RESOLUTION NO. 2022-104

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE GREENTREE SPECIFIC PLAN AND DEVELOPMENT PROJECT INCLUDING APPROVING THE WATER SUPPLY ASSESSMENT, ADOPTING THE FINDINGS OF FACT, ADOPTING A MITIGATION MONITORING AND REPORTING PLAN, REJECTING LAND USE ALTERNATIVES AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE GREENTREE PROJECT

WHEREAS, in early 2018, the Greentree Development Group ("Applicant") initiated applications to the City of Vacaville ("City") for various development permits and approvals to allow it to develop the approximately 185-acre site formerly used and operated as the Greentree Golf Course (hereafter, the "Property") as a planned, mixed-use community to include residential and commercial uses, public parks, open space, and supporting public facilities including road and circulation infrastructure and public utility facilities; and

WHEREAS, the development project described by the Applicant would require the City to approve a General Plan amendment, the Greentree Specific Plan, amendments to the City's Zoning Ordinance, a Vesting Tentative Subdivision Map, certain exceptions to the City's existing Design Standards, and a Planned Development Permit. In addition, the Applicant requested that the City execute a Development Agreement with the Applicant to provide for and govern the implementation of the project in accordance with the requested approvals. These approvals, including the Development Agreement, are referred to herein collectively as the "Project Approvals" and together constitute the "Project"; and

WHEREAS, on August 18, 2018, the City's City Council authorized the Community Development Director to enter into a contract with PlaceWorks for the preparation of the Greentree Project Environmental Impact Report (the "EIR"), to evaluate the potential environmental impacts from approval and development of the Project in accordance with the requirements of the California Environmental Quality Act ("CEQA") and its implementing regulations (the "CEQA Guidelines"); and

WHEREAS, on April 1, 2019, the City published a Notice of Preparation ("NOP") for the EIR. The NOP was submitted to the State of California's Governor's Office of Planning and Research ("OPR"), which assigned the EIR State Clearinghouse Number 2019049003 and which circulated the NOP to various state and local agencies for review and comment. The NOP review and comment period began on April 1, 2019 and ended on May 3, 2019; and

WHEREAS, on August 25, 2019, the City held a duly-noticed public scoping meeting for the Greentree EIR in the City's City Council Chambers at 650 Merchant Street; and

WHEREAS, on April 15, 2022, the City published a Notice of Availability ("NOA") for the Greentree Project Draft EIR (the "DEIR"), which NOA and DEIR were circulated and distributed by the City and OPR to responsible agencies and interested groups and individuals. The NOA was also published in The Reporter, the City's local newspaper. The 45-day public comment period began on April 15, 2022 and ended on May 31, 2022, and during the public comment period, on May 17, 2022, the City's Planning Commission held a duly-noticed public comment hearing on the DEIR; and

WHERAS, following the close of the public comment period, the City and PlaceWorks prepared the Greentree Project Final EIR (the "FEIR"), which included the City's written responses to public comments received during the public comment period, and on August 11, 2022, the City published a NOA for the FEIR; and

WHEREAS, on August 30, 2022, the Planning Commission held a duly-noticed public hearing to consider the adequacy of the EIR and develop a recommendation for the City Council on the Project, heard presentations by staff and the Project applicant, took public testimony, and following the close of the public hearing, voted 6-0 to recommend that the City Council certify the Greentree EIR and approve the Project; and

WHEREAS, on October 25, 2022, the City Council held a duly-noticed public hearing on the Project and the EIR, comprised of the DEIR, the FEIR, and the associated Mitigation Monitoring and Reporting Plan ("MMRP"), heard presentations by staff and the Applicant, took public testimony, and then closed the public hearing and considered the adequacy of the EIR, Project Approvals, and the applications and supporting materials for the Project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vacaville, as follows:

Section 1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City's Council's adoption of this Resolution.

