, largely residential uses to the north.” The 2035 General Plan designated three subareas within the City’s Planning Area for new growth (SP-1, 2, and 3); although specific land use designations were not identified for the WRTP Specific Plan Area, it is one of three subareas (SP-1A) within the designated SP-1 new growth area. As described in Chapter 2, “Project Description,” of the EIR, the WRTP Specific Plan Area could accommodate a broad range of uses that could generate approximately 5,000 jobs and 4,823 residents. This is consistent with the general growth anticipated for this WRTP Specific Plan Area in the 2035 General Plan. Because implementation of the WRTP Specific Plan would not involve more employment generating land uses or residential development and population than anticipated under the City’s 2035 General Plan, the WRTP Specific Plan would not induce unplanned population growth.

Construction activities associated with future development within the WRTP Specific Plan Area and off-site improvement areas would generate temporary employment, but these construction jobs are anticipated to be filled from the existing local and regional employment pool. In addition, if some nonlocal construction workers were employed for the project, due to the temporary nature of the work, these workers would not typically change residences when assigned to a new construction site. Therefore, construction of future development within the

WRTP Specific Plan Area and off-site improvement areas would not indirectly result in a population increase or induce growth by creating permanent new jobs. The additional population associated with the WRTP Specific Plan could spur an increase in demand for goods and services in the surrounding area, which could potentially result in additional development to satisfy this demand. In this respect, the WRTP Specific Plan would be growth inducing. It would be speculative to attempt to predict where and when any such new services would be developed, and whether or not existing and future planned industrial and commercial development would satisfy additional demand for goods and services created by the project. The WRTP Specific Plan will provide roadway and other multi-modal connections to surrounding existing and planned neighborhoods within the City's Planning Area, such as the Spring Lake Development to the north and east and future development within SP-1B west of State Route 113, which could be useful to future development, but these areas have been planned for eventual development as a part of the City's 2035 General Plan. In addition, the General Plan anticipated the highest intensity of development for new growth to occur within the SP-1A and SP1B within the business park area, and the remainder of these sub-areas to be largely residential with some open space and recreation areas (City of Woodland 2017, pages LU 2-55 and 2-56). The WRTP Specific Plan provides the additional job opportunities to support existing and future residential development within the City's Planning Area. With regard to other infrastructure improvements, in anticipation of future development of the WRTP Specific Plan Area, the backbone utility lines in the Spring Lake area were oversized and stubbed out at the border of the two planning areas, to ensure efficient service to the WRTP Specific Plan Area through extension of those backbone utility lines from Spring Lake. New stormwater facilities and on-site water and wastewater infrastructure required to serve the WRTP Specific Plan Area would be sized to accommodate WRTP Specific Plan Area -related demands. Although the 2035 General Plan anticipates additional development west of the WRTP Specific Plan Area in new growth areas identified as SP-1B and SP-1C, downstream stormwater infrastructure associated with implementation of the WRTP Specific Plan will be designed to accept pre-development flows generated by these areas; it is assumed that development within these areas would include implementation of stormwater management features to reduce future post-development flows to their respective pre-development flows. Infrastructure improvements will be phased with development. Because the infrastructure that would be provided for the WRTP Specific Plan Area would be consistent with that anticipated under the 2035 General Plan, the WRTP Specific Plan would not result in indirect growth-inducing effects by increasing infrastructure capacity that could serve additional development in excess of that anticipated under the City's 2035 General Plan.

In summary, the WRTP Specific Plan may indirectly induce population growth because the increased population and employment opportunities associated with the future development could increase demand for goods and services, thereby fostering population and economic growth in the City and surrounding unincorporated Yolo County and other nearby communities. It is possible that the WRTP Specific Plan could place pressure on adjacent areas to seek development entitlements or annexation applications. However, WRTP Specific Plan Area, along with other areas planned for development under the City's General Plan, would provide sufficient acreage to accommodate population and employment growth in alignment with the purpose and intent of the 2035 General Plan. Therefore, the WRTP Specific Plan would not induce substantial unplanned growth in the City of Woodland.

## **F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

Chapter 5.0, "Other CEQA Considerations," of the Draft EIR examines "significant irreversible environmental changes" pursuant to Section 15126.2© of the CEQA Guidelines. Sections 15126(c) and 15126.2(c) of the CEQA Guidelines, require that an EIR address any significant irreversible environmental changes that would occur should

the project be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- ▶ The project would involve a large commitment of non-renewable resources;
- ▶ The primary and secondary impacts of the project would generally commit future generations to similar uses;
- ▶ The project involves uses in which irreversible damage could result from any potential environmental accidents;  
or
- ▶ The proposed consumption of resources is not justified.

Development of the WRTP Specific Plan Area and off-site improvement areas would use both renewable and nonrenewable natural resources during both construction and operational phases—both within the WRTP Specific Plan Area and also to construct required off-site improvements. Nonrenewable fossil fuels would be used during construction and operation. Other nonrenewable and slowly-renewable resources consumed as a result of development under the WRTP Specific Plan would include, but not necessarily be limited to, lumber and other forest products, sand and gravel, asphalt, petrochemical construction materials, steel, copper, and water. Proposed development would consume energy for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, electronics, office equipment, and commercial machinery. Energy could also be consumed during each vehicle trip associated with these proposed uses. It is important to note that actual energy usage could vary substantially, depending upon factors such as the type of uses that would occupy the buildings, actual miles driven by future residents and employees, and the degree to which energy conservation measures are incorporated into the design of the various facilities. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the City. Therefore, it is not expected that construction fuel consumption associated with the proposed project would be more inefficient, wasteful, or unnecessary than at other construction sites in the region. In addition, the WRTP Specific Plan requires consistency with the City's Climate Action Plan and includes several policies, development standards, and design guidelines that require implementation of energy reducing and conserving measures in future development within the WRTP Specific Plan Area, thereby promoting reduced operational demand for non-renewable and slowly-renewable resources compared to existing City operations and compared to new development that could occur elsewhere within the region.

Irreversible changes would likely occur as a result of future excavation, grading, and construction activities. Proposed development would also generate additional transportation demand, construction, energy demand, and other activities that would increase emissions of greenhouse gases and other air pollutants, as well as generation of noise. Different air pollutants and different greenhouse gas emissions remain in the atmosphere for different amounts of time, ranging from a few years to thousands of years.

Implementation of the WRTP Specific Plan and off-site improvement areas would permanently convert agricultural land to nonagricultural uses. All agricultural uses within the WRTP Specific Plan Area would be converted to urban uses at buildout of the proposed project. This change in land use would represent a long-term commitment to new land uses, since the potential for developed land to be reverted back to undeveloped land uses is highly unlikely.

Operation of projects in the vicinity could include the use of hazardous materials, which could increase the risk of an accidental spill or release. During construction, equipment would be using various types of fuel and material



classified as hazardous. In California, the storage and use of hazardous substances are strictly regulated. The enforcement of these existing regulations would preclude credible significant impacts related to environmental accidents.

The 2035 General Plan and CAP EIR addresses impacts of development of the City's Planning Area, including the WRTP Specific Plan Area. Section 6.3 of the 2035 General Plan and CAP EIR addressed significant irreversible environmental changes that could occur as a result of implementation of the 2035 General Plan. The City acknowledges that there could be significant irreversible environmental changes as a result of implementation of the 2035 General Plan, and similarly, there could be significant irreversible environmental changes as a result of implementation of the WRTP Specific Plan. Detailed assessments, including cumulative impacts, for each of the above-mentioned topics are provided throughout Chapter 3 of the EIR. However, and as explained below in Section VII of these Findings, the City Council finds that the benefits of the proposed project outweigh the significant and unavoidable growth-inducing effects caused by the proposed project.

## **G. CUMULATIVE IMPACTS**

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

### **1. AESTHETICS**

The 2035 General Plan and CAP EIR (pages 6-9 and 6-10) (City of Woodland 2016b) determined that new development throughout the region would result in substantial changes to the regional visual character, including views of agricultural land. As development occurs throughout the region, substantial changes in visual conditions would continue as open viewsheds are replaced by urban development, including both higher-density development and tall buildings that are visible from longer distances, as well as rural and lower-density development with one and two-story buildings that are only visible from adjacent public viewing areas or transportation corridors. Many changes in the aesthetic environment are only experienced locally, and would not tend to combine with nearby development to create cumulative impacts that are more severe than the sum of individual plans and projects. However, cumulative development within the region also adds additional lighting, which combines together to create skyglow effects that obscure views of the night sky. Future development in nearby cities and the surrounding unincorporated County land would lead to a more intense nighttime glow, which would be perceptible throughout the region. Therefore, the changes in scenic vistas, visual character, and nighttime skyglow from projects considered in the cumulative impact analysis would be substantial, and were considered in the 2035 General Plan and CAP EIR to have significant cumulative impacts in and of themselves.

**Adverse Effects On Scenic Vistas:** Because there are few scenic vistas in the City of Woodland, and it was determined that new views would compensate for—and be very similar to—any lost views, the 2035 General Plan and CAP EIR found that a less-than-cumulatively considerable impact to scenic vistas from new development would occur. As described in this aesthetics analysis, the WRTP Specific Plan viewshed, including the off-site South Regional Pond proposed location and the SR 113/CR 25A intersection, is of moderate visual quality and does not contain any scenic vistas. Because the WRTP Specific Plan Area and the off-site improvement areas are of moderate visual quality and do not represent scenic vistas, and because blockage of the limited background views of the Coast Ranges from the western edge of the Spring Lake development due to development of the proposed WRTP Specific Plan Area was planned for in the 2035 General Plan and CAP EIR (and determined to represent a less-than-significant impact), the impacts of development of the WRTP Specific Plan Area and the off-site improvements

would not be cumulatively considerable, and would represent a less-than-cumulatively considerable impact. Therefore, implementing the WRTP Specific Plan in conjunction with development of related projects would result in a less-than-cumulatively considerable contribution to the significant cumulative impact related to changes in scenic vistas.

**Degradation of Visual Character:** New development envisioned by the 2035 General Plan would allow for greater density and development intensity in certain areas. However, new buildings do not necessarily constitute an adverse visual impact, and policies in the 2035 General Plan establish high standards for design and compatibility with a project's surroundings. In addition to adding uses and density, new investment in urban infill areas typically improves visual quality by developing vacant or underutilized properties and improving maintenance of existing structures and yards. However, implementing new development would change the visual character of the Planning Area, which would be perceived within the Planning Area, as well as from adjacent areas. The 2035 General Plan and CAP EIR found that even with implementation of all feasible measures in the form of policies and programs in the 2035 General Plan and the City's Community Design Standards, new development would make a cumulatively significant and unavoidable contribution to the significant cumulative impact related to degradation of visual character. The WRTP Specific Plan is designed in compliance with the 2035 General Plan, which includes numerous policies that promote high quality design to ensure that new urban development in the City is visually attractive and aesthetically pleasing (see Section 3.1.2, "Regulatory Framework," above). The Spring Lake development, which is immediately adjacent to the proposed WRTP Specific Plan Area to the north and east, envisioned urban development of the WRTP Specific Plan Area and planned for joint underground sewer, water, and storm drainage capacity for both specific plan areas. The WRTP Specific Plan Design Standards and Design Guidelines incorporate requirements similar to the Spring Lake Specific Plan Design Standards (City of Woodland 2003). The standards and guidelines for both Specific Plans promote attractive tree-lined streets with curbside planting strips, neighborhoods with homes facing the street, front-facing windows, and functioning porches. Residential subdivisions would include internal trails (landscaped linear open space connections separate from sidewalks, paths, and landscaping in street right-of-way) that allow for pedestrian and bicycle circulation within and between subdivisions, and that provide greater connectivity to the planned off-street pedestrian/bicycle loop pathway system including connectivity with the proposed WRTP Specific Plan Area. The WRTP Specific Plan Area would be consistent with General Plan Policy 2.E.2, which encourages high-quality new development that enhances and blends with the established fabric of the natural, social, and built environment, while allowing for innovative architectural styles. The Design Standards and Design Guidelines, in addition to the Land Use Plan and Mobility and Circulation Network, detailed in the WRTP Specific Plan require that streets in the WRTP Specific Plan Area be designed to connect to the Spring Lake development and provide direct access to parks, transit facilities, and commercial uses for pedestrians and bicyclists. The proposed off-site SR 113/CR 25A interchange improvements would be designed in accordance with Caltrans standards, and at the conclusion of construction activities, would appear visually similar to the existing interchange. The off-site South Regional Pond would be designed in accordance with the City's Engineering Standards: Design Standards, Standard Details, and Construction Specifications (City of Woodland 2016a) and standard engineering practices for design of detention basins, and at the conclusion of construction activities, would appear visually similar to other ponds and detention basins in the project region, and would not detract from the existing visual character. However, project implementation would still result in conversion of rural agricultural land to new urban development on approximately 350 acres, and the off-site South Regional Pond would convert 4 acres of orchard to a detention basin, which would inherently change the visual character in this portion of the City. Therefore, the WRTP Specific Plan and the off-site South Regional Pond would make a cumulatively considerable contribution to this

cumulatively significant impact. Because all feasible mitigation measures in the form of policies and programs in the 2035 General Plan and the WRTP Specific Plan Design Standards and Guidelines have already been incorporated, implementation of the WRTP Specific Plan in conjunction with development of related projects would result in a cumulatively significant and unavoidable contribution to the significant cumulative impact related to degradation of visual character.

**Lighting and Glare Effects:** The 2035 General Plan and CAP EIR found that new development envisioned under the General Plan would contribute nighttime light to the already increasing amount of light pollution in the region, and therefore would make a cumulatively significant and unavoidable contribution to this significant cumulative impact even after implementation of new General Plan Policies 2.F.4 and 2.F.5 (which were adopted as part of the 2035 General Plan). Because the WRTP Specific Plan Area would be developed with commercial, light industrial, and residential uses, implementation of the WRTP Specific Plan would create new sources of additional nighttime lighting that would be visible to adjacent residents in the Spring Lake development as well as motorists traveling on SR 113 and County Roads 25A and 101. As shown in Viewpoint 3, existing nighttime lighting for sporting events at the Woodland Sports Park is visible from the WRTP Specific Plan Area and from homes along the western edge of the Spring Lake development. Furthermore, existing nighttime lighting is already present adjacent to and west of the WRTP Specific Plan Area along SR 113, and adjacent to and east of the WRTP Specific Plan Area in the Spring Lake development. Street lighting in the WRTP Specific Plan Area must be designed in accordance with the lighting standards contained in Section 9 of the City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a). The WRTP Specific Plan Design Guidelines state that development may not create new sources of glare, and include lighting design requirements that are designed to comply with 2035 General Plan Policies such as 2.F.4 and 2.F.5. Therefore, the WRTP Specific Plan would employ all feasible measures to avoid light spillover and glare into surrounding areas, and reduce night sky pollution. The off-site South Regional Pond would not require nighttime lighting. The existing SR 113/CR 25A interchange is lighted with high-mast light standards that are shielded and direct the lighting downward; the proposed interchange improvements would include the continued use of shielded, directional high-mast light standards, and would not substantially change the amount of lighting that is already emitted as compared to the existing interchange. However, WRTP Specific Plan implementation would still add to the overall amount of nighttime lighting and potential night sky pollution effects in the City and the region. Therefore, the WRTP Specific Plan would make a cumulatively considerable contribution to this significant cumulative impact. Because all feasible mitigation measures in the form of policies and programs in the 2035 General Plan and the WRTP Specific Plan Design Standards and Design Guidelines have already been incorporated, implementation of the WRTP Specific Plan in conjunction with development of related projects would result in a cumulatively significant and unavoidable contribution to the significant cumulative impact related to nighttime lighting and glare effects. (Draft EIR, pp. 3.1-18 through 3.1-21.)

## **2. AGRICULTURE AND FORESTRY RESOURCES**

The 2035 General Plan and CAP EIR (pages 6-13 and 6-14) (City of Woodland 2016) determined that new development throughout the region would convert agricultural land, including Important Farmland, to nonagricultural uses resulting in a significant cumulative impact. New development envisioned by the 2035 General Plan would convert all of the farmland in the Planning Area to non-agricultural uses (see Table 6-5 of the 2035 General Plan and CAP EIR). The proposed South Regional Pond would be adjacent to, but south of, the WRTP Specific Plan Area, and was not considered in the 2035 General Plan and CAP EIR. Multiple policies are identified in the 2035 General Plan to manage agricultural land conversion, including an urban limit line that is designed to

protect agricultural land surrounding the city limits, which would reduce the potential impact associated with conversion of agricultural land. The 2035 General Plan also requires mitigation for lost farmland within the ULL at a rate of one acre of permanently conserved farmland for every acre converted to urban development or non-agricultural uses. The 2035 General Plan and CAP EIR found that even with implementation of all feasible measures in the form of policies and programs in the 2035 General Plan new development would make a cumulatively significant and unavoidable contribution to the significant cumulative impact related to the loss of farmland, including Important Farmland. As described in Section 3.2.4 of the EIR, future development under the WRTP Specific Plan would result in conversion of approximately 346 acres of Prime Farmland to new urban development, the off-site South Regional Pond would convert 4 acres of Prime Farmland to a detention basin. The proposed WRTP Specific Plan and the off-site SR 113/County Road 25A are within the City's Planning Area and therefore were included as part of the cumulative analysis contained in 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. Although the off-site South Regional Pond was not included within the 2035 General Plan and CAP EIR analysis, 2035 General Plan policies would be applicable to the South Regional Pond, similar to the WRTP Specific Plan Area. Therefore, implementation of the WRTP Specific Plan and off-site improvements, in conjunction with development of related projects, would result in a cumulatively considerable and unavoidable contribution to the significant cumulative impact related to conversion of farmland, including Important Farmland, to nonagricultural uses. (Draft EIR, pp. 3.2-21 through 3.-22.)

### 3. AIR QUALITY

The geographic scope for air quality consists of the Sacramento Valley Air Basin. The 2035 General Plan and CAP EIR (pages 6-14 through 6-18) (City of Woodland 2016) analyzed cumulative impacts to air quality. The proposed WRTP Specific Plan Area was included as part of the cumulative analysis contained in Chapter 6 of the 2035 General Plan and CAP EIR.

**Generation of Short-Term Construction and Long-Term Operational Emissions of Criteria Air Pollutants and Precursors, or Conflict with or Obstruct an Air Quality Plan:** By its nature, air pollution is largely a cumulative impact. The implementation of plans and projects within the Sacramento Valley Air Basin would contribute to this impact on a cumulative basis. The emissions of an individual project may be individually limited but cumulatively considerable when taken in combination with past, present, and future development projects. All new development that would result in an increase in air pollutant emissions would contribute to cumulative construction air quality impacts. The nonattainment status of regional pollutants is a result of past and present development within the air basin, and this regional impact is a significant cumulative impact. The 2035 General Plan and CAP EIR determined that short-term construction and long-term operational criteria pollutant and precursor emissions from implementation of the General Plan (under either alternative) would exceed YSAQMD's thresholds of significance for ROG, NOX, and PM10, and that the cumulative scenario of additional development within the Sacramento Valley Air Basin would also generate additional construction-related criteria air pollutant and ozone precursor emissions. This was considered a cumulatively considerable contribution to a significant cumulative impact. As shown in Tables 3.3-2 and 3.3-4 above, construction-related criteria pollutant and precursor emissions from development within the WRTP Specific Plan Area and off-site improvement areas would exceed YSAQMD's thresholds of significance for ROG, NOX, and PM10 without mitigation and for PM10 with mitigation. In addition, as shown in Tables 3.3-3 and 3.3-5 above, long-term operational emissions associated with future land uses in the WRTP Specific Plan Area would exceed YSAQMD thresholds of significance for ROG, NOX, and PM10. Mitigation Measures 3.3-2a and 3.3-2b would reduce PM and ozone precursor emissions from

construction-related activities. However, PM10 emissions from construction activities would still exceed YSAQMD thresholds. Mitigation Measure 3.3-2c would reduce operational emissions of ROG and PM. In addition, WRTP Specific Plan Policy 2.2.3, Sustainability, in Chapter 2 of the WRTP Specific Plan requires new development be consistent with the objectives and targets of the City's Climate Action Plan (consistent with the 2035 General Plan Policies 2.C.2 and 2.L.2); this policy, along with compliance with YSAQMD Rules and Regulations and State regulations, will help to reduce short-term and long-term emissions, but it is not possible to determine at this time whether mitigation, WRTP Specific Plan policies, and compliance with local rules and regulations would reduce emissions to a less-than-significant level. As described in Impact 3.3-2 above, the nature of criteria pollutants is such that the emissions from an individual project cannot be directly identified as responsible for health impacts within any specific geographic location. As a result, attributing health risks at any specific geographic location to a single proposed project is not feasible. Nonetheless, the results of the Strategic Area Project Health Screening Tool have been presented for informational purposes and the modeling results support a conclusion that the proposed WRTP Specific Plan does not, on its own, lead to sizeable regional health effects from the emissions of criteria air pollutants and precursors. However, YSAQMD considers that if a project's impacts would be significant at the project-level, it could also be considered significant on a cumulative level. Even with all feasible mitigation, construction-related and operational emissions could still result in a net increase of ROG, NOX, and PM10 emissions. The implementation of regional and local development within the Sacramento Valley Air Basin would generate increased short-term construction and long-term operational emissions that may cumulatively exceed regional thresholds and conflict with or obstruct implementation of the applicable air quality plan. Even if emissions associated with implementation of the WRTP Specific Plan and off-site improvement areas are reduced to levels that are below YSAQMD thresholds, the WRTP Specific Plan would still contribute to increased overall emissions throughout the Sacramento Valley Air Basin. There is no additional feasible mitigation available that would avoid these impacts. The WRTP Specific Plan could make a cumulatively considerable contribution to significant cumulative air quality impacts.

**Exposure of Sensitive Receptors to Substantial Pollutant Concentrations:** Exposure of sensitive receptors to substantial pollutant concentrations, such as TACs and CO generally occurs on a localized rather than regional basis. As discussed in Impact 3.3-3 above, implementation of the WRTP Specific Plan would not expose sensitive receptors to substantial concentrations of CO. Because site-specific details of development are not known at the present time and construction at the WRTP Specific Plan Area and off-site improvement areas could occur in phases adjacent to existing and future sensitive receptors, implementation of Mitigation Measures 3.3-3a, 3.3-3b and 3.3-3c are necessary to ensure impacts would be less than significant. Since there are no other known projects among those considered as part of this cumulative analysis that are both large enough and would involve construction in close enough proximity to these rural residences to result in TAC impacts, the cumulative contribution would be less than cumulatively considerable.

**Other Emissions Such as Those Leading to Odors:** Odor impacts are generally localized and do not combine with odor impacts in nearby jurisdictions to increase the severity of impacts. Implementation of Mitigation Measure 3.3-4 would avoid conflicts between potential land use-generated odor emissions and sensitive receptors. Therefore, the impact of exposing populations to substantial other emissions, such as those leading to odors, is less than cumulatively considerable. (Draft EIR, pp. 3.3-45 through 3.3-47.)

## 4. BIOLOGICAL RESOURCES

As demonstrated in Chapter 2 of the EIR, “Project Description,” the entire WRTP Specific Plan boundary falls within the area analyzed in the 2035 General Plan and CAP EIR, and land uses proposed in the WRTP Specific Plan are consistent with the development assumptions of the 2035 General Plan and CAP EIR. The proposed South Regional Pond would be adjacent to, but south of, the WRTP Specific Plan Area, and was not considered in the 2035 General Plan and CAP EIR. The proposed South Regional Pond area does not provide habitat for specialstatus plant species, contain any riparian habitat or other sensitive natural communities (alkali prairie habitat) identified in the 2035 General Plan and CAP EIR or other local or regional plans, nor provide habitat for burrowing owl. As detailed in the above analysis, development of the South Regional Pond would not result in any significant impacts not already addressed in the 2035 General Plan and CAP EIR with regard to development within the WRTP Specific Plan Area, or otherwise mitigable. The majority of the WRTP Specific Plan Area and the proposed off-site improvement areas consist of agricultural land that provides limited habitat values to most species; however, certain agricultural crops found in the WRTP Specific Plan Area and off-site improvement areas provide important habitat for the State-listed Swainson’s hawk, as well as other special-status wildlife species. Swainson’s hawk, the most vulnerable species that occurs in the WRTP Specific Plan Area, may be adversely affected by cumulative impacts through permanent loss of agricultural land that serves as foraging habitat for Swainson’s hawk and could reduce reproductive success. As discussed on pages 6-18 through 6-24 of the City’s 2035 General Plan and CAP EIR, this is a significant cumulative impact. However, successful implementation of mitigation, as described in the above impact analyses, and compliance with existing State and federal regulations, would ensure implementation of the proposed WRTP Specific Plan and offsite improvements would not have a cumulatively considerable contribution to the significant cumulative impact on Swainson’s hawk because these policies, mitigation, and regulations require that unavoidable loss of habitat for this species be fully compensated. Therefore, impacts associated with the loss of Swainson’s hawk and their habitats are less than cumulatively considerable. This analysis is consistent with the cumulative effect discussion (pages 6-23 to 6-24) of the 2035 General Plan and CAP EIR. (Draft EIR, p. 3.4-39.)

## 5. CLIMATE CHANGE, GREENHOUSE GAS EMISSIONS & ENERGY

**Climate Change and Greenhouse Gas Emissions:** GHG emissions typically persist in the atmosphere for extensive periods time—long enough to be dispersed globally and result in long-term global climate change and related impacts. As such, implementation of the WRTP Specific Plan will not, by itself, contribute significantly to climate change; however, cumulative emissions from many projects and plans all contribute to global GHG concentrations and the climate system. As such, impacts associated with GHG emissions are inherently cumulative; the discussion of the potential for implementation of the WRTP Specific Plan to generate GHG emissions is discussed above under “Impacts not Discussed Further,” finding that the WRTP Specific Plan is consistent with the City’s 2035 CAP, which was found under the 2035 General Plan and CAP EIR to result in less than cumulatively considerable generation of GHG emissions. This analysis considers the cumulative contribution of implementation of the City’s 2035 General Plan and CAP, inclusive of development under the WRTP Specific Plan, to the significant cumulative impact of climate change, and concludes that impacts are less than cumulatively considerable.

