

March 9, 2004

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

RECEIVED  
MAR 15 2004  
CITY OF VACAVILLE  
PLANNING DIVISION

Dear Mr. Buderl,

I understand Triad is attempting to place 1325 homes, a golf course, business park, fire department, school and offices in lower Lagoon Valley.

I am requesting an extension of time (at least 90 days and perhaps 120 days) for comments to the EIR. There currently isn't enough time to carefully study the Draft Environmental Impact Report. As a 33 year resident of Vacaville and an advocate for maintaining the beauty of Lagoon Valley environment I have major concerns about traffic, preservation of nature and creating a harmonious balance for the whole community to enjoy. I realize progress must be ongoing, however, I feel major issues have not been carefully thought through.



31-1

Thank you for your consideration in advance.

Sincerely,

*Vicki C. Hopkins*  
749 Lenwood St.  
Vacaville, CA 95689



**COMMENT LETTER 31:** Vicki Hopkins

**Response to Comment 31-1:**

See Response to Comment 23-1.



COMMUNITY DEVELOPMENT DEPT.

MAR 12 2004

CITY OF VACAVILLE

3-9-04

City of Vacaville  
Project Manager  
Community Development Department  
650 Merchant Street  
Vacaville Ca 95688

Dear Mr Buder,

This is in regards to the Lagoon Valley Project.

Please allow a 90-120 day extension to read the Environmental Impact report.

32-1

I have not had a chance to fully understand all of the contents.

Sincerely,



Linda L. Markiewitz  
932 Granada Lane  
Vacaville Ca 95688



**COMMENT LETTER 32:** Linda L. Markiewitz

**Response to Comment 32-1:**

See Response to Comment 23-1.



Lagoon Valley DEIR comments 3/15/04, T. Swiecki

1

March 12, 2004

To: Fred Buder, Community Development, City of Vacaville

From: Ted Swiecki

Subject: Comments on Lagoon Valley Draft Environmental Impact Report (DEIR)

This is the first of what I expect will be at least several installments of comments on the Lagoon Valley DEIR. The early hearing by the Planning Commission have necessitated this installment approach so that at least some comments can be circulated to the Commission prior to the hearing on March 16.

Overall, this DEIR is inadequate in many aspects. It fails to completely describe the significant impacts that this project will have and includes inaccurate assessments of the current status of natural resources in the project area. The project itself is poorly designed with respect to minimizing environmental impacts. It superimposes an unimaginative project over the area without substantially addressing environmental constraints.

33-1

Section numbers and page numbers given below refer to those in the DEIR unless stated otherwise.

Section 3.

3.1 The overview fails to mention the proposed land exchange (first mentioned on p 3-15) which is an important part of the proposed project. This aspect of the project should be noted up front and in each section that includes this aspect of the project.

33-2

3.2. It is hard to imagine how much local access is likely to come from Nelson Road which is a dead end. EIR authors clearly are not too familiar with the area, which may explain many of the other errors that are found throughout the document. How can the authors hope to analyze impacts adequately when they are unclear about such basic information?

33-3

Figure 3-1. This map is nearly useless due to its inaccuracy. Is this the best the authors can do? Project is in the wrong place.

33-4

Figure 3-2. Why doesn't this figure include any reference to existing Vacaville and Fairfield city limits and other planning areas of the two jurisdictions? How can anyone see how the plan area relates to existing land planning with this figure?

33-5

Figure 3-3. The legend here is incomprehensible. Pray what is a "Placemaking/Neighborhood/Village Definition"? Why is the figure not to scale? How can one assess a project that is drawn so amorously? Also, why are the proposed land swap areas not included on this map or Figure 3-4?

33-6

33-7

Table 3-1. Column headings are not entirely understandable. What is FAR/Density? Are there units associated with it? Why is the proposed land swap not included in this table? The 10-12 acre school /park comment is not interpretable. How much is in each used? Why does this table give no information on the total area of the valley that will be altered, by grading and building? What is the total area of impermeable surface being added?

33-8

Figures 3-4, 3-5. How can a figure with a topographic map background be “not to scale”? Are the areas drawn on the map inaccurate? Why are accurate boundaries not shown? How is impact analyzed if the areas are only approximate?

33-9

Page 3-9. Description of areas 2-4 must include reference to the land swap. Also, area 7A is described here as undeveloped grassland, but is described differently elsewhere (see p. 4.15-4). No mention has been made of the existing riparian corridor in this area. Why?

33-10

Sec 3.3. Why does this fail to note that the project is counter to the city policy for a community separator between Vacaville and Fairfield? The valley currently serves as a substantial separator and will fail to do so if the project is completed. Also the project does not either protect nor enhance the unique characteristics of Lagoon Valley. Exactly what is the point of this section? It states that the City has established these objectives, though it fails to state how and when. Also, it fails to indicate whether the project actually accomplishes any of the goals or how it does so.

33-11

p 3-11. Does the DEIR anticipate that all three parcels will remain unchanged if the project is completed? Has the likelihood of intensified land uses for the vacant and waterslide parcels been included in the analysis of impacts. If not, then likely impacts of the project are not adequately addressed.

33-12

Parking and landscaping information cannot be left for some later date if the impacts of the project are being analyzed now. What assumptions (if any) are used for these areas in the analysis of impacts?

Figure 3-6. Where are the paved parking areas in this figure? Also, why are wetlands associated with the park not shown, to show the near proximity of development to wetlands?

33-13

p. 3-13. Where in Vacaville has any parking area ever achieved 50% shading? How do they propose to accomplish that here when there are no other examples locally or even regionally? Drawing up a plan that assumes some mature tree spread doesn't mean that this will actually be attained over any reasonable time span, if ever.

33-14

User of existing City Fire crews to cover the Lagoon Valley development prior to the issuance of the 400<sup>th</sup> building permit will inevitably degrade the level of service available within the existing contiguous portions of the city. The same applies to police protection, which is not mentioned at all in the project description. By omitting a discussion of these

33-15

impacts in the description, the authors present a misleading picture of the impacts of this project on existing city residents.

Insufficient description and definition of the residential development is provided to allow for a meaningful assessment of the project and its impacts. The impacts of undefined future design standards and theoretical CC&Rs cannot be adequately assessed and are unacceptable. Other information, such as the proposed price range of housing must be provided in order to assess the project's impacts.

33-15  
Cont.

p. 3-14 – Since village III is proposed to be gated, is the so-called open space in this area restricted to use by the residents of this project area alone? Please specify. If so, the amenities are of no larger value to the community and serve simply as a marketing device. What entity will maintain these areas? City parks dept. or others?

33-16

p. 3-15 – Given the high level of disturbance and human activity associated with the golf course, it is disingenuous to suggest that degraded riparian areas or runoff-laden ponds will improve wildlife habitat. Habitat will be made unsuitable for various species that currently use the area, including loggerhead shrike and Swainson's hawk. Also, preserved or rehabilitated habitat is typically of much higher ecological value than "new", i.e., created habitat. The description inaccurately overestimates the value of golf course "habitat" and fails to mention the habitat that will be destroyed in the process of construction and land use change. The description is therefore misleading and seeks to obfuscate the true project impacts.

33-17

The land exchange section seems to be a late addition. This is an important impact and should be described in the overall project description earlier. Why is there no map that shows the proposed exchange areas? The land exchange description fails to mention that the 19 acre parcel includes the constructed berm, essentially a compacted pile of unwanted, probably low quality soil. This is a nearly worthless site, more of a liability than an asset, which is being traded for high quality land with existing habitat value. The exchange would result in greater fragmentation of the existing City-owned open space resources and would result in a direct net loss of 7 acres of existing habitat. It actually increases the footprint of the project's disturbed areas beyond what would be possible without the trade. The proposed trade would provide a net decrease in habitat value or and a decrease in value for the City of Vacaville and its residents and is a negative impact that can and should be avoided by changing the proposed plan to eliminate the land trade.

33-18



**COMMENT LETTER 33: Ted Swiecki****Response to Comment 33-1:**

The City respectfully disagrees that the Draft EIR is inadequate. See Responses to Comments 9-1, 17-1 through 17-45, and 33-2 through 33-18.

The comment on the merits of the Proposed Project will be forwarded to the decision-makers for their consideration.

**Response to Comment 33-2:**

As the comment notes, the description of the proposed land exchange is identified on Draft EIR page 3-15. The comment indicates the opinion that this aspect of the project is of great importance and should be noted earlier in the description. The Draft EIR text will not be modified; however, a graphic showing the land exchange is included in this Final EIR in Chapter 2, Revisions to the Draft EIR.

**Response to Comment 33-3:**

Nelson Road does provide limited access to Lower Lagoon Valley under existing conditions, as noted on page 3-2. The road provides vehicle access to an unincorporated area between Fairfield and Vacaville. The road also provides the major bicycle connection between the two cities. The comment also refers to numerous errors in the document but does not provide any details to respond to. See Responses to Comments 33-4 through 33-18. The City has made every effort to prepare an accurate document.

**Response to Comment 33-4:**

Figure 3-1, Regional Location, on page 3-3 in the Draft EIR provides a regional perspective of where the project site is located in relationship to the surrounding communities. The figure has been modified and is included in Chapter 2, Revisions to the Draft EIR.

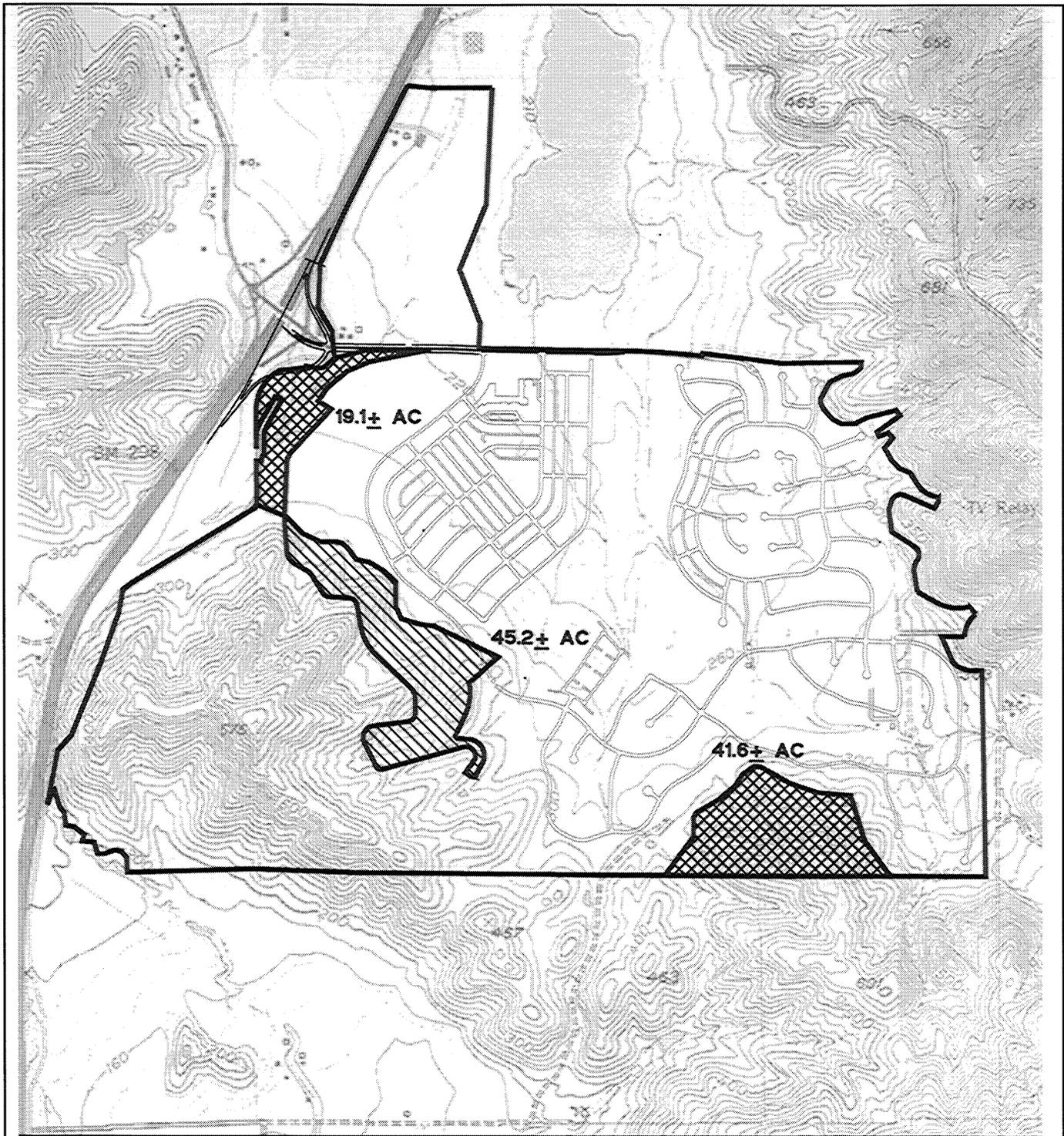
**Response to Comment 33-5:**

Figure 3-2, Proposed Project Location, on page 3-4 of the Draft EIR shows a closer view of the project site in relationship to the City of Vacaville and other surrounding landmarks. The City limit between the City of Vacaville and the City of Fairfield is located generally at the southern edge of the Specific Plan area shown on Figure 3-2. Of the areas within the Specific Plan, all except Area 6C are within the Vacaville City limit.