Section 2. The City Council hereby certifies the following:

(a) the EIR was presented to the City Council and the City Council has reviewed and considered the information in the EIR prior to considering its actions on the Project Approvals;
(b) the EIR, including the Water Supply Assessment Report attached as Appendix 4.14-2 thereto, has been completed in compliance with all applicable requirements of CEQA, the CEQA Guidelines, Part 2.10 of Division 6 of the California Water Code, and is adequate and appropriate to approve and implement the Project in accordance with the Project Approvals; and
(c) the EIR reflects the City's independent judgment and analysis.

Section 3. The City Council hereby finds that, for each potentially significant impact identified in the EIR, one or more of the following findings is applicable to such impact, as set forth in detail in The Greentree Project CEQA Findings of Fact and Statement of Overriding Considerations attached hereto as Exhibit A, which is hereby incorporated by this reference into this Resolution as if fully set forth herein:

(a) Changes or alterations have been incorporated into the Project which mitigate or avoid the significant effects on the environment, and such changes or alterations have been incorporated into the Mitigation and Monitoring and Reporting Plan ("MMRP") attached hereto as Exhibit B, which will be adopted for the Project; or
(b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can and should be adopted by that other agency; or

(c) Specific economic, legal, social, technological, or other considerations identified in detail in Exhibit A make infeasible certain mitigation measures or alternatives identified in the FEIR, and the benefits of the Project outweigh the unavoidable adverse environmental effects, thus the adverse effects of the Project are found to be acceptable as detailed in Exhibit A.

Section 4. The City Council hereby approves and adopts the MMRP attached hereto as Exhibit B and directs that it be implemented and enforced by the City of Vacaville.

Section 5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a special meeting of the City Council of the City of Vacaville, held on the 15th day of November 2022 by the following vote:

AYES: Councilmembers Ritchie, Silva, Roberts, Wylie, Sullivan, Vice Mayor Stockton, Mayor Rowlett

NOES: None

ABSENT: None

ATTEST:

Michelle A. Thornbrugh, City Clerk

Exhibits:

A. The Greentree Project Findings of Fact and Statement of Overriding Considerations Regarding the Final Environmental Impact Report
B. Greentree Mitigation Monitoring and Reporting Plan
C. Draft EIR and Final EIR (via links)

EXHIBIT A TO RESOLUTION 2022-104

August 2022| **Final Environmental Impact Report**
State Clearinghouse No. 2019049003

THE GREENTREE PROJECT

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT

City of Vacaville

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AND STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE
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STATE CLEARINGHOUSE NO. 2019049003

Exhibit A

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires that written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. This document provides the findings required by CEQA. The potential environmental effects of the proposed Greentree Project (proposed project) have been analyzed in a Draft Environmental Impact Report (Draft EIR) (State Clearinghouse [SCH] 2019049003) dated April 2022. A Final EIR has also been prepared that incorporates the Draft EIR and contains comments received on the Draft EIR, responses to the individual comments, revisions to the Draft EIR including any clarifications based on the comments and the responses to the comments, and the Mitigation Monitoring and Reporting Program for the proposed project (MMRP). This document provides the findings required by CEQA for approval of the proposed project.

A. Statutory Requirements for Findings

The CEQA (Pub. Res. Code §§ 21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs §§ 15000, *et seq.*) promulgated thereunder, require the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

> (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
>
> 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
>
> 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the

finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The "changes or alterations" referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

B. Certification

Having received, reviewed, and considered the EIR for the Greentree Project, as well as other information in the record of proceedings on this matter, the City of Vacaville City Council adopts the following Findings and Statement of Overriding Considerations, in its capacity as the legislative body for the City of Vacaville (City), which is the CEQA Lead Agency. The Findings and Statements of Overriding Considerations (Findings) set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the proposed project.