**Energy** As discussed in the cumulative analysis contained in the 2035 General Plan and CAP EIR (pages 6-26 to 6-28), Increased demand for electrical and natural gas supplies and infrastructure is a byproduct of all future land uses and development in the City of Woodland, Yolo County, and the region. Energy is consumed for heating, cooling, and electricity in homes and businesses; for public infrastructure and service operations; and for agriculture,

industry, and commercial uses. Each service provider is responsible for ensuring adequate provision of these utilities within their jurisdictional boundaries and would be responsible for upgrading their existing electrical and natural gas distribution systems or constructing new distribution systems to meet the demands of individual projects. Yolo County and the cities within the county implement general plans that include goals and policies to reduce energy demands through the use of design features, building materials, and building practices; encourage the use of renewable energy sources; promote land uses and patterns that would not cause wasteful, inefficient, and unnecessary consumption of energy; and ensure adequate electricity and natural gas and related distribution systems are available to meet energy demands. In addition, service providers encourage energy conservation through programs, such as offering rebates for installation of energy efficient appliances and lighting fixtures. The California Public Utilities Commission and California Energy Commission have roles in regulating energy supply and ensuring reliable and sufficient supplies as the state grows. The 2035 General Plan and CAP EIR determined that overall energy efficiency (energy demand per unit of development) would improve and cumulative development would not be expected to cause the inefficient, wasteful, or unnecessary consumption of energy, and found this impact to be less than cumulatively considerable. As noted above, transportation is, by far, the largest energy consuming sector in California, accounting for approximately 40 percent of all energy use in the state (U.S. Energy Information Administration 2020). Since transportation accounts for more energy consumption than heating, cooling, and powering of buildings, powering industry, or any other use, the overall efficiency of energy use in the region will depend importantly on the ability of local lead agencies to plan in a way that reduces travel demand. The 2035 General Plan and CAP EIR noted that SACOG's 2016 MTP/SCS demonstrates an increase in energy efficiency through 2035 in relation to transportation energy use – household generated VMT per capita is forecast to decrease by more than 8 percent and that SACOG also estimates that total VMT will decrease by almost 7 percent during the 2016 MTP/SCS planning period (SACOG 2016, Chapter 5B, page 91). Since regional transportation and building energy use will become more efficient over the SACOG MTP/SCS planning and City's planning horizon, the 2035 General Plan and CAP EIR determined there to be no significant cumulative impact. The WRTP Specific Plan Area was considered as part of the anticipated development under the 2035 General Plan Update. In addition, the off-site improvement areas, while not a part of the original WRTP Specific Plan Area, would consume energy during construction that is consistent with typical construction projects in the region, and would require minimal energy associated with maintenance and operations over time. The energy efficiency of the built environment and transportation has continued to increase since the adoption of the 2035 General Plan. As discussed above, the WRTP Specific Plan would comply with relevant State and local statutes and regulations related to energy efficiency, including the California Code of Regulations (CCR) Title 20, Building Energy Regulations, and Title 24, Energy Conservation Standards, as well as WRTP Specific Plan Design Standards and Design Guidelines in Chapter 3 of the WRTP Specific Plan developed to reduce energy demand of the WRTP Specific Plan Area and provide consistency with the General Plan and City's CAP. The California Green Building Standards Code is updated over time and in each instance, the energy efficiency standards are increased. Similar to the SACOG 2016 MTP/SCS, the 2020 MTP/SCS, lower VMT per capita is anticipated for the region, with a secondary result of reduced per-capita use of energy and fuel. Because regional transportation and building energy use will become more efficient between present and the SACOG MTP/SCS planning horizon, the regional planning efforts would result in a less-than-cumulatively considerable impact. Therefore, the WRTP Specific Plan is consistent with the 2035 General Plan and CAP EIR planning assumptions and cumulative scenario, and cumulative effects from implementing the WRTP Specific Plan in conjunction with development of related projects, with regard to the inefficient, wasteful, or unnecessary consumption of energy and conflict with or obstruction of plans for renewable energy or energy efficiency, would be less-than-cumulatively considerable. (Draft EIR, pp. 3.5-32 through 3.5-33.)

## 6. CULTURAL AND TRIBAL CULTURAL RESOURCES

Per the 2035 General Plan, no prehistoric resources have been formally recorded in Woodland, and evidence of early native peoples who occupied the area is scarce, therefore any artifacts or information is valuable. Cultural resources in the larger region generally consist of prehistoric sites, historical archaeological sites, historic-age buildings and structures, and isolated artifacts. During the 19th and 20th centuries, localized urbanization and intensive agricultural use in the region caused the destruction or disturbance of numerous prehistoric sites, while many structures now considered to be historic were erected. From the latter half of the 20th century to the present, prehistoric archaeological sites and historic structures have been disturbed and destroyed. During this period, the creation and enforcement of various regulations protecting cultural resources have substantially reduced the rate and intensity of these impacts. However, even with these regulations, cultural resources are still degraded or destroyed as cumulative development in the region proceeds. As detailed in Section 3.6.4 of the EIR with regard to the project-level analysis of implementation of the WRTP Specific Plan and off-site improvement areas, while mitigation has been imposed that would reduce impacts, there is still the potential to adversely affect unknown archaeological resource and human remains. As described in Section 6.1.3.6 of the General Plan and CAP EIR, these cultural resources impacts were considered significant and unavoidable. The proposed WRTP Specific Plan and the off-site SR 113/County Road 25A are within the City's Planning Area and therefore were included as part of the cumulative analysis contained in 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. Although the off-site South Regional Pond was not included within the 2035 General Plan and CAP EIR analysis, 2035 General Plan policies would be applicable to the South Regional Pond, similar to the WRTP Specific Plan Area. The policies of the 2035 General Plan and mitigation proposed in Section 4.6 of the 2035 General Plan and CAP EIR, "Cultural Resources," are relevant to the implementation of the WRTP Specific Plan Area and off-site improvements. These policies and mitigation, when coupled with cultural resources mitigation measures, will minimize the severity of significant impacts that may result from the discovery of undocumented subsurface cultural resources or unmarked historic-era or prehistoric Native American human burials; however, these impacts would not be entirely unavoidable, but could be mitigated to less than significant. Therefore, implementation of the WRTP Specific Plan and off-site improvements, in conjunction with development of related projects, would result in a less than cumulatively considerable contribution to the significant cumulative impact related to archaeological resources and human remains. (Draft EIR, p. 3.6-16.)

## 7. GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES

**Seismic and Geologic Hazards:** As discussed in the cumulative analysis contained in the 2035 General Plan and CAP EIR (page 6-30) (City of Woodland 2016b), construction of buildings associated with the projects considered in the 2035 General Plan and CAP EIR Cumulative Scenario would result in more construction with more potential exposure to geologic hazards such as seismic ground shaking, liquefaction, and construction in unstable soils. However, all development projects are required by law to comply with the CBC, which includes engineering practices that require special design and construction methods to reduce or eliminate hazards from geologic hazards including seismic ground shaking, liquefaction, and construction in unstable and expansive soils. Construction projects entitled by the City are subject to compliance with General Plan Policies, such as 8.A.1, 8.A.2, and 8.A.3, which are designed to reduce geologic hazards from construction. The 2035 General Plan and CAP EIR determined that cumulative effects related to seismic ground shaking; liquefaction; and geologic hazards related to unstable soils and expansive soils would be less-than-cumulatively considerable. Project applicants for future projects proposed under the WRTP Specific Plan are required by law to comply with the design and construction



requirements of the CBC, which includes engineering practices that require special design and construction methods to reduce or eliminate hazards from geologic hazards including seismic ground shaking, liquefaction, and construction in unstable and expansive soils. Project applicants for the off-site South Regional Pond are required to comply with the Yolo County permit and ordinance requirements, including Title 7, Building Regulations, of the Yolo County Code. The standards apply to transportation, storm drainage, sewer, wastewater pumping, water distribution, graywater distribution, underground pipelines, and other improvements, and are designed, in part to avoid impacts related to geologic and seismic constraints. Design and construction of the off-site SR 113/County Road 25A intersection improvements is regulated by Caltrans, and would comply with requirements contained in the Standard Plans and Specifications (Caltrans 2018) and the Highway Design Manual (Caltrans 2020). The proposed WRTP Specific Plan and the SR 113/County Road 25A interchange improvements are within the City's Planning Area and therefore were included as part of the cumulative analysis contained in 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. Although the off-site South Regional Pond is not within the City's Planning Area and therefore was not included within the 2035 General Plan and CAP EIR, design and construction of the South Regional Pond is regulated by the City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a). Therefore, and consistent with the 2035 General Plan and CAP EIR, cumulative effects related to seismic ground shaking; liquefaction; and geologic hazards related to unstable soils and expansive soils from the WRTP Specific Plan and the associated off-site improvements, in conjunction with development of related projects, would be less-than-cumulatively considerable.

**Soil Erosion:** The 2035 General Plan and CAP EIR Cumulative Scenario (page 6-30) (City of Woodland 2016b) concluded that increased construction associated with the projects considered in the 2035 General Plan and CAP EIR Cumulative Scenario would result in an increased potential for soil erosion along with an increased potential for siltation of local drainages from sediment transport. All applicable projects are required to comply with the City of Woodland Stormwater Management Program and NPDES regulations, including construction site SWPPPs and BMPs designed to control soil erosion at each construction site. Projects must also comply with Chapter 15.12 of the City of Woodland Municipal Code (the City's Grading Ordinance), which requires a grading permit, a soils engineering report, and an engineering geology report specific to the project site, as required by Appendix Chapter 33 of the CBC, Section 3309. Projects must also comply with Chapter 8.08 of the City's Municipal Code, which regulates discharges into the municipal storm drain system, including compliance with applicable provisions of construction NPDES permit requirements. The 2035 General Plan and CAP EIR determined that effects from construction-related soil erosion would be less-than-cumulatively considerable. Project applicants for future projects proposed under the WRTP Specific Plan and supportive off-site infrastructure improvements are required to comply with CVRWQCB NPDES permit requirements and City General Plan policies. The proposed WRTP Specific Plan and the SR 113/County Road 25A interchange improvements are within the City's Planning Area and therefore were included as part of the cumulative analysis contained in 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. Although the off-site South Regional Pond is not within the City Planning Area and therefore was not included within the 2035 General Plan and CAP EIR, design and construction of the South Regional Pond is regulated by the CVRWQCB NPDES permit requirements. Therefore, and consistent with the 2035 General Plan and CAP EIR, cumulative soil erosion effects from construction of the WRTP Specific Plan and the associated off-site improvements, in conjunction with development of related projects, would be less-than-cumulatively considerable.

**Paleontological Resources:** The 2035 General Plan and CAP EIR Cumulative Scenario (page 6-31) (City of Woodland 2016b) concluded that increased construction could result in an increased potential for accidental damage to or destruction of unique paleontological resources. Since these resources are buried under the ground surface, it is difficult to predict the location of resources in the context of site planning, and therefore difficult to avoid in project designs. The 2035 General Plan and CAP EIR determined that this would be a significant cumulative impact. However, the City also determined that implementation of 2035 General Plan and CAP EIR Mitigation Measure 4.7-4 would reduce this impact to a level that is less-than-cumulatively considerable through a new implementation program that would require projects that propose earth-moving activities in paleontologically sensitive rock formations to provide construction worker personnel training prior to the start of construction activities, halt of work in the vicinity of any fossil specimen(s) uncovered, and prepare a recovery plan for any uncovered specimen(s). Because the SR 113/County Road 25A interchange would be constructed in Holocene-age deposits, this off-site improvement would not contribute to this regionally significant cumulative impact. Mitigation Measure 3.7-1 listed above, which would be implemented in the southern portion of the WRTP Specific Plan Area and the South Regional Pond (where paleontologically sensitive rock formations are located), incorporates guidance from General Plan and CAP EIR Mitigation Measure 4.7-4. This mitigation requires construction worker personnel training prior to the start of construction activities, halting of work in the vicinity of any fossil specimen(s) uncovered, and preparation of a recovery plan for any uncovered specimen(s). The proposed WRTP Specific Plan and the off-site SR 113/County Road 25A are within the City's Planning Area and therefore were included as part of the cumulative analysis contained in 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. Although the off-site South Regional Pond is not within the City Planning Area and therefore was not included within the 2035 General Plan and CAP EIR, Mitigation Measure 3.7-1 would reduce impacts to unique paleontological resources to a less-than-significant level at the South Regional Pond, similar to the WRTP Specific Plan Area. Therefore, and consistent with the 2035 General Plan and CAP EIR, impacts to unique paleontological resources from implementation of the WRTP Specific Plan and the associated off-site improvements, in conjunction with development of related projects, would be less-than-cumulatively considerable with mitigation. (Draft EIR, pp. 3.7-15 through 3.7-17.)

## **8. HAZARDOUS AND HAZARDOUS MATERIALS**

The proposed WRTP Specific Plan was included as part of the hazard materials and toxics cumulative analysis contained in Chapter 4.8 of 2035 General Plan and CAP EIR. The proposed South Regional Pond would be adjacent to, but south of, the Specific Plan Area, and was not considered in the 2035 General Plan and CAP EIR. There are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. The 2035 General Plan and CAP EIR (pages 6-31 and 6-32) (City of Woodland 2016b) determined that for the topics evaluated in this hazardous materials and toxics analysis (routine transport use and disposal of hazardous materials, accidental spills of hazardous materials, construction on a site included on the Cortese List, handle hazardous materials within one-quarter mile of a school, airport safety hazards for public-use airports, emergency access, or wildland fire hazard), the related projects considered in the cumulative analysis are site-specific and therefore would not combine to create cumulatively significant impacts in and of themselves. The 2035 General Plan and CAP EIR further determined that although an increase in routine use, transportation, and disposal of hazardous materials, as well as handling of hazardous materials near existing or proposed schools, development of sites on the Cortese List, public airport hazards, and wildland fire hazards would occur, existing federal, State, and local regulations create and enforce standards for these activities regardless of the amount or scale of use and therefore no cumulative impact would occur. Implementation of the proposed off-site

SR 113/CR 25A interchange improvements are regulated by Caltrans, which has formal procedures that are followed to reduce human health and ecological risks from the handling of disposal of hazardous materials and the reuse of soils contaminated with aerially-deposited lead (Caltrans 2018, DTSC 2016b). Implementation of the WRTP Specific Plan could result in human health and ecological risks from exposure to known hazardous materials that are present in the WRTP Specific Plan Area during construction activities. Previously unknown hazardous materials, in the form of underground storage tanks, could be encountered at the off-site South Regional Pond during construction. Implementation of the WRTP Specific Plan could also result in the handling of hazardous materials within one-quarter mile of a school. However, implementing Mitigation Measures 3.8-1 and 3.8-2 would reduce the impacts of the WRTP Specific Plan and the off-site South Regional Pond to a less-than-significant level. Hazardous materials impacts would be site-specific. Implementation of the WRTP Specific Plan and the off-site improvements (with mitigation measures incorporated) in conjunction with development of related projects would not present a public health and safety hazard to people or the environment, and therefore the cumulative contribution of the WRTP Specific Plan and the off-site improvements would be less-than-cumulatively considerable. Implementation of the WRTP Specific Plan and the off-site improvements would result in a less-than-significant impact related to airport hazards from development of buildings approximately 1.4 miles from the runway at the privately owned and operated Medlock Field airport. The WRTP Specific Plan would be constructed at the southwestern edge of the Woodland city limits. Other future development at the same distance from Medlock Field in the adjacent Spring Lake development would also result in a less-than-cumulatively considerable contribution to Medlock Field airport hazards for the same reasons as the WRTP Specific Plan (i.e., buildings would not exceed FAA height restrictions, large new bodies of water that would retain water for long periods of times that could attract wildlife would not be created, and new nighttime lighting would not be mistaken for airport lighting and/or cause glare in the eyes of airplane pilots). The other future cumulative projects would be located more than 2 miles from Medlock Field. Furthermore, the WRTP Specific Plan requires that street lighting conform to the City's Engineering Standards and other types of lighting conform to the City's Community Design Standards. In addition, Caltrans requires that high-mast light standards be shielded and direct the lighting downward. The WRTP Specific Plan does not allow building heights that could present a height hazard to Medlock Field. Therefore, impacts related to airport hazards from implementation of the WRTP Specific Plan and the off-site improvements in conjunction with development of related projects would be less-than-cumulatively considerable. (Draft EIR, pp. 3.8-23 through 3.8-24.)

## 9. HYDROLOGY, FLOODING, AND WATER QUALITY

**Water Quality Standards, Erosion And Sedimentation, Operational Stormwater Runoff, Conveyance Capacity, Flooding, Pollutants, And Regional Basin Planning:** As discussed in the cumulative analysis contained in the 2035 General Plan and CAP EIR (page 6-32) (City of Woodland 2016b), short-term construction and long-term operation of the urban development projects considered in the 2035 General Plan and CAP EIR Cumulative Scenario have the potential to generate impacts related to violation of water quality standards, erosion and sedimentation, construction-related water quality impacts, and alteration of drainages resulting in on-site and/or off-site downstream flooding. The proposed South Regional Pond would be adjacent to, but south of, the Specific Plan Area, and was not considered in the 2035 General Plan and CAP EIR. However, all development projects are required to comply with the SWRCB's statewide NPDES stormwater permit for general construction activity, other necessary site-specific WDRs or waivers under the PorterCologne Act, the Storm Drainage Facilities Master Plan Update and Preliminary Engineering (City of Woodland 2006a), the Technical Guidance Manual for Stormwater Quality Control Measures (City of Woodland 2006b), the Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a), and the Post-Construction Standards Plan (City

of Woodland 2015). The treatment component of the City's Phase II MS4 NPDES permit requires that all of the runoff generated by the design storm event from impermeable surfaces be treated on site. All development projects are also required to comply with applicable General Policies such as Goal 5.I and Policies 5.I.1, 5.I.3, 5.I.4, 5.I.5, 5.I.7, and 7.A.4. All of these state and local regulatory controls are designed to improve short-term and long-term water quality, reduce on-site and downstream erosion and sedimentation, and reduce alteration of drainage patterns leading to localized flooding. The 2035 General Plan and CAP EIR determined that cumulative effects related to water quality, erosion, and alteration of drainages would be less-than-cumulatively considerable. Project applicants for future projects proposed under the WRTP Specific Plan and the off-site South Regional Pond, are required to comply with the State and local regulatory controls listed above, and Caltrans is required to comply with the terms and conditions of the SWRCB's NPDES permit and the Caltrans Highway Design Manual, all of which are designed to improve short-term and long-term water quality, and reduce on-site and downstream erosion and sedimentation to comply with regional planning in the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (CVRWQCB 2018). Furthermore, implementation of Mitigation Measure 3.9-1 would require preparation of additional storm drainage analysis to determine the new developable acreage (in terms of stormwater drainage) that can be mitigated with current infrastructure and to identify the required infrastructure improvements required to accommodate full development of the WRTP Specific Plan Area. The storm drainage analysis would be reviewed and approved by the Cit. Building permits for development beyond the identified currently developable acreage will only be approved with confirmation that the required storm drainage and water quality treatment infrastructure is in place. Design and construction of the off-site SR 113/County Road 25A intersection improvements is regulated by Caltrans, and would comply with requirements contained in the Standard Plans and Specifications (Caltrans 2018) and the Highway Design Manual (Caltrans 2020), as well as the Caltrans NPDES permit issued by SWRCB (2015). The proposed WRTP Specific Plan and the off-site SR 113/County Road 25A interchange improvements were included as part of the cumulative analysis contained in the 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. Therefore, cumulative effects from implementing the WRTP Specific Plan in conjunction with development of related projects related to water quality, erosion and sedimentation, and operational stormwater runoff, conveyance capacity, flooding, pollutants, and regional basin planning would be less-than-cumulatively considerable.

**Groundwater Recharge, Groundwater Supplies, and Regional Sustainable Groundwater Management:** As discussed in the cumulative analysis contained in the 2035 General Plan and CAP EIR (page 6-33) (City of Woodland 2016b), development throughout the region would add impervious areas, which, depending on the specific location of such development, could adversely affect groundwater recharge. Therefore, projects in the region that are developed in areas of substantial groundwater recharge could result in a cumulatively significant impact. However, the City does not contain any areas of substantial groundwater recharge, such as groundwater recharge banks or active stream channels. Furthermore, most of the soils in the City are loams and clays, which typically have low infiltration rates. Finally, the City's Phase II MS4 permit requirements, the Technical Guidance Manual for Stormwater Quality Control Measures (City of Woodland 2006b), the Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a), the Post-Construction Standards Plan (City of Woodland 2015), and General Plan Policy 5.I.4 require that all new urban development incorporate LID features which could have the potential to locally, and likely minimally, increase groundwater recharge through the construction of infiltrative storm drainage facilities. The 2035 General Plan and CAP EIR determined that these requirements would result in a less-than-cumulatively considerable contribution to a significant cumulative impact from reduction in groundwater recharge. However, the 2035 General Plan and CAP

EIR also found that, although the City of Woodland has supported efforts to reduce water demand through conservation and other measures and surface water supplied by the Woodland-Davis Clean Water Agency's Regional Water Treatment Facility is the primary source of drinking water within the City's Planning Area, groundwater would still be used to supplement surface water supplies and could account for up to 30 percent of total demand in dry years. Therefore, the 2035 General Plan and CAP EIR determined that future development in the City's Planning Area could result in increased water demand that exceeds supply beyond the year 2035, due to lack of detailed planning beyond that time. Therefore, the 2035 General Plan and CAP EIR determined that future projects within the Planning Area would result in a cumulatively considerable contribution to the need for increased water supply, and that this impact was potentially significant and unavoidable. The WRTP Specific Plan Area does not contain any active stream channels and most of the WRTP Specific Plan Area soils are rated by NRCS (2020) as hydrologic Group C (slow infiltration rate). Furthermore, project applicants for future projects proposed under the WRTP Specific Plan and the off-site South Regional Pond are required to comply with the same regulatory controls listed above including development of LID stormwater features. Caltrans is required to comply with the terms and conditions of the SWRCB's NPDES permit, and the Caltrans Highway Design Manual, both of which include operational stormwater design. The Yolo Subbasin Groundwater Agency is in the process of preparing a GSP, which will be completed by January 1, 2022 as required by DWR (Yolo Subbasin Groundwater Agency 2020). Because development of the WRTP Specific Plan Area with urban land uses and the SR 113/County Road 25A interchange are planned as part of the City's General Plan, they will be included as part of regional planning efforts for the Sacramento Valley Groundwater Basin – Yolo Subbasin. The GSP will incorporate regionally planned existing and future development throughout the Yolo Subbasin, including all of the projects considered in this cumulative analysis. The GSP is required by law to include projects that would be implemented on both a local and regional basis to improve groundwater sustainability, if the results of groundwater modeling performed for the GSP determine that future demand would exceed supply. The City of Woodland is a member of the GSA, and therefore is actively involved in groundwater sustainability planning. The proposed WRTP Specific Plan was included as part of the cumulative analysis contained in 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the WRTP Specific Plan that require additional cumulative analysis or mitigation. Therefore, cumulative effects from implementing the WRTP Specific Plan in conjunction with development of related projects related to substantial interference with groundwater recharge, depletion of groundwater supplies, or interference with regional groundwater sustainability planning would be less-than-cumulatively considerable. (Draft EIR, pp. 3.9-23 through 3.9-25.)

## **10. LAND USE AND PLANNING, POPULATION AND HOUSING**

Cumulative development within the region would result in a significant change in land use, and individual projects would need to be considered in context of their compliance with adopted land use plans. Plans with which compliance may be analyzed include general plans and regional transportation plans. For the WRTP Specific Plan, appropriate plans to consider include Yolo County's General Plan, the Woodland General Plan, and the Sacramento Area Council of Governments' (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). The proposed WRTP Specific Plan is required to be consistent with the 2035 General Plan. The WRTP Specific Plan is one of three subareas designated by the City of Woodland General Plan 2035 within the Specific Plan 1 (SP1) new growth area. The MTP/SCS is a long-range transportation plan that also includes analysis of greenhouse gas (GHG) emissions associated with passenger vehicle travel. The SACOG MTP/SCS identifies different community types, including "Developing Communities," a designation that includes the WRTP Specific Plan Area. The EIR comprehensively addresses direct and indirect impacts associated with buildout of the WRTP Specific Plan, including various topics that are also addressed in planning documents. There are no additional

impacts related to population, employment, or housing not already fully addressed in a topic-specific section of the EIR. As is true for the 2035 General Plan and CAP EIR, for the WRTP Specific Plan, there is no significant cumulative impact. For the purposes of analysis, the EIR assumes the development of approximately 1,600 new dwelling units, 2.2 million square feet of non-residential building space, and 5,000 employees, along with 17.6 acres of parks and other types of open space. Implementation of the proposed WRTP Specific Plan would directly facilitate population growth in the area through the construction of homes and could indirectly facilitate population growth through the development of employment opportunities, which may lead to additional housing demand. Population growth, by itself, is not an environmental impact. However, the direct and indirect effects, such as housing and infrastructure needs that are related to population growth, can lead to physical environmental effects, the impacts of which are considered throughout the topic-specific technical sections of the EIR. Population growth could result in significant cumulative impacts if population growth were to exceed estimates in the regional plans. However, the development assumptions for the WRTP Specific Plan are within the envelope created by the General Plan, and there is no impact related to population growth that is not fully addressed throughout the EIR in other sections. There is no significant cumulative impact. (Draft EIR, p. 3.10-35.)