**Response to Comment 33-6:**

Figure 3-3, Proposed Specific Plan, on page 3-5 of the Draft EIR is intended to show on a conceptual level the specific components of the project. Because it is on a conceptual level the figure is not drawn to scale. The Specific Plan provides more detailed information about particular plan components. Specific Plan, Chapter 6, Community Design, describes the intended design theme(s) that would be provided through the Plan's policies and standards. Section 6.3 describes the design qualities proposed for Residential Village 1, where "placemaking" definition points are shown. The Specific Plan is available for review at the City





**LEGEND:**

-  CITY OF VACAVILLE PROPERTY TO BE CONVERTED TO GOLF COURSE USE 45.2±AC
-  PROPERTY TO BE DEDICATED TO CITY OF VACAVILLE 60.7±AC

(ALL AREAS ARE APPROXIMATE)



**Open Space Land Exchange**

Not to Scale

10794-00

Source: City of Vacaville, 2004

City of Vacaville

**EIP**  
ASSOCIATES



of Vacaville Community Development Department located at 650 Merchant Street, Vacaville, California, 95688 during normal business hours.

**Response to Comment 33-7:**

See Response to Comment 33-2.

**Response to Comment 33-8:**

Table 3-1 presents the specific project development components such as land use type, if it new or existing use, acres, FAR/Density (which stands for floor area ratio (FAR) and represents the amount of square footage that can be developed on an acre of land under assumed density), and square feet of developed uses. The Specific Plan also provides detailed information about the development anticipated to occur under the Proposed Project.

Table 3-1 is not intended (and does not need) to show the other information suggested by the comment. The requested information can be found elsewhere in the Draft EIR and in the Specific Plan. The total amount of acres proposed for developed uses (that will include grading and other site preparation activities), for example, can be determined from the information in the table and is presented on page 3-1 (879 acres). The total area of impermeable surfaces added from the Proposed Project is not known at this time. Further design details would provide exact measurements of impermeable surface, such as rooftops and paved surfaces. As stated in the Draft EIR, on page 4.11-13, approximate assumed acreages based on land uses were used to analyze stormwater surface runoff directly related to impermeable surfaces. Further, Mitigation Measures 4.11-1(a) and (b) would require a Stormwater Drainage Master Plan to be prepared with specific design details, such as areas of impervious surfaces. See also Response to Comment 17-8.

The dedication of additional open space is discussed on pages 3-15 and 3-31. See also Responses to Comments 3-2 and 33-2.

Finally, the comment column on the right side of Table 3-1 provides additional details, which are further elaborated upon in Section 3.4 Project Description on pages 3-10 through 3-17 of the Draft EIR. The reference to “10 to 12 acre school/park” refers to the fact that Village I includes a 10 to 12 acre school site (see the discussion on page 3-14). The precise size of the school/park site and associated playfields has not yet been determined. See Responses to Comments 14-1 through 14-10.

**Response to Comment 33-9:**

Figure 3-4, Lower Lagoon Valley Land Use Plan, on page 3-7 of the Draft EIR depicts the seven specific subareas of the project. These subareas are provided on an overlay on a topographic map. The purpose of the map is to show the land use layout on the existing physical geography of the area.

**Response to Comment 33-10:**

The description of this area is characterized more fully in Chapter 4.15 for purposes of the environmental setting. The sixth paragraph on page 3-9 is revised to read as follows:

**Area 7 (Buffer)** – Two parcels make up the 55-acre Area 7. Parcel 7A currently is approximately 47 acres of undeveloped grassland lands, consisting of grassland, some riparian areas, and other lands generally along the Nelson Road right-of-way. Parcel 7B is approximately 6 acres, contiguous with Area 2, that consists of Rivera Road, one vacant parcel, and two automotive repair or salvage businesses.

**Response to Comment 33-11:**

The Proposed Project does not run counter to the adopted community separator area between Vacaville and Fairfield. The community separator area is designated on Open Space and privately owned lands between the two cities and the proposed Specific Plan does not proposed to reduce this area. Current City policy establishes the valley floor as an urban development area and designates the open space and hillside agriculture areas as the community separator.

Section 3.3 identifies Project Objectives, required by CEQA for EIR's. The comment disagrees with the project's ability to enhance the unique characteristics of the valley. CEQA Guideline 15124(b) requires that an EIR contain a "statement of the objectives sought by the proposed project." The City developed this list based on the City Council's action to initiate the consideration of this project on February 11, 2003, and based on the adopted City policies relevant to this part of the City. The decision on whether the project actually accomplishes these objectives is made by the City Council.

**Response to Comment 33-12:**

The Draft EIR anticipated the potential development of the commercial parcels for the uses identified in the Specific Plan. The uses proposed are no more intense than the existing commercial designations for these properties under either the General Plan or the existing, approved project (1990 Policy Plan). The former waterslide property would not be changed from its current zoning and anticipated uses. Any future applications for specific projects on these parcels would be subject to the appropriate environmental review for their project specific effects on the environment, as anticipated by Chapter 9 of the Specific Plan.

**Response to Comment 33-13:**

The specific parking lot areas are not specifically called out on this figure. Maximum FAR, minimum site size, minimum building setbacks and parking standards are all identified in the Specific Plan and will determine the maximum amounts of paved surfaces. Specific Plan Chapter 9, Implementation, Section 9.1, describes the process for development review procedures that would be used to implement the standards and policies of the Specific Plan. Wetlands areas are identified in Draft EIR Section 4.15 and in Draft EIR Technical Appendix O.

**Response to Comment 33-14:**

The Specific Plan standards require compliance with the City's requirements for 50% shading of parking areas. This standard would be enforced through the design review process, which subjects each individual project within the Business Village to a review of detailed project plans. In this case, the Lower Lagoon Valley Design Guidelines prepared for this project provide details on the methodology for calculating the tree shading potential for the design of parking areas within the Business Village, Town Center and Golf Course Clubhouse areas. These standards for parking lot shading and design are contained in Design Guidelines Section 12.1.b-d, and would serve as the method for enforcing the Specific Plan requirements for

parking lot shading as well as the City's Land Use & Development Code standards for parking lot shading.

**Response to Comment 33-15:**

A complete discussion of fire and police protection impacts and levels of service is included in the Draft EIR, Section 4.9, Public Services. As discussed on page 4.9-4, the Proposed Project would increase demand for police and fire services to an extent that could exceed the capacity of existing resources and exceed current levels of service required by the fire department. The City's police department uses a ratio of 1.2 sworn officers per 1,000 population as a goal to ensure adequate police protection is provided to serve the project. To meet these requirements, the project applicant will fund additional police services to reduce this potential impact to a less-than-significant level.

As discussed on page 4.9-5 of the Draft EIR, the Proposed Project site is located outside of the City's seven-minute response time to ensure adequate fire protection. Accordingly, to ensure adequate fire protection is provided and reduce this impact to a less-than-significant level, a new fire station would be constructed within the Specific Plan area. The project would be obligated to fund the construction, equipping and annual operating cost of this new fire station, as required by the policies of the Specific Plan (see Specific Plan, Chapter 9, Implementation). According to the Fire Department, construction of the fire station should begin prior to issuance of the 200<sup>th</sup> residential building permit and should be operational prior to issuance of the 400<sup>th</sup> residential building permit. Thus, Specific Plan policies would require the City to withhold building permits until such milestones are met. In addition, prior to completion of the fire station an Interim Fire Protection Plan would be developed to address fire protection during the time period prior to the new fire station becoming operational, without decreasing service levels to other parts of the City. This interim protection plan allows the Fire Department to employ measures deemed necessary to provide adequate protection to the area (i.e. additional staffing; interim location of staff/equipment in the project area; traffic control measures to improve response times; etc.). According to the City's fire department, with this type of Interim Protection Plan, adequate fire protection would be maintained throughout the city prior to operation of this new station (see Page 4.9-6 of the Draft EIR).

**Response to Comment 33-16:**

The open space within Village 3 would be privately owned (parks, riparian areas, golf courses) and maintained through a community association. The Specific Plan provides for publicly owned open space on the hillsides around much of Village 3. These areas would be owned and maintained by the City, with maintenance paid by a Service District (i.e., parks maintenance district) formed in and funded by the Specific Plan area. These publicly owned areas would include public access, such as trails. Public trails will also be extended through the private golf course land to allow the public access to hiking through the valley floor areas between the Lagoon Lake area and the hillside areas to the south.

**Response to Comment 33-17:**

Golf courses have very high potential to provide valuable wildlife habitat, particularly if the course is designed under certain guidelines with natural resources in mind. An example of the implementation of such designs are the many golf courses across the nation that are certified by the Audubon Cooperative Sanctuary Program (ACSP) for Golf. A brief statement regarding the

program from Audubon's website (<http://www.audubonintl.org/programs/acss/golf.htm>) is as follows.

“Since 1991, Audubon International has been the leading environmental organization to provide comprehensive environmental education and conservation assistance to golf course superintendents and industry professionals. Through collaborative efforts begun in 1991 with the United States Golf Association (USGA), membership in the Audubon Cooperative Sanctuary Program for Golf Courses has steadily grown to include more than 2,300 courses in all fifty states, Canada, and increasingly, around the world.”

This and other similar programs are available to the developers to help design a facility that meets the recreation needs of the community while providing high quality wildlife habitat. Pursuant to Policies in Section 5.3 of the Specific Plan, the Proposed Project will be required to implement policies, programs, design standards and operating procedures that are intended to provide wildlife habitat on the golf course property. Moreover, there is approximately 70 acres of open space around and adjacent to the golf course (on the golf course site) that will provide additional, valuable wildlife habitat.

**Response to Comment 33-18:**

See Response to Comment 33-2. The comment prefers that more emphasis be placed on the merits of the proposed land exchange. The land exchange is already permitted for purposes of golf course construction under the terms of the existing approval, including a valid development agreement.

The commentor does not believe that the land to be granted to the City in the location of the landscaped berm is of great value. This is not an environmental impact issue, but one regarding the merits of the proposed exchange. However, the City notes that the landscaped berm would be constructed from earth on the site, and would conform to all of the mitigation requirements specified in the Draft EIR. See Chapter 4.15 for a discussion and map of the various biological resources present in this portion of the Specific Plan area. It should be also noted that the exchange would add another 40 acres of land to the City's open space system including some lands that would connect, rather than separate, existing City-owned open space in the area south of proposed Village 1 with additional hillside open space lands to the east. The proposed Specific Plan also designates the berm area as a location to extend trails that will connect with the existing Lagoon Valley Park trails in the vicinity of Lagoon Valley Road, thus the City does not agree that the proposed land exchange will “fragment” public lands. See Section 4.15 for a discussion of the potential biological resource impacts that might occur from development within the golf course areas.

To City of Vacaville Draft EIR Lower Lagoon Valley LETTER 34  
From: Del Berg

16 Mar 04  
Rev. 3/16/04

## WETLAND REPORT FOR THE PENA ADOBE AREA OF LOWER LAGOON VALLEY

This report was prepared at the request of Mr. Berg from the Ranchotel. It addresses wetland and flooding issues on two separate parcels of land located between the Ranchotel, Interstate 80 and the Pena Adobe Overpass. (See diagram 1 and Assessor's map)

### General Description:

The current wildlife observed in the area are numerous species of birds, several deer, other mammals as well as possibly the federal listed Northwestern Pond Turtle. There is a breeding population of turtles living within 150 yards of this site in the slough and lake just east of this parcel of land. At least nine individual turtles of two age classes have been observed within the past 90 days of the generation of this paper, (July 15, 2003), in the slough.

The trees that are found on the property are Valley Oak, Coast Live Oak, Black Walnut, Willow, Chokecherry, Ash and several non-native species of tree and shrub. About 20% of the trees are mature trees and the remainders are much smaller and younger of age. Of the total area that is covered, about 30% is canopied by the trees.

It must be stated that the state and federal wildlife as well as other agencies have written policies that do not allow the destruction of wetland under any circumstances. Mitigation of those areas may be allowed but only after a very detailed study by each agency. These policies do not consider the original source of the cause of the creation of the wetlands in question, especially when there may be a species of special concern, either animal or plant. In this case, the property lies so close to the slough with the pond turtles in it that it is entirely possible that at some portion of the year, the turtles may use the property for breeding, hibernating or other activity.

34-1

### Parcel A Description:

The parcel, identified as Assessor's Parcel Number 127-03-09 in the County of Solano, located at the intersection of Pena Adobe Road and Rivera Road within the City of Vacaville. This site is located next to Rivera Road, just south of the Pena Adobe off ramp about fifty yards south of the entrance to Lagoon Valley Lake Park. The south boundary of the property butts up against the Ranchotel Property. The common boundary extends in an east/west direction for several hundred yards. The east boundary is the park boundary (see Assessor's Map). This three-sided parcel contains 4.67 acres of land that equates to 203,425.2 square feet of currently unusable wetland, upland and drainage area from Interstate 80. Approximately 50% or 101,712.8 Square feet of the lower half is covered with wetland-associated plants and much of the remainder has moderate cover of native trees. There are several small meadow areas where the vegetation is dense thistle and grass.

