

We recommend deleting Bullet one of mitigation measure 4.6-1 (b), as Bullet two already requires visible emission evaluation of construction equipment exhaust.

9-2

We recommend replacing "the YSAQMD" in Bullet three with "an Environmental Coordinator" as referenced earlier in Bullet two.

9-3

In January 2004, the District's Board of Director adopted resolution 04-01 encouraging heavy-duty vehicle operators limit idling to five minutes. For consistency purposes, we recommend rewording the Bullet four to read: Instruct and monitor equipment operators to minimize equipment idling time to 5 minutes, unless required by the engine manufacturer or due to safety conditions.

9-4

A tuned engine can result in 5 percent fewer emissions because when engines are running well, the fuel burns more efficiently. Therefore, we recommend adding the following mitigation measure: Maintain heavy-duty earthmoving, stationary and mobile equipment in optimum running conditions.

9-5

The District appreciates being apprised during project development, however, it is inappropriate for the District to configure parking for minimizing traffic interference and delays and spacing requirements as described in Bullets ten and 11 of mitigation measure 4.6-2. Please reword these bullets, removing the District from obligations of determining such matters.

9-6

The District is concerned about the purpose, authority and enforceability of the second sentence for Bullet 29, which reads "The emission potential from each resident shall not exceed 7.5 grams per hour." We are unclear of the mitigation measure's basis and implementation. The District recommends deleting the second sentence of Bullet 29.

9-7

As the text correctly states on page 4.6-13 of EIR, the District's PM<sub>10</sub> threshold is 150 lbs per day. However, please correct the District's PM<sub>10</sub> threshold in Table 4.6-3 and Table 4.6-4, accordingly.

9-8

Thank you for the opportunity to comment and if you require additional information please call the District at (530) 757-3677. The District looks forward to reviewing the final EIR and subsequent updates to the project's Specific Plan.

Best regards,



Daniel P. O'Brien  
Associate Air Quality Planner

cc: Larry Greene, Air Pollution Control Officer  
Carl Vandagriff, Senior Air Quality Planner



**COMMENT LETTER 9: Yolo-Solano Air Quality Management District**

**Response to Comment 9-1:**

The City appreciates the comment that the Draft EIR includes a comprehensive evaluation of the Proposed Project’s impacts to air quality, as requested by the Yolo-Solano Air Quality Management District’s (YSAQMD) NOP comment letter.

At the request of the commentor, Mitigation Measure 4.6-1(a) on page 4.6-14 will be replaced with the table provided by the YSAQMD entitled “Table 1 – Best Available Fugitive Dust Control Measures” and “Table 2 – Best Available Fugitive Dust Control Measures for High Wind Conditions” and Mitigation Measure 4.6-1(a) on page 4.6-14 is revised to read as follows:

- 4.6-1 (a) *Prior to all phases of project construction, the applicant and City shall ensure that construction contracts include the following specifications:*
- ~~• After review and approval by the YSAQMD, the developer, if required, shall apply approved chemical soil stabilizers according to manufacturers specifications, to all inactive construction areas (previously graded areas which remain inactive for 96 hours), including the soil that would be used for construction of the earthen berm.~~
  - ~~• Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less.~~
  - ~~• Creation of a dust control plan for approval by YSAQMD~~
  - ~~• No open burning of vegetation during project construction.~~
  - ~~• Reestablishment of ground cover as soon as possible after construction.~~
  - ~~• Suspension of grading activities when winds exceed 25 mph.~~
  - ~~• Enclose, cover or water at least twice daily all soil piles and exposed surfaces.~~
  - ~~• Keep all designated haul routes clean of any loose soil associated with soil transportation.~~
  - ~~• Cover loads of all haul/dump trucks securely.~~

<b><u>Table 1 Best Available Fugitive Dust Control Measures</u></b>	
<b><u>Fugitive Dust Source Category</u></b>	<b><u>Control Actions</u></b>
<u>Earth-moving</u>	<u>1. Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method d-2216; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations. For any earth-moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction.</u>
<u>Disturbed surface areas (except completed grading areas)</u>	<u>2a/b. Apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot be stabilized, as evidenced by wind driven dust, much have an application of water at least twice per day to at least 80 percent of the unstabilized area.</u>
<u>Disturbed surface areas – completed grading areas</u>	<u>2c. Apply chemical stabilizers within 5 working days or grading completion; OR 2d. Take action 3a or 3c specified for inactive disturbed surface areas.</u>
<u>Inactive disturbed surface areas</u>	<u>3a. Apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding</u>

	<p><u>conditions; OR</u></p> <p><u>3b. Apply dust suppressants in sufficient quantity and frequency maintain a stabilized surface; OR</u></p> <p><u>3c. Establish a vegetative ground cover within 21 days after active operations have ceased; ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; OR</u></p> <p><u>3d. Utilize any combination of control actions 3a, 3b, and 3c such that, in total, they apply to all inactive disturbed surface areas.</u></p>
<u>Unpaved roads</u>	<p><u>5a. Apply chemical stabilizers; OR</u></p> <p><u>5b. Apply water to at least 80 percent of the surface areas of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; OR</u></p> <p><u>5c. Install a three-sided enclosure with walls with no more than 50 percent porosity that extend, at a minimum, to the top of the pile.</u></p>
<u>Track-out control</u>	<p><u>6a. Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and with of at least 20 feet; OR</u></p> <p><u>6b. Pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and a width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.</u></p>
<u>All categories</u>	<u>7. Any other control measures approved by the District where necessary.</u>
<b><u>Table 2 Best Available Fugitive Dust Control Measures for High Wind Conditions*</u></b>	
<b><u>Fugitive Dust Source Category</u></b>	<b><u>Control Measures</u></b>
<u>Earth moving</u>	<u>1A. Apply water to soil not more than 15 minutes prior to moving such soil.</u>
<u>Disturbed surface areas</u>	<p><u>0B. On the last day of active operations prior to a weekend, holiday or any other period when active operations will not occur for not more than four consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months; OR</u></p> <p><u>1B. Apply chemical stabilizers prior to a wind event; OR</u></p> <p><u>2B. Apply water to all unstabilized disturbed areas 3 times per day; if there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of four times per days; OR</u></p> <p><u>3B. Take the actions specified in Table 1, Item 3c; OR</u></p> <p><u>4B. Utilize any combination of control actions specified in Table 2, Items 1B, 2B, and 3B, such that, in total, they apply to all disturbed surfaced areas.</u></p>
<u>Unpaved roads</u>	<p><u>1C. Apply chemical stabilizers prior to a wind event; OR</u></p> <p><u>2C. Apply water twice per hour during active operation.</u></p>
<u>Open storage piles</u>	<p><u>1D. Apply water twice per hour; OR</u></p> <p><u>2D. Install temporary coverings.</u></p>
<u>Paved road track-out</u>	<p><u>1E. Cover all haul vehicles; OR</u></p> <p><u>2E. Comply with the vehicle freeboard requirements of Section 23114 of the California Vehicle Code for operation on both public and private roads.</u></p>
<u>All categories</u>	<u>1F. Any other control measures approved by the District.</u>
<p>* <u>High wind conditions means when gusts exceed 25 mph.</u>  <u>Source: SCAQMD Rule 403, Tables 1, 2, &amp; 3.</u></p>	

**Response to Comment 9-2:**

Bullet one of Mitigation Measure 4.6-1(b) on page 4.6-14 will be deleted as follows:

~~“The prime contractor shall submit to the YSAQMD a comprehensive inventory (i.e., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.”~~

**Response to Comment 9-3:**

Bullet three of Mitigation Measure 4.6-1(b) is revised to read as follows:

“Contractors shall provide a plan for approval by the YSAQMD an Environmental Coordinator demonstrating that...”

**Response to Comment 9-4:**

Bullet four of Mitigation Measure 4.6-1(b) is revised to read as follows:

“Minimize idling time to ~~40~~ 5 minutes.”

**Response to Comment 9-5:**

An additional bullet will be added to Mitigation Measure 4.6-1(b) as follows:

“Maintain heavy-duty earthmoving, stationary and mobile equipment in optimum running conditions. [to the maximum extent practicable.]”

**Response to Comment 9-6:**

Bullet 10 of Mitigation Measure 4.6-2 is revised to read as follows:

“In consultation with the City Public Works and Community Development departments, configure parking to minimize traffic interference and delays.”

Bullet 11 of Mitigation Measure 4.6-2 is revised to read as follows:

“Include wide parking spaces or vanpool only spaces to accommodate vanpool vehicles in employment areas (e.g., community commercial, business-professional, industrial) ~~as determined by the YSAQMD~~ in accordance with a City approved TSM program.”

**Response to Comment 9-7:**

The language referenced is actually bullet 28 of Mitigation Measure 4.6-2. Bullet 28 is revised to read as follows:

“Only U.S. EPA Phase II certified woodburning devices should shall be allowed in single-family residences. The emission potential from each residence shall not exceed 7.5 grams per hour.”

### Response to Comment 9-8:

Tables 4.6-3 and 4.6-4 are revised to show the correct YSAQMD PM<sub>10</sub> threshold of 150 lbs. per day. This correction does not change the EIR’s impact conclusions or mitigation measures.

Emissions Source	Peak Day Emissions in Pounds per Day		
	ROG	NO <sub>x</sub>	PM <sub>10</sub>
<b>Site Excavation and Grading Phase</b>			
Fugitive Dust	-	-	<del>155.00</del> 150.00
Off-Road Diesel	25.53	199.67	9.44
Worker Trips	0.51	0.85	0.05
<b>Total Emissions</b>	<b>26.04</b>	<b>200.52</b>	<b>164.49</b>
YSAQMD Thresholds	82.00	82.00	82.00
Significant Impact?	No	Yes	Yes
<b>Construction Phase</b>			
Building Construction Off-Road Diesel	32.23	271.59	12.96
Building Construction Worker Trips	2.23	1.30	0.48
Arch. Coatings Off-Gas	78.05	-	-
Arch. Coatings Worker Trips	2.23	1.30	0.48
Asphalt Off-Gas	0.10	-	-
Asphalt On-Road Diesel	0.04	0.75	0.02
<b>Total Emissions</b>	<b>114.89</b>	<b>274.94</b>	<b>168.05</b>
YSAQMD Thresholds	82.00	82.00	82.00
Significant Impact?	Yes	Yes	Yes
Source: EIP Associates, 2003. Calculation sheets are provided in Appendix E.			

Emissions Source	Emissions in Pounds per Day		
	ROG	NO <sub>x</sub>	PM <sub>10</sub>
Water and Space Heating	1.69	22.35	0.04
Landscape Maintenance	0.67	0.16	0.01
Consumer Products	64.82	-	-
Motor Vehicles	220.92	245.04	361.79
<b>Total Emissions</b>	<b>288.11</b>	<b>267.55</b>	<b>361.83</b>
Thresholds (lb/day)	82.00	82.00	<del>82.00</del> 150.00
Significant Impact	Yes	Yes	Yes
Source: EIP Associates 2003. Computer sheets are provided in Appendix E.			



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# CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

## DEPARTMENT OF PLANNING AND DEVELOPMENT

LETTER 10

COMMUNITY DEVELOPMENT DEPT.

April 15, 2004

APR 19 2004

Fred Buder, Project Manager  
Vacaville Community Development Department  
650 Merchant Street  
Vacaville, CA 95688

CITY OF VACAVILLE

Re: Lagoon Valley Specific Plan and Draft EIR

Dear Mr. Buder:

The City of Fairfield would like to thank you for the opportunity to comment on the Lower Lagoon Valley Specific Plan and Draft EIR. Overall, the document appears to address the range of environmental impacts potentially associated with this major project.

10-1

However, we do have comments, which are summarized below:

### 1. Vacaville-Fairfield-Solano Greenbelt

Area 6B in the Specific Plan is designated in the Specific Plan and EIR as "private agricultural hillsides. No mention is made of its location within the boundaries of the Vacaville-Fairfield-Solano Greenbelt.

10-2

It has been our understanding that Vacaville will participate with Fairfield in the permanent preservation of the Greenbelt. Fairfield is developing an impact fee that funds the acquisition of development rights/easements over our "share" of the lands within the boundaries of the JPA Planning Area. The EIR and Specific Plan remain silent on how Vacaville intends to ensure the permanent preservation of the lands in Area 6B which are within the boundaries of the JPA. We would request that the EIR address this issue.