## **11. NOISE AND VIBRATION**

As discussed in the cumulative analysis contained in the 2035 General Plan and CAP EIR (pages 6-37) (City of Woodland 2016) noise is generally a localized impact that does not have regional or cumulative considerations. Noise sources associated with past, present, and future development in the region include construction equipment, landscape and building maintenance activities, agricultural equipment and activities, mechanical equipment, solid waste collection, parking lots, commercial, office, and industrial activities, and residential, school, and recreation activities and events. Noise sources that are adjacent to one another could combine to increase cumulative noise levels. However, consistent with the analysis provided in the 2035 General Plan and CAP EIR, stationary noise sources within the WRTP Specific Plan Area would not generally combine with noise sources outside of the WRTP Specific Plan Area to create a cumulative increase in stationary noise. Although ambient noise is increasing in urbanized areas over time as a result of increased development, but there are no cumulative sources of stationary noise in proximity to the WRTP Specific Plan Area and, therefore, there is no significant cumulative impact with regard to stationary noise sources. However, as described in the 2035 General Plan and CAP EIR (pages 6-37 through 6-43), regional development under the cumulative scenario would generate and attract vehicular travel along roadways located throughout the region, including within and near the City's Planning Area, which would combine with traffic associated with development in the Planning Area to increase vehicular traffic noise in areas directly adjacent to travel ways. As described in Section 3.11.4 of the EIR, future development under the WRTP Specific Plan would result in traffic levels that would increase noise levels along existing and future roadways. The 2035 General Plan and CAP EIR found that, even with implementation of all feasible measures in the form of policies and Implementation Programs in the 2035 General Plan, new development would result in a cumulatively significant and unavoidable contribution to the significant cumulative impact related to long-term transportation noise levels. The proposed WRTP Specific Plan Area is within the City's Planning Area and was included as part of the cumulative analysis contained in 2035 General Plan and CAP EIR. As shown in Table 3.11-9, traffic on future roadways within the WRTP Specific Plan Area and existing roadways adjacent to the WRTP Specific Plan Area is expected to increase with implementation of the WRTP Specific Plan and result in an increase in traffic-related noise levels up to 6 dB compared to Existing plus Approved Projects conditions. The increases of 5 to 6 dB would only occur along CR 25A from East of SR 113 NB Ramps to East of SR 113 NB Ramps and from SR 113 NB Ramps to Road A. However, no existing noise sensitive uses would be located along this segment of CR 25 A under the buildout condition of the WRTP Specific Plan Area. Traffic noise increases of less than perceptible level

of 3 dB would occur along the roadways planned within the WRTP Specific Plan Area. Also, as shown, traffic noise for the Existing plus Approved Projects Plus WRTP Specific Plan condition would range from 60 to 69 dB at 50 feet, which would not exceed the City's noise standards of 70 dB, as shown in Table 3.11-6, for all noise sensitive uses. Therefore, this impact is considered less than cumulatively considerable. (Draft EIR, p. 3.11-33.)

## **12. PUBLIC SERVICES AND RECREATION**

**POLICE AND FIRE SERVICES:** The 2035 General Plan and CAP EIR (page 6-39) (City of Woodland 2016) noted that public services are generally provided by local governments and/or special districts for areas within their jurisdiction and are not provided on a regional basis. For this reason, the 2035 General Plan and CAP EIR determined fire and police protection services have less than significant cumulative impacts. The City of Woodland Police Department expects to meet increased demand for services through increased staffing rather than new facilities. The 2035 General Plan and CAP EIR determined additional fire stations would be required to meet demand from future growth. Because the City maintains its own fire department facilities, the construction of additional facilities would not combine with effects in neighboring communities to create cumulative impacts. The 2035 General Plan includes policies to ensure that sufficient facilities and services are provided to serve additional growth. These policies and programs apply to any level of development, and therefore would mitigate potential impacts from development of new facilities and the cumulative impact would be less than significant. As described above, the project applicants for future projects proposed under the WRTP Specific Plan would comply with 2035 General Plan policies that require review of project designs by the Woodland Fire Department and Woodland Police Department and implementation recommended conditions of approval, as well as provide funding to ensure fire and police protection personnel and equipment is provided to meet increased demand for fire and police protection services. In addition, individual development projects would incorporate California Fire Code and City standards into project designs to reduce the dependence on fire department equipment and personnel by reducing fire hazards. The WRTP Specific Plan's contribution to impacts related to increased fire and police protection services and facilities would be less than cumulatively considerable. Thus, no additional CEQA review is required.

**PUBLIC EDUCATION SERVICES** The 2035 General Plan and CAP EIR (page 6-39) (City of Woodland 2016) noted that public schools are provided by school districts to areas within their jurisdictions. While districts may have cross-jurisdictional boundaries, school services are still provided at the local, rather than regional, level. For this reason school services have less-than-significant cumulative impacts. The 2035 General Plan and CAP EIR found that future growth would increase the student population, creating additional need for public schools. However, implementation of General Plan policies would reduce the impacts related to school services by encouraging coordination with WJUSD and other educational institutions regarding future school sites. The WJUSD operates within the City of Woodland and serves all development in the City, so the construction of additional facilities would not combine with effects in neighboring communities to create cumulative impacts in the region. Therefore, the 2035 General Plan and CAP EIR determined that the future growth would have a less than cumulatively considerable contribution to this impact. The WRTP Specific Plan would generate approximately 376 new elementary school students (grades K–6), 104 middle school students (grades 7–8), and 222 high school students (grades 9–12) (Table 3.12-5). The WRTP Specific Plan proposes a new elementary school in the area zoned for medium density residential, south of Parkland Avenue and east of Road B. Prior to the construction of this school, students within the WRTP Specific Plan Area would attend Tafoya Elementary School, Woodland Prairie Elementary School, Douglass Middle School, and Pioneer High School, all of which are operating below capacity (Table 3.12-2, as revised in Chapter 3, "Errata," of this Final EIR). The proposed WRTP Specific Plan would pay the State-mandated school impact fees to the WJUSD that are being levied at the time of development.

The California Legislature has declared that payment of the State-mandated school impact fee is deemed to be full and adequate mitigation under CEQA (California Government Code Section 65996); therefore, the WRTP Specific Plan's cumulative impacts related to increased demand for school facilities and services would be less than cumulatively considerable. Thus, no additional CEQA review is required. Depending on the timing of future development within the WRTP Specific Plan Area, future students could potentially be bused or driven to schools within the WJUSD boundaries, resulting in indirect cumulative impacts related to transportation, such as air pollutant emissions, greenhouse gas emissions, and transportation noise. The environmental effects from construction and operation of the WRTP Specific Plan, including proposed school facilities and transportation related to an increased student population associated with proposed residential development, are evaluated throughout the individual environmental topic area sections in the EIR, as well as the cumulative impact analyses contained in each topic area of the EIR. There are no other known environmental effects associated with park facilities or services that are beyond the impacts disclosed in the relevant environmental topic area sections of the EIR. Thus, no additional CEQA review is required.

**PARKS AND RECREATION** The 2035 General Plan and CAP EIR (page 6-44) (City of Woodland 2016) noted that counties, cities, and special districts in the region each have their own parkland ratios and standards and are responsible for providing parkland to meet the local demand. Although an increase in regional population could increase demand for parks and recreation facilities and services, these local jurisdictions have authority over land use, set and implement level of service standards, and determine the siting and timing of public service projects. Therefore, the 2035 General Plan and CAP EIR determined that regional parks and recreation impacts would be cumulatively less than significant in and of themselves. The 2035 General Plan and CAP EIR also found that future growth in the City would likely require new park/recreation facilities to achieve the same parkland ratio. However, implementation of relevant policies in the 2035 General Plan related to parkland ratios and funding agreements would reduce environmental impacts, resulting in a less-than-cumulatively considerable contribution to regional parks and recreation impacts. Finally, the 2035 General Plan and CAP EIR determined that construction of any additional parks/recreational facilities in the City would not combine with effects in neighboring communities to create cumulative impacts. The WRTP Specific Plan includes the creation of new on-site parks and recreational facilities, as well as project impact fees, as required by the City. As described above, the WRTP Specific Plan would comply with all 2035 General Plan policies related to the design and construction of new parks and recreational facilities, resulting in a less-than-cumulatively considerable contribution to regional parks and recreation impacts. The environmental effects from construction and operation of the WRTP Specific Plan, including proposed recreational facilities, are evaluated throughout the individual environmental topic area sections in the EIR, as well as the cumulative impact analyses contained in each topic area of the EIR. There are no other known environmental effects associated with park facilities or services that are beyond the impacts disclosed in the relevant environmental topic area sections of the EIR. Therefore, construction of the new parks/recreational facilities proposed in the WRTP Specific Plan would not combine with effects in neighboring communities to create cumulative impacts. Thus, no additional CEQA review is required. (Draft EIR, pp. 3.12-19 through 3.12-21.)

### **13. TRANSPORTATION AND CIRCULATION**

The 2035 General Plan and CAP EIR (pages 6-44 through 6-46) (City of Woodland 2016) analyzed cumulative impacts to transportation and circulation based on regional growth projections identified in the Sacramento Area Council of Governments' 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). The proposed WRTP Specific Plan was included as part of the cumulative analysis contained in Chapter 6 of the 2035 General Plan and CAP EIR.



**PROGRAMS, PLANS, ORDINANCES, AND POLICIES ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE, AND PEDESTRIAN FACILITIES** The General Plan determined that new growth in the region is not expected to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance. In addition the potential for hazards due to a design feature or incompatible use, inadequate emergency access, and impacts to bicycle and pedestrian facilities, the vehicular roadway network and transit, was determined to be less than cumulatively considerable under the 2035 General Plan and Cap EIR. As described above, the Specific Plan will modify the existing transportation network generally to expand existing facilities or to construct new facilities to accommodate planned population and employment growth. Draft street cross-sections for the Specific Plan include all of the bicycle facilities as identified in the 2035 General Plan. Also, with respect to pedestrian facilities, the Specific Plan identifies sidewalks on all streets within the project site, on the north side of CR 25A (southern project boundary), and on both sides of Parkland Avenue. Sidewalks and paths on streets within the project site range from 4.5 to 10 feet in width. The proposed road network for the project is consistent with the functional classification and street typology identified in the General Plan, and the Land Use Plan Layout and street cross-sections for the Specific Plan include all the roadway network facilities as identified in the 2035 General Plan. Furthermore, implementation of Mitigation Measures 3.13-1a and 3.13-1b would require a pro-rata contribution to transit service so that it is provided to the Specific Plan Area in the future and require for on-site planning of transit stops to ensure adequate provision of transit to serve the WRTP Specific Plan Area. These transportation and circulation elements of the Specific Plan are consistent with the 2035 General Plan and the regional transportation and circulation planning to connect the Specific Plan Area to the surrounding communities. The proposed Specific Plan and the off-site SR 113/County Road 25A interchange improvements were included as part of the cumulative analysis contained in the 2035 General Plan and CAP EIR, and there are no substantial changes to environmental conditions, regulatory updates, or the Specific Plan that require additional cumulative analysis or mitigation. Therefore, cumulative effects from implementing the Specific Plan in conjunction with development of related projects related to the potential to conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities would be less-than-cumulatively considerable.

**Consistency with CEQA Guidelines Section 15064.3(b)** The 2035 General Plan and CAP EIR evaluated VMT associated with buildout of the General Plan, including the Specific Plan Area, but the metric was not used to evaluate potential impacts under CEQA, as the CEQA guidelines implementing SB 743 were not implemented until after the adoption of the 2035 General Plan. Under SB 375 (Chapter 728, Statutes of 2008), the California Air Resources Board is responsible for issuing greenhouse gas targets to metropolitan planning organizations that reduce vehicle emissions, consistent with State climate goals, by a future planning horizon compared to an established baseline. SB 375 requires each metropolitan planning organizations to adopt a sustainable communities strategy (SCS) or alternative planning strategy (APS) that shows how a land use/transportation scenario will achieve the assigned greenhouse gas target. The current adopted SACOG 2020 MTP/SCS for the region is for the years 2020 to 2040. For the 2020 MTP/SCS, California Air Resources Board assigned SACOG a target of 19 percent per-capita GHG emissions reduction. The MTP/SCS indicates that VMT per capita in the SACOG region, which dipped significantly during the Great Recession, has increased starting in 2011. The MTP/SCS projects a 10-percent reduction in VMT per capita by 2040 for the SACOG region. As discussed above, the WRTP Specific Plan is consistent with the 2035 General Plan land use program and circulation network, and includes a TDM/VMT Program and funding to achieve the 10 percent VMT reduction required for new projects in General Plan Policy 3.A.4. The WRTP Specific Plan would be consistent with the City's VMT reduction targets and land use planning in alignment with the intent of SB 743, and there are no impacts that are peculiar to the WRTP Specific Plan that

were not addressed in the 2035 General Plan and CAP EIR. Therefore, the Specific Plan Area's VMT will not contribute to regional impacts, and impacts would be less than cumulatively considerable.

**Substantially Increase Hazards or Result in Inadequate Emergency Access** The 2035 General Plan determined that cumulative effects related to increasing hazards due to design features, incompatible uses, or inadequate emergency access would be less than cumulatively considerable. The cumulative environment does not change the conclusions and analysis discussed in the project-specific analysis above. The City's land uses and transportation networks have been comprehensively planned through the Specific Plan process to conform to the City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (2016), and establish appropriate and safe designs. Therefore, cumulative effects from implementing the Specific Plan in conjunction with development of related projects related to increasing transportation network hazards or resulting in inadequate emergency access would be less than cumulatively considerable.

## 14. UTILITIES

**WATER SUPPLY** The 2035 General Plan and CAP EIR (pages 6-46 and 6-47) (City of Woodland 2016) analyzed cumulative impacts to water supply based on regional growth projections identified in the Sacramento Area Council of Governments' 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). The 2035 General Plan and CAP EIR noted that future growth in the region would result in increased water demand. Because available supply is dictated by water purveyor sources and purveyors who may have different demands, water supplies, water rights, and water quality challenges, the impacts on water supply related to implementation of the Sacramento Area Council of Governments' 2016 MTP/SCS at the regional level are considered cumulatively potentially significant in the 2016 MTP/SCS EIR. As discussed in the 2035 General Plan and CAP EIR, the City of Woodland has supported efforts to reduce water demand through conservation and other measures, which will lessen the demand for new water treatment facilities. Nevertheless, the City has not undertaken analysis of the availability of water supply beyond the population anticipated from implementation of the General Plan through 2035. Therefore, the 2035 General Plan and CAP EIR determined it is possible the water demand from cumulative growth for the region may exceed supply. Because the City has not analyzed the water supply for cumulative growth for the region and cannot state with any certainty what impact on water supply new development will have, the 2035 General Plan and CAP EIR determined that new development would make a cumulatively potentially significant and unavoidable contribution to the potentially significant cumulative impact. As described above, the project applicants for future projects proposed under the WRTP Specific Plan would comply with 2035 General Plan and CAP policies, Implementation Programs, and Actions that require implementation of water conservation and preparation of water supply assessments. In addition, a reclaimed water system would be installed to meet landscape irrigation demands for medians, parks, and greenways to further reduce potable water demands. In all year types, if demand cannot be met from surface water alone, the City plans to meet any additional demand through groundwater pumping. As shown in the Table 3.14-1, water supply is projected to be sufficient to meet demand through 2035 in all water years. The water supply demands for the WRTP Specific Plan Area were accounted for in water demand projections contained in the City's UWMP and evaluated in the 2035 General Plan and CAP EIR (City of Woodland 2016, West Yost Associates 2016). The WRTP Specific Plan proposes land uses consistent with those in the 2035 General Plan and, therefore, assumed for the City's UWMP. Therefore, sufficient water supplies would be available to meet the demands of the WRTP Specific Plan as well as existing and future development within the City's service area through 2035. As noted, the UWMP assessed water demand and supply using land use assumptions in the 2035 General Plan, with which the WRTP Specific Plan is consistent. Therefore, water demand would be the same, if not less than due to continued conservation measures, as analyzed in the 2035 General

Plan and CAP EIR. The 2035 General Plan and CAP EIR concluded that that water demand under the cumulative scenario may exceed demand and determined this to be a cumulatively considerable contribution to a significant and unavoidable impact. Proposed development under the WRTP Specific Plan is consistent with development assumptions in the 2035 General Plan and would contribute to this impact. There are no cumulative impacts related to water supply that are peculiar to the WRTP Specific Plan Area that were not addressed in the 2035 General Plan and CAP EIR and, as provided by CEQA Guidelines Section 15183 (f), no additional cumulative analysis is required.

**WASTEWATER TREATMENT FACILITIES** The 2035 General Plan and CAP EIR (page 6-47) (City of Woodland 2016) analyzed cumulative impacts to wastewater treatment facilities based on regional growth projections identified in the 2016 MTP/SCS. The 2035 General Plan and CAP EIR noted that growth in the region is expected to increase demand for wastewater management services because of increased amounts of wastewater effluent. Increased population from cumulative growth may result in the need for construction of new facilities for utilities and service systems. This was identified as a potentially significant impact in the 2016 MTP/SCS EIR, and thus has a potentially significant cumulative impact. Future growth in the City would result in increased development and therefore greater amounts of wastewater effluent. As discussed above, the future capacity of the WPCF could serve up to 105,000 residents and is sufficient to serve growth projected under the 2035 General Plan. Policy 5.F.1 of the 2035 General Plan ensures that sufficient public facilities and services would be available to serve new development. Policy 5.H.1 requires “that increased wastewater treatment facility capacity is available to serve planned urban development within the Planning Area consistent with this General Plan.” This policy applies to all levels of development and therefore provides mitigation for increased demand for wastewater treatment associated with future development. Therefore, the 2035 General Plan and CAP EIR concluded that future development would have a less than cumulatively considerable contribution to the potentially significant cumulative impact. As stated above, the hydraulic capacity of the City’s WPCF is expected to meet the City’s projected needs through 2035, including the needs of the WRTP Specific Plan. In addition, the City has reduced residential and commercial wastewater design sanitary sewer flow rate assumptions for the WRTP Specific Plan Area (Cunningham Engineering 2020c). Therefore, the WPCF would have adequate capacity to treat wastewater flows generated by the WRTP Specific Plan, as well as future development within the WPCF service area. The 2035 General Plan and CAP EIR concluded that Policy 5.H.1 provides mitigation for increased demand for wastewater treatment associated with future development and determined that future development under the 2035 General Plan would have a less than cumulatively considerable contribution to a significant and unavoidable impact. Proposed development under the WRTP Specific Plan is consistent with development assumptions in the 2035 General Plan and the Public Facilities Financing Plan will demonstrate how the infrastructure requirements and the associated costs are reasonably balanced throughout each segment of development and ensures that sufficient public facilities and services would be available to serve new development, consistent with General Plan policy.. There are no cumulative impacts related to water supply that are peculiar to the WRTP Specific Plan Area that were not addressed in the 2035 General Plan and CAP EIR and, as provided by CEQA Guidelines Section 15183(f), no additional cumulative analysis is required.

**SOLID WASTE** The 2035 General Plan and CAP EIR (page 6-47) (City of Woodland 2016) analyzed cumulative impacts to solid waste disposal based on regional growth projections identified in the 2016 MTP/SCS. The 2035 General Plan and CAP EIR noted that growth in the region is expected to increase demand for solid waste management and recycling due to an increase in the amount of solid waste generated and requiring disposal. Any new landfill would be required to comply with relevant federal, State, and local statutes and regulations related to permitting and operation prior to construction and operation. This is identified as less than significant in the 2016

MTP/SCS EIR, and thus has a less than significant cumulative impact. The 2035 General Plan and CAP EIR concluded that impacts related to construction and operation of new landfills in the region would be cumulatively less than significant. The 2035 General Plan and 2035 CAP EIR determined that the Yolo County Central Landfill's disposal capacity is sufficient to absorb solid waste generated by future development, as well as projected increases from population growth in the rest of the County. Furthermore, the 2035 General Plan and 2035 CAP include policies to reduce solid waste disposal needs through encouraging the development of regional and community-based recycling facilities and secondary resource businesses, and through the promotion of waste reduction measures to Woodland residents and businesses. Therefore, the 2035 General Plan and CAP EIR concluded that future development would have a less than cumulatively considerable contribution to the potentially significant cumulative impacts related to solid waste disposal. As discussed above, the project applicants for future projects proposed under the WRTP Specific Plan would comply with all statutes and regulations related to solid waste. Compliance with the CalGreen Code, the City's Construction and Demolition Debris Recycling and Diversion Ordinance, AB 1826, the City's Recyclable Materials Ordinance, City General Plan policies, and other City recycling programs would ensure that sufficient capacity at the Yolo County Central Landfill would continue be available to accommodate solid-waste disposal needs for future development. There are no cumulative impacts related to solid waste that are peculiar to the WRTP Specific Plan Area that were not addressed in the 2035 General Plan and CAP EIR and, as provided by CEQA Guidelines Section 15183(f), no additional cumulative analysis is required. (Draft EIR, pp. 3.14-19 through 3.14-21.)

## VI. PROJECT ALTERNATIVES

When a lead agency has determined that, even with the adoption of all feasible mitigation measures, a proposed project would still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. An alternative may be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project.

When significant effects are identified in the EIR for the project, CEQA Guidelines Section 15126.6 requires the EIR to consider and discuss alternatives to the proposed actions as a way of avoiding the significant effects. Subdivision (a) states:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The Lead Agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subdivision (b) states the purpose of the alternatives analysis is to discuss alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if the alternatives would impede, to some degree, the attainment of the project objectives or if the alternative or alternative location would be more costly.

Subdivision (c) describes the selection process for a range of reasonable alternatives and states that the range must include those that could feasibly accomplish most of the project’s basic objectives and could avoid or substantially lessen one or more of the significant effects. The EIR must briefly describe the rationale for selecting the alternatives and identify alternatives that were considered by the lead agency but rejected as infeasible and briefly explain the agency’s reasons underlying that determination. Factors that may be used to eliminate alternatives from consideration include an alternative’s failure to meet most of the basic project objectives, infeasibility, or the inability to avoid significant environmental effects. Thus, the range of alternatives is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to allow a reasoned choice. The EIR must include enough information about each alternative to allow meaningful evaluation, analysis, and comparison with the Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine only the ones that the lead agency determines could feasibly attain most of the basic project objectives.

Under CEQA, “(f)feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors” (CEQA Guidelines Section 15364.) The concept of feasibility permits agency decision-makers to consider the extent to which an

alternative is able to meet some or all of a project's objectives. In addition, the definition of feasibility encompasses desirability to the extent that an agency's determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors.

Section 15126.6(f) of the CEQA Guidelines provides a discussion of factors that can be taken into account in determining the feasibility of alternatives. These factors include:

- ▶ Project objectives;
- ▶ Avoid or substantially lessen significant effects;
- ▶ Site suitability;
- ▶ Other plans or regulatory limitations;
- ▶ Economic viability;
- ▶ Availability of infrastructure;
- ▶ Jurisdictional boundaries/regional context;
- ▶ Property ownership and control; and
- ▶ Other reasons for rejecting as infeasible (e.g., effects cannot be reasonably ascertained or implementation is remote and speculative).

In accordance with CEQA Guidelines Section 15126.6, a reasonable range of alternatives to the proposed project are described in Section 4 of the EIR and summarized below. The project objectives, which informed the development of alternatives, are provided in Section II.A.2 of this document.

## **A. ALTERNATIVES CONSIDERED AND REJECTED FROM DETAILED ANALYSIS**

Section 15126.6(c) of the CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following alternatives were considered but rejected as part of the environmental analysis for the project:

### **1. OFF-SITE DEVELOPMENT ALTERNATIVE**

This alternative would envision the Specific Plan Area in continued agricultural use, while density and nonresidential development intensity would be increased in undeveloped portions of the Spring Lake Specific Plan Area, other Specific Plan areas (including SP-1B, -1C, and -3), and infill opportunity areas within the City.

While this alternative may reduce the level of impacts identified in the EIR associated with the Specific Plan Area itself, it would shift impacts associated with ground disturbance and new construction to other parts of the City's Planning Area. This alternative would not fulfill project objectives related to creating a centralized hub supporting strategic new employment within immediate proximity to complementary uses, as well as gathering places and new housing to support day-to-day needs of businesses, their clients, and their employees. In addition, the applicant would have no control over the multiple properties that would be required to accommodate this level of development. Therefore, the Off-site Development Alternative was rejected since it is infeasible, and since it would largely shift rather than reduce impacts.

## **2. ALTERNATIVES ANALYZED IN THE EIR**

The alternatives selected for further detailed review within the EIR focus on alternatives that could the project's significant environmental impacts, while still meeting most of the basic project objectives. Those alternatives include:

### **NO PROJECT ALTERNATIVES**

CEQA Guidelines (Section 1526.6[e]) requires consideration of a no-project alternative that represents the existing conditions, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved. The no-project alternative could take two forms: one, as a scenario in which urban development does not occur at all within SP-1A and existing conditions within SP-1A persist; or two, a scenario in which development still occurs, consistent with the framework for SP-1A prescribed by the 2035 General Plan and City's planning efforts.

As the Specific Plan Area is planned for development ("SP-1A") under the 2035 General Plan, and the Specific Plan Area is a key element of the development framework envisioned in the 2035 General Plan, it is not considered likely that a no-development scenario would persist well into the future. However, in order to provide the most complete set of information for decision makers, the no-development scenario has been included and analyzed as a no-project alternative.

### **Alternative 1: No Project (No Development) Alternative**

The purpose of this alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. This alternative envisions that the proposed W RTP Specific Plan is not approved and development under the 2035 General Plan occurs elsewhere within the City of Woodland.

The Specific Plan Area is currently used for agricultural production, consisting of row crops and pasture, with one existing home and a barn associated with agricultural activities. The No-Project (No Development) Alternative assumes continued agricultural use throughout the Specific Plan Area, and increased residential density and nonresidential development intensity in undeveloped portions of the Spring Lake Specific Plan Area, other specific plan areas of the City (including SP-1B, -1C, -2, and -3), and infill opportunity areas within the City. This alternative also assumes no implementation of off-site improvements (i.e., the Caltrans Improvement Area and South Regional Pond).