This wetland site appears to have been created in part by water coming from three sources. One from a drainage ditch that comes from Interstate 80 runs though the south edge of the property, (see County Assessor's map book 127, page 03 showing easement reference book 1383 page 514). One from the drainage culvert, which drains water from

Interstate 80 and Parcel 127-03-08 at the northern end of the property. The last source is from water, which backs up from Lagoon Valley Lake and its bypass channel (see diagram 2, Wetlands Map). It should be noted that during a typical heavy winter rain storm that water floods over 70% of this site as shown in the attached photographs 2 and 3 and diagram 2.

#### Parcel B Description:

The parcel identified as Assessor's Parcel Number 127-03-08 in the county of Solano located at the intersection of Rivera Road and Interstate 80 within the City of Vacaville. This site is located between Rivera Road and Interstate 80 just south of the Pena Adobe overpass (see attached Assessor's Map). This teardrop shaped parcel is 2.07 acres in size that equates to 90,169.2 Square feet of currently unusable wetland, upland and drainage area from Interstate 80. Approximately 30% or 27,050.76 Square feet is covered with wetland-associated plants and much of the remainder has moderate cover of native trees. There are several small meadow areas where the vegetation is dense thistle and grass.

The wetland site appears to have been created in part by water drained from Interstate 80 onto the parcel by a drainage ditch located along the northern boarder of the parcel (see county Assessor's map book 127, page 03 showing easement reference book 1383 page 514). This ditch empties into a culver which runs under Rivera Road and dumps into Parcel A (127-03-09) (see diagram 2 Wetlands Map). During heavy winter rains water backs up from Parcel A onto Parcel B flooding approximately 30% of this site, as shown in diagram 2.

#### General Summary:

Both sites contain newly formed wetland areas. Formed since the construction of Lagoon Valley Lake in 1978. The old wetland area (as shown on diagram 3) has migrated northwest to the entrance of Lagoon Valley Park and both Parcels A and B. Located at the northern entrance to Lagoon Valley Park is a culvert (see photograph 1) and associated Pena Adobe Creek drain all of Lower Lagoon Valley and most of Interstate 80. During periods of heavy rainfall runoff, this culvert and creek are not able to allow excess water to flow downstream. A high water table and increased ground water caused by the storage of water in Lagoon Valley Lake also allows very little water to percolate into the ground. Both of these combined causes water to back up onto both parcels A and B and The Ranchotel as shown in photographs 2,3, and 4. When new housing is built above this site, heavier amounts of water will become the norm causing much more damage to those properties adjacent to the park.

#### Parcel A Summary:

Parcel 127-03-09 contains 4.67 acres of land. It is designated as Flood Zone A2 (see diagram 4, Vacaville City Flood Zone Map). Due to various water related problems, it does not have much usage. Both state and federal agencies have regulations that

involve wetlands, this property will not be able to be developed beyond a fraction the total area because of this.

With the above water problems and the presence of the Northwestern Pond turtle, a Species of Special Concern, found less than 150 yards to the east of the east property line, it is doubtful that anyone would be able to use this property. That "wetland" portion of the property may be a possible mitigation site for future mitigation of loss of other areas within the Lagoon Valley area.

There appears to be little possible use of this parcel for any purpose because of the wetland issue at hand. The loss of the revenue due to the condition of this site and the policies of the state make the feasibility that site will or can generate future revenues for the county or the city of Vacaville is unlikely as it stands at this time. Additionally the City of Vacaville has incorporated most of this Parcel into this Open Space Plan as shown on Fig 3 of the "Executive Summary – City of Vacaville Proposed Lagoon Valley Lake Management Plan." Mitigation property may be a possibility for inclusion into that area for the identified Northwestern pond Turtle, a species of concern for the State and the U.S. Fish and Wildlife Service. This animal is currently found very near the property now.

#### Parcel B Summary:

Parcel 127-03-08 which is surrounded by Interstate 80, Rivera Road and Pena Adobe Road contains 2.07 acres of land. About 50% of it is covered with water during the winter and as such, forms a wetland by definition. This parcel's water source is from runoff from the three roads flowing to the lowest portion of the property. The down stream culvert system to remove the standing water appears to be small and over grown. In effect this parcel serves as a Retention basin causing water to back up onto the property during heavy rainstorms, thus the development of the wetland type of habitat on the lower area of the property. This property is close to the site of the Northwestern Pond Turtle location in Lagoon Valley Park, however, it is not as likely that the turtles would use this site, as it is further away.

Jack Edwards  
Retired Fish & Game Officer

#### Attached:

- Diagram 1 General Location of properties
- Assessor's Map Bk 127 pg 3 Solano County
- Diagram 2 Wetlands Map
- Diagram 3 City of Vacaville Wetland and Riparian Habitat Map
- Fig 3 City of Vacaville Park and Open Space Lands
- Diagram 4 City of Vacaville Flood Zone Map

34-1  
Cont.

August 4, 2003

Del

As your requested, the following is my background working with the state for the California Department of Fish and Game.

I have about three years of college credits mainly in general education and biological sciences. I attended Napa Jr. College, summer sessions at Sonoma State, some night and weekend classes at U. C. Santa Cruz, and Hartnell College.

I started working for the California Department of Fish and Game in 1960 at the Yountville Game farm. From there, I continued working with the Game Management branch of the department for three years as a seasonal aid. I then hired with the department at Fish Springs Hatchery as a Fish and Game Assistant where I stayed for two years. I then transferred to the Wildlife Management Branch of the department in Monterey County where I remained for ten years doing various biological projects. I then became a Fish and Game Warden assigned to marine patrol in the Los Angeles Area for two years and ½ years. My next assignment was the Suisun Marsh and the Napa - Solano patrol unit. I worked this area for twenty-five years until I retired in 1998.

Shortly thereafter, I was rehired as a Fish and Game Warden annuitant specializing in streambed permit agreements working with the public on various projects. I then became an environmental scientist working as an annuitant doing the same job until July 30, 2003

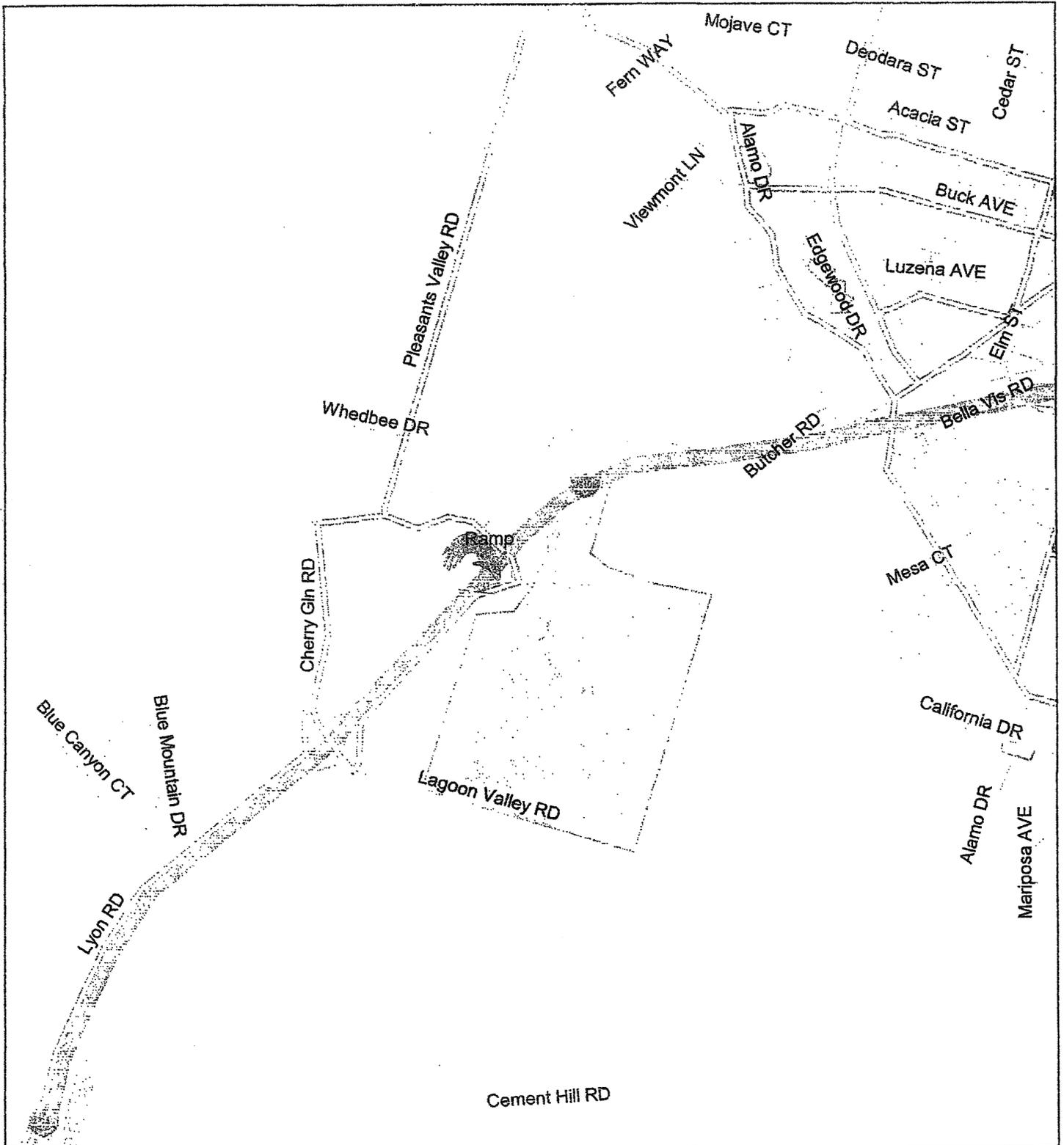
My total time in working with the Department is 43 and ½ years doing related investigational and scientific related work. I have made about 3000 cases that related to fish and game violations during that time, I have written approximately 2000 streambed alteration agreements that related to various construction projects within all types of stream and river systems here in California. Included in these totals are many pollution cases against both corporations as well as private citizens

I was also responsible for the now nation wide concept of placing stencils on storm drains advising the public of where pollution products end up when they are dumped into storm drains and thus causing pollution problems downstream.

Please let me know if you need this expanded.

Jack M. Edwards

# Map

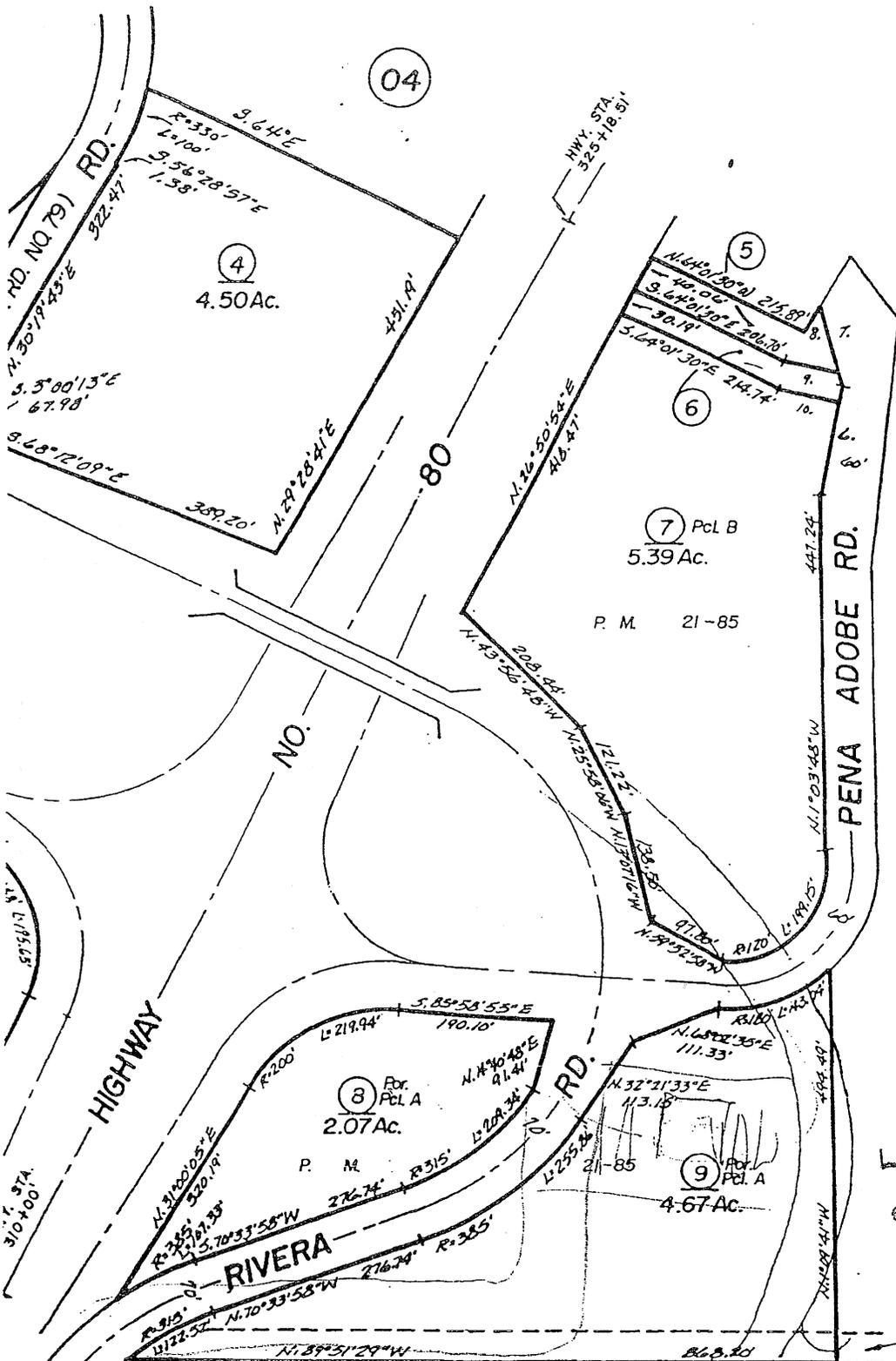


37, RANCHO LOS PUTOS  
6 N., R. 1 W., M. D. B. & M. EXT.