### 2. Trails Planning Issues

The Fairfield Master Trails Plan identifies trail corridors entering the Lagoon Valley from the west (off Interstate 80) and, potentially, from the south. We request that the EIR and the Lagoon Valley Specific Plan fully address regional trail connections. We have attached a photocopy of the Fairfield Master Trails Plan Diagram (Exhibit 2)

10-3

#### COUNCIL

Mayor  
Karin MacMillan  
707.428.7395  
Vice-Mayor  
Harry F. Price  
707.429.6298  
Councilmembers  
707.429.6298  
Jack Batson  
John English  
Marilyn Farley

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City Manager  
Kevin O'Sourke  
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City Attorney  
Greg Stepanovich  
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City Clerk  
Arlotta K. Cortright  
707.428.7384

\*\*\*

City Treasurer  
Oscar G. Reyes, Jr.  
707.428.7496

#### DEPARTMENTS

Community Services  
707.428.7465

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Finance  
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Fire  
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Human Resources  
707.428.7394

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Planning &  
Development  
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Police  
707.428.7551

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Public Works  
707.428.7485

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Mr. Buder  
April 15, 2004  
Page 2

3. Transportation Issues

- a. The DEIR includes six tables detailing Existing traffic conditions. The Existing+Project analysis only contains a table analyzing intersections. Please include LOS analysis for Roadway Segments, Freeway Segments, Freeway Ramp, and Freeway Ramp Merge/Diverge in the Existing+Project Analysis. 10-4
  
- b. We are concerned about conclusions in Table 4.5-9. This table shows traffic congestion at North Texas Street/I-80 East-bound interchange changing from Existing Conditions (LOS E/0.94 to LOS E/0.96) when currently approved projects are factored in, then *improving* when the Lagoon Valley project is implemented (E/0.93). We question how the development of hundreds of residential units and tens of thousands of square feet of commercial and office space proposed for Lagoon Valley will improve conditions at this interchange. Please explain how your analysis came to this conclusion. 10-5
  
- c. The EIR concludes that there will be an impact on North Texas Street /Manuel Campos Parkway/I-80 interchange (planned). It fails to provide a mitigation program for this interchange because said interchange is under the control of another agency, the City of Fairfield. While true, many of the freeway lane improvements discussed elsewhere in the EIR fall under the control of CALTRANS and the FHWA. We are concerned that the EIR proposes no mechanism for working with Fairfield (or CALTRANS/FHWA) to improve this interchange. 10-6

Again, thank you for the opportunity to comment upon these documents. Should you have any questions, please contact Brian Miller at 428-7446.

Sincerely,

  
SEAN P. QUINN  
Director

SPQ/BKM/ajh

c: Kevin O'Rourke

**COMMENT LETTER 10: Fairfield Department of Planning And Development****Response to Comment 10-1:**

The comment is noted that the City of Vacaville believes that the Draft EIR addresses the range of environmental impacts potentially associated with implementation of the Proposed Project.

**Response to Comment 10-2:**

On the City of Vacaville General Plan map, the area identified as 6B in the Specific Plan and EIR is shown as being located in the Vacaville-Fairfield Community Separator/Greenbelt. The first paragraph on page 4.2-2 is revised to read as follows:

...The Agricultural Service Area, which borders the Specific Plan area to the north and west, is where long-term agricultural activities are intended to take place. Portions of Subareas 6B, 6C and 7A, and a small portion of Area 4 are located in the Community Separator Overlay.

The proposed Specific Plan continues to support the Vacaville-Fairfield-Solano Greenbelt, and in no way removes the land in Subarea 6B, or other areas of the Specific Plan, from the community separator/greenbelt boundaries. The policies contained in Section 3.9 of the Specific Plan address the conservation of open space within the plan boundaries and Appendix C of the Draft EIR identifies how the Specific Plan respects the existing community separators through the layout of the project (Statement of Consistency for Section 2.1, Community Form and Image). In addition, Policy 2.1-14 in Appendix C points out that the City currently collects a Greenbelt Open Space Development Fee on all new residential projects. This provides a mechanism for the City to acquire lands identified on the General Plan map as community separators (including the Vacaville-Fairfield-Solano Greenbelt). The Proposed Project will be donating additional land to the City that are within the greenbelt/separator area (in Areas 6C and 7A). Moreover, the project previously approved for Lagoon Valley permanently set aside more than 1,000 acres of open space on-site, including large areas contained within the Community Separator areas. Therefore, the EIR correctly concludes that the project has no impact on the greenbelt. This information will be added to page 4.2-14 (Land Use and Planning) of the Final EIR. See also Response to Comment 3-1.

**Response to Comment 10-3:**

Both the Specific Plan and Draft EIR address regional trail connections. Specific Plan polices contained in Section 4.5, Non-Vehicular Circulation Network, outline the steps by which the project will develop and implement a comprehensive and connected bikeway, pedestrian, and equestrian system, including providing a connection from the Lagoon Valley Park, through the proposed development, to the open space in the southwest corner of Lower Lagoon Valley. This comprehensive trail system is illustrated in Figure 4.3, Non-Vehicular Circulation Diagram, which also shows trails that connect lands near the Lagoon Valley Road freeway exit to the Lagoon Valley Park and other areas of the Specific Plan. The conceptual trail shown through the southwest corner of Lagoon Valley is very similar to the trail location of the original Lagoon Valley Policy Plan. This trail will be able to connect to the Northeast Paradise Valley trail alignment illustrated in the City of Fairfield's Master Trails Plan (Appendix C).

Therefore, the Specific Plan incorporates a comprehensive non-vehicular circulation plan. The plan requires the developer to complete a trail on the Nelson Road right-of-way within the City of Vacaville, helping implement a major link in a regional trail connection. The City does not show trail alignments through unincorporated, private property in the Specific Plan's planning area (Area 6B), in order to avoid the incorrect impression that public access is permitted in those areas at this time. However, the City will be willing to work with these owners at some future time should the opportunity for planning of additional trails through this area be available. Thus, the EIR concludes that the Specific Plan will have a beneficial impact on non-vehicular transportation systems, both within the Specific Plan area and connecting to other areas.

**Response to Comment 10-4:**

See Tables 13 through 16 in Appendix D of the Draft EIR for the results of analysis for intersections and freeway facilities for Existing Plus Approved Project Conditions. This provides the detailed analysis of Existing plus Approved Projects Conditions, similar to that provided for Existing Condition, that the comment requests. Please see also Response to Comment 6-6.

**Response to Comment 10-5:**

The basis for the improvement in volume to capacity ratio shown in Table 4.5-9 for Year Existing + Approved Projects conditions for the North Texas Street/I-80 Eastbound interchange is that vehicles are redistributed in the model based on changes in trip productions and attractions in reference to future development. That affects overall conditions. See Response to Comment 6-6. For example, the overall volume in this intersection increases by 110 vehicles from "Existing Conditions" to "Existing Plus Approved Projects with Project," but the northbound right turn movement decreases by 30 vehicles based on changes in productions and attractions in response to the "Approved Projects." This causes the 0.02 improvement in the V/C ratio. Those 30 trips could be work-to-home trips that would continue on the freeway to Lagoon Valley versus exiting at North Texas, for example.

**Response to Comment 10-6:**

In response to the commentor's concern that the Draft EIR does not propose mechanisms for working with the City of Fairfield (or Caltrans/FHWA) to improve the planned North Texas/Manuel Campos/I-80 interchange, the City will continue to work with City of Fairfield staff to determine specific means for the Project to contribute to those improvements. This is consistent with the City's on-going efforts to work with its neighbors to determine regional solutions to regional traffic problems. It is also important to note that the Proposed Project is estimated to add only approximately one percent of the traffic volume at this interchange, and that this intersection is expected to operate at LOS F with or without the Project. Nonetheless, because the Project would contribute to this anticipated (Year 2025) significant impact, its impact is conservatively identified in the Draft EIR as contributing to a significant cumulative impact of the Project. Because the improvements to mitigate the overall impact are undetermined and speculative at this time, beyond the scope of the Project and outside of the jurisdiction of the City of Vacaville, the EIR conservatively concludes that the impact is significant and unavoidable.



Department of  
Environmental Management

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Michael Yankovich  
Planning Manager

April 16, 2004

Mr. Fred Buderer, Project Manager  
Community Development Department  
City of Vacaville  
650 Merchant Street  
Vacaville, CA 95688

RE: Lower Lagoon Valley Specific Plan Draft EIR

Dear Mr. Buderer:

The Department of Environmental Management has reviewed the Draft Environmental Impact Report (DEIR) for the Lower Lagoon Valley Specific Plan. The Board of Supervisors also took the opportunity to review the DEIR and provide comments regarding the project's identified impacts as they relate to the unincorporated residents and county assets adjacent to the proposed project and to consider the potential regional impacts of the plan. The Specific Plan involves the construction of a separate community consisting of 1,325 residential units, a business park, a commercial Town Center, a golf course, a school and a park.

The principal concern with the project as proposed will be isolation of this community from the existing City. The project is designed to use Interstate 80 as the primary access to other parts of the City because it will not be possible to access a city street from this part of the City and as proposed the project relies on County roads for secondary access. The project will produce a condition that exists in the Cordelia area requiring city residents to use County roadways to reach central Fairfield when the freeway is congested. This has created a situation where the Cordelia unincorporated area residents find themselves house bound due to traffic for periods of time. Plans are currently being prepared and funds expended to create local connecting roadways in that part of Fairfield to mitigate the existing problem. It would be unwise to create a similar situation in Vacaville and seems to be in conflict with regional and local transportation planning goals. An analysis of consistency with regional and local transportation planning goals should be addressed in the EIR.



11-1

The use of County roads, which are typically narrow roads, utilized by farm equipment

11-2

and rural and agricultural residents in addition to anticipated new automobile and truck traffic generated by the city proposed specific plan development would create incompatible traffic use that may reduce the safety for existing and future residents. The EIR should include an evaluation of this potential impact on the physical facilities and the demand on County resources to maintain these as well as law enforcement patrol, and then recommend mitigation measures.

11-2  
Cont.

The DEIR also states that the daily operation of the project could generate substantial air pollutant emissions and provides mitigation measures for implementation in consultation with the Yolo-Solano Air Quality Management District. Among the mitigation measures cited are the installation of a gas outlet with ceramic logs in any proposed fireplace, including outdoor recreational fireplaces or pits, if feasible, and permitting park and ride lots in the business village areas. Given the proposed specific plan project is in a "nonattainment" air basin, the DEIR should identify mitigation measures that would strive toward utilizing technologies that improve or maintain the existing air quality. Perhaps the mitigation measures should consider requiring the installation of a gas outlet with ceramic logs in all indoor and outdoor fireplaces and require the construction of park and ride lots in the business village areas as a component of the approved development plans.

11-3

The proposed project as the DEIR states will impact the prime agricultural land on the project site. The DEIR states prime agricultural lands are being converted to residential use as a result of this project and then the DEIR does not propose mitigations, but instead proposes a Statement of Overriding Considerations. There are known mitigation measures and practices available and utilized by other municipalities in California. The County asks that these measures be researched and considered.

11-4

The approval of this proposed specific plan project as identified in the DEIR will also increase the development pressure on adjacent unincorporated agricultural properties north of Interstate 80 that currently are outside the city limits and city sphere and in the County General Plan are designated agriculture and are zoned as such. Conversion of these lands to more intense residential, commercial and/or industrial uses would be contrary to the policies of the Orderly Growth Initiative and County General Plan. Perhaps as mitigation for the loss of prime agricultural lands in the lower lagoon valley and impacts on adjoining prime agricultural lands, the City should consider preserving the adjacent unincorporated agricultural properties north of Interstate 80. Conservation easements have been used by other municipalities, as well as, purchase of development rights. There are a variety of ratios that have been used in other regions, including 1:1 for each acre of prime agricultural land converted by a proposed project. This type of mitigation measure could serve the City's goal of providing a buffer between residential and agricultural areas as well.

11-5

Finally, since a Statement of Overriding Considerations is being contemplated, the County respectfully requests the opportunity to review the proposed findings when they are available. You may direct it to my attention. Thank you for considering our comments and should you have questions or need additional information, please call. I

11-6

can be reached at (707) 421-6765.

↑  
11-6  
Cont.