In addition, the City of Vacaville City Council (City Council) hereby make findings pursuant to and in accordance with Section 21081 of the California Public Resources Code and State CEQA Guidelines Sections 15090 and 15091 and hereby certifies that:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

C. Project Environmental Report and Discretionary Actions

The Final EIR addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the proposed project. The Final EIR provides the environmental information necessary for the City to make a final decision on the requested discretionary actions for all phases of this project. The Final EIR was also intended to support discretionary reviews and decisions by other responsible agencies. Discretionary actions to be considered by the City may include, but are not limited to, the following:

- Certify that the Final EIR for the proposed project has been completed in compliance with CEQA, and reflects the independent judgement and analysis of the City; find that the City Council has reviewed and considered the information contained in the Final EIR prior to approving the project; adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that the significant adverse effects of the project either have been reduced to an acceptable level, or are outweighed by the specific overriding considerations of the project as outlined in the CEQA Findings of Fact and Statement of Overriding Considerations, as set forth herein.
- Approve the proposed project and related discretionary actions needed for project construction and operation.

II. PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City published a Draft EIR on April 15, 2022. A Final EIR was prepared on August 5, 2022, in compliance with CEQA requirements. The Final EIR has been prepared in accordance with CEQA and the CEQA Guidelines, as amended. As authorized in State CEQA Guidelines Section 15084(d)(2), the City retained a consultant to assist with the preparation of the environmental documents. City staff from multiple departments, representing the Lead Agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The Final EIR reflects the City's

independent analysis and judgement. The key milestones associated with the preparation of the EIR are summarized below. As presented below, an extensive public involvement and agency notification effort was conducted to solicit input on the scope and content of the EIR and to solicit comments on the results of the environmental analysis presented in the Draft EIR.

A. Public Notification and Outreach

In conformance with CEQA, the State CEQA Guidelines, and the City of Vacaville CEQA Guidelines, the City of Vacaville conducted an extensive environmental review of the proposed project.

- Completion of a Notice of Preparation (NOP) on April 1, 2019. The public review period extended from April 1, 2019, to May 3, 2022. The NOP was published in *The Reporter* on March 17, 2021. The NOP was posted at the Solano County Clerk's office on March 17, 2021. The public scoping meeting was held on April 25, 2019. Copies of the NOP were mailed to interested persons and organizations and posted to the City's website at: Greentree Specific Plan and Development | Vacaville, CA.
- Preparation of a Draft EIR, was made available for a 45-day public review period beginning April 20, 2022, and ending May 31, 2022. The scope of the Draft EIR was determined based on the CEQA Guidelines Appendix G Checklist, and comments received in response to the NOP. The Notice of Availability (NOA) for the Draft EIR was sent to interested persons and organizations, sent to the State Clearinghouse in Sacramento for distribution to public agencies, posted at the City of Vacaville's website, and published in The Reporter. The NOA was posted at the Solano County Clerk's office on April 18, 2022.
- Planning Commission Public Workshop on the proposed project, conducted on May 17, 2022, to facilitate public comment during the DEIR circulation period.
- Preparation of a Final EIR, including the responses to comments to the Draft EIR, was released August 8, 2022, for a 10-day agency review period prior to certification of the Final EIR.
- Planning Commission Public hearing on August 30, 2022, recommending the City Council adopt the Water Supply Assessment, certify the FEIR, adopt the Mitigation Monitoring and Reporting Program, and make a Statement of Overriding Considerations concerning the FEIR and entitlements.
- and a City Council hearing conducted on September 13, 2022, to adopt the Water Supply Assessment, certify the FEIR, adopt the Mitigation and Monitoring Program and Statement of Overriding Considerations, and consider the entitlements.

In summary, the City conducted all required noticing and scoping for the proposed project in accordance with Section 15083 of the CEQA Guidelines, and conducted the public review for the EIR, which exceeded the minimum requirements of Section 15087 of the CEQA Guidelines.

B. Final Environmental Impact Report and City Council Proceedings

The City prepared a Final EIR, including Responses to Comments to the Draft EIR. The Final EIR/Response to Comments contains comments on the Draft EIR, responses to those comments,

revisions to the Draft EIR, and appended documents. A total of twenty-four comment letters were received, including those identified by Reference Numbers A through G and 1 through 17.

None of the comment letters resulted in the need to modify the environmental analysis in the Draft EIR.