## ***Alternative 1 (No Project, No Development) Impacts***

- ▶ **AESTHETICS AND VISUAL RESOURCES:** Alternative 1 envisions continued agricultural production within the Specific Plan Area and off-site proposed South Regional Pond area. With the continuation of existing agricultural uses, it is likely that no visual change would occur, or that any future activities permitted under the zoning and designation such as the construction of minor outbuildings or farming facilities or changes in agricultural operations would not entail a significant change in the visual character of the project site. No damage to scenic vistas or scenic resources within a state scenic highway would occur. There would be no additional sources of light or glare.
- ▶ **AGRICULTURE AND FORESTRY RESOURCES:** Based on analysis of the Yolo County Important Farmland map, approximately 346 acres of Prime Farmland exists within the Specific Plan Area and the approximately 4-acre proposed South Regional Pond area is also considered Prime Farmland. This land within the Specific Plan Area would be directly and permanently converted to urban uses and the approximately four acres south of CR 25A and west of the Specific Plan Area would be directly and permanently converted to a detention basin. Alternative 1 envisions continued agricultural production within the Specific Plan Area and off-site proposed South Regional Pond area. There would be no loss of farmland or conversion of agricultural land to non-agricultural urban uses, and no conflict with existing on-site or off-site agricultural operations.
- ▶ **AIR QUALITY:** Under Alternative 1, the Specific Plan Area would continue to be used for agricultural uses and the off-site South Regional Pond would not be constructed. Existing air pollutant emissions associated with agricultural activities would still occur under Alternative 1. However, since no urban construction or development would occur, the amount of construction-related air pollutants that would be generated under Alternative 1 would be substantially reduced as compared to the proposed WRTP Specific Plan. Operational generation of criteria air pollutants and precursors, as well as exposure to toxic air contaminants, would also be reduced compared to the proposed WRTP Specific Plan.
- ▶ **BIOLOGICAL RESOURCES:** Because no development would occur under Alternative 1, no impacts to wildlife and their habitats would occur. The users of the land would be required to comply with all applicable State and federal regulations that prohibit impacts to special-status animals and their habitats.
- ▶ **CLIMATE CHANGE, GREENHOUSE GAS EMISSIONS, AND ENERGY:** Under Alternative 1, the Specific Plan Area would continue to be used for agricultural uses and the off-site South Regional Pond would not be constructed. Existing greenhouse gas emissions and energy consumption associated with agricultural activities would still occur under Alternative 1. However, since no urban construction or development would occur, the amount of construction-related greenhouse gas emissions that would be generated and energy that would be consumed under Alternative 1 would be substantially reduced as compared to the proposed WRTP Specific Plan. Operational generation of greenhouse gas emissions and energy consumption would also be reduced compared to the proposed WRTP Specific Plan.
- ▶ **CULTURAL AND TRIBAL CULTURAL RESOURCES:** Although investigations of the proposed WRTP Specific Plan Area did not identify known significant cultural resources present in the WRTP Specific Plan Area, the broader area does have an elevated sensitivity for archaeological resources, due to the long-standing Native American inhabitation and past historical agricultural and settlement uses. It is reasonable to assume that the area may contain resources not yet identified but that would qualify as archaeological resources under CEQA. Continued agricultural uses, consistent with current land use, on the existing parcels would not meet



the definition of a “project” under CEQA and, therefore, a mitigation monitoring plan would not be implemented. However, all property owners would still be required to comply with Section 7050.5 of the Health and Safety Code, which governs the treatment of human remains. In addition, Section 5097.98 of the California Public Resources Code prevents any person from obtaining or possessing Native American artifacts or human remains taken from a grave or cairn. Because Alternative 1 would entail continued agricultural uses, a very small amount of earth-moving activities would occur as compared to the proposed WRTP Specific Plan. Therefore, the potential for adverse impacts to cultural and tribal cultural resources would be substantially lower.

- ▶ **GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES:** Alternative 1 would entail continued agricultural uses. Thus, no site-specific geotechnical reports or grading and erosion control plans would be prepared. A records search indicated that no paleontological resources have been recorded from the Specific Plan Area. Because the southern portion of the Specific Plan Area is composed of a mixture of the Riverbank and Modesto Formations, a paleontologically sensitive rock formation, fossils may be present under the ground surface in this area. Because Alternative 1 would entail continued agricultural, a very small amount of earth-moving activities would occur as compared to the proposed WRTP Specific Plan. Furthermore, ground disturbance associated with continued agricultural activities would not be deep enough to affect any undiscovered subsurface paleontological resources. Therefore, the potential for adverse impacts to paleontological resources would be substantially lower compared to the proposed WRTP Specific Plan.
- ▶ **HAZARDS AND HAZARDOUS MATERIALS:** Since Alternative 1 would entail the continuation of existing agricultural land uses, the potential for accidental spills of hazardous materials associated with construction activities or construction workers exposure to hazardous materials would be greatly reduced. Based on the Phase II screening-level pesticide assessment for soils in the Specific Plan area and off-site proposed South Regional Pond site, residual metal (arsenic) and agricultural pesticides in the off-site improvement areas would not represent a human health or environmental hazard. Ongoing pesticide use could be expected on-site and on the adjacent agricultural lands. Agricultural chemical use represents a potential source of environmental contamination that could pose a human health and environmental hazard during future activities. However, agricultural operations would be required to follow applicable local, State, and federal regulations for the use, storage, and transport of hazardous materials, as well as comply with appropriate Yolo County Agricultural Weights and Measures Department regulations for environmental protections. Therefore, the potential impacts associated with hazards and hazardous materials under Alternative 1 would be reduced relative to the WRTP Specific Plan.
- ▶ **HYDROLOGY, FLOODING, AND WATER QUALITY:** Under Alternative 1, agricultural production and related activities would continue similar to existing conditions. Specific measures required under the proposed WRTP Specific Plan to address water quality (a grading and erosion control plan, a stormwater pollution prevention plan, a drainage plan, and a best management practice and water quality maintenance plan) would not be implemented for agricultural production—which would allow the use of fertilizers and pesticides. While the City does not have any information to suggest that on-site agricultural operations have or will cause water quality issues, it is possible that agriculture can negatively affect water quality, even when done properly, due to nutrient loads from fertilizer, toxic fecal coliform from animal waste, or increased erosion and runoff. Agricultural uses would be required to comply with appropriate Yolo County Agricultural Weights and Measures Department regulations for environmental protections Under Alternative 1, continued agricultural uses would continue to allow irrigation water and stormwater to percolate through the soil to the aquifer.

Therefore, Alternative 1 would reduce impacts associated with depletion of groundwater supplies and the increase in surface water runoff as compared to the proposed WRTP Specific Plan.

- ▶ **LAND USE PLANNING, POPULATION, AND HOUSING:** The use of the Specific Plan Area for continued agricultural uses would not affect population or housing. Similar to the proposed Specific Plan, Alternative 1 would not displace substantial numbers of existing people or housing, induce substantial unplanned population growth, or divide an established community. Unlike the proposed Specific Plan, continuation of agricultural uses under Alternative 1 would not require annexation of the Specific Plan Area into the City, nor would it require amending the City's Zoning Ordinance. However, the City of Woodland 2035 General Plan identifies the Specific Plan Area as "SP-1A," a new growth area within the City. Alternative 1 would not promote development within the Specific Plan Area consistent with the City's 2035 General Plan, and would not accommodate residential and employment growth anticipated within the City's Planning Area and in support of the City's Regional Housing Needs Assessment of the Sacramento Area Council of Governments. Therefore, Alternative 1 would be inconsistent with the City's primary land use planning tool, the 2035 General Plan.
- ▶ **NOISE AND VIBRATION:** Under Alternative 1, noise associated with the use of agricultural equipment would continue throughout the Specific Plan Area and the proposed off-site South Regional Pond area, and could potentially increase or change in type, depending on any changes in agricultural activities, including a change in crops or farming techniques, or other activities that would be permitted under the current zoning and designations. Under the proposed WRTP Specific Plan, agricultural activity, and associated noise and vibration, could also continue on undeveloped areas within the Specific Plan Area. However, with the assumed development under the proposed WRTP Specific Plan, on- and offsite construction and operational noise and vibration would be substantially higher than with Alternative 1. Thus, impacts from noise and vibration under Alternative 1 would be reduced as compared to the proposed WRTP Specific Plan.
- ▶ **PUBLIC SERVICES AND RECREATION** Alternative 1, which would entail continued agriculture and related uses, would have only a minor, negligible effect related to the provision of law enforcement and fire protection, and no impact on education. In addition, Alternative 1 would not result in the increased use of existing parks or recreational facilities or require the construction or expansion of parks or recreational facilities. However, as opposed to implementation of the proposed WRTP Specific Plan, implementation of Alternative 1 would not include the contribution of funds toward the Woodland Sports Park. This would not result in any increase in an environmental impact relevant to CEQA, but would be a reduced benefit under Alternative 1 as compared to the WRTP Specific Plan.
- ▶ **TRANSPORTATION AND CIRCULATION:** Assuming that agricultural operations would continue consistent with existing operations, no increase in travel demand would occur and no conflicts with transportation-related policies would occur. The development of multimodal transit hub would not occur and would not provide additional alternative transportation services that would otherwise serve the surrounding neighborhoods, such as the Spring Lake Specific Plan Area and future development of the other Specific Plan areas within the City. This would be a reduced benefit under Alternative 1 as compared to the proposed WRTP Specific Plan.
- ▶ **UTILITIES:** Alternative 1 would not increase the demand for water, wastewater service and treatment, electrical services, natural gas services, and communications services. Currently there are six agricultural wells in use in the Specific Plan Area – four wells are located north of CR 25A and two wells are located south of CR 25A. It is anticipated that these wells would continue to provide water to serve continued agricultural production under

Alternative 1. Unlike the proposed W RTP Specific Plan, Alternative 1 would not require the construction of water supply conveyance facilities or wastewater collection and conveyance facilities. Overall, impacts related to utilities would be reduced under Alternative 1 compared to the Specific Plan

### ***Ability of Alternative 1 to Meet Project Objectives***

This alternative would not meet any of the basic project objectives since it would not create a centralized hub for research and technology to connect the growing U.C. Davis and Sacramento regions. There would be no new advanced technology-related jobs or related training to allow for the expanding number of Woodland residents and college graduates from the Woodland Community College and throughout the region to live and work in the community.

### ***Findings for Project Alternative 1***

The City Council specifically rejects Alternative 1 on the ground that Alternative 1 does not meet the proposed project's objectives. This alternative would not meet any of the basic project objectives since it would not create a centralized hub for research and technology to connect the growing UC Davis and Sacramento regions. There would be no new advanced technology-related jobs or related training to allow for the expanding number of Woodland residents and college graduates from the Woodland Community College and throughout the region to live and work in the community.

### **Alternative 2: No Project (Development) Alternative**

The purpose of this alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. This alternative envisions that the proposed W RTP Specific Plan is not approved, but that development would occur within the Specific Plan Area as directed by the 2035 General Plan for SP-1A, but not as designed under the W RTP Specific Plan.

The No-Project (Development) Alternative assumes development within SP-1A in a manner that, like the proposed W RTP Specific Plan, is consistent with the 2035 General Plan and that has a density, layout, and mix of uses more consistent with a typical business park development with supporting land uses in proximity to a highway interchange. As detailed in the 2035 General Plan Policy 2.L.2, SP-1A is to be developed as "as a mixed-use residential district anchored by a research and technology business park in the Southern Gateway area at CR 25A and SR 113." The General Plan directs a specific plan to "concentrate the highest intensity of development within and in close proximity to the business park area, with lower-density, largely residential uses to the north." Consistent with this policy, this No-Project (Development) Alternative assumes the business park would be concentrated in the southwestern portion of the Specific Plan Area near the interchange of SR 113 and CR 25A. The business park is assumed to be developed in a campus-like setting, as described in the 2035 General Plan, and include larger lots with two- to three-story buildings and large parking lots. Also consistent with General Plan direction to focus higher-intensity development around the highway interchange, this alternative includes increased highway commercial acreage. As defined by General Plan Policy 2.L.2, the highest density housing would be close to the business park area, with lower-density residential uses in the northern portion of the Specific Plan Area. The mobility hub proposed as a part of the W RTP Specific Plan is not a part of this alternative. The village center and associated park and residential development proposed as a part of the W RTP Specific Plan is not included under this alternative and, rather than high-density residential with a community commercial overlay along CR 25A, this land would include additional business park and highway commercial uses. The Specific Plan Area would still accommodate

approximately 1,600 residential dwelling units and 2.2 million square feet of non-residential uses. However, in order to support the residential units, the high-density residential land uses would be provided in relatively larger blocks surrounding the business park land uses and the single-family land use acreage would be reduced compared to that proposed under the WRTP Specific Plan.

### ***Alternative 2 (No Project, Development) Impacts***

- ▶ **AESTHETICS AND VISUAL RESOURCES:** Alternative 2 envisions that development would occur as directed by the 2035 General Plan for SP-1A, but not as designed under the WRTP Specific Plan. As with implementation of the proposed WRTP Specific Plan, farmland within the WRTP Specific Plan Area and off-site improvement areas would be converted to urban land uses from implementation of Alternative 2. Development under this alternative would also adhere to policies consistent with the 2035 General Plan policies developed to limit the impact on visual character and quality from development within the City's Planning Area. Development within SP-1A under this alternative would include larger parcels in the business park area with two- to three-story buildings and large parking lots to serve businesses, higher-intensity development around the highway interchange, increased highway commercial acreage to serve through-traffic in the area. The high-density residential land uses would be provided in relatively larger blocks surrounding the business park land uses and the single-family acreage would be reduced compared to that proposed in the WRTP Specific Plan. Similar to the proposed WRTP Specific Plan, this No-Project (Development) Alternative would result in a substantial change to the existing visual character from agricultural cropland to a mix of urban land uses, and would still add to the overall amount of lighting and glare in the City. However, the shift in the land use mix under this Alternative compared to the WRTP Specific Plan may also result in increased roadway signage in support of the business park and highway commercial land uses, larger parking lots to support business park land uses and associated parking and circulation, and reduced low-density residential areas; these changes could ultimately somewhat reduce continuity in scale, form, or overall visual character between SP-1A and the adjacent Spring Lake Specific Plan Area and increased sources of light and glare compared to development under the proposed WRTP Specific Plan.
- ▶ **AGRICULTURE AND FORESTRY RESOURCES:** Alternative 2 would involve approximately the same amount of development as the proposed WRTP Specific Plan. Similar to the proposed WRTP Specific Plan, implementation of Alternative 2 would permanently convert an estimated 350 acres of agricultural farmland, including Prime Farmland, to nonagricultural uses. In addition, as with the proposed WRTP Specific Plan, Alternative 2 would locate residential uses adjacent to existing on-site and offsite agricultural lands, resulting in potential conflicts between agricultural and urban land uses.
- ▶ **AIR QUALITY:** Alternative 2 would involve approximately the same amount of development as the proposed WRTP Specific Plan, but with a different mix and layout. As with the proposed WRTP Specific Plan, Alternative 2 would involve the temporary generation of criteria air pollutants and precursors resulting from construction activities throughout the Specific Plan Area and off-site improvement areas. Constructing Alternative 2 could also expose sensitive receptors to substantial pollutant concentrations during construction, as well as during operations due to the creation of new sources such as at commercial truck docking areas. Overall, short-term construction-related impacts and the potential for exposure to substantial localized pollutant concentrations would be similar compared to the proposed WRTP Specific Plan. Under Alternative 2, relatively fewer daily needs would be met through walking, bicycling, and transit since commercial uses would be focused in the southwestern edge of the Specific Plan Area and oriented to motorists, and since the mobility hub

proposed as a part of the WRTP Specific Plan would not be a component of this alternative. Overall, the shift in development within the Specific Plan Area would increase air pollutant emissions from land use development under Alternative 2 compared to that of the proposed WRTP Specific Plan.

- ▶ **BIOLOGICAL RESOURCES:** Alternative 2 would entail the same amount of development as the proposed WRTP Specific Plan, but with a different mix, layout, and density. Similar to the proposed WRTP Specific Plan, Alternative 2 could potentially result in the loss of suitable nesting and foraging habitat for Swainson's hawk, white-tailed kite, burrowing owl, and other raptors; loss and disturbance of potential nesting and foraging habitat for common migratory birds; removal of elderberry shrub(s) that serve as potential habitat for valley elderberry longhorn beetle and larvae; loss of existing structures, orchard trees, and other trees that may support breeding pallid bats or western red bats; loss and degradation of State or federally protected wetlands. Similar to the proposed WRTP Specific Plan, mitigation measures would be required to reduce or off-set potential impacts in accordance with the Yolo Habitat Conservation Plan/Natural Community Conservation Plan and State and federal regulations. Impacts related to the loss and disturbance of foraging and nesting habitat for special-status wildlife, and to the loss and degradation of State or federally protected wetlands, would be similar in type and extent as under the proposed WRTP Specific Plan since the area envisioned for development would be the same.
- ▶ **CLIMATE CHANGE, GREENHOUSE GAS EMISSIONS, AND ENERGY:** Alternative 2 would involve approximately the same amount of development as the proposed WRTP Specific Plan. As with the proposed WRTP Specific Plan, Alternative 2 would involve the temporary generation of greenhouse gas emissions and use of fuel as a result of construction activities throughout the Specific Plan Area and off-site improvement areas. Operations under Alternative 2 would provide for relatively fewer daily needs would be met through walking, bicycling, and transit since commercial uses would be focused in the southwestern edge of the Specific Plan Area and oriented to motorists, and since the mobility hub proposed as a part of the WRTP Specific Plan would not be a component of this alternative, thereby increasing greenhouse gas emissions and fuel consumption associated with vehicle use, which is the biggest source of emissions for development of the Specific Plan Area and the City as a whole. In addition, this Alternative may not include the same emphasis on energy conservation and sustainability as emphasized in the guiding principles of the proposed WRTP Specific Plan. Overall, the shift in development within the Specific Plan Area would increase greenhouse gas emissions and energy consumption from land use development under Alternative 2 compared to that of the proposed WRTP Specific Plan.
- ▶ **CULTURAL AND TRIBAL CULTURAL RESOURCES:** Alternative 2 would entail the same amount of ground disturbance as the proposed WRTP Specific Plan and would be subject to the same regulations protecting cultural resources. Therefore, the potential for adverse impacts to cultural and tribal cultural resources would be similar.
- ▶ **GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES:** Alternative 2 would result in a similar amount of development as the proposed WRTP Specific Plan. Although the layout and specific land uses would be different under Alternative 2 compared to the proposed WRTP Specific Plan, the area of ground disturbing activities would be similar and therefore the impacts would be similar.
- ▶ **HAZARDS AND HAZARDOUS MATERIALS:** Alternative 2 would result in a similar amount of development as the WRTP Specific Plan and in the same location as the WRTP Specific Plan. Although the

layout and specific land uses would be different under Alternative 2, the associated potential hazards and use of hazardous materials would be the same. New land uses would require the routine use, transport, and disposal of hazardous material and waste and may increase exposure to risk of hazards. Construction activities may also generate hazardous materials and waste, such as fuels and oils from construction equipment and vehicles. Workers and members of the public could be exposed to hazards during construction activities from accidental releases of hazardous materials. However, like the proposed WRTP Specific Plan, Alternative 2 would be subject to the federal, State, and local requirements associated with the use, transport and disposal of hazardous materials and waste. Therefore, the potential for impacts related to hazards and hazardous materials would be similar under Alternative 2 as to the proposed WRTP Specific Plan.

- ▶ **HYDROLOGY, FLOODING, AND WATER QUALITY:** Alternative 2 would result in similar development as the proposed WRTP Specific Plan. Construction and grading activities associated with implementation of Alternative 2 have the potential to cause temporary and short-term increased erosion and sedimentation, similar to the proposed WRTP Specific Plan. The same State and local regulations and best management practices would be required of development under Alternative 2 as the proposed WRTP Specific Plan. As with the proposed WRTP Specific Plan, before new urban development can proceed, a grading and drainage plan must be submitted to the City Department of Public Works that must incorporate stormwater pollution control as well as storm drainage design features to control increased runoff from new development, as well as comply with other City and State requirements pertaining to urban runoff and water quality. As compared to the proposed WRTP Specific Plan, Alternative 2 may result in increased impervious surface area associated with more expansive business park building and parking lot footprints and lack of passive green space, including 'The Yard,' the 11-acre park within the heart of the Specific Plan Area as envisions under the WRTP Specific Plan. Therefore, the peak discharge flows and rate of stormwater runoff generated within the Specific Plan Area would be slightly increased. Thus, Alternative 2 could increase potential effects related to groundwater recharge and increased surface runoff compared to the proposed WRTP Specific Plan.
- ▶ **LAND USE PLANNING, POPULATION, AND HOUSING:** Alternative 2 would result in new development throughout the same are as that under the proposed WRTP Specific Plan. This Alternative assumes development within the Specific Plan Area in a manner that is consistent with the 2035 General Plan and that has a density, layout, and mix of uses more consistent with a typical business park development with supporting land uses in proximity to a highway interchange. Similar to the proposed WRTP Specific Plan, this development would not displace substantial numbers of existing people or housing, induce substantial unplanned population growth, or divide an established community. In addition, as with the proposed WRTP Specific Plan, Alternative 2 would require the annexation of the Specific Plan Area into the City and amendment of the City's Zoning Ordinance. Therefore, Alternative 2 would be consistent with the City's 2035 General Plan, and impacts related to land use, population, and housing under Alternative 2 would be similar to the proposed WRTP Specific Plan.
- ▶ **NOISE AND VIBRATION:** Alternative 2 would result in new development throughout the same are as that under the proposed WRTP Specific Plan. This Alternative assumes development within the Specific Plan Area in a manner that is consistent with the 2035 General Plan and that has a density, layout, and mix of uses more consistent with a typical business park development with supporting land uses in proximity to a highway interchange. As with the proposed WRTP Specific Plan, Alternative 2 would involve the temporary and short-term noise and vibration resulting from demolition and construction activities. In addition, future operational uses within the WRTP Specific Plan Area could generate noise and vibration in proximity to existing or future

noise sensitive receptors, similar to conditions under the proposed WRTP Specific Plan. Overall, impacts would be similar compared to the proposed WRTP Specific Plan.

- ▶ **PUBLIC SERVICES AND RECREATION:** Alternative 2 would result in new development throughout the same are as that under the proposed WRTP Specific Plan. This Alternative assumes development within the Specific Plan Area in a manner that is consistent with the 2035 General Plan and that has a density, layout, and mix of uses more consistent with a typical business park development with supporting land uses in proximity to a highway interchange, but likely to accommodate approximately the same number of residential dwelling units and non-residential square feet. As such, the project's law enforcement, fire protection, public school services, and parks and recreational services needs would be similar to the proposed WRTP Specific Plan. Overall, impacts would be similar compared to the proposed WRTP Specific Plan.
- ▶ **TRANSPORTATION AND CIRCULATION:** Alternative 2 would generate travel demand associated with construction and operations of future development of the Specific Plan Area. This Alternative assumes development within the Specific Plan Area in a manner that is consistent with the 2035 General Plan and that has a density, layout, and mix of uses more consistent with a typical business park development with supporting land uses in proximity to a highway interchange, but likely to accommodate approximately the same number of residential dwelling units and non-residential square feet. Alternative 2 would involve the temporary and short-term generation of trips during demolition and construction activities – since development would be similar in overall scale to the proposed WRTP Specific Plan, constructionrelated trips are anticipated to be similar. The land use layout may not accommodate non-vehicular transportation through multi-use trails and proximity of complementary land uses that is provided by the proposed WRTP Specific Plan, thereby increasing operational-related travel demand compared to that of the proposed WRTP Specific Plan. In addition, this Alternative may not be subject to the same Comprehensive Transportation Demand Management/Vehicle Miles Traveled Reduction Program (TDM/VMT Program), developed as part of and detailed in Section 6.2.3, “Subsequent Implementation Documents/Analysis,” of the WRTP Specific Plan. While the City may require a similar program to ensure consistency with the General Plan, it may be that this alternative would require off-site, net reductions in VMT if the requisite VMT reductions cannot feasibly be met due to the density, mix, and layout of this alternative. Overall, Alternative 4 is anticipated to generate a similar level of net VMT compared to the proposed Specific Plan, and impacts would be similar to the proposed Specific Plan.
- ▶ **UTILITIES:** Alternative 2 would result in new development throughout the same are as that under the proposed WRTP Specific Plan. This Alternative assumes a different land use mix and layout than the proposed WRTP Specific Plan Area, but in a manner that is consistent with the 2035 General Plan and likely to accommodate approximately the same number of residential dwelling units and non-residential square feet as the proposed WRTP Specific Plan. As with the proposed WRTP Specific Plan, Alternative 2 would still require the construction of water supply conveyance facilities and wastewater collection and conveyance facilities to serve the Specific Plan Area. Development under this Alternative would be subject to the same service and improvement standards, and state and federal laws and regulations as the proposed WRTP Specific Plan. As such, the project's utility requirements would be similar to the proposed WRTP Specific Plan and impacts would be similar compared to the proposed WRTP Specific Plan.

## ***Ability of Alternative 2 to Meet Project Objectives***

This alternative would meet land use requirements as defined by the 2035 General Plan, but may not as effectively meet the project objectives developed as guiding principles through the City's detailed planning process for the overarching vision of development within the Specific Plan Area. The business park may still accommodate and attract innovation and technology-related industry. However, it may not provide social gathering spaces for employees, residents, and visitors to connect, recreate, and relax in proximity to their place or work and residence. In addition, the housing mix would include a greater proportion of high-density residential, provided in larger blocks surrounding the business park land uses, which may result in less "seamless transitions," as sought by the project objectives. Finally, the circulation plan could still accommodate well-designed complete streets and pedestrian and bicycle facilities; however, relatively fewer daily needs would be met through walking, bicycling, and transit since commercial uses would be focused in the southwestern edge of the Specific Plan Area and oriented to motorists, and since the mobility hub proposed as a part of the W RTP Specific Plan is not a component of this alternative. The business park and highway commercial land uses, larger parking lots to support business park land uses and associated parking and circulation, and reduced low-density residential areas; these changes could ultimately somewhat reduce continuity in scale, form, or overall visual character between SP-1A and the adjacent Spring Lake Specific Plan Area and increased sources of light and glare compared to development under the proposed W RTP Specific Plan.