Tax Area Code

- 6001
- 6019
- 6143
- 6157
- 91011

127



05

04

5

6

7 Pcl B  
5.39 Ac.

P. M. 21-85

8 Pcl A  
2.07 Ac.

P. M.

9 Pcl A  
4.67 Ac.

P. M. 21-85

Lagoon Valley  
Park

State of Calif. Drainage Easement  
(BK. 1383 Pg. 514)

Rancho Hotel  
02

Assessor's Map Bk. 127 Pg. 03  
County of Solano, Calif.

REVISION	DATE	BY
1	8-30-92	DR
2	11-1-92	DR
3	11-21-85 TO COR.	
4	8-18-81	DR
5	3-17-77	DR

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

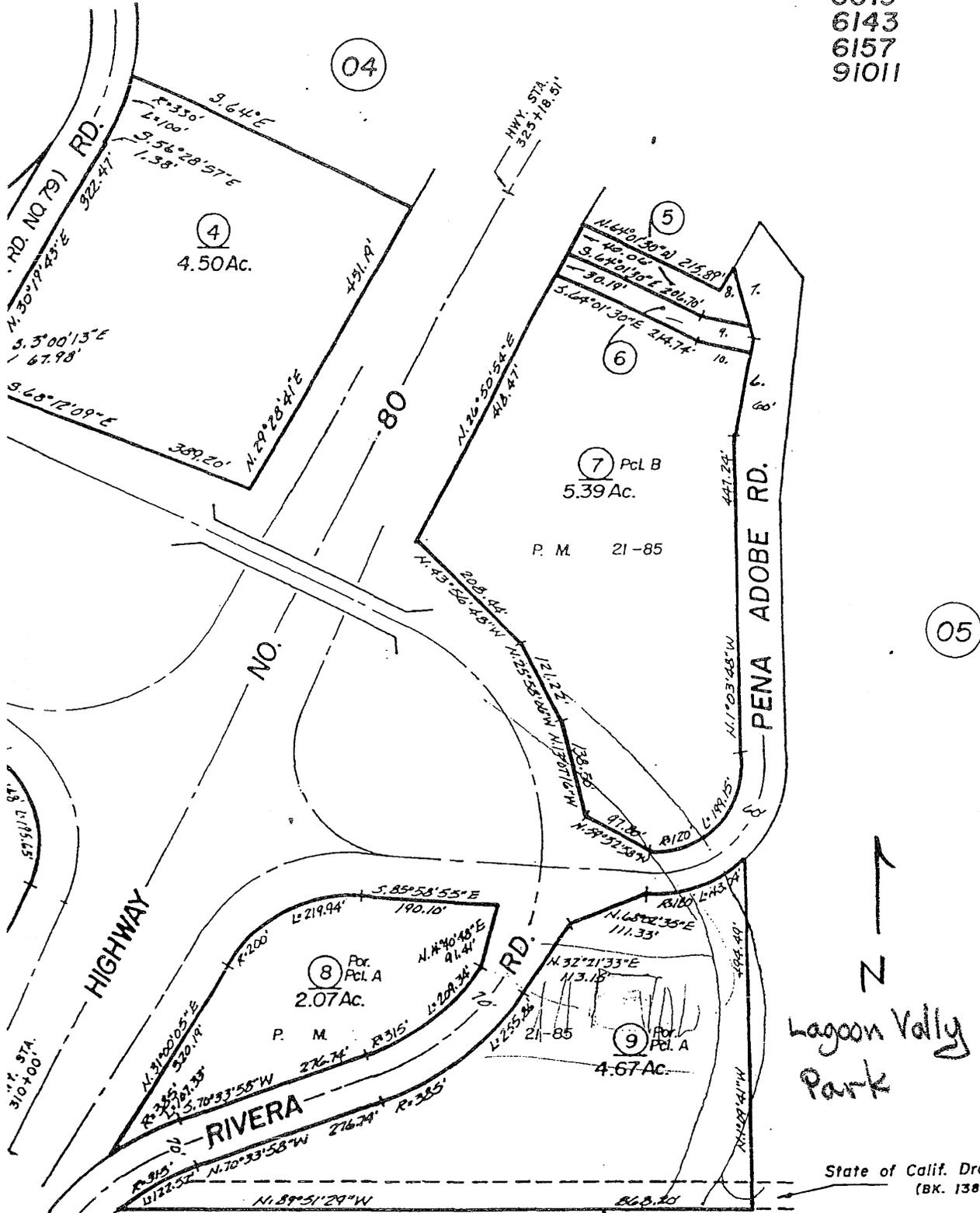
93 94

37, RANCHO LOS PUTOS  
6 N., R. 1 W., M. D. B. & M. EXT.

Tax Area Code

127

- 6001
- 6019
- 6143
- 6157
- 91011



05

02

Lagoon Valley  
Park

State of Calif. Drainage Easement  
(BK. 1383 PG. 514)

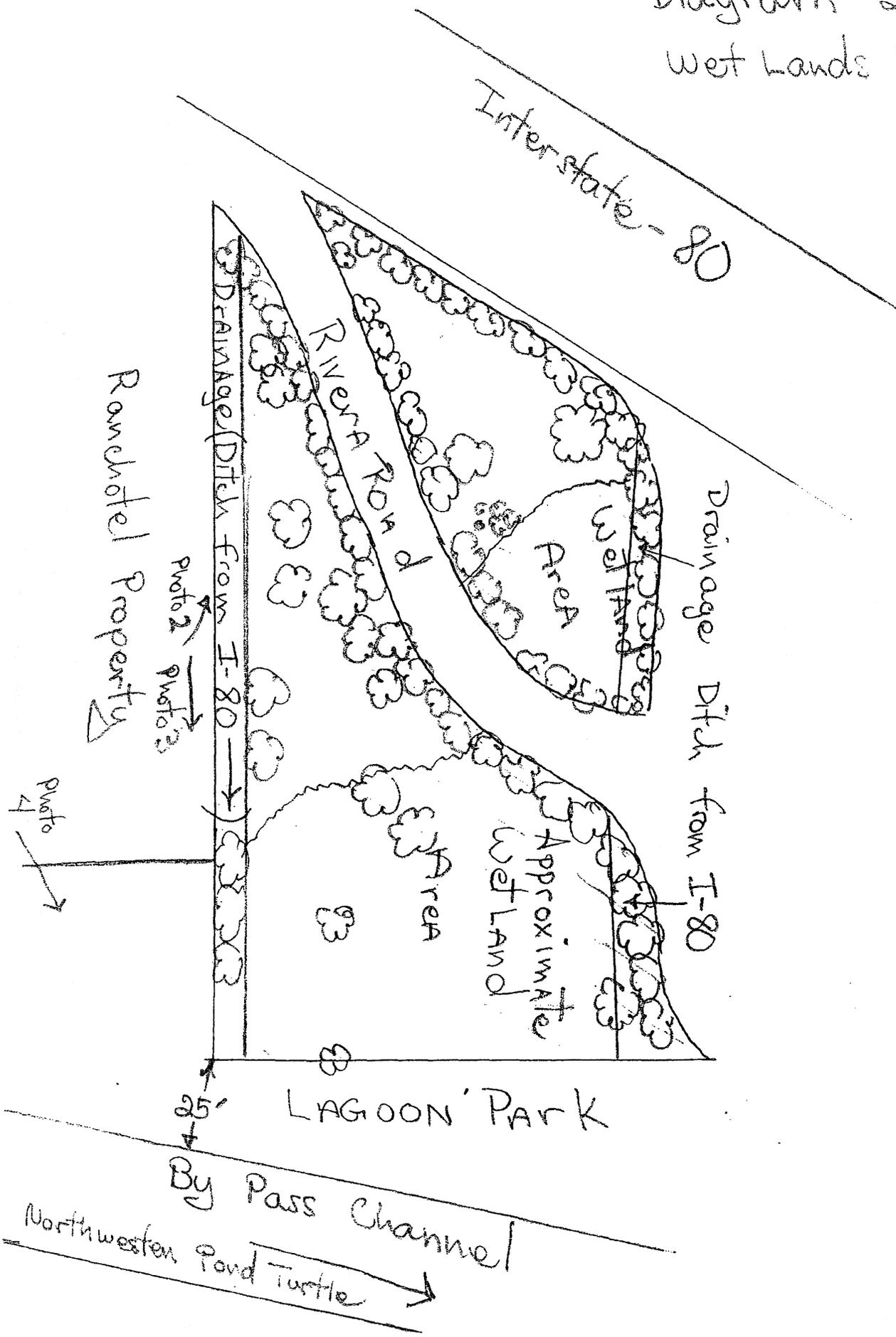
Assessor's Map Bk. 127 Pg. 0:  
County of Solano, Calif.

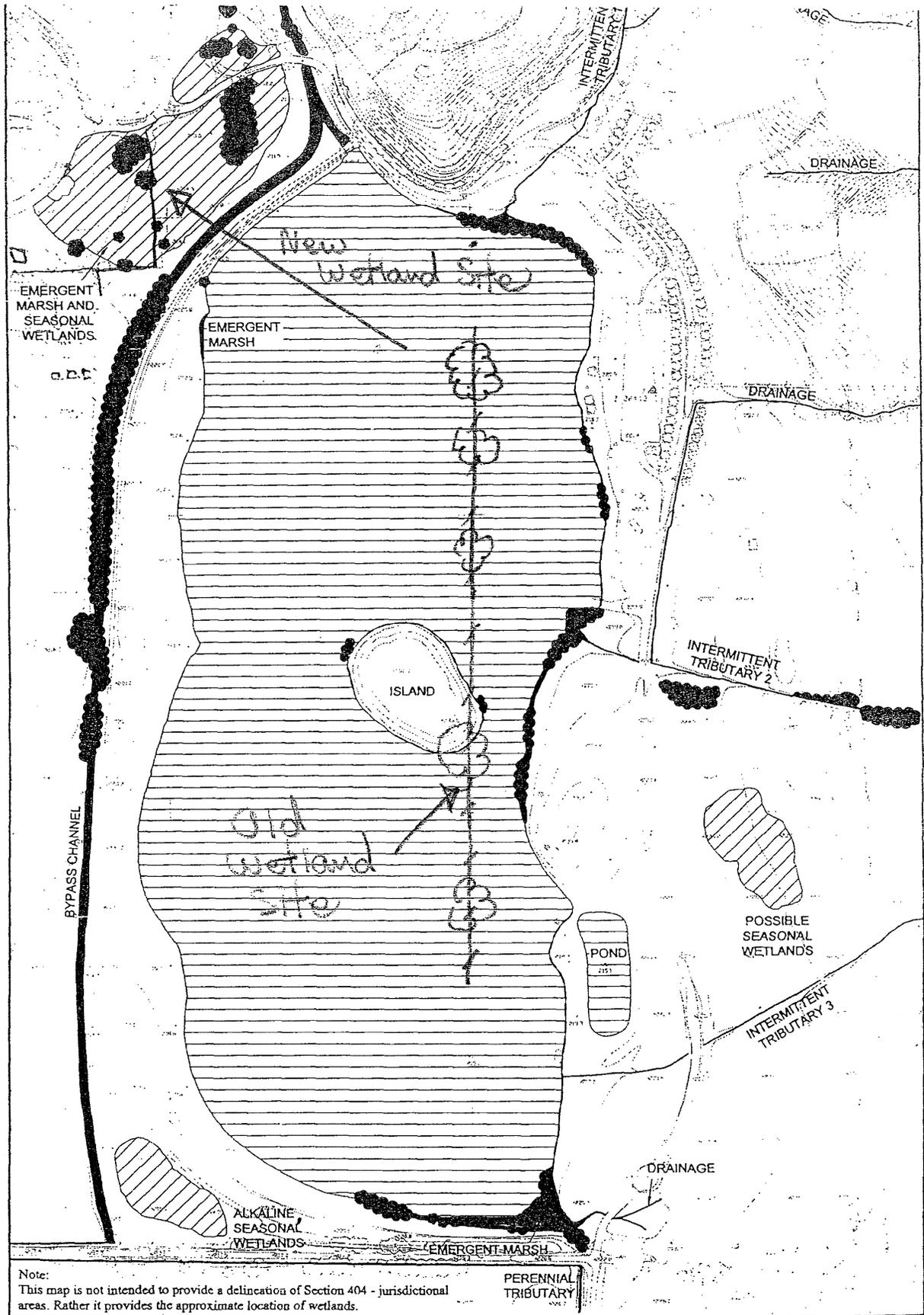
93 94

REVISION	DATE	BY
18E 349-C	9-30-92	BJ
20E 347-C	11-1-91	BJ
3M. 21-85	To Cert.	
4C.	8-18-81	BJW
30-70 CREATES 3477		BJW

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

Diagram 9  
Wet Lands Map





05-21-99(COV831 habitats)