The Final EIR found that prior to mitigation, implementation of the proposed project will result in potentially significant impacts to Air Quality, Biological Resources, Cultural Resources, Geology and Soils and Mineral Resources, Greenhouse Gases, Noise, Hazards and Hazardous Materials, Transportation, and Tribal Cultural Resources. Impacts to Air Quality, Greenhouse Gases, and Transportation were found to be significant and unavoidable, and no feasible mitigation measures were available. The City prepared a Statement of Overriding Considerations (see Section V, below) for the following impacts which were found to be significant and unavoidable:

Air Quality

- **AIR-1**: The project would conflict with or obstruct implementation of the applicable air quality plan.
- **AIR-2**: The project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard.

Greenhouse Gas Emissions

- **GHG-1**: The project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- **GHG-3**: The proposed project would result in cumulative greenhouse gas emissions impacts.

Transportation

- **TRANS-2**: VMT attributable to commercial portion of the proposed development would exceed applicable thresholds under cumulative conditions.
- **TRANS-4**: The project would contribute to cumulative impacts related vehicle miles traveled (VMT).

The public can view searchable agendas for scheduled City Council meetings and access agenda-related City information and services directly on the following website: https://www.ci.vacaville.ca.us/government/agendas-and-minutes?locale=en.

The Final EIR document will be posted for viewing and download with the previously posted Draft EIR prior to the City's consideration of the Final EIR and project recommendations on the City's website.

A date for consideration of the Final EIR and project recommendations at the City Council was set for the proposed project and notice of the meeting was provided consistent with the Brown Act (Government Code Sections 54950 et seq.). The City Council will take testimony on the proposed project and may continue on its calendar to a subsequent meeting date in its discretion.

C. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP, NOA, and all other public notices issued by the City in conjunction with the proposed project.
- The Draft EIR and Final EIR for the proposed project.
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR.
- All written and verbal public testimony presented during a noticed public hearing for the proposed project.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the Final EIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR.
- The Resolutions adopted by the City in connection with the proposed project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

D. Custodian and Location of Records

The documents and other materials that constitute the administrative record for the City's actions related to the proposed project are at the City of Vacaville– Planning Department, 650 Merchant

Street Vacaville, CA 95688. The City Planning Department is the custodian of the administrative record for the proposed project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request of the Planning Department. Additionally, the documents will be available online at: https://www.ci.vacaville.ca.us/government/community-development/major-development-projects/greentree?locale=ko during the consideration period for the proposed project, and at City Hall. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

E. Project Location

The proposed project is located at 999 Leisure Town Road, situated to the east of Interstate 80 (I-80) in the city of Vacaville, Solano County, California (project site). The project site is in the northeastern portion of the city, located approximately 2.7 miles northeast of Downtown Vacaville, approximately 10.5 miles north of the city of Fairfield, and approximately 7.5 southwest of the city of Dixon. The project site is bounded by Leisure Town Road to the east; Orange Drive to the north and northwest; Sequoia Drive, and Yellowstone Drive to the west; and Green Tree Drive to the southwest.

F. Project Objectives

The following objectives have been established for the proposed project and will aid decision makers in their review of the proposed project and associated environmental impacts:

1. Respect existing adjacent neighborhoods by maximizing compatibility of new development with these neighborhoods, minimizing new vehicular through-traffic, integrating expanded pedestrian and bicycle connectivity and recreational opportunities, introducing traffic calming measures, and facilitating access to local-serving commercial uses;

2. Incorporate a viable, high quality commercial retail/service commercial center that will serve the needs of the new neighborhoods within the project site, as well as existing neighborhoods in the project vicinity;

3. Provide opportunities for a variety of housing types at a range of price points to increase the City's housing stock and promote affordability to a range of income levels, with a focus on workforce, age-restricted senior housing, and "missing middle" housing products;

4. Allow a mix of commercial retail and residential uses within the area designated Mixed-Use Overlay to provide options for additional, diverse residential product types, tailor commercial retail/services to the needs of project residents and existing residents in the project vicinity, and activate the commercial center;

5. Incorporate strong recreational elements including two neighborhood parks, an integrated multiuse trail system, and passive open space; Design a circulation plan that incorporates complete street concepts and includes extensive pedestrian and bicycle facilities to provide

connectivity throughout the project site; includes traffic calming measures to be selected from a range of proven measures such as bulb-outs within the site and on adjacent neighborhood streets to slow traffic speeds for enhanced pedestrian and bicycle safety, and incorporates a small format roundabout at Yellowstone Drive/Sequoia Drive to optimize traffic flow while facilitating safe pedestrian and bicycle connections across Sequoia Drive.

