

Anthrax

There are unconfirmed reports the years ago an anthrax outbreak of cattle that grazed in the Lagoon valley that resulted in the cattle having to be destroyed.

Recommendation regarding Anthrax

The scope of the EIR should include an investigation to validate or refute the reported anthrax outbreaks. If the reports cannot be conclusively refuted, then soil samples should be collected to determine if anthrax is naturally occurring in the valley soil. If samples confirm that anthrax is present, the EIR should determine if grading and earth moving equipment could create airborne dust containing anthrax and whether or not this would pose a threat to construction workers or the general public. Under these circumstances, the EIR would need to establish mitigation measures to address mitigation if such a hazard is identified. In addition, mitigation measures would need to address how such information would be disseminated to avoid overwhelming public concerns.

Traffic Impacts

Currently Interstate 80 (I-80) is subject to heavy traffic congestion on Friday evenings heading in the eastbound direction followed by the same on Sunday afternoons heading the westbound direction. Residents of the proposed development, as can be demonstrated with other developments within the City, will seek an alternate routes to avoid using I-80 to get to the City on Friday evenings or when returning home from the City on Sunday afternoon. The only current alternate route into the City would be to take Cherry Glen to Pleasants Valley Road and then proceed on Foothill Drive or Vaca Valley Road. Increased traffic along these roads, which runs through existing "upscale neighborhoods", would increase the risk of vehicle accidents and likely result in decreasing the property value of homes in these areas.

Additionally, it was established in 2002 that Pleasants Valley Road is already subject to heavy traffic which resulted in Solano County giving consideration to widening of the road. Residents along Pleasants Valley Road between Cherry Glen and Foothill Drive objected to widening the road citing that it would only encourage worst speeding than what currently occurs along this section. This would pose a greater hazard to residents trying to get onto Pleasants Valley Road from their respective driveways. Increased traffic would also pose a greater hazard to bicyclists and pedestrians that use this road. In fact, the time of day on Friday and Sundays when residents from the proposed development would use the road for alternate access to the City, would coincide with the time of day that pedestrians and bicyclists are most likely to be seen along Pleasants Valley Road. This traffic would impact Pleasants Valley Road, Foothill Drive, and Vaca Valley Road.

Recommendation regarding Traffic Impacts

The scope of the EIR should include a evaluate the impact of traffic from the proposed development to Pleasants Valley Road, Vaca Valley Road, and Foothill Drive. The study should evaluate the impact that traffic will have to neighborhoods along these routes and the potential impact to bicyclists and pedestrians who use Pleasants Valley Road. If a significant impact is identified, then appropriate mitigation measures would need to be addressed to ensure that Pleasants Valley Road can continue to be used safely by bicyclists and pedestrians during periods of increased traffic. In addition, mitigation measures would need to address the impact to homes and adjacent neighborhoods along Vaca Valley Road and Foothill Drive.

Water Quality & Supply

The City of Vacaville is facing more stringent NPDES permit effluent limitations for the discharge of treated wastewater from the Easterly Wastewater Treatment Plant (Easterly). Although the City has taken legal action to challenge the requirements of the subject permit, this legal challenge does not address the potential limits that may be imposed for salinity. A source control study conducted by the city as required by the NPDES permit, determined that one of the major sources of salinity comes from domestic wastewater, in particular, water softeners. This is due to that fact the brine from self-regenerating water softeners is discharged to the sanitary sewer during the regeneration cycle. Giving that the City will likely be subject to salinity limits, any additional development will result in increased salinity to the Easterly plant. At present, even if the City were to ban the use of domestic softeners and discontinue the use of groundwater, the resulting decrease in salinity would not be sufficient to achieve compliance with the limits that are expected to be established by the Regional Water Quality Control Board.

Recommendation regarding Water Quality Supply

The scope of the EIR for the proposed development as well as future developments, should include an analysis on the salinity impact to the Easterly. Currently, as required by Senate Bill 610, the scope of the EIR will include an analysis to determine if the City has sufficient water available to supply this and other developments. However, this analysis needs to consider that groundwater may not be used if salinity limits would restrict the use of groundwater which has significantly higher salinity levels than water from Lake Berryessa. Alternatively, groundwater from wells may need to be treated which would increase water and sewer connection fees and monthly O&M fees to existing and new residents.

Economic Considerations

In the past, the City of Vacaville has provided various subsidies to developers, businesses, and companies as incentives for building, establishing business, or constructing industrial facilities within the City limits. These incentives are often in the form of waived or reduced development fees such as sewer impact fees. In such cases, the net effect is that the City offsets the lost revenue from such waived fees by raising impact fees to future developers or increasing monthly O&M fees. The net effect is that such incentives indirectly impact existing residents by increasing the cost of new housing and the cost of utilities. This impact affects the City of Vacaville's ability to provide affordable housing.