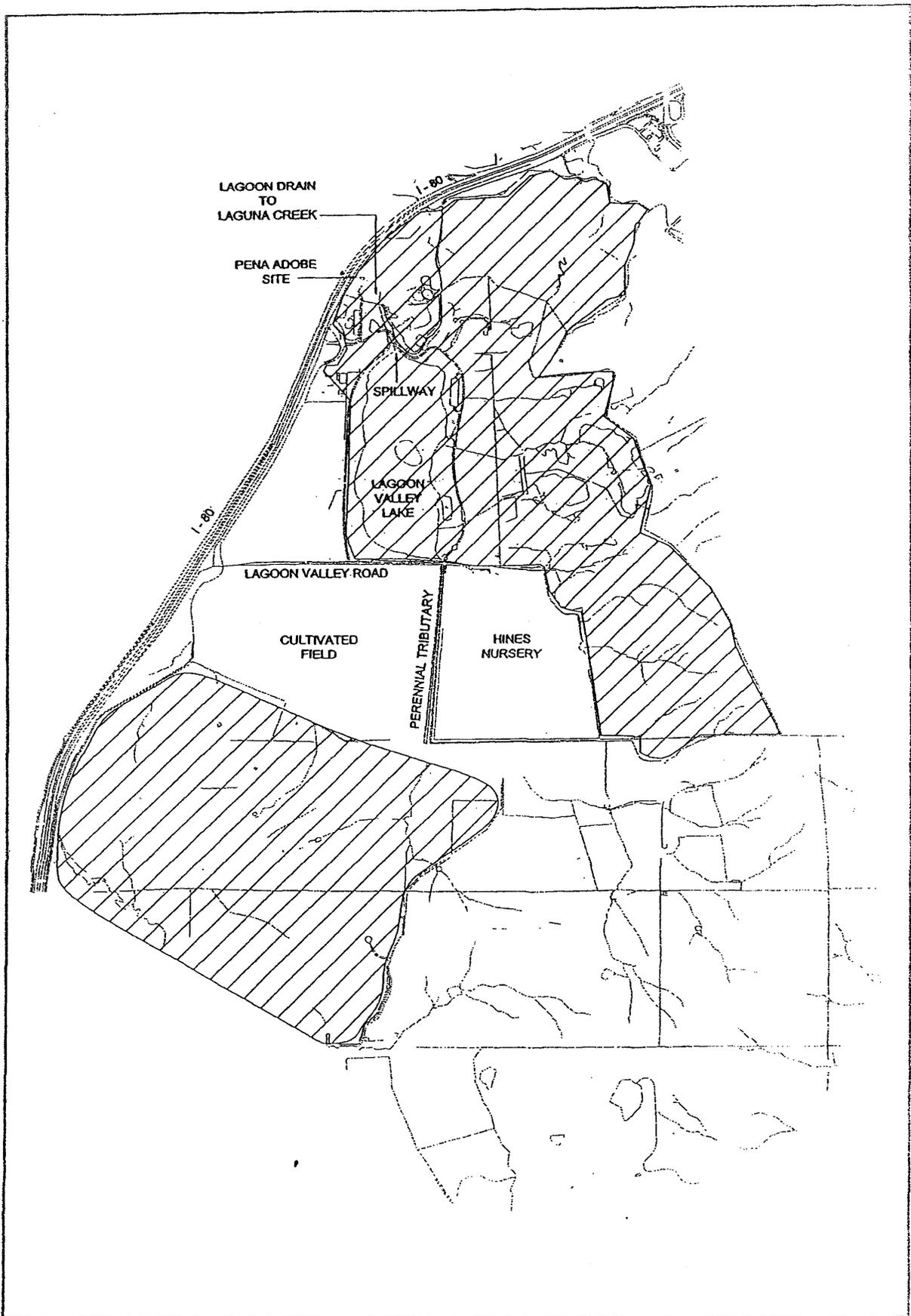
Scale in feet  
0 300

- Occasional Riparian Trees
- Open Water
- Woody and Channel Riparian Habitat

Figure 4

Wetland and Riparian Habitats -  
Lagoon Valley Lake

Diagram 3



05-21-99(COVE31 Land Uses)

Figure 3

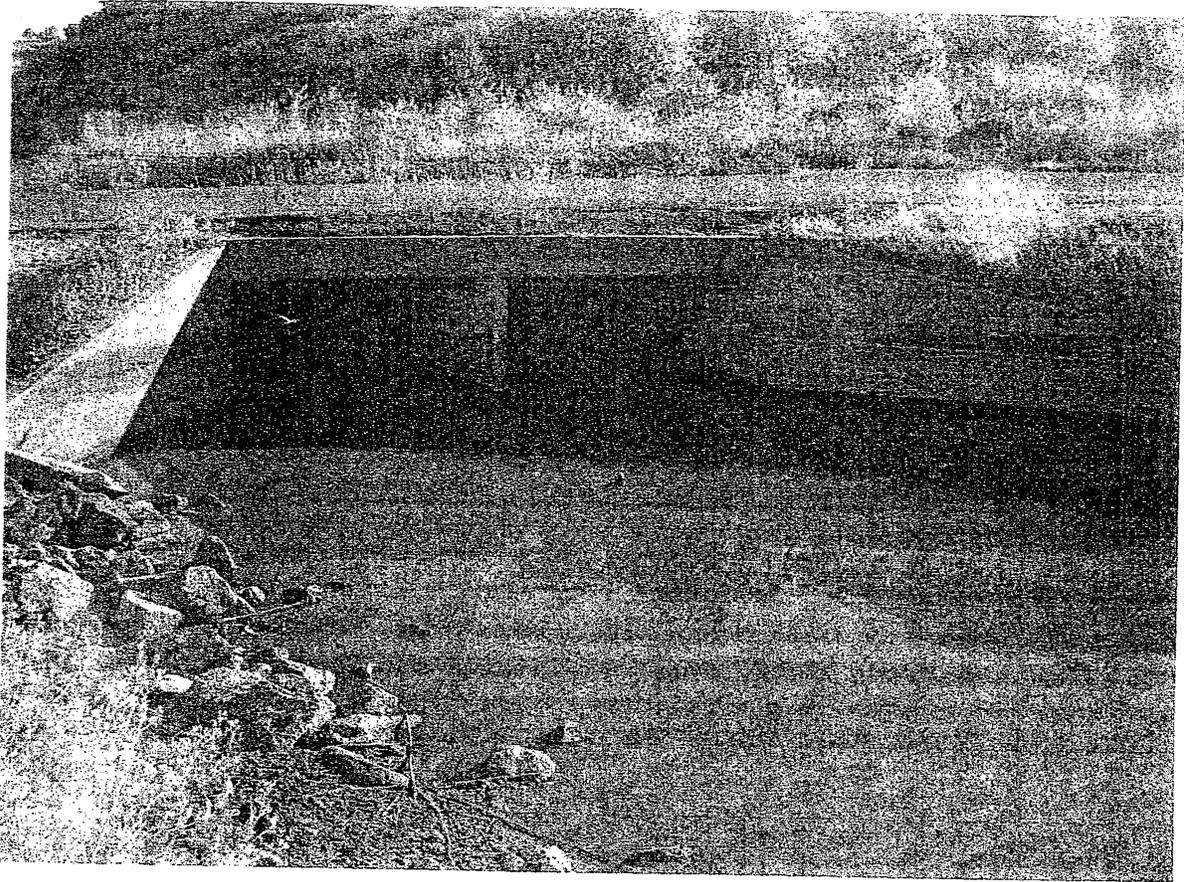


Scale in feet  
 0 1500

 Park & Open Space Lands

Surrounding Land Uses





During periods of heavy rainfall runoff, this culvert is not able to allow excess water to flow downstream. The effect is a backup of water onto the properties. When new housing is built above this site, heavier amounts of water will become the norm causing much more damage to those properties adjacent to the park.

Photo 1



Photo of the area of the 4.67 acre parcel, (Almond Property), partially under water. The sources of the water are from the interstate drainage ditch next to the Ranchotel and excess water flowing from upstream of the Lagoon Valley Park culvert crossing area.

Photo 65

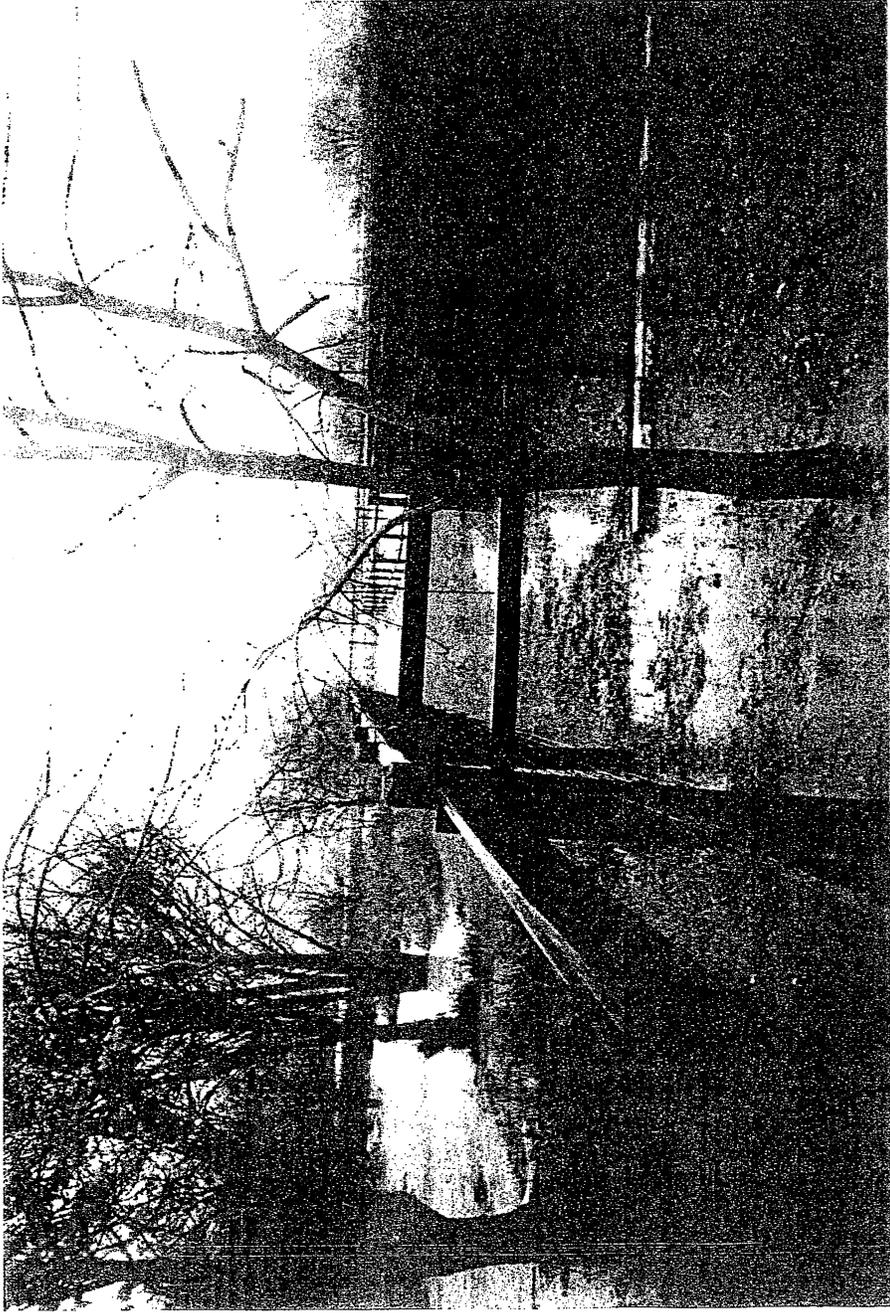


Photo looking easterly from the rear of the Ranchotel property towards Lagoon Lake.