6. North of Sequoia planning objectives include the following:

    - Provide residential land uses at higher densities to enable development of a variety of housing types/products including workforce housing and move-up "missing middle" housing;
    - create local-serving commercial retail and service commercial development opportunities described previously;
    - create flexibility to allow ground floor retail with residential above by enabling mixed-use development in a limited portion of the area;
    - locate larger format commercial retail sites along Orange Drive;
    - provide a neighborhood park that serves the proposed new neighborhoods and existing neighborhoods in the surrounding area;
    - design and construct circulation improvements that create and connect distinct development blocks, improve efficiency of the circulation network by providing connections to adjacent neighborhoods and facilities, incorporate pedestrian and bicycle facilities, and incorporate traffic calming features for pedestrian and bicycle safety;
    - provide sufficient land for storm water management facilities; and
    - ensure consistency with the Jepson Parkway Concept Plan.

7. South of Sequoia planning objectives include the following:

    - Provide a single-family, senior residential community;
    - ensure lot size/density compatibility with the existing adjacent residential neighborhoods;
    - provide a second park and passive use open space as recreation amenities for new residents that are also accessible to adjacent existing senior-oriented neighborhoods;
    - create an extensive multi-use trail network;
    - reserve sufficient land to address storm water management needs;

- create a circulation network that minimizes through traffic and effects on existing adjacent neighborhoods; and
- integrates pedestrian and bicycle facilities, provides enhanced emergency vehicle access, and achieves consistency with the Jepson Parkway Concept Plan.

G. Project Description

Proposed project uses include residential development at a variety of densities, with a wide range of housing types, including active-adult detached single-family and workforce-oriented housing; commercial retail including neighborhood serving uses; public parks; trails and open space; circulation improvements, and infrastructure facilities. Higher density residential, commercial retail, and a family- oriented neighborhood park are the primary uses planned north of Sequoia Drive. Detached, single-family senior residential development, open space, and a second park are the primary proposed uses south of Sequoia Drive. The proposed project would include approximately 1,149 dwelling units, with approximately 950 units of higher density housing types located north of Sequoia and 199 units of detached, single- family senior housing located south of Sequoia. Commercial building capacity for north of Sequoia is estimated at up to 299,345 square feet.

In addition to the proposed residential and commercial uses, the proposed project includes a range of amenities, such as parks, a trail network, open space, and infrastructure features including dedication of additional land for the City's sewer pump station site, dedication of two water well sites, and improvement of storm water detention facilities. Approximately 6.0 acres north of Sequoia are planned to function as a neighborhood park, 4.5 acres south of Sequoia to function as a second smaller park, and 19.8 acres to function as public trail corridor/open space (excluding detention basins). Additional acreage has been dedicated to retention basins that are part of an integrated stormwater management plan that has been designed to accommodate storm water flows from existing development west of the project site and from within the project site.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

A. Format

Section 15091 of the CEQA Guidelines requires that a Lead Agency make a finding for each significant effect for the project. This section summarizes the significant environmental impacts of the proposed project, describes how these impacts are to be mitigated, and discusses various alternatives to the proposed project, which were developed to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

This remainder of this section is divided into the following subsections:

Section B, Issues Deemed "No Impact" or "Less Than Significant Impact," presents topical areas that would result in no impact or less than significant impacts, as detailed in the Draft EIR.

Section C, Findings on "No Impact" and "Less Than Significant Impacts," in Chapter 4 presents environmental issues, as identified in Chapter 4 of the Draft EIR, which would result in no impact or less than significant impacts.