The other concern is based on the status of our state and national economy. If the proposed development moves forward, by the time homes are available for purchase at the subject site, the housing market will likely be slow. Statistical analysis of state new home sales indicates that when the state has a deficit lasting more than two years, housing sales decreased. Furthermore, the longest consecutive number of years that housing sales increased in California is 9 years. This analysis was based on actual data obtain from the state of California's website. Presently, the data shows that 2003 is another the 9 consecutive year run of increasing new home sales. This suggests statistically, that the housing market is poised for a downturn. In such cases, sales of new homes will decrease for an average period of four years as occurred from 1992 to 1996. If new home sale begin to slow, the proposed development could be faced with a slow housing market by the time new homes are available.

It has been stated in public hearings and other documents that the cost of maintaining infrastructure, fire, and police for the proposed development will be funded by the establishment

of an assessment district. However this will not work if the housing market slows and results in few home sales in the proposed development and lower than expected residency. Under such circumstances, where will the money come from to maintain the infrastructure if there are not sufficient funds due to lack of residents.

Recommendation regarding Economic Considerations

The scope of the EIR should include a cost benefit analysis to ensure that the City will not have to bear the burden of maintaining the infrastructure at the proposed development. The analysis should be based on the constraint that maintenance of infrastructure at the proposed development will not result in direct or indirect costs being passed on to existing residents in the City of Vacaville. Furthermore, the development should not result in funds being spent by community development that would be used to develop areas of the City in need of true redevelopment that would provide an economic benefit. Such areas exist now and nothing has been done to improve those areas of the City.

In addition, all mitigation measures for the proposed development should be fully paid for by the developer and or the residents who live in the proposed development. Thus, for example, if the Pleasants Valley Road needs to be widened or a fully segregated bike lane needs to be constructed to mitigate traffic impacts, the City nor existing residents should not have to bear the costs of such mitigation measures either directly or indirectly.

I would like to thank the City for providing the opportunity for me to comment on this proposed development. If you have any questions, please contact me at (707)449-9023.

Sincerely



Tom Reyes



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

COMMUNITY DEVELOPMENT DEPT.

April 10, 2003

APR 15 2003

CITY OF VACAVILLE

DIVISION OF
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Fred Buder, Planning Project Manager
City of Vacaville, Planning Division
650 Merchant Street
Vacaville, CA 95688

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Lower Lagoon Valley Project
SCH#2003032063

The Department of Conservation's Division of Land Resource Protection (Division) has reviewed the NOP for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following recommendations for the DEIR with respect to the project's potential impacts on agricultural land.

The proposed project involves General Plan Amendments, Rezoning, Policy Plan amendments, a development agreement and formation of an assessment district to facilitate residential, golf course, commercial and open space uses in a 729-acre area. The NOP notes that DEIR will address the project's effects on agricultural land use. Therefore, the Division recommends that, at a minimum, the following items be specifically addressed to document and treat the project impacts on agricultural land and land use.

Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. For example, the Division's Solano County Important Farmland Map, which defines farmland according to soil attributes and land use, could be used for this purpose. In addition, we recommend including the following items of information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, and crop yields and farmgate sales values.

Mr. Fred Buderer

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- To help describe the full agricultural resource value of the soils on the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies.

State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts of Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly (growth-inducement).
- Impacts on current and future agricultural operations in and adjacent to the project area; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. This would include impacts from the proposed project as well as impacts from past, current and probable future projects. For a prospective analysis of farmland conversion impacts in the project's regional setting, see the 1995 University of California study (funded by the American Farmland Trust), *Alternatives for Future Urban Growth in California's Central Valley: The Bottom Line*. (Portions of this document are available on the Web at www.farmlandinfo.org.) To document the past agricultural land conversion, we recommend the Department of Conservation funded study, *The Impacts of Farmland Conversion in California* (1990), available from the Division. This study included several county case studies of conversion trends over a thirty-year period of time, and would provide a good context for discussing cumulative land conversion impacts.

Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Code of Regulations Section 15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available from the Division at the contact listed below.

Mitigation Measures and Alternatives

Feasible alternatives to the project's location or configuration that would lessen or avoid farmland conversion impacts should be considered in the DEIR.

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Similarly, while the direct conversion of agricultural land is often deemed to be an unavoidable impact by CEQA analyses, mitigation measures must nevertheless be considered. The Division has compiled an annotated listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division.

One of the tools described in the report is the purchase of agricultural conservation easements on land of at least equal quantity and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under the California Environmental Quality Act.

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within the Vacaville area.

Information about conservation easements is available on the Department's website, or by contacting the Division at the address and phone number listed below. The Department's website address is:

<http://www.conservation.ca.gov/DLRP/>

Of course, the use of conservation easements is only one form of mitigation that should be considered. The following mitigation measures could also be considered:

- Increasing home density or clustering residential units to allow a greater portion of the development site to remain in agricultural production.
- Protecting nearby farmland from the *premature* conversion through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296), or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Establishing buffers such as setbacks, berms, greenbelts, and open space areas to separate farmland from incompatible urban uses.