Sincerely,

Michael G. Yankovich

cc: Board of Supervisors  
Michael D. Johnson, County Administrator  
Birgitta E. Corsello, Director



**COMMENT LETTER 11: Solano County Department of Environmental Management****Response to Comment 11-1:**

This comment relates to the merits of the land use plan, including what is termed as the isolation of this community from the existing City. The commentor also relates that concern to the potential effect of traffic on County roadways. The City has reviewed this comment and has the following responses:

- The primary components of the plan that are identified by the County as concerns have been in the City's General Plan since 1990. When the Lower Lagoon Valley area was annexed into the City of Vacaville, the future urban growth in the valley relied primarily on the I-80 freeway for vehicle access to the remainder of the City. At that time, the City also approved a project for the Lagoon Valley that included over five million square feet of office space. Those approvals are still valid. The EIR prepared for that 1991 approval anticipated trip generation from that project of 9,076 PM Peak hour trips, whereas the Draft EIR anticipates 2,871 (or less than one third of the prior number) of expected trips from current Project. Thus, not only has the development of the Lagoon Valley been anticipated for over a decade, but the currently proposed project has significantly reduced traffic impacts compared to existing approvals (or development under the existing General Plan and zoning). The City also notes that the County failed to raise this concern in response to the Notice of Preparation. However, the City also adopted a potential future alignment for a secondary roadway access to the main part of Vacaville that connects California Drive with Cherry Glen Road near the I-80/Pena Adobe interchange. This adopted alignment would provide an alternate access way into the City from Lower Lagoon Valley. The Draft EIR analyzes the impact of the proposed Specific Plan with and without the future California Drive extension. It should be noted that the California Drive overcrossing project has been identified in the City's adopted list of potential future Transportation Impact Fee (TIF) projects. The California Drive overcrossing project, however, is not proposed as part of the Specific Plan or otherwise at this time. That project has not been designed, funded or approved by any entity or agency.
- According to the Draft EIR, the proposed Specific Plan would reduce the potential traffic effect on County roads in the vicinity when compared to the existing, approved and entitled land uses within the Lower Lagoon Valley area. The Proposed Project would result in lower traffic levels on area streets and roads than the City's adopted land use plans because it allows less development than the currently entitled project for the area or the existing General Plan and zoning designations.
- It should be noted that the area is not entirely isolated from the City. One of the City's major off-street bike/pedestrian paths connects Lower Lagoon Valley with the main part of the City. The City believes that the project would result in an improved off-street circulation system that would substantially improve the local and regional trail system, including this direct connection to the central city.

With regard to impact on County roads, the City does not agree with the comparison to traffic impacts in the Cordelia area of Fairfield. The Cordelia area is adjacent to the heavily congested I-80/680 interchange and is a major regional warehouse, highway commercial, and residential area consisting of thousands of dwelling units and millions of square feet of commercial space. In addition, Pleasants Valley Road is a substantially longer route to central Vacaville from Lower Lagoon Valley and does not connect Lower Lagoon Valley with any significant trip attractions within the City.

The Draft EIR does not identify any significant traffic impacts on County roadways resulting from development of the Specific Plan. Traffic levels would increase over time, but the traffic analysis concludes that the project would not result in significant impacts on County road segments, primarily due to the substantial unused capacity on those roads currently, as well as the low traffic volumes, relative to that capacity, that the Proposed Project would add. The EIR's analysis concludes that an acceptable level of service will be maintained on County roads.

The Draft EIR's methodology was to analyze the typical Tuesday thru Thursday PM Peak (also AM Peak at Freeway interchanges) to determine the impact of expected Project trip Generation under several time and infrastructure scenarios. The City's level of service thresholds of significance are consistent with the regional thresholds, and the analysis in the Draft EIR provides the means to determine that traffic analysis results are consistent with regional and local goals. See page 4.5-15 section entitled Thresholds of Significance; see also Responses to Comments 6-1 and 13-1.

The only regional planning effort that we are aware of affecting the area is the STA I-80 Corridor Study. However, the City cannot directly compare the two studies because they use different models and one takes a planning approach while another uses an operational approach. Please see Appendix C of the Draft EIR, which contains an analysis of consistency of the Proposed Project with the City of Vacaville General Plan.

See Response to Comments 6-7 and 11-1, which explain that the Lagoon Valley has been approved for development for over a decade, and thus the impacts on County roads, which the commentor maintains are rural in nature and are incompatible with expected automobile and truck traffic, are not new impacts associated with the Specific Plan and should not be unexpected to the commentor. In any case, the commentor has not provided any evidence that those roads do not provide the capacity to accommodate the traffic that the Draft EIR anticipates the Proposed Project would generate. The existing traffic volumes on those roads are very low, and the Draft EIR documents the traffic volumes that are expected to utilize these roadways if the Proposed Project is implemented. Based on that evidence, the Draft EIR concludes that the Proposed Project will result in less-than-significant impacts to rural road segments and intersections. See Draft EIR page 4.5-15. Likewise, the demand on County resources for maintenance and law enforcement patrol for the county roadways impacted is anticipated to be less than for the previously approved project.

### **Response to Comment 11-3:**

See Responses to Comments 9-1 through 9-8. Requiring the installation of gas outlets in proposed fireplaces and outdoor recreational fireplaces or pits is a feasible mitigation measure. Bullet 5 of Mitigation Measure 4.6-2 is revised to read as follows:

~~"If feasible, i~~ nstall a gas outlet with ceramic logs in any proposed fireplaces, including outdoor recreational fireplaces or pits."

Even with this revision, operational air quality impacts remain significant and unavoidable as concluded in the Draft EIR.

Requiring park and ride lots in the business village area is unnecessary at this time. Mitigation Measure 4.6-2 already provides for vehicle all day parking lots near transit stops. Park and ride lots are permitted in the business village however, which allows for this contingency in the future.

**Response to Comment 11-4:**

See Response to Comment 3-1 that addresses the inclusion of mitigation measures for the conversion of Farmland.

**Response to Comment 11-5:**

This comment raises two issues: (1) the Proposed Project's potential to conflict with the Orderly Growth Initiative and the County General Plan; and (2) loss of farmland and inclusion of mitigation measure to address the loss of Prime Farmland. Cumulative impacts are discussed in Section 5.1 of the Draft EIR; Impact 5.1-1 discusses the development of the site as it relates to the conversion of farmland. The Proposed Project was not evaluated in relation to the Orderly Growth Initiative or the County General Plan, both County planning documents, because annexation to the City of Vacaville is not proposed as a part of the project, and the County's General Plan is not applicable to lands within the City's Sphere of Influence. An EIR need not analyze consistency with plans that do not apply to or govern the proposed project.

The comment speculates that the Proposed Project would induce growth in nearby areas. As shown in Section 5.2 of the Draft EIR, the Proposed Project will not have significant growth inducing impacts. In particular, by providing for both residential and commercial development, the Proposed Project provides a balance of jobs and housing. In addition, the Lower Lagoon Valley has long been both designated and tentiled for substantial urban development. Also infrastructure for the Project is not "oversized." Lastly, much of the open area around the Specific Plan area is permanently protected as open space or if designated in applicable plans for open space or agricultural use. All of these facts demonstrate that the Project will not open a new area to growth or eliminate obstacles to growth.

See also Response to Comment 3-1 that addresses the inclusion of mitigation measures for the conservation of Farmland.

**Response to Comment 11-6:**

The City will forward a copy of the proposed Statement of Overriding Considerations to the County Department of Environmental Management when that document is available to the public.



SOLANO COUNTY TRANSPORTATION DEPARTMENT

LETTER 12

333 Sunset Avenue, Suite 230  
Suisun City, California 94585



Telephone (707) 421-6060  
Fax (707) 429-2894

April 16, 2004

RECEIVED

APR 19 2004

CITY OF VACAVILLE  
PLANNING DIVISION

Mr. Fred Buder, Project Manager  
Community Development Department  
City of Vacaville  
650 Merchant Street  
Vacaville, CA 95688

RE: Lower Lagoon Valley Specific Plan Draft EIR

Dear Mr. Buder:

The Solano County Transportation Department has reviewed the Draft Environmental Impact Report (DEIR) for the Lower Lagoon Valley Specific Plan, dated February, 2004. The Plan calls for the construction of 1325 residential units, a business park, a commercial center, a golf course, a school and a park on the south side of Vacaville, just east of Interstate 80.

The project as proposed will be physically separated from the City of Vacaville. That is, it will not be possible to drive on a city street from this part of Vacaville to other parts of the city. The project is designed to use Interstate 80 as the primary access to the site. This appears to be in conflict with the regional goal of using the freeway network for regional trips, and providing a good local roadway network for local trips.

12-1

As currently designed, this project will create a situation similar to that which exists in the Cordelia area of the City of Fairfield. The primary access for much of Cordelia is I-80 and I-680. There is no good network of City of Fairfield roads that connect Cordelia with the rest of Fairfield. As a result, many residents have difficulties reaching central Fairfield when the freeway is congested. They make use of County roads, such as Cordelia Road and Rockville Road, to reach their destinations. Currently, local agencies are putting much effort and funding into creating local connecting roadways in that part of Fairfield to address the existing problem. It does not seem prudent to repeat the same situation in Vacaville.

12-2

When the freeways in the Lagoon Valley area are congested, which can be anticipated to occur more frequently in the future, the only option available to residents in the project area will be to use County roads, such as Pleasants Valley Road, Cherry Glen Road, and Lyon Road. The project will have a significant impact on these roads and the associated intersections. They are narrow rural roads, with nonstandard horizontal and vertical alignments at some locations. Even though the levels of service of these roads may remain acceptable after the project is constructed, these

12-3

roads and intersections were not designed or built to accommodate significantly increased traffic volumes. The project could impact the safety of traffic traveling on these roads, as well as the cost of road maintenance.

12-3  
Cont.

In the future, the City's General Plan calls for the extension of California Drive to connect to Cherry Glen Road. However, the local road network for the Lagoon Valley Project is designed to encourage traffic to use the southerly (Lagoon Valley Road) overcrossing rather than the northerly (Cherry Glen Road) overcrossing. Thus, even when the California Drive extension is constructed, there will not be a good roadway network leading from this project to the extension. Traffic will be more likely to continue using the freeway, or use Cherry Glen Road to access California Drive.

12-4

The table below summarizes the significant impact this project will have on Solano County roads.

Scenario	Lyon Road		Cherry Glen Road		Pleasants Valley Road	
	Peak Hour	Percent of	Peak Hour	Percent of	Peak Hour	Percent of
	Volume	Existing	Volume	Existing	Volume	Existing
Existing Conditions	119	100%	209	100%	239	100%
Year 2025 w/o Project (Park/Open Space)	207	174%	293	140%	286	120%
Year 2025 w/ Proposed Project	491	413%	592	283%	611	256%
Year 2025 w/ Proposed Project w/ California Drive Overcrossing	972	817%	1065	510%	287	120%

12-5

The project also includes the vacation of Nelson Road, and converting it into a multi-use path.

With this as background, I have the following comments:

Comment 1) The project should mitigate its impacts to the County road system and Interstate 80 by 1) the construction of a major City street that connects the project site with the rest of Vacaville, as part of the initial phase of the project; and 2) the configuration of the project's interior road system such that project traffic would use the major City street discussed above as a primary connection between the project and the remainder of Vacaville.

Comment 2) The project should mitigate its traffic impacts on Lyon Road, Cherry Glen Road and Pleasants Valley Road, including intersections on those roads. The DEIR should evaluate the ability of these roads and intersections to support the added traffic with regard to safety, level of service and structural adequacy (considering the existing roadway width, horizontal and vertical alignment, pavement structural section and condition, and intersection configurations), as well as the impact of the project on the cost of maintenance of these roads and intersections. Measures should be recommended to mitigate the safety, level of service, structural capacity and maintenance impacts of the project on the roads and intersections. Estimates of the costs to implement those measures should be developed, and a funding mechanism identified by which the development will pay for the cost of mitigating the project impacts.

12-6

Comment 3) Impact 4.6-2 listed in Table 2-1 of Volume 1 of the draft EIR states, in part, "Permit park and ride lots in business village area." Instead of this proposed mitigation measure, which is insufficient, the project should mitigate its impact on traffic and air quality by the construction of a suitably sized and located park and ride lot within the project area, and its dedication to the City of Vacaville.

12-7

Comment 4) The traffic model should be reviewed for inconsistencies. For example, it is difficult to understand how the existing plus approved project traffic volumes on the County roads would be lower than existing volumes.

12-8

Comment 5) It is not clear how the four-lane entry road will transition to the two-lane Lagoon Valley road overcrossing. This should be clarified.

12-9

Comment 6) The regional park is included in the specific plan area. It is not clear in the DEIR the extent of the cumulative traffic impact on the regional park after the park is improved. This should be clarified.

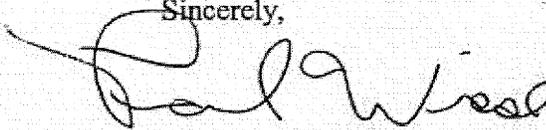
12-10

Comment 7) The report should identify how properties currently accessed by Nelson Road, including those in the unincorporated area, will be accessed if the road is vacated. The report should state whether contact has been made with affected property owners, and whether they are agreeable to the vacation of the road. The project should mitigate its impact by requiring the developer to enter into an agreement with Solano County to provide for the future cost of maintenance of any portion of the path located in the unincorporated area.