## ***Findings for Project Alternative 2***

The City Council specifically rejects Alternative 2 on the ground that it does not meet the proposed project's objectives. This alternative would meet land use requirements as defined by the 2035 General Plan, but may not as effectively meet the project objectives developed as guiding principles through the City's detailed planning process for the overarching vision of development within the Specific Plan Area. The business park may still accommodate and attract innovation and technology-related industry. However, it may not provide social gathering spaces for employees, residents, and visitors to connect, recreate, and relax in proximity to their place or work and residence. In addition, the housing mix would include a greater proportion of high-density residential, provided in larger blocks surrounding the business park land uses, which may result in less "seamless transitions," as sought by the project objectives. Finally, the circulation plan could still accommodate well-designed complete streets and pedestrian and bicycle facilities; however, relatively fewer daily needs would be met through walking, bicycling, and transit since commercial uses would be focused in the southwestern edge of the Specific Plan Area and oriented to motorists, and since the mobility hub proposed as a part of the W RTP Specific Plan is not a component of this alternative. In addition, Alternative 2 would be less feasible compared to the proposed Specific Plan based on the reduction in land for lower-density residential development and the increase in capacity for higher-density development. The balance between housing types and densities in the proposed Specific Plan allows for the collection of fees adequate to provide for the required infrastructure needed to serve the planned development. The scenario envisioned under Alternative 2 would make it infeasible, at least in the near-term, to collect fees in amounts required to support the necessary infrastructure for the Specific Plan.

## **Alternative 3: Reduced Mobile-Source Emissions and Proximity Between Emissions Sources and Sensitive Land Uses**

Alternative 3 would have similar overall amount of development as the proposed Specific Plan, but would shift the land use mix so that destination land uses are balanced and mixed within residential areas to facilitate pedestrian and bicycle access for future residents.



This alternative would adjust the layout, mix, and density of land uses in order to allow a greater number of trips within the Specific Plan Area to occur on foot, by bicycle, or via transit, as well as minimize industrial and warehouse uses in proximity to residential land uses.

This alternative would have a greater proportion of relatively compact housing types focused around the central core (Village Center) of the Specific Plan Area, would remove inclusion of the highway commercial land use designation and would also disperse the retail and commercial services throughout the planned residential neighborhoods so that almost all future residents would be within walking distance (approximately ¼ mile) of these destinations, thereby increasing non-vehicular trips and reducing vehicle trip distances. In addition, the research and technology park land uses would be primarily developed with office uses (which could still accommodate research and technology-related uses, as well as other office-based uses). Permitted land uses for warehousing, storage, distribution, and logistics, agricultural or seed processing, packaging and manufacturing, agricultural production, and brewery/distillery, all of which are likely to attract diesel-powered truck trips, would be limited to the southwestern and southern extremities of the Specific Plan Area, farthest from planned open space and residential land uses. The light and medium industrial uses would remain in the southern extremity of the Specific Plan Area, since these uses have relatively low employment densities and have greater potential to include substantial on-site emissions sources, but office uses, like retail and commercial services, would be located near the residential areas.

Having increased housing density around the central core area could encourage a greater portion of trips on foot and via bicycle from residential areas. The presence of complementary commercial and retail land uses in greater proximity to the residential areas of the Specific Plan Area would make them relatively more accessible by foot or bike. Limiting high truck trip generating land uses, such as warehousing, storage, distribution, and logistics, and agricultural or seed processing, packaging and manufacturing, to the southern extremity of the Specific Plan Area would minimize the potential for the presence of substantial emissions sources in proximity to sensitive receptors.

The intent of this alternative is to decrease single-passenger vehicle use and related criteria air pollutant emissions and establish a greater level of separation between residential and non-residential emissions sources, and reduce associated adverse physical environmental effects.

### ***Alternative 3 Impacts***

- ▶ **AESTHETICS AND VISUAL RESOURCES:** Alternative 3 would include similar development as the proposed WRTP Specific Plan. As with implementation of the proposed WRTP Specific Plan, farmland within and immediately south (for the proposed South Regional Pond) of the WRTP Specific Plan Area would be converted to urban land uses from implementation of Alternative 3. However, the WRTP Specific Plan Area and the off-site improvement areas are of moderate visual quality and do not represent scenic vistas. While the specific density and mix of land uses may vary somewhat under Alternative 3 compared to the proposed WRTP Specific Plan, and the development of structures and new lighting throughout the WRTP Specific Plan Area would still generate new sources of light and glare. As such, the type of aesthetics impacts would be similar to those of the proposed WRTP Specific Plan. Alternative 3 would alter existing views of, and from, the WRTP Specific Plan Area. Although development under Alternative 3 would also adhere to the WRTP Specific Plan Design Standards and Design Guidelines contained in Chapter 3 of the proposed WRTP Specific Plan, development under Alternative 3 would still result in conversion of agricultural land to urban environment, which, like the proposed WRTP Specific Plan, would substantially alter the visual character of the WRTP

Specific Plan Area from both public and private viewing locations. In addition, just as with the proposed WRTP Specific Plan, Alternative 3 would include the construction of new buildings with reflective surfaces that could cause daytime glare and would create new sources of additional nighttime lighting. Alternative 3 would still include the WRTP Specific Plan Design Standards and Design Guidelines contained in Chapter 3 of the proposed WRTP Specific Plan, that further detail requirements within various land use designations to avoid light spillover and glare into surrounding areas and reduce night sky pollution from new light sources. However, as with the proposed WRTP Specific Plan, implementation of Alternative 3 would still add to the overall amount of lighting and glare in the City, specifically within and around the WRTP Specific Plan Area.

- ▶ **AGRICULTURE AND FORESTRY RESOURCES:** Alternative 3 would involve approximately the same amount of development as the proposed WRTP Specific Plan. Similar to the proposed WRTP Specific Plan, implementation of Alternative 3 would permanently convert an estimated 350 acres of agricultural farmland, including Prime Farmland, to nonagricultural uses. In addition, as with the proposed Specific Plan, Alternative 3 would locate residential uses adjacent to existing on-site and off-site agricultural lands, resulting in potential conflicts between agricultural and urban land uses.
- ▶ **AIR QUALITY:** As with the proposed WRTP Specific Plan, Alternative 3 would involve the temporary generation of criteria air pollutants and precursors resulting from construction activities throughout the WRTP Specific Plan Area and offsite improvement areas. Constructing Alternative 3 could also expose sensitive receptors to substantial pollutant concentrations during construction as well as during operations due to the creation of new stationary emissions sources and potential concentrated mobile sources, such as at commercial truck docking areas. Overall, short-term construction-related impacts and the potential for exposure to substantial localized pollutant concentrations would be similar compared to the proposed WRTP Specific Plan. Development under Alternative 3 would include a greater proportion relatively compact housing types focused around the central core (Village Center) of the WRTP Specific Plan Area, would remove inclusion of the highway commercial land use designation and would also disperse the retail and commercial services throughout the planned residential neighborhoods, with the intent to increase non-vehicular trips and reducing vehicle trip distances. In addition, the research and technology park land uses would be primarily developed with office uses (which could still accommodate research and technology-related uses, as well as other office-based uses). Permitted land uses for warehousing, storage, distribution, and logistics, agricultural or seed processing, packaging and manufacturing, agricultural production, brewery/distillery, and general light and medium industrial uses, all of which are likely to attract diesel-powered truck trips, would be limited to the southwestern and southern extremities of the WRTP Specific Plan Area, farthest from planned open space and residential land uses; these uses have greater potential to include substantial on-site emissions sources. Having increased housing density around the central core area, and presence of complementary commercial and retail land uses in greater proximity to the residential areas of the WRTP Specific Plan Area, could encourage a greater portion of trips on foot and via bicycle. Limiting high truck trip generating land uses and land uses that typically include substantial pollutant-generating sources to the southern extremity of the WRTP Specific Plan Area would minimize the potential for the presence of substantial emissions sources in proximity to sensitive receptors. Overall, the shift in development within the WRTP Specific Plan Area would reduce air pollutant emissions from land use development under Alternative 3 compared to that of the proposed WRTP Specific Plan.
- ▶ **BIOLOGICAL RESOURCES:** Alternative 3 would include the same amount of development as the proposed WRTP Specific Plan. Similar to the proposed WRTP Specific Plan, Alternative 3 could potentially result in the

loss of suitable nesting and foraging habitat for Swainson's hawk, white-tailed kite, burrowing owl, and other raptors; loss and disturbance of potential nesting and foraging habitat for common migratory birds; removal of elderberry shrub(s) that serve as potential habitat for valley elderberry longhorn beetle and larvae; loss of existing structures, orchard trees, and other trees that may support breeding pallid bats or western red bats; loss and degradation of State or federally protected wetlands. As with implementation of the proposed WRTP Specific Plan, Mitigation Measures 3.4-1a, 3.4-1b, 3.4-1c, and 3.4-2a would reduce significant impacts on raptors and other birds to a less-than-significant level because these measures would ensure that these species are not disturbed during nesting and would also ensure that Swainson's hawk foraging habitat would be preserved at the appropriate ratio of habitat value lost, consistent with the conservation strategy of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan. Implementing Mitigation Measure 3.4-3 would reduce potentially significant impacts on valley elderberry longhorn beetle to a less-than-significant level because all elderberry shrubs would be mapped and impacts would be avoided and, if impacts cannot be avoided, compensatory mitigation will be required. Implementation of Mitigation Measure 3.4-4 would reduce potentially significant impacts on bat roosts and special status bat species to a less-than-significant level because it would ensure that project construction would not result in bat mortality or abandonment and loss of young. Finally, implementation of Mitigation Measure 3.3-5 would reduce potentially significant impacts on potential jurisdictional water features to a less-than-significant level because implementation of the BMPs, and permit conditions, and mitigation requirements will avoid, minimize, and mitigate for impacts on jurisdictional waters. Impacts related to the loss and disturbance of foraging and nesting habitat for special-status wildlife, and to the loss and degradation of State or federally protected wetlands, would be similar in type and extent as under the proposed WRTP Specific Plan since the area envisioned for development would be the same.

- ▶ **CLIMATE CHANGE, GREENHOUSE GAS EMISSIONS, AND ENERGY:** As with the proposed WRTP Specific Plan, Alternative 3 would involve the generation of greenhouse gas emissions and energy consumption from temporary construction activities throughout the Specific Plan Area and off-site improvement areas. Alternative 3 would have similar overall amount of development as the proposed Specific Plan. As such, the construction-related impacts associated with greenhouse gas emissions and energy use would be similar to those under the proposed WRTP Specific Plan. As it relates to long-term operational emissions and energy consumption, Alternative 3 would have a greater proportion of relatively compact housing types focused around the central core (Village Center) of the WRTP Specific Plan Area, would remove inclusion of the highway commercial land use designation, and would also disperse the retail and commercial services throughout the planned residential neighborhoods so that almost all future residents would be within walking distance (approximately ¼ mile) of these destinations; the land use mix and layout for this Alternative would reduce dependence on passenger vehicles, increase non-vehicular trips, and reduce vehicle trip distances, thereby reducing greenhouse gas emissions and fuel consumption from mobile sources compared to the proposed WRTP Specific Plan. Overall, the shift in development within the WRTP Specific Plan Area would reduce greenhouse emissions and fuel use from land use development under Alternative 3 compared to that of the proposed WRTP Specific Plan.
- ▶ **CULTURAL AND TRIBAL CULTURAL RESOURCES:** Alternative 3 would entail the same amount of ground disturbance as the proposed WRTP Specific Plan and would be subject to the same regulations protecting cultural resources. Therefore, the potential for adverse impacts to cultural and tribal cultural resources would be similar.

- ▶ **GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES:** Alternative 3 would result in a similar amount of development as the proposed WRTP Specific Plan. Although the layout and specific land uses would be different under Alternative 3 compared to the proposed WRTP Specific Plan, the area of ground disturbing activities would be similar. The same mitigation measures identified for the proposed WRTP Specific Plan would also be available to Alternative 3, such as incorporating recommendations from sitespecific geotechnical reports, grading and erosion control plans, and preservation of paleontological resources if encountered during construction.
- ▶ **HAZARDS AND HAZARDOUS MATERIALS:** Alternative 3 would result in a similar amount of development as the proposed WRTP Specific Plan and in the same location as the proposed WRTP Specific Plan. Although the layout and specific land uses would be different under Alternative 3 compared to the proposed WRTP Specific Plan, the associated potential hazards and use of hazardous materials would be the same. New land uses would require the routine use, transport, and disposal of hazardous material and waste and may increase exposure to risk of hazards. Construction activities may also generate hazardous materials and waste, such as fuels and oils from construction equipment and vehicles. Workers and members of the public could be exposed to hazards during construction activities from accidental releases of hazardous materials. However, like the proposed WRTP Specific Plan, Alternative 3 would be subject to the federal, State, and local requirements associated with the use, transport and disposal of hazardous materials and waste. In addition, the same mitigation measures identified for the proposed WRTP Specific Plan would also be available to Alternative 3, such as identifying potentially hazardous materials; preparing and implementing a site management plan that specifies remediation activities and procedures to appropriately identify, stockpile, handle, reuse, and/or remove and dispose of hazardous materials. Therefore, the potential for impacts related to hazards and hazardous materials would be similar under Alternative 3 as to the proposed WRTP Specific Plan.
- ▶ **HYDROLOGY, FLOODING, AND WATER QUALITY:** Alternative 3 would result in similar development as the proposed WRTP Specific Plan. Construction and grading activities associated with implementation of Alternative 3 have the potential to cause temporary and short-term increased erosion and sedimentation, similar to the proposed Specific Plan. As with the proposed Specific Plan, before new urban development can proceed, a grading and drainage plan must be submitted to the City Department of Public Works that must incorporate stormwater pollution control as well as storm drainage design features to control increased runoff from new development, as well as comply with other City and State requirements pertaining to urban runoff and water quality. The same State and local regulations and best management practices would be required of development under Alternative 3 as the proposed Specific Plan. In addition, mitigation strategies identified for the proposed Specific Plan could also apply to this alternative, such as a storm drainage analysis and identification and implementation of additional storm drainage infrastructure to support full buildout of the WRTP Specific Plan Area including appropriately sized pipelines and detention basins, along with the appropriate low impact development (LID) features and water quality best management practices, that are specifically engineered to ensure that WRTP Specific Plan Area and off-site improvement area flows are conveyed such that flooding does not occur and to provide appropriate water quality treatment. Thus, Alternative 3 would result in similar effects related to hydrology, flooding, and water quality compared to the proposed WRTP Specific Plan.
- ▶ **LAND USE PLANNING, POPULATION, AND HOUSING:** Alternative 3 would result in new development throughout the same area as that under the proposed WRTP Specific Plan. The land use layout would be shifted under this Alternative compared to the proposed WRTP Specific Plan, but would be generally consistent with the General Plan vision for this Specific Plan Area. Similar to the proposed WRTP Specific Plan, this

development would not displace substantial numbers of existing people or housing, induce substantial unplanned population growth, or divide an established community. In addition, as with the proposed WRTP Specific Plan, Alternative 3 would require the annexation of the Specific Plan Area into the City and amendment of the City's Zoning Ordinance. Therefore, Alternative 3 would be consistent with the City's 2035 General Plan, and impacts related to land use, population, and housing under Alternative 3 would be similar to the proposed Specific Plan.

- ▶ **NOISE AND VIBRATION:** Alternative 3 would adjust the layout, mix and density of the anticipated land uses within the Specific Plan Area in a manner than would encourage a greater portion of trips on foot and via bicycle, rather than by passenger vehicle, as well as limit high truck trip generating land uses to the southern extremity of the Specific Plan Area. This is anticipated to reduce per-unit travel demand (VMT) compared to the proposed WRTP Specific Plan and increase separation between residential receptors and truck-traffic, thereby reducing associated transportation noise. Transportation-related noise impacts associated with the proposed WRTP Specific Plan are primarily a concern as it relates to existing higher-volume roadways, such as along County Road 25A and State Route 113. As with the proposed WRTP Specific Plan, future development of new noise-sensitive land uses could occur within areas that are currently exposed to noise from transportation sources (e.g., west of SR 113). Therefore, while this alternative would reduce the generation of and exposure to some transportation noise, noise sensitive uses would still be affected by transportation noise. In addition, as with the proposed WRTP Specific Plan, Alternative 3 would involve the temporary and short-term noise and vibration resulting from demolition and construction activities. Overall, impacts would be similar compared to the proposed WRTP Specific Plan.
- ▶ **PUBLIC SERVICES AND RECREATION:** Since Alternative 3 would accommodate a similar amount of development and in the same Specific Plan Area and the proposed WRTP Specific Plan, but with an alternative site design. As such, the project's law enforcement, fire protection, public school services, and parks and recreational services needs would be similar to the proposed WRTP Specific Plan. In addition, with the changes to land use under this alternative, the fee contribution of the Specific Plan toward the expansion of the Woodland Sports Park may be different. In addition, since both Alternative 3 and the proposed WRTP Specific Plan would be required to comply with applicable requirements and pay applicable development impact fees, the impact on public services and recreation would be similar under Alternative 3 as the proposed WRTP Specific Plan.
- ▶ **TRANSPORTATION AND CIRCULATION:** As with the proposed WRTP Specific Plan, Alternative 3 would generate travel demand during construction and long-term operations. Alternative 3 would involve the temporary and short-term generation of trips during demolition and construction activities – since this alternative is very similar in overall scale to the proposed WRTP Specific Plan, construction-related trips are anticipated to be similar, as well. Mitigation Measure 3.13-2 would also be available to this Alternative to reduce potential impacts to the roadway network from construction-related vehicles to a less-than-significant level. Compared to the proposed WRTP Specific Plan, Alternative 3 would increase housing density around the Village Center. Alternative 3 would also include retail, commercial, and park land uses dispersed within the planned residential neighborhoods so that almost all future residents would be within walking distance (approximately ¼ mile) of these destinations. Finally, the employment generating land use within the Research and Technology Park would be somewhat less focused specifically on research and technology uses, and would accommodate a broader set of office-based uses to focus the additional employment opportunities on the job needs of local residents of Woodland, who may otherwise be commuting longer distances to similar jobs. Having density around the central core area slightly higher than with the proposed WRTP Specific Plan could

encourage a greater portion of trips on foot and via bicycle from residential areas. The presence of complementary commercial and retail land uses in proximity to the residential areas of the WRTP Specific Plan Area would make walking, biking, and transit more feasible, as well as reduce the length of vehicular trips to these destination uses. As with the proposed WRTP Specific Plan, Alternative 3 would enhance opportunities for greater use of transit and more walking and bicycling in the future. Therefore, similar to the proposed WRTP Specific Plan, Alternative 3 would not conflict with adopted policies, plans, or programs for bicycle, transit, or pedestrian facilities, nor would it adversely affect performance or safety of such facilities. The land layout would be shifted under this Alternative compared to the proposed WRTP Specific Plan, but would be generally consistent with the General Plan vision for this Specific Plan Area. Alternative 3 incorporates a land use mix and layout that could increase opportunities for walking and biking between destinations within the WRTP Specific Plan Area, thereby reducing operational VMT compared to the proposed WRTP Specific Plan. In addition, implementation of the Specific Plan under Alternative 3 would also be subject to the same or similar standards as the proposed WRTP Specific Plan, including a Comprehensive Transportation Demand Management/Vehicle Miles Traveled Reduction Program (TDM/VMT Program), as detailed in Section 6.2.3, “Subsequent Implementation Documents/Analysis,” of the WRTP Specific Plan. Overall, Alternative 3 incorporates a land use mix and layout that could further reduce operational VMT compared to the proposed WRTP Specific Plan and impacts would be reduced compared to the proposed WRTP Specific Plan.

- ▶ **UTILITIES:** As with the proposed WRTP Specific Plan, Alternative 3 would still require the construction of water supply conveyance facilities and wastewater collection and conveyance facilities to serve the WRTP Specific Plan Area. In addition, Mitigation Measures 3.14-1 and 3.14-2, applicable to the proposed WRTP Specific Plan for long-term planning purposes, would also be applicable to Alternative 3, ensuring water supply conveyance and wastewater infrastructure improvements are designed and sized to provide adequate service to the WRTP Specific Plan Area. In addition, physical impacts associated with construction and operations of utilities, such as new collection and conveyance facilities, are evaluated throughout the EIR and accounted for in the evaluation of alternatives for each resource area in this chapter of the EIR. As such, there is no impact beyond those comprehensively considered throughout the other sections of the EIR. Impacts related to utilities would be similar under Alternative 3 compared to the proposed WRTP Specific Plan.

### ***Ability of Alternative 3 to Meet Project Objectives***

This alternative would meet the majority of the basic project objectives, providing for the new technology-focused employment center, supported by a mixed-use town center and with nearby housing. However, dispersion of the retail and commercial services in the proposed residential neighborhoods would reduce the service opportunities in the central village hub to serve the day-to-day needs of businesses, their clients, and their employees. Similarly, distributing retail and commercial services throughout the residential areas rather than within and around the Village Center would diminish the role of the proposed Village Center as the central gathering for surrounding businesses and related employees. Similarly, the lack of highway commercial would limit the range of uses to support day-to-day needs of businesses, their clients, and their employees in favor of commercial uses that are more directed to serving the needs of Woodland residents. The increased housing density would shift the range of housing options for the Research and Technology Park employees to live and work close by and “move up” within the same neighborhood as families grow; while high- and low-density housing would be similar to the Specific Plan, medium-density residential development would be more limited under this Alternative. Finally, shifting the research and technology park to more office-based employment and limiting some of the permitted uses to the southern portion of the Specific Plan Area could potentially segregate related uses if, for example, future employers within

the Specific Plan require both office operations, as well as storage, distribution, or logistics, that would need to be located in different parts of the Specific Plan Area. This could conflict with the project objective to facilitate “[f]lexibility in design and implementation...allowing businesses to respond to market demand through phasing of construction and the ability to offer a variety of building types and sizes.”

### ***Findings for Project Alternative 3***

This alternative would meet the majority of the basic project objectives, providing for the new technology-focused employment center, supported by a mixed-use town center and with nearby housing. However, dispersion of the retail and commercial services in the proposed residential neighborhoods would reduce the service opportunities in the central village hub to serve the day-to-day needs of businesses, their clients, and their employees. The feasibility of dispersed retail and commercial uses throughout the plan area would be strained given the relatively limited number of residential rooftops in the plan area necessary to support small pockets of neighborhood retail. It is anticipated that the success of the mixed-use town center will be dependent on both residential and business users and therefore should remain centrally clustered between the two primary uses in the plan area. Therefore, the distribution of retail and commercial uses throughout the Specific Plan Area would make Alternative 3 less feasible compared to the proposed Specific Plan.

Distributing retail and commercial services throughout the residential areas rather than within and around the Village Center would diminish the role of the proposed Village Center as the central gathering for surrounding businesses and related employees. This could conflict with the project objective related to providing a Gathering Place.

Further, the lack of highway commercial would limit the range of uses to support day-to-day needs of businesses, their clients, and their employees in favor of commercial uses that are more directed to serving the needs of Woodland residents proximate to the plan area. This feature of Alternative 3 would mean that this alternative would have a reduced capacity for fulfilling the project objective that calls for “[c]omplementary uses within immediate proximity to the business park, including hotel, commercial, employee-serving retail and recreational opportunities will support day-to-day needs of businesses, their clients, and their employees.”

The increased housing density would shift the range of housing options for the Research and Technology Park employees to live and work close by and “move up” within the same neighborhood as families grow; while high- and low-density housing would be similar to the Specific Plan under Alternative 3, medium-density residential development, a desirable and relatively more affordable product type currently in short supply in Woodland, would be more limited under this Alternative.

Finally, shifting the research and technology park to more office-based employment and limiting some of the permitted uses to the southern portion of the Specific Plan Area could potentially segregate related uses if, for example, future employers within the Specific Plan require both office operations, as well as storage, distribution, or logistics, that would need to be located in different parts of the Specific Plan Area. This could conflict with the project objective to facilitate “[f]lexibility in design and implementation...allowing businesses to respond to market demand through phasing of construction and the ability to offer a variety of building types and sizes,” and would significantly inhibit the plan area’s ability to attract advanced manufacturing, biotech, life science and other research and technology-based companies which require integrated and proximate business activities and spaces often including storage and light industrial operations.

## **Alternative 4: Utilize Open Space as an Environmental Buffer**

This alternative would provide an alternative site design. Residential uses would be located at least 500 feet from SR 113 to provide additional buffer distance between sensitive receptors and mobile sources of emissions along SR 113. Open space or vegetated buffers would be implemented between potential sources of substantial air pollutant emissions and sensitive receptors, in accordance with recommendations of the California Air Resources Board (ARB) Air Quality and Land Use Handbook: A Community Health Perspective (2005). Urban development of land uses, other than open space, along the Urban Limit Line would be set back at least 300 feet (500 feet if residential) to provide for an agricultural buffer in compliance with General Plan Policy 7.C.5. Passive open space would be designated at biologically sensitive areas to minimize impacts to biological features and provide additional buffer to sensitive habitat types from surrounding urban development, including a 165-foot setback from the elderberry shrub (valley elderberry longhorn beetle habitat) located along the western boundary the Specific Plan Area and a 300-foot buffer from the northern boundary of the Specific Plan Area to avoid burrowing owl complexes just outside this boundary. The use of shade trees, or similar vegetation that would support local wildlife while also providing air quality and noise mitigating benefits, would be maximized throughout the circulation network and between different land uses; existing native oak trees, such as the row of valley oak trees along the southwestern half of the Specific Plan Area, would also be maintained. Housing densities would be increased slightly, and retail and commercial space may be reduced, so that the overall number of dwelling units is maintained, while the amount of open space is increased.

The intent of this alternative is to maintain the desired buffer distance between the built environment and surrounding agricultural lands and minimize adverse impacts to biological resources, while also decreasing exposure to adverse air pollutant emissions and noise conditions for future users of the Specific Plan Area.