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- Investing in the commercial viability of the remaining agricultural land in the project area through a mitigation bank which invests in agricultural infrastructure, water supplies and marketing.

The Department believes that the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation element in the City's general plan. Mitigation policies could then be applied systematically toward larger goals of sustaining an agricultural land resource base and economy. Within the context of a general plan mitigation strategy, other measures could be considered, such as the use of transfer of development credits, mitigation banking, and economic incentives for continuing agricultural uses.

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 13-71, Sacramento, California 95814; or, phone (916) 324-0850.

Sincerely,



Erik Vink
Assistant Director

cc: Dixon RCD
1170 North Lincoln, Suite 110
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N. Lincoln, Suite 110
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RECEIVED

April 11, 2003

APR 11 2003

Fred Buderer, EIR Project Manager
City of Vacaville, Planning Division
Community Development
650 Merchant Street
Vacaville, CA 95688

CITY OF VACAVILLE
PLANNING DIVISION

RE: Notice Of Preparation (NOP): Environmental Impact Report (EIR) for the Lower Lagoon Valley Project (03-003), Public Review Period: March 13, 2003 to April 11, 2003

I have reviewed the NOP dated March 13, 2003 and attended two of the public meetings with Triad Development. I have concerns about the environmental and fiscal impacts of the revised development on Lower Lagoon Valley and the taxpayers of Vacaville.

My concerns are as follows:

JOBS TO HOUSING BALANCE

- This development revises the previously approved development by providing less office/business space and significantly more residential development. Additional residents without a significant amount of new jobs. Vacaville has long been considered a "bedroom" community. This development makes the jobs to housing balance even worse. How will this be mitigated?

TRAFFIC CONGESTION

- The existing traffic on I-80 in this corridor is extremely congested on Fridays, Sundays and holidays. This development adds traffic from both residential and golf course. How will the level of service (traffic) be maintained or improved?
- With this additional traffic, how will access to the park be maintained for the rest of the citizens of Vacaville?
- During traffic congestion, new residents will likely "seek the path of least resistance" and detour around I-80. To detour around I-80, a likely route may be Pleasants Valley Road, Foothill Road and Alamo Drive. How will traffic impacts of detouring through existing residential areas be mitigated?

INFRASTRUCTURE OPERATING AND MAINTENANCE COSTS

- The development requires new infrastructure. Since this is an outlying area of the City, it will cost more to operate and maintain remote sewer, water, storm drains, streets, etc. Especially pump stations. How will this development pay their fair share of these costs?
- Over the life of the project, will the City "break even" from the income from the development versus public infrastructure operations and maintenance costs? How will this be mitigated?
- Who will be responsible to maintain the golf course and its infrastructure?

LOWER LAGOON VALLEY LAKE AND PARK

- Improvements at the lake and park are part of the development. After the improvements are in place, who pays to maintain them?

- How does the development provide public access to the open space between it and the I-80?

Thank you for the opportunity to provide written comment to scope of the EIR.

If you have any questions, please contact me.

Sincerely,



Calvin H. Teraura, P.E.

RECEIVED
APR 11 2003

CITY OF VACAVILLE
PLANNING DIVISION

TO: Fred Buderer, EIR Project Manager
City of Vacaville, Planning Division

FROM: Ranchotel Horse Center

SUBJECT: EIR Report for Lower Lagoon Valley Project (03-003)

The purpose of this letter is to address our concerns with the flooding, water table and Rivera Road issues, which could adversely affect the Ranchotel Pena Adobe Park and I-80.

1) Flooding issues in Lower Lagoon Valley.

Currently, there is flooding that occurs every year in the northern end of Lower Lagoon Valley. About every two to three years, this flooding is excessive.

Just this past year, the flooding closed down I-80 at the northern end of the valley. Pena Adobe Park was flooded and the back two acres of the Ranchotel property was flooded. The only reason the front of the Ranchotel was not flooded was because we had built a two-foot flood barrier along our northern boarder.

Prior to 1978 when Lagoon Valley Lake was built, we did not have this flooding problem. Each year we started the rainy season with a dry lakebed. Each rain would fill up the dry lagoon and between rains, it would mostly empty out. In effect, we had a natural overflow basin with a capacity of some 200-300-acre feet of storage capacity. At its fullest point, the lagoon never crossed our property and I don't recall hearing about any flooding problems in the Alamo area.