12-11

Thank you for considering my comments. Feel free to call me at (707) 421-6072 if you have any questions.

Sincerely,



Paul Wiese  
Acting Transportation Director

c: Board of Supervisors  
Michael D. Johnson, County Administrator  
Birgitta Corsello, Environmental Management  
Dan Christians, Solano Transportation Authority  
Lisa Carboni, Caltrans



**COMMENT LETTER 12: Solano County Transportation Department****Response to Comment 12-1:**

The commentor is concerned that the Project is physically separated from City of Vacaville and that is inconsistent with regional goal of using freeway network for regional trips and local roadway for local trips. See Responses to Comments 11-1 and 11-2. Additionally, the Lower Lagoon Valley area is in fact physically contiguous with the City of Vacaville (there are no unincorporated areas between Vacaville and the Project Area). The physical separation noted by the commentor is due to geographical constraints. There are direct pedestrian and recreational connections, however. A range of hills creates a major constraint on the placement of a street between Lower Lagoon Valley and the remainder of the City as is described in the Specific Plan and Draft EIR. The Proposed Project is designed to make use of I-80 as the primary access as noted in the comment, however, it is not inconsistent with City policy for I-80 to be the primary access to the site. The City's General Plan, Transportation element includes a statement saying " Avoid over reliance on I-80 for intra-city travel by creating a loop street system around the City.", and indicates a preference for using City streets for travel within the City wherever feasible and for minimizing the use of I-80. The General Plan, page 16-17 of Chapter 2, Land Use Element, notes that Lower Lagoon Valley has distinct development constraints and policies, which effectively require more reliance on I-80. The Proposed Project is consistent with this portion of the General Plan.

With regard to the preference for local street networks to carry local traffic, the General Plan incorporates a City street into the future roadway network. This road is comprised of an extension of California Drive across I-80 to Cherry Glen Road to connect with the project area at the I-80/Pena Adobe interchange. This future roadway is considered in the Draft EIR's cumulative impacts analysis, although it is not proposed at this time as part of the Specific Plan. The City has included the California Drive extension in its list of planned future projects and collects a Transportation Impact Fee (TIF) to provide funding that may eventually be used to construct this extension to the local roadway network.

**Response to Comment 12-2:**

See Response to Comment 11-1. This comment relates to planning policy rather than particular impacts identified in the analysis. The County would prefer that projects within the City limits be designed with City street connections directly to other portions of the City. In this case, the physical geography of the area is a major constraint to this concept. The City identified an alternative method of providing additional street access to this area by planning an extension of California Drive (please see Response to Comment 12-1 above). See Response to Comment 11-1 for a discussion of the comparison to Cordelia. Again, the City disagrees with the particular comparison. Cordelia is adjacent to the I-80/680 interchange, a major regional connection of two interstate highways with regional employment, retail commercial, and residential development.

**Response to Comment 12-3:**

See Responses to Comments 11-1 and 11-2 regarding concerns about impacts to County rural roads. The County's comment notes that these roads are of substandard construction and design, and appears to be blaming the Proposed Project for the roads' poor condition. The poor condition of these roads, however, is not an environmental impact of the Proposed Project. Likewise, the County's ability to maintain its roads is an economic, not a physical, issue and is

not caused by the Proposed Project. In any case, the Draft EIR analyzed potential impacts to County roads and found them to be less-than-significant. The County has recently implemented safety improvements on Pleasants Valley Road including additional striping and signage. These improvements plus the fact that the Proposed Project will not push the volume to capacity ratio on these roads to significant levels, provide substantial evidence that the Proposed Project will not have any significant impacts with respect to safety on County roads.

Additionally, the California Drive Overcrossing, which is a separate project proposed by the City for future implementation if demand and sufficient Development Impact Fees warrant, apart from the Lagoon Valley project, would eventually provide alternative access to and from Vacaville for Project traffic. Because implementation of the California Drive Overcrossing is foreseeable, the Draft EIR considered it in the 2025 cumulative conditions and concluded that the implementation of that project would reduce project and cumulative traffic on Pleasants Valley Road. The California Drive Overcrossing would also improve several area roadways and intersections, and the level-of-service on I-80. It could have negative impacts, however, on Cherry Glen Road and the intersection of Marshall and California. Before the California Drive Overcrossing could be constructed, its environmental impacts would be evaluated as required by CEQA, and mitigation for impacts such as those described above would be recommended to the decision maker.

#### **Response to Comment 12-4:**

This comment is not a comment on the Draft EIR so much as it is a comment on traffic generally in the vicinity of Lagoon Valley. As explained at page 4.5-15 of the Draft EIR, the traffic study shows that the Proposed Project would not have significant traffic impacts on local County roadways.

The comment notes that the City's General Plan shows the potential future California Drive extension. The Proposed Project has been designed to include mitigation measures that encourage business village traffic towards the Lagoon Valley Road Interchange in order to mitigate impacts to the intersection of Peña Adobe Road and the I-80 on/off ramps. However, a City street will still connect from Lagoon Valley Road, through the business village, to the Pena Adobe/Rivera Road intersection. The City disagrees with the commentor's opinion that there will not be a good roadway network leading from the Proposed Project to the California Drive extension. The network will provide alternative connections, including a City street through the business village, I-80, and the existing Cherry Glen Road west of I-80. The City's traffic modeling analysis determined that the Proposed Project would result in less-than-significant impacts to Cherry Glen Road. As part of its annual traffic monitoring program, the City will monitor traffic volumes in the area of the Proposed Project to confirm that level of service standards are maintained and to best direct its Development Impact Fee funds and capital improvement program. Specific Plan policies 4.4.1-P-1 and 4.1.1-P-2 establish the LOS capacity to be maintained and direct that, *"The intersections involving public streets will be added to the City's Annual Infrastructure Review program.."*

#### **Response to Comment 12-5:**

The comment provides a listing of the "significant impact" the Proposed Project will have on Solano County roads. First, as explained in Response to Comment 12-4, the Proposed Project would not have significant impacts to County Roads (see page 4.5-15 of the Draft EIR). As noted in the commentor's table, the project represents only a portion of the traffic which would use these facilities. The commentor is referenced to Draft EIR Appendix D which indicates that

the facilities referenced in the comment will operate at LOS A with the addition of project traffic. LOS A is indicative of good traffic operations with minimal vehicular delay. In any case, as explained in Response to Comment 12-4, the City will annually monitor traffic volumes in the Lagoon Valley vicinity.

In response to the comment's assertion that the Proposed Project should mitigate impacts to County road system and I-80 by construction of a major City street that connects the Lower Lagoon Valley to the rest of Vacaville. The California Drive Overcrossing project will eventually provide that connection. It is included in the City's General Plan and is expected to be implemented, regardless of the Proposed Project, at some future date. That project will be subject to its own appropriate CEQA review. Because it is foreseeable that the California Drive Overcrossing will be constructed some time before 2025, the EIR includes that facility in its analysis of cumulative traffic impacts.

**Response to Comment 12-6:**

See Responses to Comments 6-9, 11-1, 11-2, 12-3, 12-4 and 12-5.

**Response to Comment 12-7:**

A "Park and Ride" lot is identified in the Draft EIR as one potential mitigation measure for traffic impacts. The Draft EIR does not conclude that it is necessary to reduce a potentially significant impact, but it is included as one of many options to further mitigate impacts and improve the project.

**Response to Comment 12-8:**

See Response to Comment 6-6.

**Response to Comment 12-9:**

The four-lane portion of the proposed Lagoon Valley Road will transition to the two-lane Lagoon Valley over crossing pursuant to Caltrans standards. A combination of left/right turn lanes and standard lane merge lengths will be utilized to transition the lanes prior to the bridge structure. Final lane geometry will be developed with the City of Vacaville as part of the Master Tentative Map and will be submitted to Caltrans for final approval of the portion of the road improvements within Caltrans' right-of-way.

The current concept, however, is that the outside lanes of the entry road would provide a dedicated right turn lane westbound at the intersection and a receiving lane for eastbound I-80 off-ramp traffic turning right to eastbound Lagoon Valley Road. Lagoon Valley Road east of the main entry road to the business park/commercial development would transition from four lanes to two with the transition length based on an appropriate design speed and as necessary to avoid secondary impacts such as stacking or queuing before the merge that would spill back into the intersection.

**Response to Comment 12-10:**

The comment states that traffic impacts on the Lagoon Valley Regional Park are not clearly identified; however, the comment does not provide any specific concerns: Cumulative traffic impacts, in addition to noise and air quality, are described in Section 5.1 of the Draft EIR. For a

discussion of the process for defining and analyzing the potential effects of future park improvements, please see Section 4.3, Impact 4.3-2 on page 4.3-6 of the Draft EIR.

Regarding park improvements generally, please see Response to Comment 2-1. Trip generation for the park acreage is included as part of the cumulative traffic scenario. Specifically, this attraction is included in the traffic volumes documented in the traffic study and in the Draft EIR. The Proposed Project is not expected to result in a significant impact on parking or access to the park. It is important to note that project traffic would not be routed through the park, therefore, the Proposed Project's traffic impact to the Park would only be from the attraction of park facilities to proposed area residents. This impact is less than significant, given the size of the park in relation to the anticipated population, plus the additional recreation and open space opportunities provided within the Proposed Project, including bicycle and pedestrian trails connecting the Development Area to park, which will reduce automobile trips to the park by area residents. The roadway improvements and bicycle and pedestrian trail improvements associated with the Proposed Project would improve access to the park.

#### **Response to Comment 12-11:**

The comment correctly notes that the project should provide access to any properties currently accessed from Nelson Road. The Specific Plan, Section 4.5 establishes the policies and standards for the planned abandonment of the City portion of Nelson Road as a vehicle road and its replacement as a multi-use trail (and emergency vehicle access route). The planned design of the multi-use path/trail will be of sufficient pavement width to also accommodate vehicles, maintenance vehicles for utilities and would be expected to be adequate to provide for access to the parcel located in the unincorporated area at the south end of Nelson Road. The City has discussed this issue with the property owner of this parcel and will ensure that any development provides adequate access to that parcel.

The project would not have an impact to the pavement on the County's portion of Nelson Road since vehicle travel would no longer be permitted except by emergency and maintenance vehicles, and persons accessing that one parcel.

To clarify the future situation regarding Nelson Road, the Specific Plan will be amended to incorporate the following additional policies regarding Nelson Road:

- a. Provide access to any otherwise landlocked private properties through an easement.
- b. Design the trail to permit vehicle access as needed by any non-public property using Nelson Road.



*Solano Transportation Authority*

One Harbor Center, Suite 130  
Suisun City, California 94565

Area Code 707  
424-3075 • Fax 424-6074

*Members:*

Benicia  
Dixon  
Fairfield  
Rio Vista  
Solano County  
Suisun City  
Vacaville  
Vallejo

April 19, 2004

Fred Buderl  
Project Manager  
City of Vacaville  
650 Merchant Street  
Vacaville, California 95688-6908

Subject: Lower Lagoon Valley Specific Plan, General Plan Amendment and  
Environmental Impact Report (EIR) Comments

Dear Mr. Buderl

The Solano Transportation Authority (STA) has reviewed the City of Vacaville's Draft Lower Lagoon Valley Specific Plan, General Plan Amendment and Environmental Impact Report (EIR) and submits a request for a special modeling run to be funded by the project sponsor and a set of specific comments.

As part of STA's responsibility as the Congestion Management Agency for Solano County, any general plan amendments and/or EIRs that proposes a project that may potentially exceed the level of service standards identified in the Solano Congestion Management Program (CMP) network are required to have special modeling runs conducted by the STA, using the countywide traffic model and paid for by the project sponsor (see Attachment A).

The proposed project, as described in the Lower Lagoon Valley Specific Plan and Draft Environmental Impact Report, would include a 736-acre residential/recreational community with 1,225 single-family homes and 100 attached townhomes (1,325 total dwelling units), approximately one million square feet of commercial/office space, 50,000 s.f. of Town Center retail space and community center use, a K-6 public school or K-8 private school, a fire station, a 212-acre golf course with clubhouse, neighborhood parks and supporting infrastructure. In the vicinity of the Lower Lagoon Valley Specific Plan area, I-80 is included in the Solano Transportation Authority's CMP network.

STA requests that funds be deposited with the STA for a special countywide traffic-modeling run (based upon a cost estimate to be provided to the City of Vacaville by the STA) prior to approval of a tentative map and/or developer's agreement. This select link modeling run will be used to determine the projected

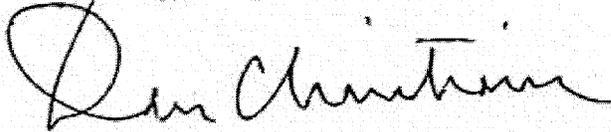
traffic impacts resulting from this project in the portion of I-80 between Lagoon Valley Road and Alamo Drive.