### **Alternative 4 Impacts**

- **AESTHETICS AND VISUAL RESOURCES:** Alternative 4 would include similar development as the proposed WRTP Specific Plan, but arranged differently within the WRTP Specific Plan Area and with increased open space along the northern, western, and southern boundaries of the WRTP Specific Plan Area, and maintaining the planned greenbelt along Harry Lorenzo Avenue. This will increase the distance between existing viewpoints and new sources of light and glare from new development within the WRTP Specific Plan Area. However, the WRTP Specific Plan Area would still be converted from cultivated agricultural land to urban development, simply with additional open space around and throughout the WRTP Specific Plan Area. Development under Alternative 4 would also be subject to the same standards as the proposed Specific Plan and Alternative 3, including the City's Engineering Standards: Design Standards, Standard Details and Construction Specifications (City of Woodland 2016a) and the Design Standards and Design Guidelines contained in Chapter 3 of the proposed WRTP Specific Plan. As such, the type and extent of aesthetics impacts would be similar to those of the proposed WRTP Specific Plan. Development under Alternative 4 would still result in conversion of agricultural land to urban environment, which, like the proposed WRTP Specific Plan, would substantially alter the visual character of the WRTP Specific Plan Area from both public and private viewing locations. The additional use of open space around and throughout the WRTP Specific Plan Area under Alternative 4 would reduce the potential for spillover of new sources of lighting and glare on adjacent properties. However, like the proposed WRTP Specific Plan, Alternative 4 would alter existing views of, and from the WRTP Specific Plan Area, and would substantially alter the visual character of the WRTP Specific Plan Area from both public and private



viewing locations. In addition, just as with the proposed WRTP Specific Plan, Alternative 4 would bring sources of nighttime lighting and could construct facilities with reflective surfaces that could cause glare. This would increase ambient nighttime lighting and daytime glare in the vicinity of the WRTP Specific Plan Area, similar to the proposed WRTP Specific Plan. However, with the preservation of additional open space and existing oak trees, the impact would be reduced compared to the proposed WRTP Specific Plan.

- **AGRICULTURE AND FORESTRY RESOURCES:** Alternative 4 would include similar development as the proposed WRTP Specific Plan, but arranged differently within the WRTP Specific Plan Area. Implementation of Alternative 4 would still permanently convert an estimated 350 acres of agricultural farmland, including Prime Farmland, to nonagricultural uses. Unlike the proposed Specific Plan, Alternative 4 would preclude non-residential development within 300 feet, and residential development within 500 feet, of the Urban Limit Line. This buffer distance would exceed the requirements set under General Plan Policy 7.C.5, and would support increased separation between agricultural pesticide application and future users of the WRTP Specific Plan Area, as recommended by the Yolo County Agricultural Commissioner depending on the form of pesticide application at adjacent agricultural lands. This would reduce the potential for conflict with existing offsite agricultural operations. However, conflicts could still occur between agricultural and urban land uses, particularly in areas where the development edge is adjacent to ongoing agricultural operations on undeveloped portions of the WRTP Specific Plan Area.
- **AIR QUALITY:** Alternative 4 would include the same type of development as the proposed WRTP Specific Plan, but with a slightly smaller development footprint, due to increased open space. This increase in open space would reduce construction-related emissions under Alternative 4 compared to the proposed WRTP Specific Plan. However, because potential future on-site receptors are unknown at this time, it is reasonable to assume that construction activities associated with buildout under Alternative 4 could still expose sensitive receptors to substantial pollutant concentrations during construction. As with implementation of the proposed WRTP Specific Plan, construction-related emissions would be substantially reduced with implementation of Mitigation Measures 3.3-2a, 3.3-2b, and 3.3-2c. As it relates to long-term operational emissions, the use of increased open space as an environmental buffer around future on-site sensitive receptors, such as along the western perimeter of the WRTP Specific Plan Area adjacent to State Route 113, would reduce potential health risks associated with localized air pollutant concentrations and nearby sensitive receptors. The increased use of open space and vegetation can help to disperse localized air pollutants and reduce exposure of sensitive receptors. As with the proposed WRTP Specific Plan, development under Alternative 4 would include commercial and light-industrial land uses, which are more likely to generate substantial toxic air contaminant (TACs) emissions from stationary and manufacturing processes. Land use and development under Alternative 4 would be subject to conformance with the permitted uses, the site development regulations, and development standards and design guidelines as outlined in Chapters 2 and 3 of the proposed WRTP Specific Plan. As with the proposed WRTP Specific Plan, adherence to the WRTP Specific Plan Design Standards and Design Guidelines would reduce the potential for exposure of sensitive receptors to substantial pollutant concentrations. Unlike the proposed WRTP Specific Plan, Alternative 4 would specifically implement buffer distances between sensitive land uses and sources of TACs, as provided by the CARB Air Quality and Land Use Handbook: A Community Health Perspective (2005). In addition, the increased use of open space between substantial pollutant sources and sensitive receptors and adherence to CARB-recommended distances between TAC sources and sensitive receptors would further reduce potential impacts under Alternative 4 as compared to the proposed WRTP Specific Plan. However, due to uncertainty associated with specific development within the WRTP

Specific Plan Area, it is still possible that development of commercial or light-industrial land uses under Alternative 4 could generate substantial TAC emissions at a level that could impact nearby sensitive receptors. The same mitigation measures available to the WRTP Specific Plan would also be available to Alternative 4, including Mitigation Measure 3.3-2d to reduce operational emissions, and Mitigation Measures 3.3-3b and 3.3-3c to further reduce the risk of exposure to substantial pollutant concentrations. Overall, Alternative 4 would be anticipated to reduce emissions generated during construction and operational phases, and reduce proximity between sensitive receptors and substantial emissions sources compared to the proposed WRTP Specific Plan.

- **BIOLOGICAL RESOURCES:** Alternative 4 include a similar mix of land uses as the proposed WRTP Specific Plan, but with an alternative site design that would maintain certain biologically sensitive vegetated areas and increase the use of open space throughout the WRTP Specific Plan Area. Passive open space would be designated at biologically sensitive areas to minimize impacts to biological features and provide additional buffer to sensitive habitat types from surrounding urban development, including a 165-foot setback from the identified elderberry shrub (valley elderberry longhorn beetle habitat) located along the western boundary the WRTP Specific Plan Area and a 300-foot buffer from the northern boundary of the Specific Plan Area to avoid burrowing owl complexes just outside this boundary. The use of shade trees, or similar vegetation would be maximized throughout the circulation network and between different land uses. The row of existing native valley oak trees along the southwestern half of the WRTP Specific Plan Area would be maintained. The increased open space, maintenance of existing trees, and avoidance of other existing known biologically sensitive habitat as described above would reduce impacts to biologically sensitive wildlife and habitat as compared to the proposed WRTP Specific Plan. However, development within the WRTP Specific Plan Area may not be able to avoid all potentially sensitive habitat, as 306 of the 350-acre WRTP Specific Plan Area is cultivated land that may provide suitable foraging habitat for Swainson's hawk, white-tailed kite, and burrowing owl. In addition, construction activities throughout the WRTP Specific Plan Area could occur where there are unknown elderberry shrubs that serve as potential habitat for valley elderberry longhorn beetle and larvae, or in proximity to existing trees that may serve as nesting habitat and the nearby activity could disturb potential nesting activity. Conversion of the cultivated land within the WRTP Specific Plan Area could still potentially result in the loss or disturbance of suitable foraging and nesting habitat for Swainson's hawk, white-tailed kite, burrowing owl, and other raptors; loss and disturbance of potential nesting and foraging habitat for common migratory birds; removal of elderberry shrub; loss or disturbance of existing structures, orchard trees and other trees that may support breeding pallid bats or western red bats; loss and degradation of State or federally protected wetlands. As with implementation of the proposed WRTP Specific Plan and Alternative 3, Mitigation Measures 3.4-1a, 3.4-1b, 3.4- 1c, and 3.4-2a would reduce significant impacts on raptors and other birds to a less-than-significant level because these measures would ensure that these species are not disturbed during nesting and would also ensure that Swainson's hawk foraging habitat would be preserved at the appropriate ratio of habitat value lost, consistent with the conservation strategy of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan. Implementing Mitigation Measure 3.4-3 would reduce potentially significant impacts on valley elderberry longhorn beetle to a less-than-significant level because all elderberry shrubs would be mapped and impacts would be avoided and if impacts cannot be avoided, compensatory mitigation will be required. Implementation of Mitigation Measure 3.4-4 would reduce potentially significant impacts on bat roosts and special status bat species to a less-thansignificant level because it would ensure that project construction would not result in bat mortality or abandonment and loss

of young. Finally, implementation of Mitigation Measure 3.3-5 would reduce potentially significant impacts on potential jurisdictional water features to a less-than-significant level because implementation of the BMPs, and permit conditions, and mitigation requirements will avoid, minimize, and mitigate for impacts on jurisdictional waters. Impacts related to the loss and disturbance of forging and nesting habitat for special-status wildlife, and to the loss and degradation of State or federally protected wetlands, would be similar in type as under the proposed WRTP Specific Plan, but would be reduced since the area envisioned for development would be reduced and specifically designed to avoid known biologically sensitive wildlife and habitat to the extent feasible.

- **CLIMATE CHANGE, GREENHOUSE GAS EMISSIONS, AND ENERGY:** Alternative 4 would include the same type of development as the proposed WRTP Specific Plan, but with a slightly smaller development footprint than the proposed WRTP Specific Plan due to increased open space. This increase in open space would reduce construction-related greenhouse gas emissions and energy use under Alternative 4. As it relates to long-term operational emissions and energy consumption, similar to Alternative 3, the additional open space under Alternative 4 would generate minimal greenhouse gas emissions and consume minimal energy compared to equivalent developed land uses under the proposed WRTP Specific Plan, and higher-density development typically results in increased energy efficiencies. Alternative 3 would thereby reduce the associated direct and indirect operational air pollutant emissions within the Specific Plan Area.
- **CULTURAL AND TRIBAL CULTURAL RESOURCES:** Alternative 4 would entail similar development and related ground disturbance as the proposed WRTP Specific Plan, but with preservation of biologically sensitive habitat and increased open space. In addition, ground disturbing activities under Alternative 4 would be subject to the same regulations protecting cultural resources as under the proposed WRTP Specific Plan. However, the preservation of existing sensitive biological habitat and increased open space acreage under Alternative 4 would result in less earthmoving activities and therefore reduced potential for accidental disturbance of unknown cultural and tribal cultural resources compared to the proposed WRTP Specific Plan.
- **GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES:** Alternative 4 would entail similar development and related ground disturbance as the proposed WRTP Specific Plan, but with preservation of biologically sensitive habitat and increased open space. In addition, the same mitigation measures identified for the proposed WRTP Specific Plan would also be available to Alternative 4, such as incorporating recommendations from site-specific geotechnical reports, grading and erosion control plans, and preservation of paleontological resources if encountered during construction. However, the preservation of existing sensitive biological habitat and increased open space acreage under Alternative 4 would result in less earthmoving activities and therefore reduced potential for accidental disturbance of unknown paleontological resources compared to the WRTP Specific Plan.
- **HAZARDS AND HAZARDOUS MATERIALS:** Similar to Alternative 3, Alternative 4 would involve the similar mix of uses and same location as the proposed WRTP Specific Plan, but with increased open space. Therefore, as with Alternative 3, the potential for impacts related to hazards and hazardous materials would be similar to the proposed WRTP Specific Plan.
- **HYDROLOGY, FLOODING, AND WATER QUALITY:** Alternative 4 would provide for a similar mix of land use development as the proposed WRTP Specific Plan, but with increased open space. Construction

and grading activities associated with implementation of Alternative 4 have the potential to cause temporary and short-term increased erosion and sedimentation, similar to the proposed WRTP Specific Plan. As with the proposed WRTP Specific Plan, before new urban development can proceed, a grading and drainage plan must be submitted to the City Department of Public Works that must incorporate stormwater pollution control, as well as storm drainage design features to control increased runoff from new development, as well as comply with other City and State requirements pertaining to urban runoff and water quality. The same State and local regulations and best management practices would be required of development under Alternative 4 as the proposed WRTP Specific Plan. Mitigation strategies identified for the proposed WRTP Specific Plan could also apply to this alternative, such as a storm drainage analysis and identification and implementation of additional storm drainage infrastructure to support full buildout of the WRTP Specific Plan Area, including appropriately sized pipelines and detention basins, along with the appropriate LID features and water quality best management practices, specifically engineered to ensure that WRTP Specific Plan Area and off-site improvement area flows are conveyed such that flooding does not occur and to provide appropriate water quality treatment. Alternative 4 would include a greater amount of open space than the proposed WRTP Specific Plan, and therefore reduce the amount of impervious surfaces and decrease the peak discharge flow and rate of stormwater runoff generated within the WRTP Specific Plan Area. Thus, Alternative 4 would also reduce potential effects related to groundwater recharge and increased surface runoff compared to the proposed WRTP Specific Plan.

- **LAND USE PLANNING, POPULATION, AND HOUSING:** Alternative 4 would result in new development throughout the WRTP Specific Plan Area with a similar land use mix as under the proposed Specific Plan, but with increase acreage dedicated to open space. Similar to the proposed WRTP Specific Plan, this development would not displace substantial numbers of existing people or housing, induce substantial unplanned population growth, or divide an established community. In addition, as with the WRTP Specific Plan, Alternative 4 would require the annexation of the WRTP Specific Plan Area into the City and amendment of the City's Zoning Ordinance. Alternative 4 would provide for the new growth within this Specific Plan Area as envisioned under the 2035 General Plan. Therefore, Alternative 4 would be consistent with the City's 2035 General Plan, and impacts related to land use, population, and housing under Alternative 4 would be similar to the proposed WRTP Specific Plan.
- **NOISE AND VIBRATION:** Alternative 4 would decrease the amount of land provided for low- and medium-density residential development compared to the proposed WRTP Specific Plan and increase the acreage dedicated to open space. As with the proposed WRTP Specific Plan, Alternative 4 would involve the temporary and short-term noise and vibration resulting from demolition and construction activities. In addition, future operational uses within the WRTP Specific Plan Area could still generate noise and vibration in proximity to existing or future noise sensitive receptors, similar to conditions under the proposed WRTP Specific Plan. However, Alternative 4 would also include a buffer between future residential development within the WRTP Specific Plan Area and existing sources of noise, specifically State Route 113. Future development of new noise-sensitive land uses could occur under the proposed WRTP Specific Plan within areas that are currently exposed to noise from transportation sources (e.g., west of SR 113). The buffer provided under Alternative 4 would be 500 feet between SR 113 and residential development; as detailed in noise modeling conducted for the City's 2035 General Plan, which is still applicable and accounted for development of the WRTP Specific Plan Area, the distance to the 70-decibel traffic noise contour from SR 113 south of East Gibson Road with implementation of the General Plan was determined to be between 257 and 281 feet, depending on the alternative. Therefore, a buffer of 500 feet

would reduce traffic noise levels to an acceptable level less than 70 decibels for future sensitive receptors. Therefore, impacts associated with transportation noise would be reduced compared to the proposed WRTP Specific Plan.

- **PUBLIC SERVICES AND RECREATION:** Since Alternative 4 would accommodate a similar amount of development and in the same Specific Plan Area and the proposed WRTP Specific Plan, but with an alternative site design. As such, the project's law enforcement, fire protection, public school services, and parks and recreational services needs would be similar to the proposed WRTP Specific Plan. Since the mix of uses would be similar to the WRTP Specific Plan, it is reasonable to assume that the fee contribution toward the expansion of the Woodland Sports Park would apply under this alternative, as well, in addition to the planned parks and open space, thereby exceeding the parkland goal. In addition, since both Alternative 4 and the proposed WRTP Specific Plan would be required to comply with applicable requirements and pay applicable development impact fees, the impact on public services and recreation would be similar under Alternative 4 as the proposed WRTP Specific Plan.
- **TRANSPORTATION AND CIRCULATION:** As with the proposed WRTP Specific Plan, Alternative 4 would generate travel demand during construction and long-term operations. As with the proposed WRTP Specific Plan, Alternative 4 would involve the temporary and short-term generation of trips during demolition and construction activities – since this alternative is very similar in overall scale to the proposed WRTP Specific Plan, construction-related trips are anticipated to be similar, as well. Alternative 4 would include the same type of development as the proposed WRTP Specific Plan, but with a slightly smaller development footprint than the proposed WRTP Specific Plan due to increased acreage dedicated to open space. The land layout would be shifted under this Alternative compared to the proposed WRTP Specific Plan, but would be generally consistent with the General Plan vision for this Specific Plan Area and accommodate the same amount of residential and non-residential development. Similar to the proposed WRTP Specific Plan, Alternative 4 would not conflict with adopted policies, plans, or programs for bicycle, transit, or pedestrian facilities, nor would it adversely affect performance or safety of such facilities. In addition, implementation of the Specific Plan under Alternative 4 would also be subject to the same or similar standards as the proposed WRTP Specific Plan, including a Comprehensive Transportation Demand Management/Vehicle Miles Traveled Reduction Program (TDM/VMT Program), as detailed in Section 6.2.3, “Subsequent Implementation Documents/Analysis,” of the WRTP Specific Plan. Overall, Alternative 4 is anticipated to generate a similar level of VMT compared to the proposed WRTP Specific Plan, and impacts would be similar to the proposed WRTP Specific Plan.
- **UTILITIES:** Alternative 4 would increase the acreage dedicated to open space within the WRTP Specific Plan Area as compared to the land use plan under the proposed WRTP Specific Plan. This could result in a minor increase in potable water demand and green waste generation for maintenance and security of additional open space. However, this would be offset by the reduced water demand and solid waste generation that would result from increased density of residential development, which would have reduced individual landscaped area per dwelling unit. As with the proposed WRTP Specific Plan, Alternative 4 would still require the construction of water supply conveyance facilities and wastewater collection and conveyance facilities to serve the WRTP Specific Plan Area. Mitigation Measures 3.14-1 and 3.14-2, applicable to the proposed WRTP Specific Plan for long-term planning purposes, would also be applicable to Alternative 4, ensuring water supply conveyance and wastewater infrastructure improvements are designed and sized to provide adequate service to the WRTP Specific Plan Area. In addition, physical

impacts associated with construction and operations of utilities, such as new collection and conveyance facilities, are evaluated throughout the EIR and accounted for in the evaluation of alternatives for each resource area in this chapter of the EIR. As such, there is no impact beyond those comprehensively considered throughout the other sections of the EIR. Impacts related to utilities would be generally similar under Alternative 4 compared to the proposed W RTP Specific Plan.

### ***Ability of Alternative 4 to Meet Project Objectives***

This alternative would meet the majority of the basic project objectives, however, as an envisioned technology hub to serve research and technology companies, the increase in passive open space would not serve the anticipated occupants as effectively as the centralized active outdoor gathering spaces envisioned as a part of the proposed Specific Plan. In addition, the increased housing density would reduce the range of housing options for the Research and Technology Park employees to live and work close by and “move up” within the same neighborhood as families grow.

### ***Findings for Project Alternative 4***

This alternative would meet the majority of the basic project objectives, however, as an envisioned technology hub to serve research and technology companies, the increase in passive open space would not serve the anticipated occupants as effectively as the centralized active outdoor gathering spaces envisioned as a part of the proposed Specific Plan. Expanding and segregating open space to the periphery of the plan area would likely result in the reduction of centralized and coalescing green space and trail systems within the project in order to feasibly accommodate the envisioned diversity, density, and number of residential housing units in the plan area. Segregation of open space works in opposition to a key plan policy of *integrating* a greenbelt/trail system that provides recreational and transportation benefits for residents and employees of the Plan Area. Similarly, the loss of centralized green space would impede the plan area policy of promoting an atmosphere of collaboration and innovation through a mix of land uses...with an engaging public realm. The open space concept under Alternative 4 would not fulfill the project objective related to providing a central Gathering Space to the same extent as under the proposed Specific Plan.

In addition, the increased housing density would reduce the range of housing options for the Research and Technology Park employees to live and work close by and “move up” within the same neighborhood as families grow. Alternative 4 would not fulfill the project objective under the heading, “New Neighborhoods / Seamless Transitions” to the same extent as would occur under the proposed Specific Plan.

Furthermore, the costs associated with developing and maintaining additional open space within the plan area without significantly increasing the number of residential units envisioned by the General Plan would considerably strain the economic feasibility of the project and would substantially increase the ongoing annual tax burden of future plan area residents. Alternative 4, then, would be infeasible. Alternative 4 would be less feasible compared to the proposed Specific Plan based on the reduction in land for lower-density residential development and the increase in higher-density development. The balance between housing types and densities in the proposed Specific Plan allows for the collection of fees adequate to provide for the required infrastructure needed to serve the planned development. The scenario envisioned under Alternative 4 would make it infeasible, at least in the near-term, to collect fees in amounts required to support the necessary infrastructure for the Specific Plan.

### **3. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA requires that, among the alternatives, an “environmentally superior” alternative be identified and that the reasons for such selection be disclosed. The environmentally superior alternative is the alternative that would generate the fewest or least severe adverse impacts. As shown in Table 4-1 of the Draft EIR, Alternative 1 would have the greatest number of reduced impacts. Therefore, Alternative 1 would be the Environmentally Superior Alternative. This alternative provides the greatest reduction in potential environmental effects of the proposed project. Other than this No-Project Alternative, Alternative 4 would provide the most benefit relative to reducing environmental effects compared to the proposed WRTP Specific Plan.

However, as explained below, even though Alternative 4 is the environmentally superior alternative (other than the No Project Alternative) the City Council has determined that Alternative 4 is infeasible as that term is defined under CEQA.

### **4. FINDINGS FOR PROJECT ALTERNATIVES**

The City Council may reject an alternative that it considers undesirable from a policy standpoint, provided that such a decision reflects a reasonable balancing of various “economic, social, and other factors.” Based on impacts identified in the EIR and throughout this findings document, the City Council finds that adoption and implementation of the WRTP Specific Plan as approved, is the most desirable, feasible, and appropriate project, and rejects other alternatives and other combinations and/or variations of alternatives as infeasible.

## **VII. STATEMENT OF OVERRIDING CONSIDERATIONS**

As set forth in the preceding sections, the City of Woodland City Council's approval of the WRTP Specific Plan will result in significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures, and there are no feasible alternatives which would mitigate or substantially lessen the impacts. Despite the occurrence of these effects, however, the City Council chooses to approve the WRTP Specific Plan due to the economic, social, and other benefits that will render the significant effects acceptable.

Pursuant to Public Resources Code Section 21081(b) and Guidelines Section 15093, the City of Woodland has balanced the benefits of the Specific Plan against the unavoidable adverse impacts and has included all feasible mitigation measures in the EIR. The City has also examined alternatives to the Specific Plan and determined and adoption and implementation of the proposed Specific Plan is the most desirable, feasible, and appropriate action.

The City Council determines that the EIR identified and discussed significant effects that may occur as a result of implementation of the Specific Plan. By implementing the EIR mitigation measures, as adopted by the City Council's Resolution, these effects can be mitigated to a level of less than significant except for the unavoidable significant impacts discussed below. The City Council finds that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from implementation of the Specific Plan. The City Council also finds that, except for the proposed Specific Plan, all other alternatives set forth in the EIR are infeasible because they would prohibit or reduce the realization of the Specific Plan objectives and/or specific economic, social, or other benefits that the City Council finds outweigh any environmental benefits of the alternatives.

In making this Statement of Overriding Considerations in support of the findings of fact and the Specific Plan, the City Council finds that the environmental effects of the Specific Plan have been reduced to the extent feasible by the mitigation measures, that it has considered the information contained in the Final EIR, as well as the public testimony and record in proceedings in which the WRTP Specific Plan were considered, and that the benefits, as discussed further below, outweigh the potential unavoidable adverse impacts and render those potential adverse potential environmental impacts acceptable based upon the City Council's overriding considerations.

### **A. BENEFITS OF THE PROPOSED PROJECT AND A STATEMENT OF OVERRIDING CONSIDERATIONS**

The City of Woodland has independently reviewed the information in the EIR and the record of proceedings, made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the Specific Plan to the extent feasible.

In the judgment of the City Council, the Specific Plan and its general benefits outweigh its unavoidable significant effects. It is the position of the City Council that any one of these reasons is sufficient to justify approval of the Specific Plan. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings, as defined in Section IV of this document. The City Council finds that adoption and implementation of the Specific Plan would provide economic, social, legal, and other considerable benefits.



**Economic Development.** The WRTP Specific Plan implements General Plan Policy 2.D.2, Food and Agriculture Industry Cluster. This policy establishes the City’s intent to “[d]evelop Woodland into a premier food and agriculture industry cluster by providing appropriate infrastructure, adequate land with compatible land uses, and by supporting research and innovation.” The Specific Plan would also implement General Plan Policy 2.D.3 Technology Sector, which calls for the City to “[g]row the technology sector in Woodland by leveraging the research strength at UC Davis” and to “[e]stablish business parks in the Southern Gateway at CR 25 and SR 113 and along CR 102.” The City is adopting the Specific Plan to provide opportunities for new companies to locate within the city, and provide a high quality technology park campus for existing companies in Woodland to expand. Companies locating in the Specific Plan Area will in turn offer high paying career opportunities for Woodland residents – at full buildout, the City estimates that the Specific Plan could accommodate up to 4,000 new high paying biotech jobs in the community. The Specific Plan allows the City to advance the Project Objectives, including innovation – a state-of-the-art innovation center campus for technology, research and development, and office uses; flexibility – to allow businesses to respond to market demand through phasing of construction and the ability to offer a variety of building types and sizes; technology transfer and talent attraction – provide a context for collaboration with University of California, Davis (UC Davis) and Woodland Community College, along with associated business start-ups; and business partnerships – take advantage of synergies related to complementary existing and thriving seed, food, and agricultural-based industries currently located and doing business in and around Woodland (Draft EIR, pages 2-2 through 2-6). As explained in Chapter 4 of the City’s General Plan, Economic Development, there is a thriving and diverse agricultural economy in Woodland and Yolo County and also a concentration of agriculture and bio- and nanotechnology research activities (City of Woodland General Plan, Chapter 4, pages 4-5 through 4-9).

The Specific Plan would also implement General Plan Policy 2.K.2, Business Parks, which establishes that the City will “[p]romote the development of master-planned business parks that bolster Woodland’s established agriculture and emerging technology industries and promote the city’s prominence as a major center of economic activity in Yolo County.” Similar to the discussion above, the Specific Plan will provide an innovation campus in close proximity to UC Davis specialized in the development, transfer, and commercialization of technology and research.