Since the lake was built, the flooding has increased dramatically for two reasons. First, the lake raised the water table. Second, most of the natural storage capacity of the old Lagoon has been eliminated since the lake now occupies this site.

a) Water Table:

Prior to the lake, the water table on Ranchotel was over 6' below the surface during the wintertime. We maintained a leach field for our septic system, which was four feet deep. Wastewater would flow by gravity from the septic tank into this leach field. This system worked fine from 1952 to 1979 without any problems. Suddenly, in the winter of 1979-1980, we started having problems with our septic tanks overflowing. Each year for several years, the problem became worse and worse. At the time, we didn't realize that the new lake was having the hydrological effect of raising the water table around the lake. In effect, the water table was now above our leach lines and they were full of water. We initially solved this problem by putting in a pump station to pump the wastewater into the leach fields. This stopped the overflowing septic tanks, but now the surface of our leach fields were constantly wet and would not dry out. Essentially, we had changed our gravity leach field into a Swedish Leach Field. But for this new "Swedish System" to work properly, the leach lines now needed to be over 6' deep and the leach field needed to be doubled in size.

The Bypass Channel around the lake was supposed to take care of this by acting as a drain to keep the water table down. Unfortunately, the Bypass Channel is full of water all year round. This is because the creek, which empties the entire valley, is plugged up with silt and over grown with brush. It dams up the creek, keeps the Bypass Channel full and causes the water to back up and flood out the northern end of Lagoon Valley.

The higher water table also causes more surface flooding. When the water table was lower, more rainwater could go into the ground and become "ground water." Now that the water table is less than 24" from the surface, the City of Vacaville and Solano County, who built the lake, have filled up several 100 acre feet of ground water capacity. Less water going into the ground causes more surface water, which causes more flooding. During peak rains, the water table is at ground level at our end of the valley.

A simple solution to this problem would be to clean out the Pena Adobe Creek, which empties Lagoon Valley so that the water Bypass can empty out properly and the standing water in the Bypass Channel could empty out, thus lowering the water table.

b) Flooding:

Lower Lagoon Valley has suffered excessive flowing problems ever since Lagoon Valley Lake was built and over 300 acre feet of natural overflow capacity were filled up with the current lake.

The lake should be used to create more overflow capacity for peak rainstorms. Currently, during excessive rainy seasons, the water flows from the Bypass Channel back up into the lake. I have personally seen the level of the lake exceed the height of the lake's dam by more than 24". This means that during excessive flood seasons, Lagoon Valley Lake acts as an over basin for over 200 acre-feet of water. Include the Bypass Channel, Pena Adobe Park, the Ranchotel and you have over 300 acre feet of excess flood water.

This past summer, the City built a 40-acre foot overflow basin next to I-80. As we all know, this winter the Alamo area was flooded again and I-80 was flooded and closed next to the Ranchotel and Pena Adobe. TRIAD will be required to reduce surface runoff by 10%. TRIAD will have to build additional overflow basins to create a storage capacity for peak rains of over 30 acre-feet. Add these 30 acre-feet to the 40 acre-feet for a total of 70 acre-feet. This will help, but that will not eliminate the problem.

If the level of the lake was lowered and maintained 24' below its current full capacity, prior to the peak rainy season, this would add some 200 acre feet of overflow capacity. During the so-called 100-year floods (which seem to occur every five years in Lagoon Valley) the level of the lake should be lowered 36". Add this to the previous 70 acre-feet and we could have over 370 acre-feet of additional overflow capacity before any flooding occurs. This could eliminate all of the current flooding problems in the Alamo, Pena Adobe, Ranchotel and I-80 area.

I said this could be done cheaply. When TRIAD drains and excavates the lake, a new dam will be built. This new dam should have an overflow gate built at the top of the dam. This gate should be able to lower the lake as much as 36" below its current full capacity. Prior to the peak rainy season, this gate could be opened to lower the lake 24-36", depending on the expected rainstorms. As the rainy season passes, this gate could be raised and lowered so that the lake is back to full capacity by the end of the season.

c) Proposal to raise level of Lagoon Valley Lake.

I would also like to address the proposal of raising the dam to increase the level of the lake. This has been discussed by the Parks Dept. and some city planners have discussed this as a compromise to excavating the lakebed. To quote the Parks Dept. (Bob Farrington), "We are looking into the possibility of raising the dam two feet, which could save us the cost of excavating the lakebed an extra two feet."

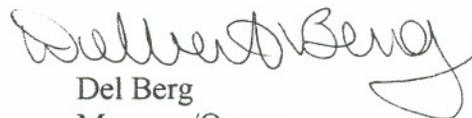
This possible solution would cause two problems. First, the hydrological effect of raising the level of the lake would again raise the water table. It could raise the current water table (which is about 12"-24" down to above the surface and turn our property into a bog and again render our leach system ineffective. The proof of this is the fact that the designated wetland area southwest of the lake and the seasonal wetlands at the park entrance didn't exist before the lake was built. Secondly, if the level of the lake is raised two feet, it will remove another 200 acre-feet of overflow capacity. This will force these 200 acre-feet onto the Pena Adobe, I-80, the Ranchotel and Alamo Creek area.