Based on the project description and EIR, it appears that all external access to the site is proposed to be provided from either I-80 or Cherry Glen Road/Pleasants Valley Road. STA staff is concerned that project traffic will only be accommodated on the regional freeway system (I-80). It appears there will be no direct access to the local City of Vacaville street network except from I-80 and Cherry Glen Rd./Pleasants Valley Road. California Drive overcrossing would eventually provide a more direct link for some of the local trips, but it is not planned until 2025.

STA also has prepared some additional, more specific comments on the requested special modeling run and the Transportation Demand Management (TDM) mitigation measures that the City of Vacaville may want to consider (see Attachment B).

The STA looks forward to working with you to discuss and consider these comments and concerns. If you have any questions, please contact Elizabeth Richards, Program Director of STA's Solano Napa Commuter Information Program (SNCI) regarding the TDM comments or myself at 707.424.6075 to further discuss.

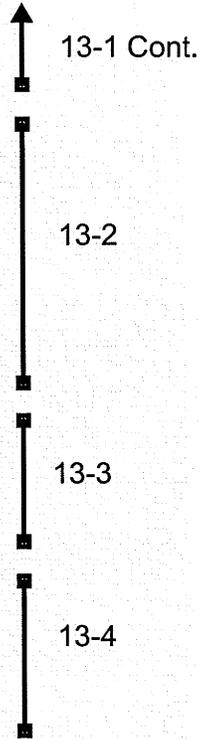
Sincerely,



Dan Christians  
Assistant Executive Director/Director of Planning

Attachments: A. Congestion Management Program  
B. Transportation Demand Management

Cc: Mayor Len Augustine  
Eon Rowland, Deputy City Manager  
Dale Pfeiffer, Public Works Director  
STA Chron file



**Attachment A**

**Solano Transportation Authority**  
Lower Lagoon Valley Environmental Impact Report (EIR)  
STA CMP Comments  
April 19, 2004

**SOLANO CONGESTION MANAGEMENT PROGRAM (CMP)-  
REQUEST FOR DATA AND MODEL RUN**

The Solano Transportation Authority (STA) has reviewed the City of Vacaville's Draft Lower Lagoon Valley Specific Plan, General Plan Amendment and Environmental Impact Report (EIR) and submits a request for special modeling runs to be funded by the project sponsor.

Currently, Traffic Analysis Zone 181 of the Countywide Traffic Model (the subject property for the Lower Lagoon Valley Specific Plan site) includes the following planned uses:

- 735 Single Family Dwellings
- 39,204 s.f. Retail
- 11,761 s.f. Service
- 101 Acres of Park
- 70 Acres of Agriculture

Before STA can conduct these modeling runs for the currently proposed project, we will need the following data:

- All proposed land uses in five year increments by Traffic Analysis Zone from 2000 to 2025
- All proposed network assumptions for each of the same five-year increments

Upon receipt of this data STA will conduct the following two special model runs using the countywide traffic model (in addition to the existing conditions – year 2000):

- 2015
- 2025

One specific segment of I-80 that the STA is concerned about includes the impacts on the I-80 segment between post mile 23.034 and post mile 24.080 which has an adopted CMP standard of Level of Service "E".

13-5

To conduct these special runs, STA will retain a third party modeling firm to run the current countywide traffic model. The following is a more detailed step-by-step process to conduct these special modeling runs.

- The current Solano Congestion Management Program was adopted by the STA Board on February 11, 2004.
- Solano CMP is designed as a system of interstates, highways, and major arterials throughout the county.
- Each major segment has an LOS standard and every two years the STA updates the LOS for each segment to make sure we are within standards established by the CMP.
- Based on all general plans in effect in Solano County, STA has a current countywide model that contains all currently proposed land uses with 5-year increments.
- The future network in the model only contains projects expected to be fully funded in the Regional Transportation Plan during the next 25 years (i.e. Track 1 - federal, state, or local funds).
- CMP requires new major projects that need a general plan amendment to pay for special model run to be conducted by the STA during the environmental review process.
- STA first needs to receive a list of type and quantity of proposed land uses by square foot of use and a proposed roadway network phased in five-year increments from the member agency or sponsor of the project.
- STA obtains an estimate of hours and cost for STA modeler to make special model runs.
- Developer provides funds up front to STA.
- STA modeler conducts special modeling run and identifies impacts to CMP road network.
- If any of the LOS standards of the CMP are projected to be exceeded as a result of the proposed development, then the City would have to prepare a deficiency plan or (mitigation plan) for STA's review and approval to show how the impact could be mitigated and the CMP standard(s) achieved.
- EIR should describe the results of the special CMP modeling run and/or the mitigation recommendations developed in the deficiency plan (if required).

Please refer to the currently adopted Congestion Management Program for more specific details on this process and other elements of the program.

13-5  
Cont.

## Attachment B

### Solano Transportation Authority

Lower Lagoon Valley Environmental Impact Report (EIR)

STA CMP Comments

April 19, 2004

### SPECIFIC COMMENTS

#### I-80/680/780 Corridor Study

The STA recently completed the Draft I-80/680/780 Corridor Study. It recommends the following mid and long-term improvements to I-80 within the immediate proximity of the project site:

##### Mid Term (2004-2024)

- Priority 13C: WB I-80 Aux lane – Merchant Street to Cherry Glen Road (Cost Estimate: \$16.5 million)
- Priority 13D: EB Aux Lane - Cherry Glen Road (Cost Estimate: \$7.9 million)

13-6

##### Long Term 2024+

- EB/WE HOV Lane – Air Base Parkway to I-505

Based on the project description and EIR, it appears that all external access to the site is proposed to be provided from either I-80 or Cherry Glen Road/Pleasants Valley Road. STA staff is concerned that project traffic will only be accommodated on the regional freeway system (I-80). It appears there will be no direct access to the local City of Vacaville street network except from I-80 and Cherry Glen Rd./Pleasants Valley Road. California Drive overcrossing would eventually provide a more direct link for some of the local trips, but it is not planned until 2025.

#### Intercity and Commuter Rail, Express Bus and Local Transit

The Capitol Corridor currently operates 12 daily round trip intercity trains between Sacramento and Oakland. This intercity service is expected to eventually expand to 16 round trips. The cities of Fairfield and Vacaville and the STA have been jointly planning and developing a design and funding strategy for a new commuter-oriented train station to be located at the intersection of Peabody and Vanden Roads.

13-7

The STA has also been working with the Capitol Corridor Joint Powers Board and the adjoining counties of Contra Costa, Yolo, Sacramento and Placer to provide an increased level of commuter-oriented rail service (i.e. three additional trains service during the peak hour morning commute in addition to the 16 planned intercity trains).

The STA and our member agencies have also recently completed the I-80/680/780 Transit Corridor Study that proposes to expand express bus transit services, provide new transit hubs and additional park and ride spaces along the entire I-80 corridor. Specific proposed rail and bus services and facilities expected to be used by residents and employees located in the Lagoon Valley project area would include:

- The proposed Ulatis Transportation Center (the future proposed origination/terminus for Route 91 (Vacaville-Fairfield-El Cerrito del Norte BART) and 40 (Vacaville-Fairfield-Benicia-Walnut Creek BART)
- Increased commuter and mid-day levels of service for both Route 40 and Route 30 (Fairfield-Vacaville-Dixon-Davis-Sacramento).
- In addition, an additional express bus stop is being recommended at the I-80/Manual Campos Parkway/North Texas Street park and ride facility (Fairfield).

13-7  
Cont.

By about 2010-15, the following feeder bus services are suggested as project mitigation measures to link to these expanded rail and express bus services:

- Provide private shuttle bus connecting from a bus stop at the retail center and/or the commercial/office park and timed to meet commuter oriented trains and buses at the planned Fairfield-Vacaville Intermodal Train Station and major transit hubs located within easy access to the project site.
- Provide direct local timed, feeder service to express buses at the Davis Street Park and Ride Lot (for eastbound express buses) and/or the proposed I-80/Manual Campos Parkway/North Texas park and ride lot or Fairfield Transportation Center (for westbound express buses).
- Provide a future local bus stop at the planned school.

#### **Transportation Demand Management (TDM)**

In STA's role as the Countywide Congestion Management Agency, staff suggests some additional TDM/Ridesharing components be considered in the project:

- Establish a shared park and ride lot with the retail center and/or commercial/office complex.
- Through lease provisions and/or deed restrictions, encourage or require the management of the retail center and/or commercial/office development property owner's association to have a Transportation Demand Management Coordinator and TDM program to provide ridesharing and transit benefits/incentives/information to encourage increased ridesharing and transit ridership.
- Designate a certain percentage of carpool or vanpool spaces at the retail center and/or commercial/office complex and/or shared use park and ride with compatible uses.
- Designate a certain number of bicycle racks and bus shelters at the retail center and/or commercial/office complex.
- Incorporate TDM monitoring requirements as a means to reduce traffic demand if actual traffic generation is higher than projected.

13-8

- Ensure a full size bus can make turning movements at the intersection of Lagoon Valley/Riviera, the Lagoon Valley/I-80 and Pena Adobe/I-80.
- Ensure landscaping does not interfere with boarding/alighting at public and school transit stops as via strategically placed sidewalks and other hardscape.
- Consider incorporating some multifamily dwelling units or a mixed use component in the retail town center and/or into a portion of Village 1 and located within 1/3 mile walking distance from bus service and ridesharing facilities. Another alternative could be to incorporate some second units in all or a portion of the units planned in Village 1; with those second units located within walking distance of a transit stop and/or park and ride lot.

13-8  
Cont.

**Countywide Bicycle and Pedestrian Plans**

- The Solano Countywide Bicycle Plan was adopted by the STA Board in 2001 and is currently undergoing a comprehensive update. Major planned bicycle routes in the vicinity of this project include:
  - Butcher Rd./Riviera Rd./Nelson Road (Class 1 and 3 bicycle routes).
  - Lyon Road (Class 3)
  - Cherry Glen/ Peasants Valley Road (Class 2)

Staff recommends considering how each of these routes might be improved, phased and signed as part of the Countywide Bicycle System. With the relocation of Rivera Road through the retail center, the Class 3 routes could either be revised to a Class 2 and/or Class 1 routes depending on the projected traffic volumes and users. For all major bicycle routes STA recommends that the City use the special countywide bicycle route sign.

- To clarify the alignment of the 2.5 miles of multi-use trail, add a bicycle or multi-use trail circulation element to the Specific Plan. Please show linkage to regional system (STA's Countywide Bicycle Plan) with connections to the rest of Vacaville to the east and Fairfield to the west and depict the combination of Class I, II, and/or III trails. The development could potentially improve bike access between cities and ensure routes are direct, attractive, and maintained.
- In 2002, the STA Board adopted the Solano Countywide Trails Plan. The plan identified the planned trail system in the project site area including a loop trail around the Lagoon Valley Lake and a larger loop trail linking Butcher Road and Pena Adobe in the north end of the site along the east side of the Lagoon Valley Property to Nelson Road multi-use trail in Fairfield. It appears that this project will implement most or all of this planned entire trail system (through the project area) by dedicating approximately 1,066 acres of open space and hiking trails. Would the entire proposed pedestrian trail system be constructed or funded by the project sponsor?

13-9



**COMMENT LETTER 13: Solano Transportation Authority****Response to Comment 13-1:**

See Response to Comment 11-1 for background information regarding prior annexation of the Specific Plan area and the prior approvals under the 1990 Policy Plan. As noted in Response to Comment 11-1, the current development proposal is expected to generate only 32 percent of the traffic expected from the currently approved project. The Draft EIR also documents that expected trip generation from the Proposed Project is 50 percent of what would be anticipated under the existing General Plan and zoning designations (equivalent to prior approvals but with lower floor-area-ratios assumed consistent with the General Plan and zoning). However, the STA's model includes those more intense land use scenarios (See Response to Comment 13-5).

The local traffic model used in the Draft EIR traffic analysis, and all traffic analyses done where the City of Vacaville is the lead agency, accounts for regional traffic through the assignment of trips between points outside the model and points within the model, and trips that would travel through the model, by deriving these trip volumes from the Metropolitan Transportation Commission (MTC) Regional Traffic Model. Those volumes are then compared to local land use assumptions to ensure that the volumes conform to local policy and local trip counts. The Draft EIR thus documents the traffic volumes and resulting level of service impacts on regional roadways. The local model results in conservative estimates for Project trip generation and distribution. See Response to Comment 6-1.