The Specific Plan would help to realize General Plan Goal 4.E to “Promote Job Growth and Diversification in Woodland” and “[p]romote expansion, attraction, and formation of jobs in Woodland across diverse economic sectors,” including growth in the “knowledge economy, which is based on production and services of knowledge-intensive activities, such as technological or scientific advances and professional services” (General Plan, Chapter 4, page 4-22). By providing a variety of property and building sizes with complementary uses in a favorable location, the City also intends to implement General Plan Policy 4.E.1 Job Expansion through Business Expansion, which establishes that the City will “[e]ncourage the expansion and attraction of diverse businesses and industries that create and increase the quality and amount of stable, year-round jobs available locally.” General Plan Policy 4.D.1 Business Expansion and Attraction Program is also related to the Specific Plan, committing the City to “[p]eriodically update and continue to administer the City’s programs aimed at expanding existing businesses and attract new businesses to Woodland, particularly in the food, agriculture, and biotech industries.”

**Housing.** In addition to the economic activity accommodated within the Specific Plan Area, the City has also provided for a diverse range of housing options, consistent with the Project Objectives established as a part of the EIR to establish “[d]iverse, high quality and attractive new neighborhoods and housing options, including single and multi-family residential units and mixed-used projects will allow Tech Park employees to live and work close by and ‘move up’ within the same neighborhood as families grow or nests are emptied” (Draft EIR, page 2-6). The

Specific Plan accommodates approximately 1,600 housing units of a variety of product types and densities. Medium- and higher-density housing and residential product types are generally more affordable by design due to smaller unit and/or lot sizes as compared to tradition low-density suburban neighborhoods. Approximately two-thirds of the residential units developed within the Specific Plan Area will be medium- and high-density housing types (an estimated 600 and 500 units respectively), including small-lot detached single-family homes, duplexes, townhomes, and apartments or loft-style development. The Specific Plan's residential zoning designations, including minimum-density requirements, will ensure the Specific Plan Area provides a diversity of housing options. The Specific Plan Area is additionally subject to the City's Affordable Housing Ordinance, which outlines obligations around housing affordability and buyer income restrictions for a percentage of housing units developed within the Specific Plan Area.

**Jobs-Housing Balance.** The Specific Plan will also implement General Plan Policy 2.D.1 Jobs/Housing Relationship by promoting and supporting a mix of residential, commercial, and light industrial development within the city. The Specific Plan will help Woodland maintain a 1:1 jobs to housing ratio citywide, reducing the need for commute trips and overall vehicle miles traveled (VMT), and reducing dependance on single occupancy vehicle trips.

**Leader in Sustainability.** Projects within the Plan Area will further the City's Climate Action Plan goals and help establish local examples of environmentally sustainable projects. Specific Plan Area development will be required by the City to employ sustainable design principles, minimizing impacts of the Specific Plan implementation on the environment. Sustainable building design, the use of low-impact materials and construction techniques, on-site water management and planning features that reduce commute trips and vehicle miles traveled will carry through the Specific Plan. Consistent with General Plan Policy 2.L.2, all projects within the Specific Plan Area shall strive to meet net zero energy consumption through the incorporation of conservation measures above Title 24 standards and shall, at minimum, demonstrate consistency with California Green Building Standards (CalGreen) Tier 1 standards. The Specific Plan will utilize City recycled water for public landscaping. Pollinator friendly planting and maintenance practices will be integrated into each development site's landscaping, in addition to native and drought tolerant plant species. Projects developed within the Specific Plan will install electric vehicle (EV) charging capable facilities in all residential garages and commercial parking lots. The City anticipates that all residential products (single-family homes and apartments) will be 100 percent electric, reducing greenhouse gas emissions compared to a scenario involving natural gas. The mix of housing types and the mix of uses in proximity, along with the pedestrian and bicycle system is intended to allow residents to reach employment, services, retail, and recreational opportunities without the need for a vehicle, reducing associated air pollutant emissions and greenhouse gas emissions, as well as increasing active transportation opportunities and improving public health.

## VIII. CONCLUSION

The City prepared the Final EIR pursuant to CEQA and the CEQA Guidelines. The City Council has independently determined that the Final EIR fully and adequately addresses the impacts and mitigation measures of the WRTP Specific Plan. The alternatives identified and considered in the Final EIR meet the test of “reasonable” analysis, and this consideration provides the City Council with important information from which to make an informed decision. Both the Planning Commission and City Council held public hearings. Substantial evidence in the record from those meetings and other sources demonstrates various benefits and considerations including economic, legal, social, technological, and other benefits that the City would achieve from the implementation of the WRTP Specific Plan. The City Council has balanced these project benefits and considerations against the significant and unavoidable environmental impacts that would result from the proposed project and has concluded that those impacts are outweighed by the WRTP Specific Plan benefits. Upon balancing the environmental risk and countervailing WRTP Specific Plan benefits, the City Council has concluded that the benefits that the City will derive from the implementation of the project outweigh those environmental risks. The City Council hereby determines that the above-described WRTP Specific Plan benefits override the significant and unavoidable environmental impacts of the proposed project.

In sum, the City Council finds that any residual or remaining effects on the environment resulting from adoption and implementation of the WRTP Specific Plan are acceptable due to the benefits set forth in this Statement of Overriding Considerations.

## IX. REFERENCES

California Department of Fish and Game 2012. (May). Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency. Sacramento, CA.

City of Woodland 2016. City of Woodland. 2016 (September). *2035 General Plan and Climate Action Plan Public Review Draft Environmental Impact Report*. Prepared by: AECOM. State Clearinghouse No. 2013032015. Available: <http://www.cityofwoodland.org/563/General-Plan-2035>. Accessed July 12, 2018.

———. 2017 (May). *City of Woodland General Plan Update 2035*. Prepared by: Dyett & Bhatia. Available: <http://www.cityofwoodland.org/563/General-Plan-2035>. Accessed July 13, 2018.

Yolo Habitat Conservancy. 2018. Yolo Habitat Conservation Plan/Natural Community Conservation Plan – Final. Prepared by ICF. Yolo County, California. April 2018.

Yolo-Solano County Air Quality Management District (YSAQMD). 2007. Handbook for Assessing and Mitigating Air Quality Impacts. Adopted July 11, 2007. Available at <http://www.ysaqmd.org/wp-content/uploads/2016/06/CEQAHandbook2007.pdf>. Accessed March 2018.

YSAQMD. *See* Yolo-Solano Air Quality Management District.

See also the references cited in the Draft EIR and the Final EIR Errata and Responses to Comments chapters.

**LAFCo**

**Meeting Date:** 03/28/2024

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**Information**

**SUBJECT**

Consider the appointment of a FY 2024/25 Annual Work Plan and Draft Budget ad hoc subcommittee

**RECOMMENDED ACTION**

Appoint one city member and one county member to work with staff to develop the recommended FY 2024/25 Annual Work Plan and Draft LAFCo Budget for the April meeting.

**FISCAL IMPACT**

None.

**REASONS FOR RECOMMENDED ACTION**

With the planned retirement of our LAFCo's Administrative Specialist II/Commission Clerk on December 31, 2024, and the future retirement of the Executive Officer tentatively in 2028, succession planning is a Commission priority. Converting the administrative position into a management analyst position in the upcoming fiscal year would train a potential future leader and generate institutional memory before the Executive Officer retires in four years or so. A management analyst also would help LAFCo with the potential increased workload associated with the Commission's long-term goals and projects.

As previously discussed during last year's budget process and again at the February Leadership and Priority Setting Session, this change is going to increase LAFCo's salary/benefits budget in the coming fiscal year. The apportionment of LAFCo's budget among the cities and County helps mitigate this impact, but LAFCo recognizes this comes at a difficult budget season for our funding agencies. Hence, the need for this subcommittee.

Staff recommends the Commission appoint a subcommittee (comprised of one city and one county member) to work with staff to consider the draft Annual Work Plan, several budget scenarios, and make a recommendation to the full Commission at the April meeting. The Draft LAFCo Budget will be considered at the April meeting and the Final LAFCo Budget at the May meeting (separate draft and final budget public hearings are required for LAFCos to give adequate notice to funding agencies).

Staff anticipates the time commitment will be 1 or 2 one-hour meetings via Zoom sometime during the first three weeks of April.

**BACKGROUND**

For discussion context and framing, attached are the following items:

1. Feb 29, 2024 Leadership and Priority Setting Session Summary Report (documenting the results of our session).
2. Draft FY 2025 and 2026 Annual Work Plan priority summary (the six left columns are new from the priority setting session and three right columns are required tasks)
3. Preliminary budget increase scenarios (rough numbers to provide the range of possible salary/benefits budget increases to be considered)

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**Attachments**

ATT A-Leadership and Priority Setting Session Summary Report  
ATT B-Draft FY 2025 and FY 2026 Annual Work Plan priority summary  
ATT C-Preliminary Budget Increase Scenarios

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**Form Review**

**Inbox**

Christine Crawford (Originator)  
Form Started By: Christine Crawford  
Final Approval Date: 03/15/2024

**Reviewed By**

Christine Crawford

**Date**

03/15/2024 02:09 PM  
Started On: 03/11/2024 01:20 PM



**Local Agency Formation Commission  
for Yolo County**

**Leadership and Priority Setting Session  
Summary Report**

**February 29, 2024**

***Prepared by***  
**Pamela Miller**  
**Miller Management & Consulting Group**  
**March 2024**

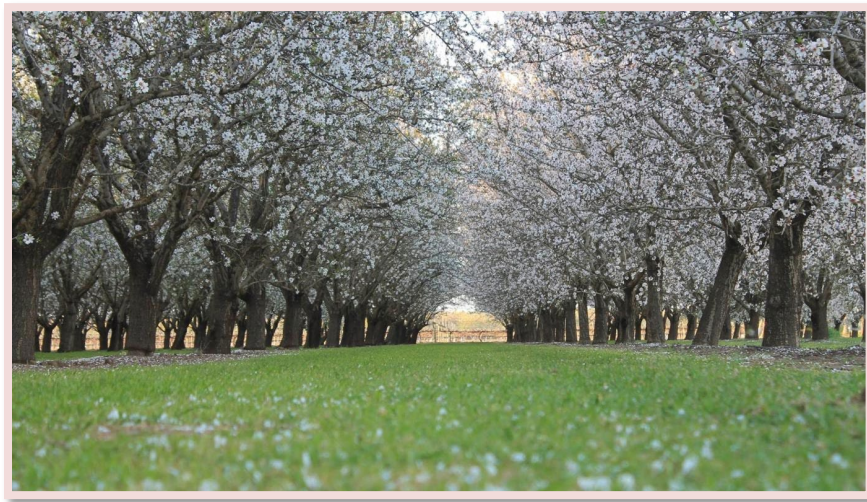


## Session Overview

The Local Agency Formation Commission for Yolo County (Yolo LAFCo) held a leadership and priority setting session from 9:30 a.m. to 12:30 p.m. on Thursday, February 29, 2024, at the Community and Senior Center in Woodland. The session provided an opportunity for Commissioners and Staff to receive a brief overview of the intent, role and responsibilities of LAFCo, reflect on accomplishments from the past two years, discuss how they want to be viewed by the public and partnering agencies, reflect on ways Yolo LAFCo can continue to make a difference in the future, identify priorities for Fiscal Year (FY) 2024-25, and engage in conversations and activities to strengthen the connection between Commissioners and Staff.

Pamela Miller of Miller Management & Consulting Group facilitated the session. The agenda was noticed in accordance with the Brown Act and the session was open to the public.

Preparation for the session included several in-depth conversations with LAFCo staff: Christine Crawford, Eric May and Terri Tuck, and a comprehensive conversation with Commission Chair Olin Woods.



## Session Participants

### Commissioners in attendance:

- Chair Olin Woods, Public Member
- Bill Biasi, City Member
- Lucas Frerichs, County Member
- Gloria Partida, City Member
- Oscar Villegas, County Member
- Richard DeLiberty, Public Member Alternate
- Tania Garcia-Cadena, City Member Alternate

### Staff in attendance:

- Christine Crawford, Executive Officer
- Terri Tuck, LAFCo Administrative Specialist II/Commission Clerk
- Eric May, Legal Counsel



## Goals and Accomplishments

Chair Woods and Executive Officer Crawford provided opening comments welcoming everyone, thanking them for being present and introducing Pamela Miller. After spending some time getting to know each other better in small groups, Commissioners and Staff each shared how long they've been in public service and why they chose to be in public service. Pamela then conducted a short review of the intent, role, and responsibilities of LAFCo, including what makes Yolo LAFCo so unique.

The group reflected on accomplishments over the past several years. Two groups were formed, and each group discussed/listed the accomplishments identified below. Each reported to the larger group what they considered to be the top two accomplishments as noted in green.

### Group One

- Fire Protection Districts MSR
- Reclamation Districts MSR – specifically the work done on the recommendation for RD 900 and RD 537 to either merge with or become a subsidiary district to City of West Sacramento
- Broadband
- Website transparency

### Group Two

- LAFCo independence
- Reclamation Districts MSR – specifically the recommendation regarding RD 900 reorganization
- Fire Protection Districts MSR
- YED Talks
- Good stewardship of public dollars – Yolo LAFCo is a good value for such a small budget

## Looking to the Future

Focus then shifted to looking toward the future. The group first talked about how they want to be viewed by the public and partnering agencies, then moved to ideas about what Yolo LAFCo can do to continue making a difference. Both lists are noted below.

### How we want to be viewed by the public and partnering agencies

- Relevant
- Informing our public and private partners
- Fair and impartial
- Highly competent
- As a resource (trusted, respected, valued, knowledgeable)
- Accessible
- Responsible stewards
- Not feared - collaborative
- Proactive

### What we can do to continue making a difference

- Be in touch/connected with the people we serve
- Forward-looking
- Keep focused on thorough MSRs
- Outreach and inform
- Stay relevant
- Be fair and impartial
- Be a resource

- Stay proactive
- Be responsible stewards

## Future Priorities

The group spent time working on priorities for FY 2024-25. To begin, each identified one asset or value they bring to Yolo LAFCo, and their “why” for being a part of Yolo LAFCo. The large group was then divided into two groups and asked to brainstorm a list of things they want to accomplish in FY 2024-25. Once done, each group identified their top 4 items and reported to the larger group. The large group then discussed what the priorities mean and what they might look like when put into action. Finally, the top priorities identified were checked for alignment with the lists of what the group said they wanted to do to continue creating value and how they wanted to be viewed by the public and partnering agencies. This portion of the session closed with a brief conversation about ensuring proper resources are made available to accomplish the goals. The lists below reflect each group’s listed goals with the top 4 from each in green.

### Group One List

- YED Talks – take a break or reinvigorate
- Succession planning for staffing and the budget
- Take an early/proactive role in countywide growth planning (i.e. housing)
- Create greater engagement with local agencies, SACOG, and the public
- Look at CSDs’ governance issues
- Focus on ag land preservation
- Focus on shared services opportunities

### Group Two List

- Succession planning
- Incorporate climate action (and anything else appropriate) into Yolo LAFCo values
- Raise up rural towns
- Ag land preservation
- Revisit the Fire Protection Districts MSR from 2022 – how might it benefit the region
- Address CSDs’ governance issues
- Planning for long-term growth (working with SACOG and agencies on RHNA, housing development and ag land – where to grow)
- Dealing with the competing issues of using ag land and climate adaptation issues (i.e. converting ag land to solar fields)

### Final list of priorities with more details resulting from discussion (in no particular order of importance)

- **Succession planning for staffing and the budget**  
*With Terri’s retirement at the end of 2024, succession planning is required to ensure a seamless transition. Further, this is an opportunity to consider how this hire may support the LAFCo longer-term as it relates to Executive Officer succession planning. This may mean the Commission considers a different class of position and different pay, resulting in budget changes.*
- **Create greater engagement with local agencies, SACOG, and the public**  
*Engaging stakeholders at an even greater level was broadly discussed and closely aligned with how the group wants to be viewed by the public and partnering agencies, and how the LAFCo*

can continue to make a difference in the future. Additionally, several of the priorities require strong partnerships and extensive stakeholder outreach (specifically the last 4 bullets on this list).

Several components of engagement were discussed including informing stakeholders and the public on why the work of Yolo LAFCo is so important, what it means for them, and how Yolo LAFCo operates. This may include education on the role of Yolo LAFCo in terms of planning and regulatory functions, being a resource, as well as the more complicated work of MSRs and their critical recommendations, leading discussions on the use of ag land and the competing interests of ag land preservation and growth.

The Commissioners and staff could consider in the Work Plan how YED Talks may be used for some of this, as well as a regular “road show” for delivery throughout the region. Additionally, Commissioners can regularly communicate to their City and County colleagues by reporting on Yolo LAFCo activities at regular meetings, leverage existing relationships with stakeholders, and share knowledge about and involvement in the critical work of Yolo LAFCo.

- **YED Talks – reinvigorate**

*The group decided YED Talks are valuable and should continue. These talks can be used to proactively engage regional stakeholders on several of the desired priorities listed below. Commissioners and staff should consider in the Work Plan how best to reinvigorate engagement in YED Talks.*

- **Look at CSDs’ governance issues**

*Both groups had this on their list, with one making it a top priority. There are three CSDs in Yolo County that are probably too small to be sustainable, with one currently experiencing critical governance issues. The County has funded a consolidation study. Yolo LAFCo may take some kind of proactive approach to addressing these issues prior to the study being completed and lead the appropriate actions once the study is complete and recommendations are made.*

- **Fire Protection Districts MSR from 2022 – how might it benefit the region**

*The group discussed the comprehensive MSR done in 2022 and the viability of the recommendations. There was consensus to revisit the MSR recommendations and how the MSR may benefit the region. This requires broad stakeholder engagement and conversation.*

- **Ag land preservation and planning for long-term growth (working with SACOG and agencies on RHNA, housing development and ag land – where to grow)**

*The group raised the issue of competing interests of preserving ag land and using ag land to address necessary climate adaptation issues (specific example given was converting ag land to solar fields). Yolo LAFCo has long been a leader in best practices of ag land preservation and ag land mitigation measures. The group suggested Yolo LAFCo can be proactive by convening stakeholders for these types of discussions and ensuring a nexus of these issues to MSRs.*

*While LAFCOs do not have authority over land use, ensuring orderly growth is part of their authority, and the Commission understands that housing is part of growth. Local agencies have issues meeting RHNA numbers and balancing that growth with other priorities of the region such as agriculture. The Commission sees this as an opportunity to be a strong regional resource to proactively gather and lead stakeholders in conversations about smart growth.*

## Next Steps

The group talked about ensuring resources are made available for all priorities chosen for the coming year. This summary report, along with a more detailed Work Plan from staff, will be presented to the Commission for consideration. The Commission may need to drill further into what some of these priorities will look like including specific desired outcomes as appropriate. Staff and the Commission may find there are too many priorities to accomplish in one year for the resources available and may wish to table some or consider this a two-year priority plan.

One item ended up in the Bike Rack for further discussion and that was how stakeholder education and outreach occur.

Ultimately, the work of this priority setting session serves to inform the FY 2024-25 work plan and budget. The Executive Officer will recommend that the Commission appoint an ad hoc committee in March to consider the Work Plan and Budget in more detail and return to the Commission in April with a recommendation.

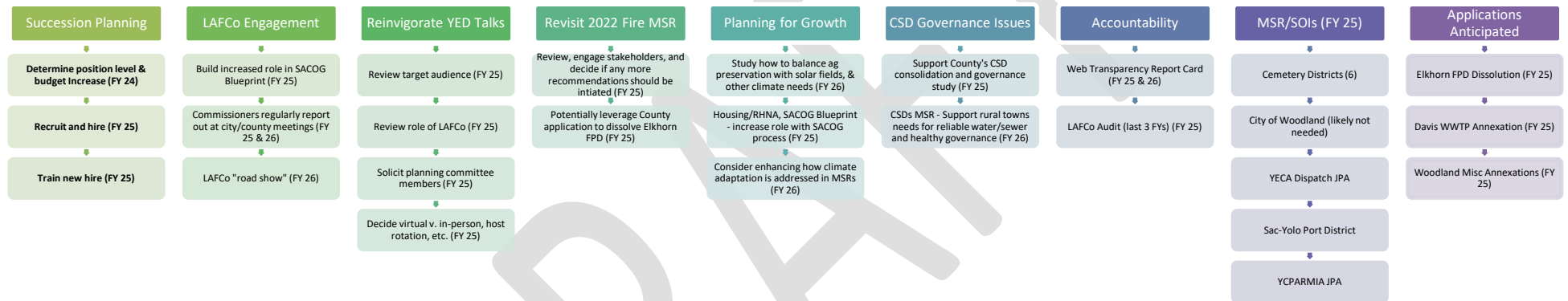
## Reflections on the Session and Final Comments

The group indicated they thought the time together was valuable, especially given how new the group is in terms of working together. Comments about what worked well for the day included working in small groups and getting to know each other, being engaged, being provided specific tasks and scopes for discussion, the flow and structure of the session, the facilitator, and having the County Supervisors' staff present as observers. There were no suggestions for improvement.

After thanking the group, Pamela handed the session back over to Chair Woods.

Chair Woods thanked everyone for their engagement and announced he is stepping down from his Commission seat at the end of the current FY (end of June 2024).

# FY 2025 & 2026 Two-Year Strategic Priorities/Work Plan



### LAFCo Budget Increase Scenarios for Discussion

The numbers below are rough numbers. They reflect salary and benefit increases that would be carried forward each budget year, and do not include the additional temporary bump from bringing on a new employee before Terri retires, plus paying out any accrued vacation time (est. 2 month overlap & vacation payout).

The following table are the Management Analyst position levels that would be used with years of experience:

#### County Management Analyst Classifications Available for LAFCo Hiring

|   | County Classifications       | Required Experience   | Minimum Salary Range | Maximum Salary Range |
|---|------------------------------|-----------------------|----------------------|----------------------|
| 1 | Associate Management Analyst | Entry level           | \$77,730             | \$94,494             |
| 2 | Management Analyst           | 1 year of experience  | \$88,962             | \$108,139            |
| 3 | Senior Management Analyst    | 2 years of experience | \$108,567            | \$131,997            |
| 4 | Principal Management Analyst | 4 years of experience | \$128,128            | \$155,730            |

This table shows the net increase to LAFCo's budget as compared to what existing staffing levels would cost (using the 2<sup>nd</sup> and 4<sup>th</sup> levels in the series just for comparison):

#### Budget Increase Implications (includes level 2 and 4 in series for comparison purposes)

| Scenario                                                                   | Employee Salary  | Benefits         | Total Salary & Benefits | Net Increase |
|----------------------------------------------------------------------------|------------------|------------------|-------------------------|--------------|
| FY 23/24 Budget                                                            | \$249,502        | \$172,216        | \$421,718               |              |
| <b>FY 24/25 Existing Staff Baseline (EO + Clerk = 2.0 FTE)</b>             | <b>\$257,300</b> | <b>\$177,899</b> | <b>\$435,199</b>        | <b>\$0</b>   |
| Hire FT Management Analyst*<br>+ 0.25 FTE Clerk (2.25 FTE total)           | \$296,785        | \$187,263        | \$484,048               | \$48,849     |
| Hire FT Principal Management Analyst*<br>+ 0.25 FTE Clerk (2.25 FTE total) | \$341,247        | \$209,034        | \$550,281               | \$115,082    |

\* Assumes Step C (or 3 of 5) in salary range. FTE = full time equivalent.

This is how the maximum potential LAFCo budget increase would be allocated by agency:

#### Maximum Potential Increase Per Agency Apportionment

| Agency          | LAFCo Apportionment 2024/25 | Max Increase Per Agency |
|-----------------|-----------------------------|-------------------------|
| Davis           | 15.40%                      | \$17,723                |
| West Sacramento | 17.46%                      | \$20,093                |
| Winters         | 1.63%                       | \$1,876                 |
| Woodland        | 15.52%                      | \$17,861                |
| Yolo County     | 50.00%                      | \$57,541                |
| <b>Total</b>    | <b>100%</b>                 | <b>\$115,082</b>        |

**LAFCO**

**Meeting Date:** 03/28/2024

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**Information**

**SUBJECT**

Direct the Executive Officer to prepare and post a notice advertising the Regular Public Member vacancy, provide direction regarding outreach and process, and consider appointment of a personnel subcommittee to interview candidates and nominate the best qualified candidate(s) to the full Commission.

**RECOMMENDED ACTION**

1. In addition to the outreach already included in our policies, direct staff to send notices to city and county public information officers for social media posting.
2. Discuss the process and consider the appointment of one county member and one city member to an ad hoc personnel subcommittee.

**FISCAL IMPACT**

None.

**REASONS FOR RECOMMENDED ACTION**

Chair Woods announced his resignation from the Commission after 21 years of service, effective June 30, 2024, which will create a vacancy in the Regular Public Member term which ends February 2027. Yolo LAFCo policies for the recruitment of a public member indicate the Chair shall direct the Executive Officer to post a vacancy notice within 30 days of resignation at the following locations:

- At the LAFCo staff office,
- On the bulletin board outside the Board of Supervisors' hearing room,
- On the bulletin board outside the County Administration Building, and
- Any other place as directed by the Commission.

In addition, copies of the notice are emailed to the cities and independent special districts for posting. A press release is also sent to the newspapers. Staff recommends the announcements should also be sent to the city/county public information officers for social media posting.

Our policy directs the application period close 30 days after posting (which would fall during the April time frame) and to place the item on the next regular agenda for consideration, which would be the May meeting.

The policy also provides the option to appoint a personnel subcommittee either now or later "for the purposes of reviewing all applications and nominating the best-qualified candidates for the Commission's consideration. If a personnel committee is used, then the personnel committee may recommend to the commission the name or names of applicants for nomination(s) to the vacant position(s) at the next regularly scheduled meeting. However, any eligible commissioner may nominate a candidate from the applications submitted. If a personnel committee is not used, then any eligible commissioner may nominate a candidate from the applications submitted to the vacant position(s)."