2. Rivera Road.

I would also like to address the issue of Rivera Road versus the Proposed Saddleback Lane. The current 1990 Development Plan called for eliminating Rivera Road (which is next to I-80) and building Saddleback Lane next to Lagoon Valley Park. This means that a dead end street and not a through road would service the Ranchotel. We would also have to give up the rear portion of our property for this Saddleback Lane. This old plan would put this Saddleback Lane next to the Bypass Channel and in one area this road would be inside of the park. We believe this Saddleback Lane would be a detriment to the park and the wildlife habitat along the western edge of Lagoon Valley Park as well as a detriment to the Ranchotel, which will result in a loss of business as well as the esthetics and beauty of our Ranch. We wish to support the TRIAD plan of maintaining Rivera Road away from the park. We want to bring to your attention that any changes to that part of Rivera Road, which passes between I-80 and the Ranchotel as it currently runs south to the Pena Adobe overpass, would adversely affect the flooding problems we currently suffer from. Also, changing where Rivera Road feeds into the Pena Adobe Overpass would adversely affect the seasonal wetlands currently existing there.

We would appreciate your looking into these issues. Please keep us informed of any progress in this area.

Finally, I would like to request the company or individuals who are going to do the flooding, hydrology and road studies to personally visit our property. I will then show them specifically the evidence of these problems and discuss our concerns face to face with them.



Del Berg
Manager/Owner
Ranchotel Horse Center
707 448-6427

APR 11 2003

April 11, 2003

Fred Buderl
City of Vacaville
Planning Division
650 Merchant Street
Vacaville, CA 95688

CITY OF VACAVILLE
PLANNING DIVISION

Subject: Response to Lagoon Valley EIR NOP

Dear Mr. Buderl:

I am providing the following comments on the scope of the Lagoon Valley EIR are provided on behalf of Friends of Lagoon Valley and the Willis Jepson of Chapter of the California Native Plant Society.

We would like to recommend the following additions and changes to the scope of the EIR.

Growth Inducing and Cumulative Impacts:

The City must consider in the EIR that the project is virtually certain to increase the pressure for development within the portion of Lagoon Valley located northwest of the freeway, and the city has entertained development proposals for this area despite strong public opposition. The analysis of impacts must assume that development of the project would be the first step of urbanization of the entire Lagoon Valley area.

In addition, impacts to citywide traffic, air quality, water quality, and natural resources must be considered in context of the additional new proposed developments in other portions of the city. It is apparent that the City is attempting to piecemeal the environmental impact of various projects rather than considering the cumulative impacts of all of the proposed changes to the General Plan. The impacts of this project, on traffic for instance, will be seriously underestimated unless additional proposed projects are included in the analysis.

Urban / wildland interface issues:

The EIR must address in detail the impacts associated with the increase in urban/wildland interface that would result through the project. This would include hazards associated with fire and landsliding, as well as significant impacts to the habitat value of the wildland areas due to the management of these areas by the city and the use of these areas by residents. Issues to be addressed include likely introduction of invasive plants, degradation of existing native plant resources due to vegetation management for fire risk reduction, impacts from pets and feral animals introduced into adjacent habitats, negative impacts on the potential for restoration of native oak woodlands due to grazing practices and likely increases in fire frequency. The economic costs of dealing with these issues must be addressed.

Evaluation of biological resources within Lagoon Valley Park:

The assessment of project impacts must include a complete assessment of biological resources within the existing park. Lagoon Lake, which was once a large playa vernal pool, probably similar to Olcott Lake at the Jepson Prairie Preserve, is still surrounded by remnant, generally degraded vernal pools. Conspicuous species associated with vernal pools, including *Triphysaria eriantha* ssp. *eriantha*, *Pleuropogon californicus*, *Castilleja campestris* ssp. *campestris*, *Downingia* spp. occur within the park, and to our knowledge, no systematic effort has been made to fully assess the range of species that may be present in the park. Furthermore, current

management of the park completely ignores the presence of vernal pool species, leading to further degradation of these resources through herbicide application, tillage, vehicular traffic, and other impacts. Mitigation of impacts to vernal pools and other resources within the park will require the acquisition of additional parklands so that more intensive and destructive recreational uses can be accommodated in less sensitive areas.

Additional impacts to Lagoon Valley Park and its resources:

The proposed plan would greatly impact the park by vastly increasing the daily use of the park. Implicit in the plan is the fact that the park would become an amenity to increase the marketability of the homes and given the close proximity of a large number of residences in close proximity to the park, daily use would skyrocket. The increased use will result in direct impacts to wildlife and vegetation as well as affecting the character of the park. The impacts of additional plans to dredge the lake, including the impacts to vernal pool resources adjacent to the lake need to be analyzed.