Nonetheless, the City will work with Solano Transportation Authority (STA) and the developer to contribute a fair share to the cost of a regional model run, assuming an agreement can be reached between City and STA on the appropriate interpretation and availability of the model results between the STA and the City. The model run would be limited to the Proposed Project's impacts on I-80, which the Draft EIR has already identified as significant and unavoidable. Regarding the use of a regional model to determine the Proposed Project's "fair share" contribution to funding of regional roadway improvements, please see Response to Comment 6-8.

**Response to Comment 13-2:**

See Responses to Comments 11-1, 12-3 and 12-4.

**Response to Comment 13-3:**

See Responses to Comments 13-6 through 13-9 for specific responses to comments referenced in the attachments to the comment letter.

**Response to Comment 13-4:**

The City appreciates the comment regarding establishing contacts at STA for a continued working relationship, and the comment is noted for the record and for the decision makers.

**Response to Comment 13-5:**

See Response to Comment 13-1. Consistent with existing regulations and policies, the City will work with STA to determine how and when a deficiency plan is accomplished if determined to be required.

**Response to Comment 13-6:**

See Responses to Comments 11-1, 12-3 and 13-1. The reference to the mid-and long-term projects identified by the I-80/680/780 Corridor Study is noted.

**Response to Comment 13-7:**

The Intercity Commuter Rail, Express Bus and Local Transit information provided is noted. Please also see Response to Comment 13-6.

**Response to Comment 13-8:**

The Transportation Demand Management recommendations are noted and will be considered as part of Specific Plan provision 4.2.3 requiring City to work with Developers of Subarea #2 to create Transportation Systems Management Programs including as many of these recommendations as possible. In particular, Specific Plan provisions 4.1.1 and 4.1.2 provide for maintaining LOS D at freeway interchange intersections and LOS C at new public street intersections. Please also see Response to Comment 13-3.

**Response to Comment 13-9:**

The comment's reference to Countywide Bicycle and Pedestrian Plans is noted. Also the County's desire that the Proposed Project to coordinate proposed bicycle and pedestrian trails with STA's County Plan is noted. The implementation of the trails system in the Specific Plan area as shown will be funded by the City and/or the developer, as provided for in the Specific Plan, Development Agreement and other project approvals as the City Council decides.

# Vacaville Unified School District

751 School Street • Vacaville, California 95688-3945



**Facilities Department**  
Tele. (707) 453-6138; FAX (707) 453-7132

**Board of Education**

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Staci Pauly

Jay Yerkes

John T. Aycock  
Superintendent and  
Board Secretary

April 19, 2004

Mr. Fred Buderl, Project Manager  
City of Vacaville Community Development Department  
650 Merchant Street  
Vacaville, CA 95688

**RE: Lagoon Valley Draft EIR**

Dear Mr. Buderl:

Thank you for this opportunity to provide comments regarding school facility impacts discussed in the Draft Environmental Impact Report (DEIR) for the Lagoon Valley proposed development.

**Section 4.9.3a. Boundaries**

- 1) The boundary line between the Vacaville Unified School District and the Fairfield-Suisun Unified School District should be reviewed to ensure that they are correctly stated in the Final EIR. A study undertaken recently by the Solano County Office of Education may show a different boundary line than that shown. SCOE should be contacted to obtain the correct configuration. This may affect the projected number of residential units and students coming from the development in each school district.
- 2) The DEIR incorrectly states that Lagoon Valley K-6 students in the VUSD would be in the Elm Elementary School attendance area. Due to State budget cuts, the Board of Education recently approved the closure of Elm Elementary School beginning in the fall 2004. The District is currently in the process of changing attendance area boundary lines required by the school closure. According to the scenarios being considered, if a new public elementary school is not built in the Lagoon Valley area, the projected K-6 students in the VUSD boundaries would attend either Orchard or Sierra Vista Elementary Schools. Currently, the Board and community are reviewing and commenting on four boundary scenarios, which will



14-1

14-2

be increased to five scenarios as of April 22. The final boundary decision by the Board is anticipated on May 6.

All but one of the scenarios would change the Lagoon Valley area to the Orchard Elementary School attendance area. One scenario would put the Lagoon Valley area into the Sierra Vista Elementary School attendance area, which would only be feasible if there were new roads leading from Lagoon Valley to the southern area of Vacaville.

14-2  
Cont.

#### **Section 4.9.3b. State Funding**

3. Under the section dealing with State funding, the DEIR incorrectly states that Districts would have State authority to collect up to 100 percent mitigation fees (called Level III fees) if State funds are not available. These Level III fees levied under State authority have never been allowed by the State Legislature, and it is considered to be very unlikely for them to ever be authorized by the Legislature in the future, due to opposition from the development industry. Full mitigation fees are levied in Districts only where developers voluntarily sign local mitigation agreements, such as in the VUSD.

14-3

4. The DEIR incorrectly states that the State requires a 20% local match in order to obtain State funding for the renovation of older schools. The local match is 40%, with the State contributing 60%. This usually funds a very limited amount of renovation. The VUSD increases the total funding available for its renovation projects by using Measure V funding, a local general obligation bond approved by Vacaville voters in November, 2001. However, Measure V funding is not available for the construction of new elementary schools.

14-4

#### **Section 4.9.3c. Public vs. Private School Construction**

5. The DEIR states that if a K-6 public school were built, approximately six acres of a 10-12 acre site would be designated for a neighborhood park. A six-acre elementary school site does not meet State or District site size standards, and does not provide adequate playfield space. Because of student/staff safety and security concerns, the community and school staffs have requested at some existing schools that there be a fence built between the City park and the school site in order to limit access to students by unauthorized persons during school hours. In response to that request, VUSD site size standards for new joint school/park sites now require a full 11 acres for a school plus 6 acres for a neighborhood park with a fence in between.

14-5

6. The full mitigation fee currently at \$10,800 per single family dwelling unit was approved in 2000. A new Developer Fee Justification Study is currently being completed by the VUSD. The full mitigation fee paid by the Lagoon Valley development should reflect the most updated amount.

14-6

7. The VUSD cannot guarantee that a new school will be constructed in Lagoon Valley, based on the costs of operating a school. The minimum size of a new elementary school is approximately 600. Based on the student generation factors listed in the DEIR, the school district will need to consider other options which would provide an adequate number of students, including expanding to a K-8 or a magnet/academy school. This would mean that students would come from outside the Lagoon Valley area.

14-7

8. The District is not required to provide bus transportation for a magnet or academy school. Therefore, there would be increased traffic impacts from parents coming from outside the area, who would be dropping off and picking up students. An adequate school site design with adequate acreage size for the appropriate vehicle and bus circulation and parking routes will alleviate those impacts.

14-8

9. The DEIR states that the developer may choose to build a private school on the school site. It is important to realize that the VUSD as a California public school district, is required to accommodate any K-12 student who resides within district boundaries. There is no guarantee how many students would attend a private school or for how long. In addition, the DEIR discusses a K-8 private school, but there will also be 9<sup>th</sup>-12<sup>th</sup> grade students generated by the development who would not be accommodated by a private K-8 school.

14-9

Regardless of whether a public school is built in Lagoon Valley or not, it is important for the VUSD to be able to collect full mitigation fees. This is because of the following:

1) at the elementary school level, the future Lagoon Valley students may attend Orchard Elementary School. The DEIR incorrectly states that portable classrooms (presumably meaning less expensive) would be added to existing schools, such as Orchard. However, as stated in the VUSD 20-Year Long-Range Master Plan approved in March 1998, any expansion at Orchard for permanent new students

14-10

would be housed in new permanent construction, not portables. This would require funding from full mitigation fees.

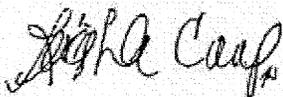
2) At the middle school level, if a new public K-8 school is not constructed in Lagoon Valley, the 7<sup>th</sup>-8<sup>th</sup> grade students attending VUSD schools, would attend Jepson Middle School. Jepson is currently at capacity. The additional students would temporarily be housed in portable classrooms but would contribute to the districtwide need for a new middle school, which requires full mitigation fees.

3) At the high school level, the 9<sup>th</sup>-12<sup>th</sup> grade students attending VUSD schools, would attend Vacaville High School. They would be housed temporarily in portable classrooms, but would contribute to the districtwide need for a new high school, which requires funding by full mitigation fees.

Because of the needs listed above, the VUSD would be concerned if the school developer fees which typically would be used for public school construction, would instead go toward building a private school. Because the City would have no enforcement authority to require that a private school be built or opened and because a private school could close at any time, it is important that full mitigation funds be provided for public school construction only.

Thank you for this opportunity to provide this information. If you have any questions or need additional information, please feel free to contact me at the telephone number listed above.

Sincerely,



Ms. Leigh A. Coop  
Director of Facilities

cc: Leticia Allen, Deputy Supt., Admin. Services, VUSD  
John Aycock, Superintendent, VUSD  
Jerry Suich, Oxbridge Development, Inc.  
Robert Pierce, Director of Facilities and Construction, FSUSD

14-10  
Cont.

**COMMENT LETTER 14: Vacaville Unified School District**

**Response to Comment 14-1:**

The boundary line between the Vacaville Unified School District (VUSD) and the Fairfield-Suisun Unified School District (FSUSD) shown in the Draft EIR represents the information contained in the City's General Plan and available at the time the City published the Notice of Preparation for this Draft EIR.

The City has confirmed that the boundary line shown in the City's General Plan and in the prior 1990 Lagoon Valley Policy Plan EIR is consistent with the boundary map shown in the VUSD's April 2004 fee justification study report and with the school attendance boundary map available on the VUSD website. However, the City will verify the correct location prior to recording any subdivision maps if the project is approved.

**Response to Comment 14-2:**

Although the information that K-6 students would attend Elm Elementary School was correct at the time the Draft EIR analysis was prepared, the VUSD has since revised their enrollment figures for the various schools and has indicated that because of declining enrollment, Elm School will be closed. On May 6, 2004, the VUSD Board amended the attendance boundaries and included the Lower Lagoon Valley area within the Orchard Elementary School attendance area.

This information does not change the analysis contained in the Draft EIR.

**Response to Comment 14-3:**

The City believes that the commentor incorrectly interprets the Draft EIR's statements regarding school impact fees. In particular, the Draft EIR recognizes that the collection of 100% mitigation fees is limited. Most importantly, on page 4.9-11, the Draft EIR states that the Development Agreement states that the project will require payment of the District's full facilities impact fee of \$10,800".

**Response to Comment 14-4:**

See Response to Comment 14-3.

**Response to Comment 14-5:**

The VUSD correctly notes that a combined public school and City park would require the approximately 11 acres school site, plus an additional 6 acres for a City park.

The first paragraph on page 3-14 is revised to read as follows:

~~...If a public school is developed, then a portion of the school site would be designated for neighborhood park and used by the public on a joint-use basis~~ the developer intends to request a joint-use arrangement between the school district and the community association...

The fifth paragraph on page 4.9-10 is revised to read as follows:

~~...If a public school were developed, then approximately six acres of the school site would be designated for neighborhood park and used by the public on a joint-use basis the developer intends to request a joint-use arrangement between the school district and the community association...~~

#### **Response to Comment 14-6:**

The City has prepared a draft Development Agreement between the City and Developer that requires the developer to provide funding for education facilities in the Specific Plan area. The proposed amount is based on the District's November, 2003 letter identifying a "full mitigation fee" of \$10,800 per residential unit and an additional fee of \$1/square foot of office development, because that fee remained current as of the time the City published the Notice of Preparation.

#### **Response to Comment 14-7:**

This comment does not address a CEQA issue, however, the City notes that from a community planning perspective, the Specific Plan is structured to require a school facility within the Specific Plan area. The City has no objection to the VUSD designating a public school in Lower Lagoon Valley as either a K-8 school or a magnet school. A K-8 public school would further address one of the District's comments regarding enrollment levels at middle schools (see Response to Comment 14-10) and thus provide a method to relieve enrollment levels at that facility. A magnet school site might also assist the VUSD in meeting particular education goals. The estimated enrollment for an elementary school, generated by the project, would be approximately 500 students (Draft EIR, Table 4.9-4, pg. 4.9-11), meaning an additional 100 students could potentially come from outside the immediate project area.

#### **Response to Comment 14-8:**

The district notes that adequate school site design will be needed in order to provide adequate on-site parking and circulation space. Specific Plan Section 8.4 notes that the Master Developer, City and District shall work together to ensure adequate school facilities are provided in the Proposed Project. The Specific Plan designates the proposed school site and provides adequate local street access to the site.