The Commission can either:

- Appoint a subcommittee now to review applications and make a recommendation for the May meeting, or
- Review all the applications received at the May meeting and decide then whether to: (1) Appoint a subcommittee to interview, screen, and make a recommendation for a later LAFCo meeting; or (2) Make an appointment at the May meeting.

**BACKGROUND**

For context, below is information regarding previous Alternate and Regular Public Member recruitments:

- In 2017, LAFCo recruited for an Alternate Public Member and 3 applications were received.
- In 2004, LAFCo recruited for an Alternate Public Member and 4 applications were received.
- In 2003, LAFCo recruited for a Regular Public Member and 6 applications were received.

Although LAFCo has previously only received a maximum of 6 applicants, with the increased reach of social media, it seems likely we may receive more.

Please note that no person appointed as a public member or alternate public member can be an officer or employee of the county or any city or district in the county (Government Code Section 56331). The regular member shall be a registered voter in Yolo County.

| Attachments                         |                    |                                 |
|-------------------------------------|--------------------|---------------------------------|
| No file(s) attached.                |                    |                                 |
| Form Review                         |                    |                                 |
| Inbox                               | Reviewed By        | Date                            |
| Christine Crawford (Originator)     | Christine Crawford | 03/18/2024 11:09 AM             |
| Form Started By: Christine Crawford |                    | Started On: 03/11/2024 01:25 PM |
| Final Approval Date: 03/18/2024     |                    |                                 |



Regular 10.

**LAFCO**

**Meeting Date:** 03/28/2024

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**Information**

**SUBJECT**

Elect a Chair and Vice Chair for the Commission to serve one-year terms, beginning April 1, 2024, and ending February 1, 2025

**RECOMMENDED ACTION**

Elect a Chair and Vice Chair for the Commission to serve one-year terms, beginning April 1, 2024, and ending February 1, 2025.

**FISCAL IMPACT**

None.

**REASONS FOR RECOMMENDED ACTION**

Each year, the members of the Commission elect a Chair and Vice Chair to serve a one-year term as stated in the Yolo LAFCo Administrative Policies and Procedures and consistent with state law.

**BACKGROUND**

The current Chair is Public Member Olin Woods, who stated his desire to continue as Chair until his resignation, effective June 30, 2024. There is currently no Vice Chair.

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**Attachments**

*No file(s) attached.*

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**Form Review**

**Inbox**

Christine Crawford  
Form Started By: Terri Tuck  
Final Approval Date: 03/15/2024

**Reviewed By**

Christine Crawford

**Date**

03/15/2024 02:07 PM  
Started On: 03/15/2024 12:20 PM

**LAFCO**

**Meeting Date:** 03/28/2024

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**Information**

**SUBJECT**

A report by the Executive Officer on recent events relevant to the Commission and an update of staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.

- a. 03.28.2024 Long Range Planning Calendar
- b. EO Activity Report - January 22 through March 22, 2024
- c. CALAFCO Legislative Summary

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**Attachments**

ATT a-03.28.2024 Long Range Planning Calendar  
ATT b-EO Activity Report Jan22-Mar22  
ATT c-3.28.2024 CALAFCO Legislative Summary

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**Form Review**

Form Started By: Terri Tuck  
Final Approval Date: 03/15/2024

Started On: 03/15/2024 10:51 AM



Item 11-ATT a

## Long Range Meeting Calendar – Tentative Items

March 28, 2024

| Meeting Date | Tentative Agenda Items                                                                                                                                                                                           |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Apr 25, 2024 | <ul style="list-style-type: none"><li>• FY 22/23 Q3 Financial Update</li><li>• Consider adoption of Annual Work Plan for Fiscal Year 2024/25</li><li>• Consider adoption of Draft Budget for FY2024/25</li></ul> |
| May 23, 2024 | <ul style="list-style-type: none"><li>• Adopt Final LAFCo Budget for FY2024/25</li><li>• Review Regular Public Member applications and consider appointment</li></ul>                                            |
| Jun 27, 2024 | <ul style="list-style-type: none"><li>• Adopt Flood Protection &amp; Drainage Agencies MSR/SOI (LAFCo 23-03)</li><li>• EO performance evaluation</li></ul>                                                       |
| Jul 25, 2024 | <ul style="list-style-type: none"><li>• CALAFCO Board Recruitment</li><li>• CALAFCO Achievement Awards</li></ul>                                                                                                 |

## New Applications Received Since Last Meeting Packet

| Date Received | Application Name |
|---------------|------------------|
|               | None             |

## LAFCo EO Activity Report January 22 through March 22, 2024

| Date       | Meeting/Milestone                                                                                   | Comments                                                                 |
|------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| 01/22/2024 | Meeting w/Bill Biasi (City Member)                                                                  | Leadership & Priority Setting Session Outline                            |
| 01/23/2024 | Meeting with Leo Refsland                                                                           | CSD Governance                                                           |
| 01/23/2024 | Meeting w/Rochelle Swanson                                                                          | Village Farms Davis Project                                              |
| 01/25/2024 | Lunch Meeting w/Jessie Capitano (Capay FPD)                                                         | Networking                                                               |
| 02/01/2024 | Meeting w/Eric May (Counsel)                                                                        | Prep for New Commissioner Onboarding                                     |
| 02/01/2024 | Meeting w/Lucas Frerichs (County Member)                                                            | Leadership & Priority Setting Session Outline                            |
| 02/01/2024 | Meeting w/Mike Urkov & Bill Vanderwaal (RD 108)                                                     | Colusa County Flood Control (CCFC) Zone of Benefit for Sites Reservoir   |
| 02/06/2024 | Meeting w/Garth Lewis (YCOE), Nolan Sullivan (HHSA Director), & Brian Vaughn (HHSA Branch Director) | YEDSpring2024 (Healthy Yolo)                                             |
| 02/07/2024 | Meeting w/Eric May (Counsel) and Oscar Villegas (County Member)                                     | LAFCo Onboarding                                                         |
| 02/07/2024 | Meeting w/Eric May (Counsel) and various Stakeholders for DWD & CCFC                                | Dunnigan Water District (DWD) & CCFC Zone of Benefit for Sites Reservoir |
| 02/12/2024 | Meeting w/Eric Zane (Woodland Fire Chief)                                                           | Potential City contract for Elkhorn FPD                                  |
| 02/15/2024 | Meeting w/Tania Garcia-Cadena (City Member Alternate)                                               | LAFCo Onboarding                                                         |
| 02/15/2024 | Meeting w/John Currey (Yolo Land Trust)                                                             | Meeting with new Exec. Director                                          |
| 02/16/2024 | Meeting w/Nolan Sullivan (HHSA Director), & Brian Vaughn (HHSA Branch Director)                     | YEDSpring2024 (Healthy Yolo)                                             |
| 02/16/2024 | Meeting w/Eric May (Counsel) and Gloria Partida (City Member)                                       | LAFCo Onboarding                                                         |
| 02/20/2024 | Meeting w/Pamela Miller (Miller Consulting)                                                         | Leadership & Priority Setting Session Outline                            |
| 02/22/2024 | Meeting w/Marcus Klinkhammer (Willow Oak FPD Chief)                                                 | FPD Reporting & Networking                                               |
| 02/23/2024 | Meeting w/Chair Woods                                                                               | LAFCo agenda review                                                      |
| 02/26/2024 | Meeting w/Eric May (Counsel) and Oscar Villegas (County Member)                                     | LAFCo Onboarding                                                         |
| 02/26/2024 | Meeting w/Pamela Miller (Miller Consulting)                                                         | Leadership & Priority Setting Session Outline                            |
| 03/04/2024 | CALAFCO Staff Workshop Prep Meeting                                                                 | Trust Session Preparation                                                |
| 03/06/2024 | Meeting w/Bill Mattos (RD 537)                                                                      | Site Tour to inform upcoming MSR/SOI                                     |
| 03/07/2024 | SACOG Land Use Committee Meeting                                                                    | Watched livestream                                                       |
| 03/08/2024 | Meeting w/Chair Woods                                                                               | LAFCo agenda review                                                      |

| <b>Date</b> | <b>Meeting/Milestone</b>                                                                                     | <b>Comments</b>                         |
|-------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 03/15/2024  | Webinar-Digital Twins 101 by American Planning Association (digital representation – emerging planning tool) | Watched webinar                         |
| 03/18/2024  | Meeting w/Elisa Sabatini (County Mgr. of Natural Resources) and Mark Bryan (Asst. CAO)                       | Woodland Fire/Elkhorn FPD Cost Proposal |
| 03/21/2024  | SACOG Land Use Committee Meeting – Ag Tour                                                                   | Attended                                |



## **CALAFCO Legislative Summary**

**March 28, 2024, LAFCo Meeting**

The CALAFCO Legislative Committee is currently tracking 15 pieces of proposed legislation. Two of these items are bills sponsored by CALAFCO, our omnibus bill and another important one which explicitly allows LAFCos to require indemnification agreements for proposal applications.

AB 805 (Arambula D) Sewer service: disadvantaged communities may be potentially valuable for Yolo LAFCo if small community systems fail to maintain adequate service. This bill would authorize the state board to require a sewer service provider to contract with an administrator designated or approved by the state board for the provision of adequate sewer service. Also, the state board could order a designated sewer system to accept those services. CALAFCO has requested including language requiring the state board to consult with the local LAFCo.

Please see the attached CALAFCO List of Current Bills 3/18/2024.

## CALAFCO List of Current Bills

### 3/18/2024

#### [AB 805](#)

#### **(Arambula D) Sewer service: disadvantaged communities.**

**Current Text:** Amended: 1/22/2024 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 1/22/2024

**Status:** 1/30/2024-Read third time. Urgency clause adopted. Passed. Ordered to the Senate. (Ayes 76. Noes 0.). In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 1/30/2024-S. RLS.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:** Under current law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality in accordance with the Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Current law authorizes a regional board to order the provision of sewer service by a receiving sewer system, as defined, to a disadvantaged community served by an inadequate onsite sewage treatment system, as defined. This bill would authorize the state board to require a sewer service provider to contract with an administrator designated or approved by the state board for administrative, technical, operational, legal, or managerial services to assist a designated sewer system with the provision of adequate sewer service, as defined. The bill would also authorize the state board to order a designated sewer system to accept those services, including full management and control of all aspects of the designated sewer system, from an administrator. The bill would define "designated sewer system" for these purposes as a sewer system that serves a disadvantaged community and that the state board finds to be either an inadequate sewage treatment system or a sewer system that has demonstrated difficulty in maintaining technical, managerial, and financial capacity to prevent fraud and mismanagement, or a sewer system that voluntarily accepts financial assistance for the provision of adequate sewer service.

#### **Position**

Support if  
Amended

#### **Subject**

Disadvantaged  
Communities,  
Waste Water

**CALAFCO Comments:** 1/26/2024: Support, if amended, approved. Amendment requested is the inclusion of language requiring the state board to consult with the local LAFCO.

1/22/2024: Gutted and amended. No longer addresses consolidation of waste water systems but, rather, would set up a program in which the state would provide technical, managerial, administrative, and financial assistance, where applicable, to disadvantaged communities. Position changed to support if amended to include a provision requiring the state board to consult with the local LAFCO regarding the system.

As introduced, this bill would have authorized the state board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities. It failed to meet 2023 deadlines and became a 2 year bill that cannot be acted upon until January, 2024.

#### [AB 817](#)

#### **(Pacheco D) Open meetings: teleconferencing: subsidiary body.**

**Current Text:** Amended: 1/17/2024 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 1/17/2024

**Status:** 1/25/2024-Read third time. Passed. Ordered to the Senate. (Ayes 54. Noes 8.) In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 1/25/2024-S. RLS.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf.<br>Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|----------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |                |          |        |           |

**Summary:** The Ralph M. Brown Act requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted

to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Current law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met (nonemergency provisions). This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

**Position**

Watch

**Subject**

Brown Act

**CALAFCO Comments:** 1/25/2024; Moved out of the Assembly. Waiting on assignment from Senate Rules Committee.

1/17/2024: Amended to add a Sunset date of January 1, 2026.

3/16/2023: The bill was amended to speak specifically to teleconferenced meetings of subsidiary bodies, defined as a body that serves exclusively in an advisory capacity, and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements. For qualifying bodies, this bill would remove the requirement to post an agenda at the location of the subsidiary body member who was participating from off site- providing that the legislative body that formed the subsidiary body has previously made findings noting that teleconferenced meetings of the subsidiary body would enhance public access, and would promote the attractions, retention and diversity of the subsidiary body. The superior legislative body would need to revisit the matter and repeat those finding every 12 months thereafter. This bill also reaffirms that other provisions of the Brown Act are applicable to subsidiary bodies.

Failed to meet deadlines and now a 2 year bill that cannot be acted upon until January, 2024.

**AB 828**

**(Connolly D) Sustainable groundwater management: managed wetlands.**

**Current Text:** Amended: 1/11/2024 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 1/11/2024

**Status:** 1/29/2024-Read third time. Passed. Ordered to the Senate. (Ayes 47. Noes 15.) In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 1/29/2024-S. RLS.

|           |        |        |       |           |        |        |       |       |          |        |           |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
| 1st House |        |        |       | 2nd House |        |        |       | Conf. |          |        |           |
|           |        |        |       |           |        |        |       | Conc. |          |        |           |

**Summary:** The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms "managed wetland" and "small community water system."

**Position**

None at this  
time

**Subject**

Water

**CALAFCO Comments:** 1/11/24: Amended to strike provisions regarding small community water systems serving disadvantaged communities and pivots to groundwater sustainability agencies with provisions that go into effect on January 1, 2028, that address spacing requirements on new groundwater wells, extraction controls, authorization for temporary and permanent transfers with an agency's boundaries, and to establish accounting rules.

4/17/2023: Amended to define agencies and entities required or excluded from existing 10726.4 (a)



(4). Amends Water Code section 10730.2 to add language regarding fees, and amends Water Code section 10733 to address groundwater sustainability plans.

Failed to make April policy committee deadline and now cannot be acted upon until January 2024.

As introduced, would add definitions for Managed Wetlands, and Small community water system to Water Code Section 10721.

**AB 930**

**(Friedman D) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.**

**Current Text:** Amended: 1/22/2024 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amend:** 1/22/2024

**Status:** 1/29/2024-Read third time. Passed. Ordered to the Senate. (Ayes 52. Noes 16.) In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 1/29/2024-S. RLS.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       | Conc. |          |        |           |

**Summary:** Would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified. The bill would require the Office of Planning and Research (OPR) to develop guidelines for the formation of RISE districts no later than November 30, 2026. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government.

**Position**

Neutral

**Subject**

Special District  
Principle Acts

**CALAFCO Comments:** 1/22/2024 Amended to remove section of definitions, change the word "standards" to "guidelines", and to strike section 62412 relative to the elements of a RISE development plan to be reviewed.

Missed 2023 deadlines and became a 2 year bill.

This bill has a similar overtone to SB 852 Dodd in 2022 regarding the formation of climate resilience districts outside of the LAFCo process. As introduced, it focuses on the generation of funding and the governance of the expenditure of those funds. However, it should be carefully tracked in case that mission is expanded.

**AB 1928**

**(Sanchez R) Worker classification: employees and independent contractors.**

**Current Text:** Amended: 3/4/2024 [html](#) [pdf](#)

**Introduced:** 1/25/2024

**Last Amend:** 3/4/2024

**Status:** 3/6/2024-Re-referred to Com. on L. & E.

**Location:** 2/12/2024-A. L. & E.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       | Conc. |          |        |           |

**Summary:** Current law, as established in the case of Dynamex Operations W. v. Superior Court (2018) 4 Cal.5th 903 (Dynamex), creates a presumption that a worker who performs services for a hirer is an employee for purposes of claims for wages and benefits arising under wage orders issued by the Industrial Welfare Commission. Current law requires a 3-part test, commonly known as the "ABC" test, to determine if workers are employees or independent contractors for those purposes. Current law establishes that, for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation, or business. This test is known as the "ABC" test, as described above. This bill would repeal the above-described provisions that codify the ABC test. The bill would declare that its purpose is to suspend and nullify the California Supreme Court's decision in Dynamex and provide that this decision does not apply for purposes of California law.

**Position****Subject**

**CALAFCO Comments:** Of interest to CALAFCO because of its potential effect on operations. 1/25/2024, bill introduced. AB 1928 would repeal the provisions that were enacted by the passage of AB 5 in 2019. Known as the Gig Worker law, AB 5 reclassified which workers could be considered as contractors. A limited number of professional categories were set aside and excluded from the law. However, those not included in the exclusions were required, under new reclassification requirements, to be considered as employees regardless of whether they were performing the services in connection to an ongoing business. The shift required CALAFCO to amend its internal practices to re-classify its contractors to employees, resulting in increased costs, as well as extra reporting requirements.

**AB 1987 (Bennett D) Local government.**

**Current Text:** Introduced: 1/30/2024 [html](#) [pdf](#)

**Introduced:** 1/30/2024

**Status:** 1/31/2024-From printer. May be heard in committee March 1.

**Location:** 1/30/2024-A. PRINT

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law sets forth provisions for the formation, duties, and other authorizations, among other things, relating to cities, counties, cities and counties, and other local agencies. This bill would state the intent of the Legislature to enact legislation relating to local government.

**Position**

None at this time

**Subject**

**CALAFCO Comments:** Spot holder bill relative to local government. Monitoring because of its topic.

**AB 2302 (Addis D) Open meetings: local agencies: teleconferences.**

**Current Text:** Introduced: 2/12/2024 [html](#) [pdf](#)

**Introduced:** 2/12/2024

**Status:** 2/26/2024-Referred to Com. on L. GOV.

**Location:** 2/26/2024-A. L. GOV.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** The Ralph M. Brown Act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets.

**Position**

Watch

**Subject**

Brown Act

**CALAFCO Comments:** Introduced on 2/12/2024, this bill would enact changes to Brown Act provisions that allow members of legislative bodies to teleconference for meetings. Currently, the law limits teleconferencing to no more than 3 consecutive months, 20% of the regular meetings in a calendar year, or 2 meetings for bodies that meet less than 10 times in a calendar year. This bill

redefines those limits as 2 meetings per year for bodies meeting monthly or less; 5 meetings per year for those meeting twice per month; or 7 meetings per year if the body meetings three times or more per month.

**[AB 2557](#) (Ortega D) Local agencies: legislative bodies.**

**Current Text:** Introduced: 2/14/2024 [html](#) [pdf](#)

**Introduced:** 2/14/2024

**Status:** 2/15/2024-From printer. May be heard in committee March 16.

**Location:** 2/14/2024-A. PRINT

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law defines the term "legislative body" for purposes of laws relating to cities, counties, and other local agencies. This bill would make a nonsubstantive change to that definition.

**Position**

**Subject**

Placeholder -  
Spot Bill

**CALAFCO Comments:** Spotholder relative to GC section 53000. Monitoring.

**[AB 2596](#) (Lee D) Government operations.**

**Current Text:** Introduced: 2/14/2024 [html](#) [pdf](#)

**Introduced:** 2/14/2024

**Status:** 2/15/2024-From printer. May be heard in committee March 16.

**Location:** 2/14/2024-A. PRINT

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** Current law establishes the Government Operations Agency, which consists of several departments, including the Department of General Services. Current law requires the department to develop and enforce policy and procedures and institute or cause the institution of those investigations and proceedings as it deems proper to assure effective operation of all functions performed by the department and to conserve the rights and interests of the state. This bill would state the intent of the Legislature to enact legislation related to government operations.

**Position**

**Subject**

Placeholder -  
Spot Bill

**CALAFCO Comments:** Spotholder as introduced on 2/14/2024. Monitoring for changes as the Leg Counsel description mentions CKH.

**[AB 2715](#) (Boerner D) Ralph M. Brown Act: closed sessions.**

**Current Text:** Introduced: 2/14/2024 [html](#) [pdf](#)

**Introduced:** 2/14/2024

**Status:** 3/4/2024-Referred to Com. on L. GOV.

**Location:** 3/4/2024-A. L. GOV.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** The Ralph M. Brown Act generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Current law authorizes a legislative body to hold a closed session on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a closed session to consider or evaluate matters related to cybersecurity, as specified, provided that any action taken on those matters is done in open session.

**Position**

**Subject**

None at this  
time

Brown Act

**CALAFCO Comments:** As introduced on 2/14/2024, would make minor changes in the Brown Act. Monitoring.

**[AB 3152](#) (Jones-Sawyer D) Local government.**

**Current Text:** Introduced: 2/16/2024 [html](#) [pdf](#)

**Introduced:** 2/16/2024

**Status:** 2/17/2024-From printer. May be heard in committee March 18.

**Location:** 2/16/2024-A. PRINT

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
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| 1st House |        |        |       | 2nd House |        |        |       | Conc. |          |        |           |

**Summary:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make nonsubstantive changes to those provisions.

**Position**

Placeholder -  
Spot Bill

**Subject**

**CALAFCO Comments:** Spotholder bill that references GC 56000.

**AB 3277 (Committee on Local Government) Local agency formation commission: districts: property tax.**

**Current Text:** Introduced: 2/27/2024 [html](#) [pdf](#)

**Introduced:** 2/27/2024

**Status:** 2/28/2024-From printer. May be heard in committee March 29.

**Location:** 2/27/2024-A. PRINT

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
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| 1st House |        |        |       | 2nd House |        |        |       | Conc. |          |        |           |

**Summary:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes the sole and exclusive authority and procedures for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. Current law requires proceedings for the formation of a district to be conducted as authorized by the principal act of the proposed district, and authorizes the local agency formation commission in each county to serve as the conducting authority, as specified. Current law requires a commission to determine the amount of property tax revenue to be exchanged by an affected local agency, as specified, if the proposal includes the formation of a district, as defined. This bill would, instead, require a commission to determine the amount of property tax revenue to be exchanged by an affected local agency if the proposal includes the formation of a district and the applicant is seeking a share of the 1% ad valorem property taxes.

**Position**

Sponsor

**Subject**

Incorporation  
Proceedings

**CALAFCO Comments:** CALAFCO's 2024 Omnibus bill.

**SB 537 (Becker D) Open meetings: multijurisdictional, cross-county agencies: teleconferences.**

**Current Text:** Amended: 9/5/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amend:** 9/5/2023

**Status:** 9/14/2023-Ordered to inactive file on request of Assembly Member Bryan.

**Location:** 9/14/2023-A. INACTIVE FILE

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       | Conc. |          |        |           |

**Summary:** Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a

multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

**Position**

Watch

**Subject**

Brown Act

**CALAFCO Comments:** This is a spotholder bill that states an intent to expand local government's access to hold public meetings through teleconferencing and remote access.

3/22/2023: was amended and fleshed out to add teleconferencing provisions to allow legislative bodies of multijurisdictional agencies to meet remotely. Multijurisdictional agencies are defined as boards, commissions, or advisory bodies of a multijurisdictional, cross county agency, which is composed of appointed representatives from more than one county, city, city and county, special district, or a joint powers entity.

The bill is sponsored by Peninsula Clean Energy, a community choice aggregator with a board comprised of local elected officials from the County of San Mateo and its 20 cities, as well as the City of Los Banos.

4/24/2023: The bill was amended to further clarify definitions and the requirements needed for members of an eligible legislative body to meet remotely.

The bill passed Senate Judiciary on 5/2/23, and had its third reading in the Senate on 5/30/2023. 7/12/23: The bill passed the Assembly Local Government Committee.

Amended on August 14, 2023, to require eligible legislative bodies that receive compensation to participate from a physical location that is open to the public.

9/14/2023, the bill was moved into the inactive file.

**SB 768**

**(Caballero D) California Environmental Quality Act: State Air Resources Board: vehicle miles traveled: study.**

**Current Text:** Amended: 1/11/2024 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amend:** 1/11/2024

**Status:** 1/29/2024-Read third time. Passed. (Ayes 34. Noes 4.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Location:** 1/29/2024-A. DESK

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
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| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Current law requires the Office of Planning and Research to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Current law creates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles, which is the major source of air pollution in many areas of the state. Existing law authorizes the state board to do those acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board. This bill would require the state board, by January 1, 2026, to conduct and submit to the Legislature a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA, as specified.

**Position**

**Subject**

CEQA



**CALAFCO Comments:** Introduced as a spotholder bill that noted an intent to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of the California Environmental Quality Act.

3/22/2023: The bill was amended and would add language into the Public Resource Code to provide that a public agency, in approving or carrying out certain types of projects, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project.

Failed to meet deadlines and now a 2 year bill that cannot be acted upon until January, 2024.

1/11/2024: Gutted and Amended. Topic now specific to a study by the state regarding vehicle miles traveled in CEQA studies. Continuing to monitor for any detrimental changes to CEQA but, at this time, bill is not a concern to CALAFCO.

**SB 1209 (Cortese D) Local agency formation commission: indemnification.**

**Current Text:** Introduced: 2/15/2024 [html](#) [pdf](#)

**Introduced:** 2/15/2024

**Status:** 3/12/2024-Set for hearing March 20.

**Location:** 2/29/2024-S. L. GOV.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. | Enrolled | Vetoed | Chaptered |
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| 1st House |        |        |       | 2nd House |        |        |       | Conc. |          |        |           |

**Calendar:** 3/20/2024 9:30 a.m. - 1021 O Street, Room 2200 SENATE LOCAL GOVERNMENT, DURAZO, MARIA ELENA, Chair

**Summary:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 continues in existence in each county a local agency formation commission (LAFCO) that consists of members appointed, as specified, and oversees those changes of organization and reorganization. The act authorizes a LAFCO to, among other things, review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, as specified. This bill would authorize a LAFCO to require, as a condition for, among other things, processing a change of organization or reorganization, that the applicant agrees to defend, indemnify, and hold harmless the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding, as specified, arising from or relating to the action or determination by the LAFCO.

**Position**

Sponsor

**Subject**

LAFCo

Administration

**CALAFCO Comments:** CALAFCO sponsored bill in response to a 2022 appellate decision out of San Luis Obispo that held that LAFCOs could not use indemnification provisions in applications because indemnifications are a form of agreement that LAFCOs are currently not authorized to enter into. As introduced, the bill would allow LAFCOs to use provisions similar to counties and cities.

**Total Measures: 15**

**Total Tracking Forms: 15**

3/18/2024 11:38:34 AM