No project alternative:

The NOP indicates that the current adopted Lagoon Valley policy plan will be used as the "No Project alternative for the CEQA alternatives analysis. We believe that this is a misapplication of the CEQA guidelines. Section 15126.6.e.3.C of the guidelines states:

(C) After defining the no project alternative using one of these approaches, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

The current Lagoon Valley policy plan has been in place for approximately 10 years and no serious attempt to implement this plan has been made over this period. It is not reasonable to assume that within the foreseeable future that this existing plan would be implemented. Furthermore, the infrastructure and community services needed to support the current policy plan are not currently available. Hence, while the current policy plan can and probably should be considered in the alternatives analysis, it should not be used as the "no project" alternative. The approach listed under CEQA Guidelines section 15126.6B should be used to identify the no project alternative. A reasonable argument can be made that a "no build" alternative should be used as the "no project" alternative, since any major development in Lagoon Valley would require the installation of very costly infrastructure, and such a project cannot practically proceed without significant investments of capital by both the city and the developer.

A feasible alternative

In my comments to the City Council at the Feb. 11, 2003 meeting, I briefly described an alternative project that 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. This alternative should be included in the alternatives analysis as a legitimate alternative to the proposed development.

This alternative proposes the following:

1. Allowing existing commercial operations within Lagoon Valley to continue, with the possibility of expansion of existing facilities onto lands that are not of high natural resource value. Existing businesses, including Hines Nursery and the Ranchotel would continue in operation and could expand their facilities if necessary to maintain commercial viability.

2. Limited development of estate residential housing in the southeastern portion of the project area, where limited rural residential properties already exist. Landowners in this area would be allowed to subdivide their parcels to develop a small number of high end custom home sites on large parcels, perhaps on the order of 20 acres. Both new and existing homes would not be served by municipal sewer service but would remain on individual septic systems. Water supply could be either municipal or private. The total number of new parcels would remain small to avoid adverse impacts to groundwater quality, traffic, visual resources, and biological resources. The subdivision would allow existing landowners in that portion of the valley a reasonable economic return, and would provide a unique type of high-end housing that is not currently available within Vacaville. The large lots would potentially allow for specialized landscape uses not typically available within the city, such as the development of a small private vineyard or space for keeping horses.

3. Acquisition of wetlands, vernal pools, riparian areas, and other valuable natural resource areas as mitigation banks. Lands could either be owned and managed by the city or another organization. Lagoon Valley is a unique area separated from other vernal pool areas by the Araquipa Hills. Maintaining and restoring degraded wetlands and vernal pools within this area is being discussed as part of the Solano HCP. Funding of land acquisition would be provided by developers mitigating for impacts of development in other portions of the city and county. The natural areas provided by the mitigation bank would positively affect the recreational value of the existing parklands.

4. Acquisition of lands for public parklands, recreation, and related uses. Remaining lands, mostly located south of the park would be acquired by the city, with funding provided by a local bond issue and possibly other sources. Uses of the acquire areas could include sports fields, festival/fairground/special events areas, community gardens/orchards, leasing for specialty agriculture (e.g., organic produce). These lands would help fill the city's needs for active recreation areas and would help make Lagoon Valley regional recreational draw as well a citywide park. Due to its beautiful setting and publicly-owned hills, Lagoon Valley is much better suited to the role of community-wide park than is Centennial Park. Furthermore, by relocating more intensive recreational activities away from the Lagoon Lake onto nearby lands, adverse impacts to habitats within the park will be diminished.

5. Accommodate additional residential and commercial uses specified in the proposed plan in other portions of the city that are not geographically separated from the city as is Lagoon Valley. Infill and redevelopment of existing, underutilized sites, such as declining and defunct shopping centers, can provide sites for the land uses proposed here in areas that already have infrastructure in place.

We believe that the foregoing plan is economically feasible because the total amount of public land acquisition is limited. We are certain that this plan would enjoy much greater public support than the Triad proposal and that the bond needed to fund it could be passed. The environmental impact of this plan is far lower than the proposed project, and could actually result in a net improvement in the environment of the valley through the protection and restoration of sensitive resource areas. This alternative is also consistent with General Plan objectives of maintaining a community separator between Fairfield and Vacaville, and is likely to discourage rather than induce growth in the portion of Lagoon Valley northwest of I-80. We encourage the City to use these parameters to develop an alternative to both the existing policy plan and the proposed project that would be consistent with the interests of Vacaville's residents and would avoid the significant environmental impacts that both of these poorly-conceived urban sprawl plans would entail.

We encourage the City to thoroughly analyze the individual and cumulative impacts of this planned project on the local environment in the EIR. We furthermore ask that the full costs of the project be analyzed impartially. Such analyses will be inadequate unless they model the loss in cost efficiency associated with providing services to an area that is so geographically disconnected from the bulk of the city.

Sincerely,



Ted Swiecki, Ph.D.
Conservation Chair, CNPS Willis L. Jepson Chapter
Member, Friends of Lagoon Valley
1027 Davis Street, Vacaville CA 95687
707-448-0230

SIERRA CLUB

REDWOOD CHAPTER - SOLANO GROUP

P. O. Box 7313 Vallejo, CA 94590

Fred Bruderi
EIR Manager
Vacaville, Planning Division
Vacaville, Ca 95688



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APR 11 2003

CITY OF VACAVILLE
PLANNING DIVISION

RE: EIR for Lower Lagoon Valley

The following comments are being submitted by the Solano Group of the Sierra Club in reference to the scope of the EIR being prepared for the proposed Lower Lagoon Valley project.