Photo 12

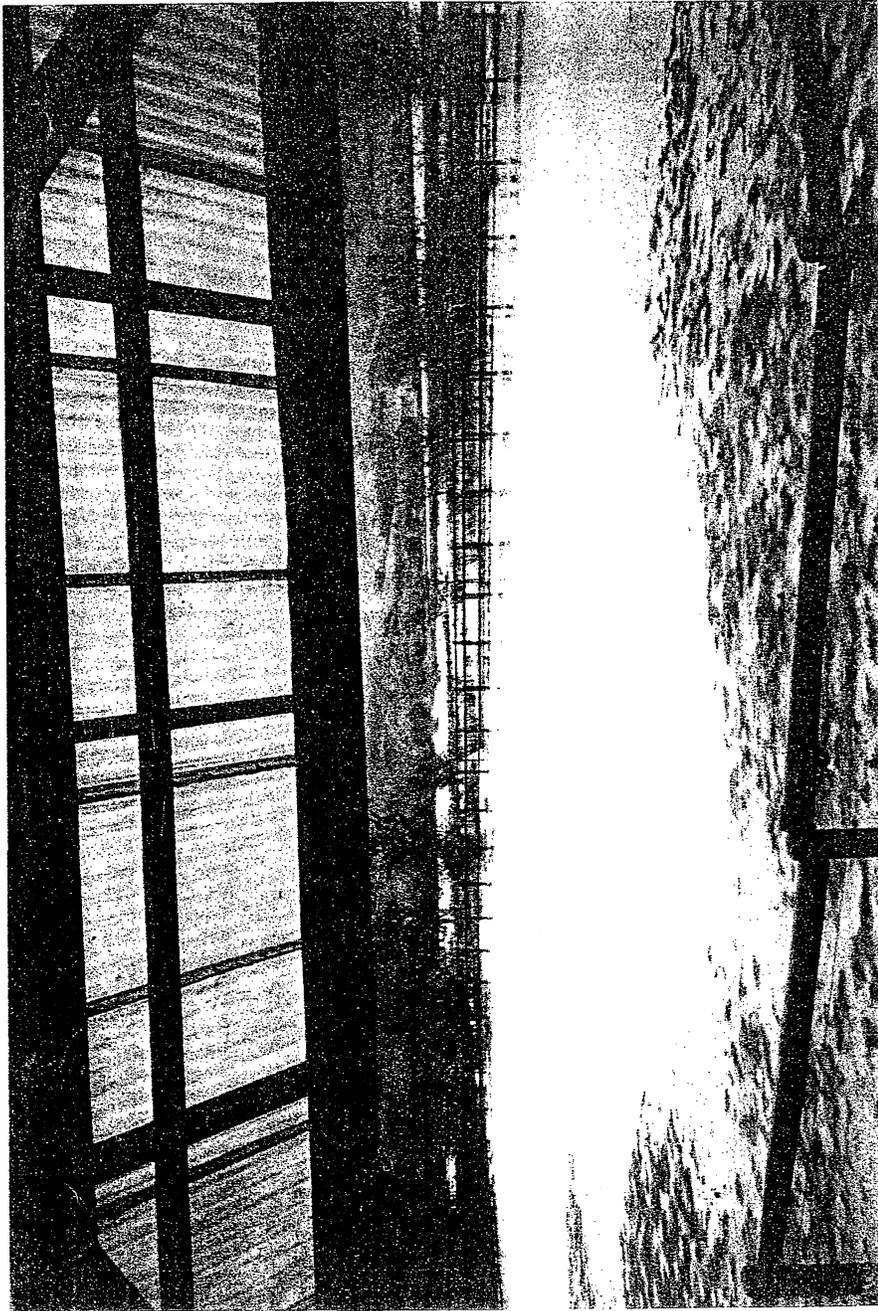


Photo looking easterly from the rear of the Ranchotel property towards Lagoon Lake.

Photo 1



**COMMENT LETTER 34: Del Berg**

**Response to Comment 34-1:**

Area 1B is included as part of the Specific Plan area, but no development is proposed for that area. Specifically, as described on page 3-11 of the Draft EIR, no changes in land use designation are proposed for that area as part of the Proposed Project.



March 16, 2004

Fred Buder  
 City Planning Division  
 650 Merchant Street  
 Vacaville, CA 95688

Dear Mr. Buder:

This is to comment on the Draft Environmental Impact Report (DEIR) for the proposed Triad subdivision development in the Lower Lagoon Valley.

Section 15003 (h) of the CEQA guidelines states that, "The lead agency must consider the whole of an action, not simply its constituent parts, when determining whether it will have a significant environmental effect." The draft EIR for the proposed Triad project failed to adequately consider, as a whole, the combined losses of unique farmland, irreplaceable open-space, the unique esthetics, and the historical, pre-historical, educational and biological resources of Lagoon Valley. As such, the EIR presents an incomplete and fractured picture of the significant impacts of this proposed project to the public.

35-1

Section 15131 (Discussion) of the guidelines states in part that, "...CEQA does not focus exclusively on physical changes, and it is not exclusively physical in concern. For example, in Section 21083(c), CEQA requires an agency to determine that a project may have a significant effect on the environment if it will cause substantial adverse effects on human beings, either directly or indirectly...economic or social change may be used to determine that a physical change shall be regarded as a significant effect of the environment...Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment."

35-2

The draft EIR failed to adequately address significant and considerable social impacts of this project. It thus failed to address the combined loss of Lagoon Valley's cultural, aesthetic, historic, biological, pre-historical, recreational and educational resources to the social systems in the local and regional communities. In so doing, the EIR failed to consider the legislative intent (section 21000 [b]) of CEQA which states in part that, "It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man."

Finally, section 15002 (h) of the guidelines states in part, that, "...when an EIR shows that a project would cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods." The guidelines list seven possible courses of action including disapproval of the project. The adverse impacts on the pre-historical, historical, biological, recreational, cultural, educational, geographical and esthetic resources in Lagoon Valley as well as the adverse impact on the public social systems and well-being through this proposed project are of such magnitude that the project must be disapproved.

35-3

Regards,

Jose' Freeman

15200 County Rd. 96B  
Woodland, CA 95695

**COMMENT LETTER 35: Jose Freeman**

**Response to Comment 35-1:**

The commentor recites CEQA Guidelines Section 15003(h), which requires an EIR to analyze the “whole of an action,” but then appears to object to the adequacy of the EIR’s analysis generally, and perhaps with respect to cumulative impacts. The City agrees that an EIR must analyze the whole of an action and believes that this EIR does so by analyzing both the development and preservation of the Lower Lagoon Valley as anticipated by the Specific Plan. As to the EIR’s analysis of project and cumulative impacts, the City believes those analyses are adequate.

**Response to Comment 35-2:**

The comment asserts that the EIR is inadequate for failing to address social issues connected with the Proposed Project and recites sections of the CEQA Guidelines and CEQA statute. CEQA recommends analyses of social and economic impacts only where those impacts translate to physical, environmental impacts. Pub. Res. Code § 21082.2(c); CEQA Guidelines Section 15358(b). The City believes that the EIR fully evaluates all potential physical environmental impacts of the Proposed Project as CEQA requires.

**Response to Comment 35-3:**

The commentor states that the Proposed Project must not be approved due to environmental impacts. The EIR is prepared to provide the decision makers, here the Vacaville City Council, with information regarding the potential environmental impacts of a project and ways to mitigate those impacts, for the consideration in deciding whether to approve, conditionally approve or disapprove a project. See Response to Comment 17-6. This comment is noted for the City Council as it considers the Proposed Project.



COMMUNITY DEVELOPMENT DEPT.

MAR 18 2004

CITY OF VACAVILLE

March 16, 2004

Dear Sir:

I am writing this letter in response to the Lagoon Valley DEIR. While I find this document to be rather confusing, I believe I have enough of a grasp of it's contents to ask the following question regarding the increase in traffic volume on Pleasants Valley Road. I quote from section 4.5.1 when it says this project "could affect the relative safety of the area given the limited availability for improvements." Question number one is how can you proceed with this project when admitting that there will be a safety issue affecting a long and well travelled piece of roadway?

36-1

Question number 2 is related. It is clear, although not mentioned in the DEIR, that many people from the new project and those travelling on I-80 will take advantage of the proposed new freeway interchanges to avoid gridlock by taking the Pleasant's Valley Road shortcut into Vacaville. This will increase traffic on Foothill Drive, and from there onto portions of Northern Alamo Drive and western Monte Vista. I see no mention of this likelihood and wonder why it was not explored. There were 12 existing intersections that were analyzed as to the project's impact, but Pleasants Valley/Foothill and Foothill/Alamo were not included and should have been. Will this study be done?

36-2

Also, section 4.5.5 predicts unacceptable levels of traffic by 2025, but states that of the 3 mitigation measures suggested, 2 "are not within the jurisdiction of the city of Vacaville". Therefore, to solve the anticipated problems caused by this project, we would be at the mercy of Caltrans and the State of California for any "fixes" our city might need.

36-3

I have many objections to this project, but would like answers to these questions regarding traffic.

36-4

Aileen Williamson  
428 Deodara St.  
Vacaville, CA 95688





**COMMENT LETTER 36: Aileen Williams**

**Response to Comment 36-1:**

The statement regarding Pleasants Valley Road is taken from the Draft EIR's description of the environmental setting. From this setting, the Draft EIR analyzes the potential for the project to impact the resources or conditions identified as having some potential for effect from the project. In this case, Pleasants Valley Road, Section 4.5 and Technical Appendix D, identify an increase in traffic but also conclude that this increase is well within the capacity of the roadway.

Please also see Responses to Comments 11-1, 11-2, 12-3, 12-4 and 12-5 for discussions regarding impacts to County roadways.

**Response to Comment 36-2:**

Please see the analysis in Section 4.5 of the Draft EIR. See also Response to Comments 11-1, 11-2, 12-3, 12-4, 12-5, and 36-1.

**Response to Comment 36-3:**

Because the facilities where mitigation is needed are operated by the State (namely I-80), the EIR is correct in identifying these as outside the City's jurisdiction. For the 2025 impact noted in this comment, it should be clarified that the Proposed Project does not cause the impact, but rather it contributes to the impact. The particular impact is a regional traffic impact issue, and so any project along the freeway is likely to contribute a share to the future significant impact to traffic congestion on the freeway. The EIR mitigation would obligate the project to pay its fair share toward mitigating these impacts.

**Response to Comment 36-4:**

Comment noted. See Responses to Comments 36-1 through 36-3.



Fred Buderl

From: Marian Conning [mconning@pacbell.net]
Sent: Wednesday, March 17, 2004 7:01 AM
To: Lagoon Valley DEIR Comments
Subject: DEIR Comments

Comments on the Draft Environmental Impact Report
Lower Lagoon Valley Specific Plan for the proposed Triad subdivision

Cumulative Impacts: Transportation and Circulation

Section 5.1 of the DEIR states that

"For the purpose of the Lower Lagoon Valley Specific Plan EIR analysis, the cumulative impacts analysis assumes buildout of the adopted City of Vacaville General Plan and the currently proposed Southtown and Rice/McMurtry projects."

There are several projects already incorporated into the General Plan (such as North Village) that have not yet been built. As I read it, CEQA Guidelines section 15130(b)(1) requires that all of these projects be listed and their contribution to cumulative impacts of traffic, for instance, be quantified. The DEIR should provide a chart indicating exactly what has been included in this section.

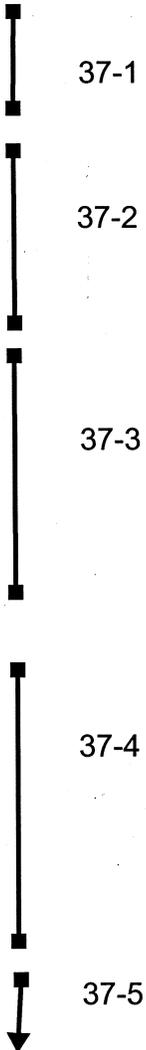
Another issue is the regional scope of cumulative impacts: The Reporter on Thursday, March 11 ran a story headlined "Plan unveiled for vast area of Dixon land" describing the Southwest Specific Plan of that neighboring city. The newspaper called it "the largest residential and commercial tract of land to ever to be developed in the Dixon community". It is clear to me that it is the intent of CEQA to include neighboring developments like this in a statement of cumulative impacts when it comes to regional topics like transportation and circulation (i.e. "traffic"). The cumulative impacts should include development all along the I-80 corridor in Solano County, and not just within Vacaville city limits.

A third issue is the total lack in the DEIR (so far as I can tell) of any mention whatsoever of non-automobile transportation. Section 4.5 makes one unclear reference to a "Short Range Transit Plan" which apparently will be updated sometime in the future "if citizen interest warrants". It is not acceptable to consider only automobile use in the DEIR; that is part of the problem and not part of the solution! Will the Vacaville city bus service be extended to the proposed subdivision? What about the Fairfield bus -- will it stop in Lagoon Valley? If so, will it stop at the park or only at the subdivision? Will there be park 'n ride lots, van pool parking and shuttles to Capitol Corridor stations? Will the Solano BART Express make morning and evening stops in the "business village"? Will Vacaville paratransit or the "Ride with Pride" service be available to residents of the proposed subdivision? I don't understand the total lack of attention to these questions!