#### **Response to Comment 14-9:**

The discussion of school impacts is presented in Section 4.9, subsection 4.9.3 – Schools, on pages 4.9-6 through 4.9-11. As noted in the comment, the analysis in the Draft EIR states that only a portion of the K-8 students generated by the project would be accommodated by a private school and that the remaining students would attend District schools. The analysis also discusses the impact of all students generated by the project attending District schools (including 9-12 grade students).

#### **Response to Comment 14-10:**

The VUSD indicates a desire for greater funding than the level established by State law. The City has drafted the Specific Plan in a manner that will require the provision of a site, funding, and design criteria for the location of a school in the plan area. The Specific Plan will ensure that a school will be constructed in the project area.

In particular, Chapter 8, Section 8.4 of the Specific Plan establishes policies requiring the school site to be set aside with the first subdivision of the property, if the Specific Plan is adopted. If the Master Developer is unable to secure an amendment to the VUSD/FSUSD boundary and construct the public school, the Master Developer will be obligated under the terms of the Specific Plan and the proposed Development Agreement with the City to construct a private school. If a public school is developed, the City has committed to providing the November 2003 full facility fee to the VUSD to assist in the construction of the school. If a private school is to be built, the City will obligate the Master Developer to use the full facility funding, minus the State required fee payments to the two school districts, for construction of the private school.

Therefore, while not an impact issue under CEQA, the school developer fees typically used by the VUSD will be paid in some manner under any proposed development scenario under the Specific Plan.





March 16, 2004

Fred Buderl  
 City of Vacaville  
 Community Development Department  
 650 Merchant Street  
 Vacaville, CA 95688

Dear Mr. Buderl,

My name is Brent Schoradt and I am here representing Greenbelt Alliance where our mission is to protect opens pace and promote livable communities in Solano County and across the Bay Area.

Tonight I am here to request a re-circulated Lagoon Valley Draft Environmental Impact Report that fully addresses the traffic impacts, habitat disturbance and water and air quality implications of development in Lagoon Valley. In short, this DEIR fails miserably to present the environmental and community costs of building over 1300 homes, a golf course and a million square feet of commercial space in scenic Lagoon Valley.

15-1

The DEIR fails to consider current efforts to establish a Habitat Conservation Plan in Solano County. A re-circulated DEIR is necessary to answer the following questions: How will this project impact the Habitat Conservation Plan? How important is the habitat provided by Lagoon Valley to the survival of species considered in the habitat conservation plan?

15-2

The DEIR fails to address the possibility that seasonal vernal pools exist in the area and does not adequately survey the habitat potential of Lagoon Valley. A re-circulated DEIR should include a comprehensive habitat survey that discloses seasonal variations in habitat not just a snapshot of habitat conditions on one particular day in one particular season. The DEIR fails to provide adequate mitigation to offset the indirect and direct loss of habitat. As a result, project-related and cumulative impacts to biological resources should be identified as significant and unavoidable in a revised DEIR.

15-3

15-4

The DEIR fails to adequately analyze transportation impacts. The DEIR lacks evidence to support its conclusions that impacts to transportation and circulation will be less than significant after mitigation. A re-circulated DEIR should disclose the cumulative impacts of needed roadway improvements on traffic, grading, air quality, biological resources, and water quality.

15-5

15-6

The DEIR fails to create an alternative that would move the project closer to Vacaville's urban center. Such an infill alternative would automatically reduce the significant air quality and habitat impacts of the current project.

15-7

With all its flaws the current DEIR fails to demonstrate that the timing of Lagoon Valley is appropriate. Why must this development move forward while thousands of acres remain undeveloped closer to Vacaville's downtown and urban center? Why shouldn't this development be delayed until a new General Plan is created that is consistent with this type of development? Why should the project be constructed before it is subjected to the establishment of a Habitat Conservation Plan?

15-8

In conclusion, a new DEIR should be re-circulated to better prepare Vacaville to make this important decision on the fate of Lagoon Valley.

15-9

Sincerely,



Brent Schoradt  
Solano-Napa Field Representative  
Greenbelt Alliance

**COMMENT LETTER 15: Greenbelt Alliance****Response to Comment 15-1:**

This comment requests that the City recirculate the Draft EIR for additional public review and comment. The public review period for the Draft EIR, which was initially 45 days was subsequently extended by another approximately 15 days. Thus, the City believes that the time for public review and comment on the EIR has been more than adequate. This is evidenced in part by the fact that more than 80 comment letters were received on the Draft EIR.

Additionally, CEQA requires recirculation only where “significant new information” has been added to a Draft EIR after it is published for public review and comment. Pub. Res. Code § 21092.1. CEQA Guideline 15088.5 further limits recirculation to situations where the “significant new information” indicates that (1) a new significant environmental impact would result from the project or from a new mitigation measure, (2) a substantial increase in the severity of an impact would result, or (3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the impacts of the project. Pursuant to Guideline 15088.5(b), “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” The commentor does not state that significant new information has been added to the EIR and the City does not believe that it has. Accordingly, recirculation is not required or necessary.

**Response to Comment 15-2:**

This comment requests that the EIR discuss compatibility with the Solano County Habitat Conservation Plan (“HCP”) that is currently being studied. CEQA, however, does not require an EIR to analyze a project’s compatibility with draft plans or plans that have not been officially adopted because doing so would violate CEQA’s directive to refrain from speculative analysis. CEQA Guideline 15145; *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391. The HCP is particularly speculative because it has not been brought before any public body with jurisdiction to approve or adopt the plan. Rather, it is still in the formulative stage, and thus both its substance and its actual adoption and implementation are uncertain. Moreover, as noted in another comment on the Draft EIR, the draft HCP has been revised to exclude the Lower Lagoon Valley. Lastly, it is important to recall that much of the Lower Lagoon Valley, including the park and hills surrounding the development area, has already been permanently set aside for habitat and open space preservation. Additionally, the Specific Plan and the Draft EIR include many other measures to avoid or reduce potential impacts to species and habitat. Those measures also will likely be consistent with mitigation measures in any HCP if and when it is eventually adopted.

**Response to Comment 15-3:**

A wetland delineation was conducted for the Development Area by LSA Associates on July 17 2003, August 5, 14, 21 and 26 2003. Although that time of year is considered the “dry” season, wetland and vernal pool areas can still be identified through soil markings, and soil and plant types. That delineation has been submitted to the U.S. Army Corps of Engineers for verification. No vernal pools were detected during that delineation. Although no construction is proposed outside the Development Area at this time, Impact 4.15-1 identifies that no wetland delineation has been conducted for the remainder of the Specific Plan Area to date. Mitigation Measure 4.15-1(a) identifies the need to conduct a wetland delineation of the remaining Specific

Plan Area prior to project construction, and if habitat for vernal pool species is found, mitigation measures are provided for direct and/or indirect effects to those resources (please see Draft EIR Section 4.15).

**Response to Comment 15-4:**

A long range description of seasonal variation within a given project site is not useful to the evaluation of potential environmental impacts because the analysis techniques used in the EIR account for seasonal variation as well as typical conditions. The Draft EIR provides an accurate description of the vegetation communities and wildlife habitat that exists at the site throughout the year. The Draft EIR provides standard and widely accepted mitigation measures for the direct or indirect loss or disturbance to plant and wildlife habitat that will mitigate project related impacts on this habitat to a level that is less than significant.

**Response to Comment 15-5:**

See Section 4.5 of the Draft EIR and Responses to Comments 6-1 through 6-11, 11-1 through 11-6, 12-1 through 12-11 and 13-1 through 13-9.

**Response to Comment 15-6:**

Cumulative impacts are described and evaluated in Section 5.1 of the Draft EIR (see also Responses to Comments 17-18 and 17-27). A new Draft EIR is not required under CEQA to evaluate the impacts of the Proposed Project. Regarding the comment's request for recirculation of the Draft EIR, please see Response to Comment 15-1.

**Response to Comment 15-7:**

Chapter 6 of the Draft EIR analyzes a range of six alternatives to the Proposed Project, including an off-site alternative. The Off-Site Alternative is closer to the center of Vacaville than the general distance of the proposed residential and office development. The Draft EIR concludes that the air quality impacts of the off-site alternative are greater than the Proposed Project, and that the habitat (assumed as biological resources) impacts are similar.

An alternative under CEQA should feasibly attain most of the basic project objectives while avoiding or substantially lessening potentially significant impacts of the Proposed Project. CEQA Guideline 15126.6. Accordingly, that alternatives that fail to meet these criteria may be eliminated from detailed study, with only a brief discussion of the rationale for such elimination. That discussion is contained in Chapter 6 of the Draft EIR.

These principles apply to off-site alternatives as well. The off-site "infill" alternatives urged by the commentor would fail to meet most of the Proposed Project's objectives because infill sites are too small and too constrained to meet the Proposed Project's objectives. Moreover, one fundamental component of the Proposed Project's objectives is the open nature of the proposed development and its design as a series of interconnected, walkable communities that take advantage of the existing setting, including the surrounding open space of more than 1,000 acres and Lagoon Valley Regional Park. An infill development could not meet this objective.

More generally, CEQA does not require an EIR to evaluate off-site alternatives. The decision as to whether to do so lies within the discretion of the lead agency. *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1179. In exercising that discretion, the lead

agency may look to existing plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site as criteria to use in determining whether to analyze off-site alternatives. CEQA Guideline 15126.6(f)(1); *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570-72. Consistent with its general planning authority and discretion, and the policies, goals and objectives in its General Plan and other regulatory documents, the City of Vacaville has decided to pursue a specific plan for development of the Lower Lagoon Valley area. Indeed, the City first made that decision more than a decade ago in adopting the 1990 Policy Plan. The current Proposed Project is a revision of that previously approved project. Thus, off-site alternatives would be inconsistent with the City's General Plan and the existing, approved Policy Plan, among other things. For all of these reasons, the City has concluded that analyzing additional off-site alternatives as suggested by the commentor is not feasible and does not warrant further discussion in the EIR.

### **Response to Comment 15-8:**

The Draft EIR is not required to demonstrate that the timing of the project is appropriate. However, as background, the City notes that the proposed Specific Plan area was annexed to the City of Vacaville in 1991 and a significant development project was approved for the site in the same year. In anticipation of that approval, the City prepared a comprehensive EIR to analyze the impacts of that proposed development plan (called the Lower Lagoon Valley Policy Plan) that would permit the development of up to 5 million square feet of office space, approximately 1 million square feet of large scale retail uses (i.e. big box retail), up to 750 dwelling units and a golf course. An EIR was certified for that project and the development plan remains the approved, adopted land use plan for the Lower Lagoon Valley area at this time. Therefore, with respect to timing, the Specific Plan area has been designated and approved for urban development since at least 1991.

The comment does not identify the location of the "thousands of acres" closer to Vacaville's downtown and urban center upon which the project could be constructed. However, in response to this comment, the City has examined the existing land use plans and available land within the City.

- 1) Relatively large areas (400-500 acres) exist within the Nut Tree Ranch Policy Plan area. However, portions of this area, near the former Nut Tree use, have recently been approved for a mixed use commercial, hotel, office and residential project. The City's Redevelopment Agency has entered into an agreement with a potential developer for the purchase and development of this area, and so this agreement precludes the City from proposing other projects on this portion of the Nut Tree site. The remainder of this area consists of several hundred acres previously designated for park and golf course uses. This area is largely within the Nut Tree Airport compatibility area and is considered inappropriate for residential uses. The City has thus already approved an urban style project at this site, which will combine higher density residential uses with retail, restaurant, hotel and employment uses.
- 2) The Vaca Valley Corporate Center is located between I-80 and I-505 in a triangular shaped area. This area is constrained by Nut Tree Airport overflight zones, noise impacts from the immediately adjacent freeways, and by potentially incompatible uses including industrial operations. The site additionally is already designated for relatively high intensity employment uses (such as manufacturing or research & development uses) and is further located in close proximity to the approved North

Village residential area consisting of approximately 2,000 dwelling units. The combined residential/commercial/employment uses already approved and under construction in this area cause the City to conclude that this location would be inappropriate for a redesignation to the type of residential environment proposed for the Lower Lagoon Valley area. Thus, this location was not carried further in the environmental analysis.

- 3) The Rice-McMurtry area is a relatively large proposed residential development area within the City's Sphere of Influence, located northeast of the city center. However, this area is located approximately the same distance from the city center as the proposed residential development within the Lower Lagoon Valley area and is of insufficient size to accommodate a combined residential/golf/office development as proposed for the Specific Plan area. This area is also the subject of a separate development application and was approved by the City Council on April 27, 2004, and is now pending annexation into the City.
- 4) The Southtown area is a relatively large area designated for residential development in the southeast area of the City's Sphere of Influence. This area is, however, farther from the city center than the proposed Lower Lagoon Valley residential area. In addition, this location was identified as a less desirable location for an "executive housing project" by the City Council in 1999 and is not considered as appropriate for a mixed residential, golf, and office project. The site is further the subject of a current development application that was approved by the City Council on April 27, 2004 and is pending annexation into the City.