Section D, Findings on Impacts Mitigated to Less Than Significant, presents significant impacts of the proposed project that were identified in Chapter 4 of the Draft EIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

Section E, Significant and Unavoidable Impacts that Cannot be Mitigated to Below the Level of Significance, presents significant impacts of the proposed project that were identified in the Draft EIR and summarized in Chapter 5 of the Draft EIR. Section 3 of the Final EIR modified the mitigation measures identified in the Draft EIR in response to comments. While the modified mitigation measures reduce the identified impacts identified in the Draft EIR, they do not reduce the impacts identified in Chapter 5 of the Draft EIR to less than significant.

Section IV, Alternatives to the Proposed Project, presents alternatives to the proposed project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

Section V, Findings on Responses to Comments on the Draft EIR and Revisions to the Final EIR, presents the City's findings on the response to comments and revisions to Final EIR, and decision on whether a recirculated Draft EIR is necessary.

Section VI, Statement of Overriding Considerations, presents a description of the proposed project's significant and unavoidable adverse impacts and the justification for adopting a statement of overriding considerations.

B. Issues Found to Have "No Impact"

In accordance with Section 15128 of the CEQA Guidelines, the City concluded that project impacts related to the following topical environmental issues would result in no impact: Aesthetics, Agriculture and Forestry Resources, Biological Resources, Geology and Soils and Mineral Resources, Noise, Population and Housing, and Wildfire. Since the following environmental issue areas were determined to have no impact. No findings under Section 15091 for these issues are required.

1. Aesthetics

AES-2:	**The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.**

According to the California Scenic Highway Mapping System, administered by Caltrans, there are no state-designated scenic highways in Vacaville. The nearest scenic highway is State Route 160,

located in Sacramento County, approximately 23 mile east of the project site. Thus, the proposed project would not degrade views from that distance. As a result, the project would result in no impact to a view from a scenic highway.

Finding. The proposed project would have no impact relating to aesthetics as noted on page 4.4-7 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

2. Agriculture and Forestry Resources

AG-1	**The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.**

The project site is currently designated as Urban and Built-Up Land (DOC 2021). There is no Prime Farmland, unique farmland or farmland of statewide importance located within the project site. Therefore, there would be no impact.

Finding. The proposed project would no impact relating to agriculture and forestry resources as noted on page 4.5-4 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AG-2	**The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.**

The project site is zoned CG and CR; there is no agricultural zoning on the site. There are no Williamson Act contracts within the city limits (Vacaville 2015). As such, there are no agricultural zoning or contracts on the project site. Therefore, there would be no impact.

Finding. The proposed project would have no impact relating to agriculture and forestry resources as noted on page 4.5-4 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AG-3	**The project would not conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).**

According to the General Plan EIR, the City Land Use and Development Code does not contain a zoning district for forest or timberland (Vacaville 2015). Additionally, the project site is a previously

developed golf course and there is no forestland or timberland located in the project site. Therefore, there would be no impact.

Finding. The proposed project would have no impact relating to agriculture and forestry resources as noted on page 4.5-6 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AG-4	**The project would not result in loss of forest land or conversion of forest land to non-forest use.**

The city contains forest and timberland areas in certain areas, but none are located near or within the project site. The project site is a previously developed golf course and does not contain forest land; therefore, there would be no impact.

Finding. The proposed project would have no impact relating to agriculture and forestry resources as noted on page 4.5-6 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AG-5	**The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use**

As described above, the project site does not contain farmland or forest land. Therefore, there would be no conversion of farmland to non-agricultural use or forest land to non-forest use within the project site and there would be no impact.

Finding. The proposed project would have no impact relating to agriculture and forestry resources as noted on page 4.5-7 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

3. Biological Resources

BIO-5	**The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.**

The project site is not within a Natural Community Conservation Plan, Habitat Conservation Plan, or any other approved habitat conservation plan. Therefore, no impact would occur.

Finding. The proposed project would have no impact relating to biological resources as noted on page 4.7-34 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

4. Geology and Soils and Mineral Resources

MIN-1	**The project would not result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state.**

The proposed project would not result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state. According to the Solano County General Plan, there are no known mineral resources on the project site. Therefore, implementation of the proposed project would not result in the loss of availability of any mineral resources that could be of value to the region.