Cumulative Impacts: Hydrology, Drainage & Water Quality

Section 5.1-21 refers to a required Master Drainage Plan that has not yet been completed. Water drainage and flood control are major impacts of this proposed project. Indeed, the DEIR states that "Cumulative development, including the Proposed Project, could increase runoff that could exceed the capacity of existing drainage facilities resulting in localized flooding." This is, it continues, "considered a significant cumulative impact." That is something of an understatement as flooding in the Lagoon Valley would simply drain into Lagunitas and then Alamo Creek, causing flooding throughout south Vacaville. It is therefore incomprehensible to me that the DEIR would be published prior to the completion of the required Master Drainage Plan.

Section 5.1-22 refers to entities called SWPPP, NPDES and RWQCB. I have no idea what



these things are. It is my understanding that under CEQA, a Draft Environmental Impact Report should be intelligible to interested lay persons. I am an interested lay person and I cannot understand this section.

37-5  
Cont.



**Cumulative Impacts: Hazards and Human Health**

Section 5.1-27 outlines the danger to people and structures in a wildfire such as the one that burned part of the park last fall. This suggests (but does not address) the question of emergency evacuation in the event of wildfire, earthquake, flood or other disaster. The proposed subdivision development would basically be a large area with one road leading out. There are alternative "fire roads" by which emergency vehicles could get in, but emergency egress would be slow, congested and dangerous. Although the DEIR states that no mitigation is required, I would think it would at least address the issue of emergency evacuation, especially as a school is planned.

37-6



More later!

Marian Conning  
735 Brookside Drive  
Vacaville, CA 95688  
(707)447-7356

**COMMENT LETTER 37: Marian Conning****Response to Comment 37-1:**

Table 5 of the traffic study (Appendix D to the Draft EIR) provides the “Existing Plus Approved Projects” scenarios.

**Response to Comment 37-2:**

See Responses to Comments 6-1, 13-1, 17-27 and 17-40 regarding analysis of cumulative regional traffic.

**Response to Comment 37-3:**

The Draft EIR, Section 4.5, page 4.5-4, describes the method by which transit providers would monitor transit demand in the Specific Plan area.

The draft Specific Plan, Chapter 4, Sections 4.5 and 4.6, establish policies for non-vehicular circulation and transit provision within the Specific Plan area. Figure 4-3 in the Specific Plan shows the planned non-vehicular circulation network. In addition, Specific Plan Chapter 4 includes a set of detailed planned cross sections for each street within the Specific Plan area, identifying the designs for sidewalk and trail locations. The non-vehicular circulation system has been designed with the intent to make pedestrian and bicycle traffic convenient and safe and thus encourage greater use of these transportation modes.

In particular, with regard to bus service, the proposed Specific Plan requires that the proposed development be designed to include space for future transit provision, by designing bus stop space in the Business Village area and into proposed Village 1 near the school site. The plan would also require the establishment of a Transportation Systems Management plan for the employment uses, which will require the establishment of incentives for employers to provide for alternatives to single-occupant vehicle travel. Therefore, the Draft EIR does not identify any significant adverse effects on bus service.

Section 4.2 of the Specific Plan contains detailed provisions regarding transit. These include considering extending City Coach service, requiring bus turnouts and transit stops to be provided, creating a Transportation Systems Management program in Subarea #2, and requiring office and commercial development to provide electric vehicle charging infrastructure. The request to assume a greater amount of public transportation is not supported, although if it were included in the analysis, the Proposed Project’s anticipated traffic impacts would decrease.

**Response to Comment 37-4:**

An analysis and evaluation of potential drainage impacts of the Project has been completed. *Lower Lagoon Valley Storm Drainage Study*, Appendix I of the EIR. This study includes extensive modeling and analysis of both the existing and proposed drainage facilities has been done. As a result of the modeling and analysis completed to date, several detention basin locations have been identified (see Figure 4.11-4 and the discussion under Impact 4.11-1 and 4.11-2). In addition, several drainage improvements have been identified to decrease the potential for flooding within the project site (see Impact 4.11-1). A Storm Drainage Master Plan (SDMP) has, however, not yet been completed. The Final SDMP is generally not completed and submitted to the City until after the EIR is certified. The SDMP will be consistent with, and

will implement, the recommendations and mitigation measures in the EIR as the City Council directs.

Also, see Response to Comment 30-1 that addresses the potential increase in flooding along Alamo Creek.

**Response to Comment 37-5:**

SWPPP is “Storm Water Pollution Prevention Plan” (see EIR page 4.11-10)

NPDES is “National Pollutant Discharge Elimination System” (see EIR page 4.11-9)

RWQCB is “Regional Water Quality Control Board” (see EIR page 4.11-10)

Section 5.1, Cumulative Impacts, addresses the cumulative impacts associated with all of the issue areas analyzed in the EIR. The acronyms that the comment addresses are included in the Hydrology, Drainage and Water Quality discussion on page 5.1-14. An explanation of what the Stormwater Pollution Prevention Plan (SWPPP), National Pollutant Discharge Elimination System (NPDES) permit, and role of the Regional Water Quality Control Board (RWQCB) are included on pages 4.11-10 – 4.11-11 in Section 4.11, Hydrology, Drainage and Water Quality.

See Appendix B of this document for a list of acronyms and definitions.

**Response to Comment 37-6:**

The issue of emergency evacuation planning is addressed in the Draft EIR, Section 5.1-27, and in Draft EIR Section 4.9.

The Specific Plan, Chapter 6, Section 6.8, describes the Plan’s provisions for fire and emergency access. As described in the Specific Plan, emergency access would be provided by the main entry routes (i.e. the Lagoon Valley/I-80 interchange and the Pena Adobe/I-80 interchange). In addition to the major public streets connecting from these points to the development area, the Pena Adobe/I-80 interchange access point allows access (and egress) through Lagoon Valley Park along the east side of the lake on the existing paved, two lane park road. This evacuation route would allow emergency access and evacuation by using the park road to access the I-80/Pena Adobe interchange, or to access the Butcher Road trail as an emergency route toward the City. The Specific Plan requires the development to install a paved connection from this roadway, through the parking lot to the Butcher Road trail, thus providing an additional emergency access (and egress) point for emergency services. Specific Plan Section 6.8. describes this feature in more detail. Specific Plan Chapter 8, Community Services, Section 8.1.2, establishes standards for the provision of services. With regard to emergency services, these policies require development in the Specific Plan area to establish an emergency ingress/egress plan with routes and procedures, evacuation routes and pathways, and an evacuation plan that is communicated to both emergency personnel and future residents. Thus, the planning for emergency evacuation procedures will provide for alternative routes: 1) Lagoon Valley Rd. to I-80 or the Business Park loop road; 2) Project residential areas into Lagoon Valley Park along the east side of the lake to Pena Adobe/I80; and 3) Lagoon Valley Park to Butcher Road trail).

The Project Description, Draft EIR Chapter 3, page 3-19 describes the inclusion of fire access roads into the project design. Draft EIR, Figure 3-8, illustrates the typical types of locations for

hillside fire fighting roads, in addition to an emergency fire access route connecting through Lagoon Valley Park to the Butcher Road trail. The analysis and conclusions of the Draft EIR are based on the features proposed in the Specific Plan and the City believes this potential impact would be less than significant with the proposed Specific Plan design features.



**Scott Sexton**

---

**From:** LRosenkild@aol.com  
**Sent:** Wednesday, March 17, 2004 10:37 PM  
**To:** lvpark@cityofvacaville.com  
**Subject:** Just needed to voice my opinion.

Dear Scott,

I am sure you have a tough job right now, as there is such a debate about the Lagoon Valley area, so I will make my statement brief.

I am 23 years old and have grown up in Vacaville. This is my home and where I plan to raise any children I have in the future. And to think of our golden hills being engulfed in houses saddens me. We only have so much untouched land left, and I have used, and still use Lagoon Valley park. But it's not just the park, it's the whole area that will be affected by this plan. The park has been home to our onion festival and many school field trips and just daily visits from people near and far. It feels like the closest place around where you can still feel like your in nature.

In a community that is bustling and growing everyday, we need a sanctuary to heal our spirits.

38-1

Sincerely,  
Lisa Rosenkild



**COMMENT LETTER 38: Lisa Rosenkild**

**Response to Comment 38-1:**

The commentor's opinion about the Proposed Project is noted. This comment addresses the merits of the Proposed Project and not the content or adequacy of the Draft EIR. The comment will be forwarded to the decision-makers for their consideration.



COMMUNITY DEVELOPMENT DEPT.

MAR 23 2004

CITY OF VACAVILLE

March 21, 2004

I am writing about the DEIR for the Triad Lagoon Valley Project. In the Biological Resources Section (4.15) the Burrowing Owl is listed as a Federal Species of Concern and a California Species of Special Concern and the DEIR lists the potential for this species to occur within the boundaries of this project is listed as moderate. Also, the Swainson's Hawk is listed as a Federal Species of Concern and a California Threatened Species (under the Endangered Species Act). I am singling out these 2 birds and ignoring the many other plants and animals that are of special concern. I want to know why you are going to allow the builder to do the studies and make decisions about proper areas to build in and mitigation methods? Why aren't you requiring a wait until the Solano County Habitat Conservation Plan is complete? Obviously this county plan will do a thorough county wide job of dealing with threatened species and plants while any study undertaken only for this project will be done in more of a vacuum.

39-1

Aileen Williamson  
428 Deodara St.  
Vacaville, CA 95688





**COMMENT LETTER 39:                   Aileen Williams**

**Response to Comment 39-1:**

See Responses to Comments 15-2 and 17-4. Both Burrowing Owl and Swainson's hawk are addressed in Draft EIR Section 4.15, with mitigation measures following, or requiring compliance with, standard State protocols for mitigating impacts to the species.



March 22, 2004

Mr. Chuck Dimmick, Chairman  
Planning Commission  
City of Vacaville  
650 Merchant Street  
Vacaville, CA 95688

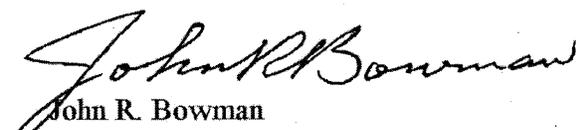
I have read the Lower Lagoon Valley Draft Environmental Impact Report.

This report is complete, comprehensive, and considerate of possible impact factors and provides mitigating measures where needed. To name a few: dust, water drainage, flood plain, earthquake, landslide, traffic, archaeological and biological.

Equally impressive in this report is the stated acreage allotted to structures, housing, golf course, commercial area, and still maintaining the regional park, and providing over 1,000 acres of open land.

In my opinion a careful reading of the EIR (with an open mind) would allay concerns expressed by some people at the first public hearing at the Planning Commission on March 16, 2004.

40-1

  
John R. Bowman  
574 West Monte Vista  
Vacaville, CA 95688

RECEIVED

MAR 25 2004

CITY OF VACAVILLE  
PLANNING DIVISION



**COMMENT LETTER 40:                      John R. Bowman**

**Response to Comment 40-1:**

The commentator's opinion about the Proposed Project is noted. This comment addresses the merits of the Proposed Project and not the content or adequacy of the Draft EIR. The comment will be forwarded to the decision-makers for their consideration.



March 22, 2004

Mr. Fred Buder  
Planning Project Manager  
650 Merchant Street  
Vacaville, California 95688

RECEIVED

MAR 23 2004

CITY OF VACAVILLE  
PLANNING DIVISION

Dear Mr. Buder:

Although you and I discussed my recent request with regards to the August 1990 Lower Lagoon Development Project Environmental Impact Report (EIR-1-0) on March 15, 2004 at the Planning Division, I am requesting for a listing of all organizations, including full names of individuals, contacted in the preparation of the Draft Environmental Impact Report (DEIR) for the Lower Lagoon Valley Specific Plan DEIR which was completed recently by the City of Vacaville on February 2004.

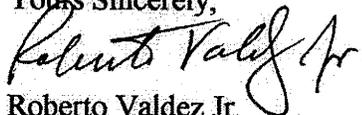
41-1

Also, after discussing with Mr. Scott D. Sexton, City Planner, during the recent public meeting on February 28, 2004 about the survey results for the Lagoon Valley Park Master Plan which was reported during the joint study session at the Vacaville Planning & Community Services Commission joint study session on October 21, 2003, I am requesting for an update report on the survey results which encompasses the additional online responses from our park recreational users.

41-2

Thank you for your assistance on this important matter.

Yours Sincerely,



Roberto Valdez Jr.  
Vacaville resident

Cc: Mr. Scott D. Sexton – City Planner



**COMMENT LETTER 41: Roberto Valdez, Jr.**

**Response to Comment 41-1:**

Chapter 7, References and Chapter 8, Report Preparation, in the Draft EIR list sources reviewed during preparation of the EIR and the individuals responsible for preparing the EIR. Each chapter of the Draft EIR includes reference sources at the end of each chapter, and each Draft EIR Technical Appendix identifies report preparers and sources.