The EIR needs to address the Cumulative Impacts of this project, when added to other projects being approved or considered by the City of Vacaville. The Cumulative Impacts to traffic, air quality, water quality, and public services and utilities all need to be studied and any negative impacts mitigated. The Cumulative Effects on biological resources also need to be carefully studied with regards to wetlands, impacted habitats, and resident native animal and plant species. Appropriate mitigations need to be proposed for cumulative impacts for affected habitats and species. Regional as well as local impacts need to be looked at and mitigations proposed.

The EIR should also consider Cumulative Impacts to Agriculture. The compatibility of this proposed project with adjacent agricultural lands needs to be studied. Are there any Williamson Act lands in the vicinity that will be affected by the Lagoon Valley Development?

Impacts of this project on the Greenbelt /Buffer Zone between Fairfield and Vacaville needs to be assessed. Buffer zones between cities are often Wildlife Corridors, and the impacts of development in Lagoon Valley on Wildlife Corridors need to be studied. Appropriate mitigation measures need to be proposed.

A thorough study of impacts of this project to existing public services in Vacaville needs to be included in this EIR. Will development in Lagoon Valley be self-sufficient with regards to public services? What will be the financial costs of this development for the rest of Vacaville compared to the no project alternative? Where will water for this area come from and where will waste generated from this project be treated?



The impacts of this project on Lagoon Valley Lake need to be seriously studied. The proposed 1 million sq. ft. of proposed office/ business space between I-80 and the Lake will severely impact what is now a rural park and picnic area. The character of the current Lake Park and surrounding Open Space will be permanently altered by the proposed development. The EIR needs to address the impacts to the Lake and the existing Parklands and surrounding natural areas.

It is stated that the extent and location of 'park improvements' will be unknown until a revised master plan for the park and open space is adopted by the City of Vacaville. The EIR needs to address this issue. How can improvements be studied and assessed if they are unknown? When will the revised Master Plan be adopted? How can this EIR study the impacts of this project on park and open space issues until the City of Vacaville completes its master plan for this area?

The Solano Group of the Sierra Club looks forward to working with the City of Vacaville in the Environmental Review of Lagoon Valley and its environs.

Kenneth Browne

A handwritten signature in black ink that reads "Kenneth Browne".

Chair

Solano Group

Sierra Club

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CITY OF VACAVILLE
PLANNING DIVISION

The Pierson Living Trust UDT 7/29/96

John E. Pierson, Trustee

Susan K. Pierson, Trustee

5668 Cherry Glen Rd., Vacaville, CA 95688

707-448-9208

Fred Buder, EIR Project Manager
City of Vacaville, Planning Division
650 Merchant Street
Vacaville, California 95688

April 11, 2003

RE: EIR for Lower Lagoon Valley Project (03-003)

Dear Mr. Buder,

We own a ½ interest in the property located east of Cherry Glen Road, and west of Interstate 80, and directly at the base of the Lagoon Valley Road/Cherry Glen Road over-crossing. This property is directly adjacent to the project study area, and based on maps provided by Ron Rowland through Maureen Traut Carson, it appears that a small portion of our property could be included in the area of study. For this reason, we would like to make comment on the proposed study scope of the EIR analysis as follows:

Traffic - The westbound off ramp from I-80 is adjacent to our property line. Any changes to that ramp, as well as to the overpass, will have significant impact on our property. We reside in a home located in very close proximity to the ramp and overpass, and 4 rental units also exist in close proximity. In addition, we have a 60' x 60' hay barn and cattle working facilities very close to the off ramp. We ask that these factors be considered relative to any revisions in freeway access, egress or enlargement of the existing overpass. As Cherry Glen Road is the western boundary of our property, we are also concerned about any potential changes to that roadway and the effect on our property.

Rezoning - As mentioned in your "Notice of Preparation", the project zoning would be amended "to match the General Plan amendments ...". We are not necessarily adverse to a zoning change, but would appreciate consideration and communication with respect to any proposed changes in our current zoning.

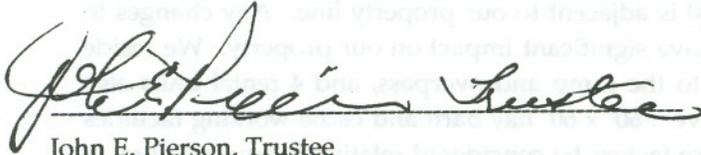
Assessment District - In order to preserve our right to address this issue in the future, we would like to comment on the possibility of being included in any assessment districts created relative to the proposed project. At this time, we perceive no direct benefit from the proposed development, and would be opposed to inclusion in an assessment district from which we would derive no benefit.