In response to the question regarding why the City Council has chosen to proceed with consideration of a General Plan Amendment for this project as opposed to waiting until a new General Plan is prepared, this is a policy decision subject to the actions of the elected City Council. The City Council is under no obligation to approve the proposed General Plan amendment and has only initiated review of the project for its further consideration. In any case, CEQA does not require consideration of unadopted or proposed plans, nor does it require waiting for such plans to be completed.

**Response to Comment 15-9:**

A new Draft EIR is not required under CEQA to evaluate the impacts of the Proposed Project or to provide the decision-makers additional information. See Responses to Comments 15-1 through 15-8.

-----Original Message-----

**From:** kbhike@mindspring.com [mailto:kbhike@mindspring.com]

**Sent:** Saturday, April 10, 2004 6:38 PM

**To:** LVDevelopment@ci.vacaville.ca.us

**Subject:** DEIR lower lagoon valley

I am sending written comments by e-mail regarding the Draft Environmental Impact Report for Lower Lagoon Valley Specific Plan. Kenneth Browne, Chair - Solano Group Sierra Club.

April 10, 2004

Kenneth Browne

Chair, Solano Group

Sierra Club

109 El Camino Real

Vallejo, CA 94590

City of Vacaville

650 Merchant St.

Vacaville, CA 95688

Re: Draft Environmental Impact Report

Lower Lagoon Valley Specific Plan

The following comments are being submitted in response to the Lower Lagoon Valley Draft Environmental Impact Report on behalf of the Solano Group of the Sierra Club.

There are several areas where the DEIR for Lower Lagoon Valley is inadequate. The conversion of Prime and Unique Farmland without adequate mitigation is one problem area of the DEIR. It is stated that 232 acres of Important Farmland would be lost to urbanization. This is a serious loss of valuable natural resources. Adequate mitigation measures need to be identified to make up for this loss of farmland. Areas of similar value can be preserved within Solano County through Agricultural Easements or purchase. The developer or the City should be held responsible for this mitigation.

16-1

Also, cumulative impacts of this project on the loss of agricultural lands in the vicinity of Vacaville and in Solano County need to be studied.

16-1 Cont.

Another area of concern with this DEIR is the inadequate protection provided for the western pond turtle and its habitat within the Lower Lagoon Valley SAP. Mitigation measure 4.15-6 only addresses disturbances within perennial streams or other water body. This is totally inadequate for the protection of any western pond turtles in Lower Lagoon Valley! The turtle's habitat includes grasslands and oak woodlands used for nesting and hibernation as stated in this DEIR. By limiting the Mitigation Measures to perennial streams and other water bodies this DEIR is ignoring the majority of the western pond turtle's habitat. The proposed Mitigation Measures need to include the critical nesting and hibernation habitat of this protected species. The western pond turtles' habitat needs to be thoroughly mapped and surveyed and adequate mitigation needs to be proposed that protects this species' nesting and hibernation habitat. As currently proposed the mitigation measures for protection of the western pond turtle are very inadequate.

16-2

In section 4.15-8 under Biological Resources the issue of loss of oak woodland and individual oak trees is inadequately addressed. In this section it is stated that 'it is assumed that some woodland/savannah and individual trees would be lost.' Yet the caption for 4.15-8 says 'Construction of the Proposed Project could result in the loss of oak woodland/savannah, individual trees and other protected trees. This discrepancy needs to be addressed and cleared up. The fact that no arborist surveys have been conducted as part of this DEIR is proof of the inadequacy of this section! A survey of the oak woodland/savannah and individual trees needs to be included in this DEIR so that adequate measures can be taken to protect this 'highly important biological resource.' How can impacts in this section be considered less than significant when impacts to specific trees and the oak woodland haven't even been studied or identified? The purpose of this DEIR is to specifically identify environmental impacts, not put off to some future date or document the responsibility for these impacts. Until a detailed study of 'highly important biological resource' is included and specific oak trees identified for potential impacts from this development this document must be considered inadequate. Furthermore, specific mitigation measures need to be included as part of this document, including maps showing affected individual trees, to ensure 'preservation of Native

16-3

species, healthy trees, large specimens, and visually prominent trees' as set forth in the Vacaville City code. This report's conclusion that impacts to Biological Resources section 4.15-8 are considered to be less than significant is without foundation. This is evidence of serious inadequacy found in this DEIR.

16-3 Cont.

In the section on Biological Resources 4.15-10 there is inadequate protection for nesting loggerhead shrike and white-tailed kite that occur in the Lower Lagoon Valley SAP. Stronger mitigation measures need to be included to protect nests of these species from ground disturbance and construction related activities. Adequate buffer zones need to be set up around nesting sites of these birds. As part of this document qualified biologists need to conduct surveys to identify critical nesting sites which need to be protected with adequate mitigation measures. By putting off the survey to be done sometime before construction, there is no environmental review of these surveys and the mitigations proposed. Here again, how can impacts be reduced to less-than-significant levels before important information from proposed surveys are produced? This is an inadequate document to until pertinent and important information is provided to base mitigation measures on. The Final EIR needs to address these and other inadequacies to this DEIR.

16-4

Kenneth Browne

Chair, Solano Group

Sierra Club



**COMMENT LETTER 16: Sierra Club****Response to Comment 16-1:**

See Response to Comment 3-1 that addresses the inclusion of mitigation measures for the conversion of farmland. Cumulative impacts are discussed in Section 5.1 of the Draft EIR; Impact 5.1-1 discusses the development of the site as it relates to the conversion of farmland.

**Response to Comment 16-2:**

Project designs described under Impact 4.15-9 require a minimum buffer of 100 feet from top of bank, or edge of riparian vegetation (whichever is wider) in developed area, and 50 feet from top of bank or edge of riparian along golf course greens along all perennial waterways in the Specific Plan Area. Additionally, the best upland habitat for western pond turtle is in areas where there would be wide buffers, or where there would be no development and thus no impacts.

**Response to Comment 16-3:**

Impact statement 4.15-8 is revised to read as follows:

4.15-8 Construction of the Proposed Project ~~could~~ would result in the loss of oak woodland/savannah, individual oak trees, and other protected trees.

The City has determined that existing information in the record supports the analysis of potential tree impacts, and thus that the additional arborist report the comment suggest is not necessary to the analysis. There is no specific requirement under CEQA to include an arborist report in a Draft EIR. In any case, Project proponents are required by law to comply with any local ordinances, including tree protection ordinances. As stated under the Regulatory Setting of this Draft EIR,

“Section 14.09.131 requires that applicants: retain a certified arborist to prepare an arborist report for all trees within a project boundaries, and that the report include information for each tree that meets the criteria; develop a site specific tree protection plan prior to construction to protect avoided trees from damage; avoid trees that meet the criteria; monitor compliance with established restrictions; obtain a tree removal permit for any tree(s) to be removed; and plant and maintain replacement trees at a ratio of 2:1 for non-native and 3:1 for native trees.” Thus, an arborist report will be prepared and all potential impacts to protected trees will be mitigated.

**Response to Comment 16-4:**

As defined in applicable Fish and Game Code sections, take of nesting loggerhead shrike and white-tailed kite will only occur if occupied nests are lost. CDFG requires that nest surveys for species under its protection be conducted within 30 days of construction during the nesting season to ensure these species are not nesting within the construction area. Adequate buffer zones as determined by CDFG will be established around any active nests discovered, if any, if construction is to occur during the nesting season. Thus, all potential impacts to these species will be mitigated to a less-than-significant level.



RECEIVED

APR 16 2004

CITY OF VACAVILLE  
PLANNING DIVISION

April 16, 2004

Attn: Fred Buderl  
City of Vacaville  
Community Development Department  
650 Merchant Street  
Vacaville, CA 95688

Re: Comments on Draft Environmental Impact Report (DEIR) for the Proposed Lower Lagoon Valley Specific Plan; CH No. 2003032063

Dear Mr. Buderl:

On behalf of Friends of Lagoon Valley and Greenbelt Alliance I hereby submit the attached comments on the Draft Environmental Impact Report for the Proposed Lower Lagoon Valley Specific Plan. Thank you for your time and consideration.

Sincerely,

Brent Schoradt  
Solano-Napa Field Representative  
Greenbelt Alliance



**GREENBELT ALLIANCE  
FRIENDS OF LAGOON VALLEY**

April 16, 04

Hand-delivered

Attn: Fred Buderl  
City of Vacaville Community Development Department  
650 Merchant Street,  
Vacaville, CA 95688

Re: Comments on Draft Environmental Impact Report (DEIR) for the  
Proposed Lower Lagoon Valley Specific Plan; SCH No. 2003032063

Dear Mr. Buderl:

This comment letter on the Draft Environmental Impact Report ("DEIR") for the proposed Lower Lagoon Valley Specific Plan ("project") is submitted by Greenbelt Alliance and Friends of Lagoon Valley.<sup>1</sup> Greenbelt Alliance is the Bay Area's leading land conservation and urban planning nonprofit. The organization's work makes the nine-county San Francisco Bay Area a better place to live by protecting the region's greenbelt and improving the livability of its cities and towns. Greenbelt Alliance uses public policy development, advocacy and education to prevent urban sprawl and promote infill development. Greenbelt's Compact Development Team endorses infill development proposals that meet a specific set of "smart development" criteria. Friends of Lagoon Valley is a group of residents and business owners dedicated to preservation of the valley in a natural state by preserving and protecting existing open space, wetlands, and park areas.

The overarching defect in the DEIR is that it fails to provide information about the project, project-related and cumulative impacts, mitigation measures and alternatives necessary to support informed decision-making by the permitting agencies<sup>2</sup> and the City. The City Council

17-1

<sup>1</sup> Greenbelt Alliance and the Friends were assisted in preparing these comments by Terrell Watt, Terrell Watt Planning Consultants and attorneys representing the groups.

<sup>2</sup> Permits/consultations may be required with the following agencies: U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Federal Emergency Management Agency, State Water Resource Control Board, California Dept. of Fish and Game, Dept. of Toxic Substances Control, Solano County Dept. of Environmental Health, Regional Water Quality Control Board, Caltrans, Solano Irrigation District, Solano County related to the Air Base and roadway corridor work and annexation to the School District. The EIR must provide each of these agencies

has the responsibility to uphold the law. Considering a proposal of this magnitude before the facts are in would not only be illegal, it would also be a profound disservice to the citizens who will have to bear the consequences of any decision. The public has a legal right to know how much the Lagoon Valley project would actually cost in terms of air and water pollution, lost scenic beauty and wildlife habitat, and increased demand for public services. If it turns out that the price is too high, the City should reject the project.

17-1  
Cont.

These comments are directed at ensuring that any future development of the Lagoon Valley area for housing, jobs or recreation is consistent with protecting areas of high biological conservation value, including habitat lands, wildlife corridors and open space. The importance of this Valley to the regional habitat and open space system cannot be overstated. Lagoon Valley provides a critical link in the regional open space system. The proposed project will break this link by massive site alteration and development that will destroy areas of high biological value and connectivity; areas which should be made a priority by the City and the County for permanent conservation through an alternative site design and/or acquisition from a willing seller.

17-2

These comments provide a detailed and explicit outline of the problems and inadequacies presented by the DEIR, including deficiencies under the California Environmental Quality Act (“CEQA”) (Pub. Res. Code §§ 21000 et seq.) and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.).

17-3

**I. CONSIDERATION OF THE PROJECT IS PREMATURE**

Consideration of the proposed project is premature for at least three reasons.

*First*, the County has initiated a Habitat Conservation Plan (HCP). If the project proceeds as proposed by the applicants, it will render the preparation of an HCP for the Valley moot. The City should fully participate in the HCP process and delay further consideration of the project until the HCP is completed.

17-4

*Second*, the City lacks a legally adequate General Plan on which to base project approval. The Lagoon Valley project DEIR acknowledges: 1) there are inconsistencies between the project and the General Plan and 2) the need for a General Plan Amendment or Amendments. DEIR at 3-36. Specifically:

17-5

- “The proposed project would change the land use designation of approximately 270 acres south of Lagoon Valley Road from Business Park to Golf Course

with the information they need to take their respective actions on the project. In many respects, we believe the DEIR falls short of providing these agencies the information they need to consider the project. A revised DEIR should include letters from each agency stating their level of satisfaction with the information provided (including mitigation requirements related to their issues). Without this information, the City and the public do not have complete information about how the project may need to be changed to meet each of these agency’s requirements.