**Response to Comment 41-2:**

This is not a comment on the Draft EIR, but instead refers to a survey conducted as part of the park planning process for Lagoon Valley Park in 2003. Accordingly, no further response is provided, but this request will be addressed as part of that separate project.



Monday, March 22, 2004

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

RECEIVED

MAR 23 2004

CITY OF VACAVILLE  
PLANNING DIVISION

Re: Request for Extension of Lagoon Valley Draft Environmental Impact Report  
Comment Period

Dear Mr. Buder:

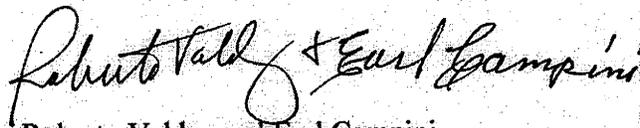
Since the Draft Environmental Impact Report (DEIR) for The Lower Lagoon Valley Project will have a tremendous impact on the future of Vacaville, we are requesting for a 90-day comment period rather than the current 60-day extension till from February 20, 2004 to April 19, 2004. We feel that this additional review time will allow sufficient opportunity for our Vacaville residents to respond appropriately in specific details to the adequacy or inadequacy of this unprecedented document.

42-1

In addition, since "The City (of Vacaville) has received a number of requests for an extended public comment period for this DEIR," we are requesting for the number of specific public requests with their additional review times which were received at the Community Development Department for the Lagoon Valley DEIR prior this public hearing on Tuesday (March 16, 2004).

Thank you for your assistance on this important matter.

Yours Sincerely,



Roberto Valdez and Earl Campini

Vacaville Residents



**COMMENT LETTER 42:**                    **Roberto Valdez, Earl Campini**

**Response to Comment 42-1:**

See Response to Comment 23-1.



RECEIVED

MAR 23 2004

CITY OF VACAVILLE  
PLANNING DIVISION

Tuesday, March 23, 2004

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

Re: Comments on the Lagoon Valley Draft Environmental Impact Report

Dear Mr. Buder:

Since the City of Vacaville has neglected the maintenance and management of Lower Lagoon Valley for the past 14 years, beginning <sup>with</sup> the August 1990 Lower Lagoon Development Environmental Impact Report (EIR-1-0), we are requesting that the current DEIR needs to address sufficiently Alternative 1 (No Project/No Development Alternative) before the city considers any other alternative plans to the Lower Lagoon Valley Specific Plan by Triad Communities.

43-1

Also, the DEIR needs to explain in scientific details the current plans which the city intends to implement with the \$ 4-5 Million developer's fund from Triad to restore the natural conditions of its wildlife species and their habitats. For example, how will Triad preserve the vernal pools with their threatened/ species of concern in the "three village" areas located south and southwest from the Lagoon Valley Lake?

43-2

In addition, how will the Triad Developer's fund be used to restore the adjacent lake and its riparian streams? How will the Triad Developer's fund be used in relation to the \$400,000.00s funds from the California Fish & Games Department, which the city has already received to maintain the natural conditions for Lower Lagoon Valley?

43-3

Thank you for your assistance on this important matter.

Yours truly,

Roberto Valdez and Earl Campini  
Vacaville Residents



**COMMENT LETTER 43: Roberto Valdez, Earl Campini**

**Response to Comment 43-1:**

Alternative 1: No Project/No Development is evaluated and presented in the Draft EIR in Chapter 6 Alternatives. The suggestion that the City consider Alternative 1 before other development alternatives will be forwarded to the decision-makers for their consideration.

**Response to Comment 43-2:**

As described in Chapter 1 Introduction, and elsewhere in the Draft EIR, the proposed Development Agreement between the City and the applicant includes a \$4 to \$5 million contribution to the City for park-related and other purposes. This may fund only a portion of the moneys needed for whatever ultimate park improvements the City proposes as part of the Lagoon Valley Regional Park Master Plan Update.

As further described in Chapter 1 and in Response to Comment 20-1, in 2002 the City approved a Conditional Use Permit for on-going operations and use of Lagoon Valley Regional Park, including the Lagoon Valley Lake Management Plan. A separate environmental document was prepared and adopted at that time that evaluated impacts and presented mitigation measures associated with the Conditional Use Permit. As part of a separate process, the City is initiating studies to update the Lagoon Valley Regional Park Master Plan. That updated plan could include additional improvements/modifications in and around Lagoon Valley Lake, but no revised policies, objectives or implementation measures have been proposed or identified at this time. Likewise, the Proposed Project, however, does not include any modifications to lake operations. A separate environmental review process will be undertaken to evaluate any impacts of the revised Park Master Plan, once those plan revisions are developed and proposed. Therefore, the details requested in the comment are not appropriate for the Draft EIR analysis and the money would not fund preservation of habitat in the development area of the Proposed Project.

**Response to Comment 43-3:**

The final decision on how to use any park improvement funds contributed by the developer would be made by the Vacaville City Council pursuant to an approved Park Master Plan for the park. This process is described in the Draft EIR in Section 4.3 on page 4.3-8.



Scott Sexton

From: John Foster [johnfoster@earthlink.net]  
Sent: Wednesday, March 31, 2004 11:50 AM  
To: LVDevelopment@ci.vacaville.ca.us  
Subject: Comment on Lagoon Valley

Mr. Fred Buderer

I saw the article in today's Daily Republic newspaper (31 March 2004) and I'm pleased the comment period for the EIR has been extended. I had intended to make public comment, but just never got around to it, so I appreciate the opportunity. Some of my comments may show my lack of detailed knowledge of the current plan, however I hope to perhaps add reinforcement to existing plans for the area.

44-1

I am a Fairfield resident, I use Lagoon Valley Park occasionally, and I am generally favor of the proposed development and the associated improvements to the park, with the understanding that (1) comprehensive traffic mitigation measures for I-80 will be undertaken and (2) promised improvements to Lagoon Valley Park are certain.

44-2

As to I-80, it would seem clear that some type of public transportation planning would help. Perhaps including a planned park-n-ride lot, or a future transportation node or center where express bus service can at least stop and pick up or drop off passengers. Similarly, scheduled city bus service from Fairfield or Vacaville to places like the Solano Mall or Nut Tree Factory Stores could be planned for the future to help reduce the impact on I-80. These transportation concepts only need to be planned for now, that it, make sure there is sufficient land areas set aside in the appropriate locations to make sure these future improvements are possible. These ideas may already be incorporated in the plan, and if so, I suggest they remain.

44-3

For Lagoon Valley Park, my number one concern is the excrement from the geese that roam the park. It is really a problem, and for the future park improvements, I encourage Vacaville to not only improve the landscaping, but also develop a plan to reduce the geese population (or their byproduct!).

44-4

Sincerely,  
John Foster  
1025 Hickory Ave  
Fairfield CA 94533



**COMMENT LETTER 44: John Foster****Response to Comment 44-1:**

The commentor's opinion about the Proposed Project is noted. This comment addresses the merits of the Proposed Project and not the content or adequacy of the Draft EIR. The comment will be forwarded to the decision-makers for their consideration.

**Response to Comment 44-2:**

The Draft EIR evaluates impacts to I-80 and specifies mitigation in Section 4.5, Impacts 4.5-3 and 4.5-5, and Section 5.1, Impacts 5.1-6 through 5.1-8. The project would be responsible for its fair share of funding for any mitigation identified to reduce cumulative impacts to I-80. The Specific Plan, Section 4.4, incorporates the policies that specify the Proposed Project's responsibility for funding its fair share portion of the cost for these improvements and the method for payment of this funding.

Improvements to the park, and the process the City would undertake to select these improvements, are described in Draft EIR Section 4.3. The decision on what actions to take for park improvements is part of a separate park planning effort by the City, as described in Draft EIR Section 4.3.

**Response to Comment 44-3:**

This comment correctly notes that planning for future transit needs will help ensure the best provision of these services in the future. The Specific Plan, Section 4.6, identifies policies related to transit planning. These policies would require the inclusion of transit-friendly features into the project specific designs, including encouraging a park & ride lot, allowing for shared parking between uses, methods to encourage shuttle/vanpool services, and requiring the provision of bus stop locations in the Business Village and Village 1.

It is agreed that increases public transportation may improve levels of service on I-80. See Responses to Comments 13-3 and 37-3 regarding transit and Transportation System Management programs. Bus services requires that a certain level of demand be established. The ability to require set Transportation System Management measures has been significantly limited by recent legislation. The City is nonetheless committed to working with developer to provide a workable Transportation System Management Program that has the greatest possible impact on decreasing Project trip generation. (Given the recent legislation, the Draft EIR does not rely on Transportation Systems Management programs alone for mitigation of potentially significant impacts.

**Response to Comment 44-4:**

The comment is expressing concern regarding the Canadian geese that frequent Lagoon Valley Park and an issue for the City to address in the separate park planning process. This is not a comment on the content or adequacy of the Draft EIR. The Parks Maintenance Division is responsible for maintenance of the park and deals with this issue regularly. However, this issue is a relevant one for the park planning process underway by the City and will be forwarded to the staff coordinating that project.



March 31, 2004

Mr. Fred Buder: Project Manager  
City Council of Vacaville  
650 Merchant St.  
Vacaville, CA 95688

COMMUNITY DEVELOPMENT DEPT.

APR - 2 2004

CITY OF VACAVILLE

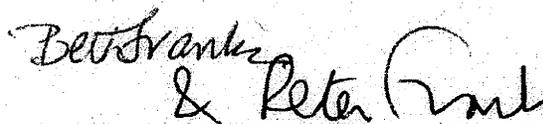
Dear Mr. Buder and Council Members,

Lagoon Valley Park, a hilly expanse of open-land that runs along Highway 80, is one of Vacaville's hidden jewels. Whenever you walk in this park, you will be greeted by smiles (especially if you are walking with a dog). Total strangers will nod at you and wave a friendly hello.

Whether you are walking, jogging, or cycling, you will feel at home. Here all groups meet with respect. Walkers, joggers, and cyclists are more ethnically diverse than anywhere else in our town. Ancients stroll arm-in-arm along the paved paths while mothers push their babies in strollers. On the beaten trails along the hills, you will encounter folks from a variety of professions: firemen, psychologists, housewives, and plumbers — Lagoon Valley Park is used by all.

Unless we wish Vacaville to become just like every other East Bay outpost, this park must be preserved. This park speaks strongly of the community spirit that exists in this town. If we wish to maintain our own identity, we can't afford to give even an inch of this park up.

Sincerely,



Beth Franks & Peter Franks  
6865 Steiger Hill Road  
Vacaville, CA 95688

cc: The Reporter

45-1



**COMMENT LETTER 45: Beth and Peter Franks**

**Response to Comment 45-1:**

The commentator's opinion about the Proposed Project is noted. This comment addresses the merits of the Proposed Project and particularly a desire to see the Lagoon Valley Regional Park preserved, and not the content or adequacy of the Draft EIR. Accordingly, no further CEQA response is required here. However, the City notes for the commentator that the project does not propose to eliminate or reduce the park area. In fact, additional open space land will be dedicated to the City as part of the proposed project and additional trails provided through what is now private property to connect the various City-owned park and open space lands (please see Specific Plan, Section 4.5, Non-Vehicular Circulation Network). The comment will be forwarded to the decision-makers for their consideration.



**Scott Sexton**

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**From:** Brian McEvilly [chiroman@cwnet.com]  
**Sent:** Wednesday, March 31, 2004 5:11 PM  
**To:** LVDevelopment@ci.vacaville.ca.us  
**Subject:** Lagoon Valley Development

Greetings and Salutations,

I guess I just want to tell you that developing this valley will drive away the existing wildlife in no time at all. Just the sounds of construction, along with all the large equipment, will send all the fauna scurrying. I have to say, as a mountain biker, I am more in touch with the wildlife out there than any hiker or equestrian. We cyclists sneak up on everything and interact with the wildlife on a regular basis. I have rode up on vultures feeding on carrion, Red Tail Hawks landing on prey, a skulking mountain lion (almost filled my filled on that one), pheasants courting just to name a few.

Just realize that this valley is a major stop over for water fowl as I am sure you know. It is a bird "skyway" as they migrate back and forth.

I am just a voter. You are a public servant. We have a planet that is swiftly dying, we both know that. But this is our back yard. PROTECT IT! Money is fleeting, so is our short lives.

God Bless your decisions.  
Brian

46-1



**COMMENT LETTER 46:                    Brian McEilly**

**Response to Comment 46-1:**

This commentor's opinion is noted.

The Draft EIR contains mitigation measures that provide for the protection of special-status plant and wildlife species and their habitat under impacts and mitigation in the biological resources section of this Draft EIR (Section 4.15). Wildlife travel corridors and connectivity with offsite habitat are addressed in the Cumulative Impacts section of this Draft EIR (see Impact 5.1-29). See also Response to Comment 19-1 and 19-3 for a discussion of this issue. All of the trails cited in this letter will be retained with this Project, and others added to the City's system (please see also Specific Plan, Chapter 4, Section 4.6).