Environmental Effects - We have already commented on our concerns relative to traffic and you have delineated the areas of study regarding transportation and circulation in your "Notice of Preparation". However, we wish you to include our property in studies covering all environmental impacts of the project, especially with respect to hydrology and drainage. We currently deal with runoff from the off ramp and overpass, most of which circumvents us along the freeway, and then drains under the freeway and into the Lower Lagoon Valley. However, we do get a certain portion of it running directly through our property. Run off from the west side of Cherry Glen Road is carried northward along our property line via a drainage ditch between our property line and the county road. This ditch makes a right hand turn, and bounds our northern property line, eventually draining under the freeway and into Lower Lagoon Valley. We currently have problems with these ditches silting up and causing periodic flooding at the lower end of our property. Please consider what impact on drainage the proposed development will have on the area to include our property.

Public Services and Utilities - We are concerned that the proposed development could have a significant impact on our property. Currently, there exists a power line that crosses our pasture from Cherry Glen Road to I-80. We have already encountered personnel associated with local telephone service providers who have been studying the possibility of running phone lines along the same "easement" in order to serve the proposed project. Whether these services would be run overhead, or placed under ground, please consider the impact on our property of any changes to these utilities. We feel the impact could be significant.

We submit these comments, not in opposition to the proposed development, but in order to preserve our ability to continue to comment in future discussions relative to the proposed project in Lower Lagoon Valley.

Respectfully,



John E. Pierson, Trustee



Susan K. Pierson, Trustee

April 11, 2003

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APR 11 2003

Mr. Fred Buderer, EIR Project Manager
City of Vacaville, Planning Division
650 Merchant Street
Vacaville, CA 95688

CITY OF VACAVILLE
PLANNING DIVISION

Dear Mr. Buderer:

Responding to the Environmental Impact Report (EIR) for the Lower Lagoon Valley Project (03-003), I wish to state that this project submitted to the City of Vacaville by Triad Communities needs to include a scientific investigation on the following ecological components:

First, there are the vernal pools around the Lagoon Valley lake, attracting various threatened/endangered wildlife species. These vernal pools, which are mapped recently by the LSA, Inc. consultants for our Habitat Conservation Plan in Solano County, are located in both the western and southwestern part of Lower Lagoon Valley between Highway I-80 and Lagoon Valley Lake along the Lagoon Valley creek which covers mostly the former hang glider port and is envisioned to become the Ranchotel Equestrian Center.

In addition, there are the potential vernal pools in both the eastern and southern parts of the Lagoon Valley Lake, extending into the three Villages by Triad Communities. These vernal pools are not mapped currently by LSA Inc., due to the fact that they are situated in an designated agricultural area, encompassing the present Hines Nursery property.

Secondly, there are the threatened/endangered wildlife species and species of concern within Lower Lagoon Valley. These species were identified by the Audubon field survey in the 1990 EIR and verified by recent topographical maps from the Fish and Wildlife Service. These species coexist in their habitats within Lower Lagoon valley, especially the Lake area.

Thirdly, there are the deteriorating physical conditions of the Lagoon Valley Lake which has a man-made island with numerous bird flocks and transplanted trees, serving a natural basin during the rain floods and sediment run-off from the adjacent hills.

In addition, according to the California Fish and Game Department, the Lake is probably polluted by the chemical deposits from the adjacent Hines Nursery commercial site while it is also located on an earthquake fault. Thus, this new EIR needs to determine extent of impacts that the clean-up operations, such as the lake dredging or introduction of natural cleanse agents, will have on the water quality and aquatic species within the lake eco-system.

Finally, the EIR needs to investigate the large amounts of plant foliage in the lake to determine why this is taking place. Perhaps it may be due to human dumping from household aquariums.

Yours Sincerely,



Mr. Roberto Valdez Jr.
Vacaville Resident

APPENDIX C: RECREATION PREFERENCE SURVEY & RESULTS

The numbers below are the result of surveys distributed at the public forums and on the Solano County web site in October and November 2002. Approximately five hundred responses were received.

Listed below are a series of recreation activities that may occur in a park. Please prioritize your preference for each: after each activity, indicate how important these are to you, that is, in which ones you would be most likely to participate.

- H = highly important
- M = moderately important
- L = least important

Hiking	70	Boating (non-motorized)	15
Nature appreciation	68	Horseback riding	14
Bike riding on paved roads/trails	62	Shooting	11
Historical appreciation	51	Boating (motorized)	10
Regional cultural events	43	Archery	9
Group picnicking	42	Golfing	8
Fishing	29	Hunting	8
Camping (no utilities)	26	Off-road vehicles	8
Camping (hookups)	25	Bird watching	6
Swimming (open water)	25	Dog park	5
Bike riding off pavement	23	Model airplanes	5
Group camping	23	Model boats	4
Regional sporting events	16	Hang gliding	2

The numbers above represent scores for ranking as "highly important."