Finding. The proposed project would have no impact relating to geology and soils and mineral resources as noted on page 4.10-16 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

MIN-2	**The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.**

The proposed project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. There are no locally important mineral resource recovery sites in the area.

Finding. The proposed project would have no impact relating to geology and soils and mineral resources as noted on page 4.10-15 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

MIN-3	**The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less-than-significant cumulative impacts with respect to mineral resources.**

Portions of the City are either within an MRZ-3, where the significance cannot be evaluated, or are not within MRZ. As the proposed project would not impact mineral resources, and future projects are not likely to impact mineral resources due to the unknown significance of mineral deposits, no significant cumulative impact would occur.

Finding. The proposed project would have no impact relating to geology and soils and mineral resources as noted on page 4.10-15 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

5. Noise

NOI-3	**The proximity of the project site to an airport or airstrip would not result in exposure of future residents or workers to airport-related noise.**

The project site is located approximately one mile from the Nut Tree Airport. No portion of the project site is located within any of the airport noise contours, and noise associated with the airport would not result in a significant impact on proposed noise-sensitive receptors within the project site.

Finding. The proposed project would have no impact, relating to noise as noted on page 4.15-23 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

NOI-4	**Implementation of the proposed project would not result in a cumulatively considerable noise impact.**

Table 4.15-10 in the DEIR provides cumulative traffic noise exposure levels at the seventeen analyzed representative receptor locations and provides what the project contribution would be to cumulative conditions. Table 4.15-10 indicates that the project's contribution to cumulative traffic noise exposure levels at the modeled representative receptor locations would not result in an exceedance of the City's noise level standards nor result in an increase of 3 dB at any sensitive receptor locations where noise levels already exceed the City's noise level standard without the implementation of the project. Consequently, the project contribution to cumulative noise levels would be less than considerable and the project would not have a significant cumulative impact.

Finding. The proposed project would have no impact relating to noise as noted on page 4.15-23 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

6. Population and Housing

POP-2	**The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.**

As discussed previously, the approximately 185.4-acre project site contains improvements associated with a golf course which was closed in 2016, and a portion of the site north of existing Gilley Way is unimproved. The proposed project would not require additional right of way (ROW) outside of the project site and the existing adjoining public rights-of-way. Thus, the proposed

project would not displace a substantial number of existing people or housing, and would not require the construction of replacement housing elsewhere. Therefore, there would be no impact.

Finding. The proposed project would have no impact relating to population and housing as noted on page 4.17-8 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

7. Wildfire

WILD-1	**If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.**

The project site is not located with a SRA. The project site is located within a LRA in a non-VHFHSZ. Additionally, the proposed project is consistent with the goals and policies within the Safety Element of the General Plan. The proposed project would remove all existing sources of fuel load as part of redevelopment, including former fairway landscaping, decaying golf course trees, and buildings. Therefore, implementation of the proposed project would have no impact.

Finding. The proposed project would have no impact relating to wildfire threats, as noted on page 4.22-8 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

WILD-5	**The proposed project would not result in cumulative impacts regarding wildfire when combined with past, present, and reasonably foreseeable projects.**

The area surrounding the project site is already developed, and the proposed project is not located within a VHFHSZ or an SRA, and would be designed to comply with the CBC, CFC, and related regulations pertaining to safety, the proposed project would not contribute to cumulative impacts regarding wildfire and there would be no impact.

Finding. The proposed project would have no impact relating to wildfire threats, as noted on page 4.22-11 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

C. Issues Found to Have "Less Than Significant Impacts"

The City determined that the proposed project would have less than significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that no significant impact would occur in each of the issue areas is

based on the environmental evaluation in the listed topical EIR sections in Chapter 5 of the Draft EIR.

CEQA Guidelines Section 15901 states that an EIR may not be certified for a project that has one or more significant environmental effects unless one of three possible findings is made for each significance effect. Since the following environmental issue areas were determined to have a less than significant impact, no findings under Section 15091 for these issues are required.

1. Aesthetics

AES-1:	**The project would not have a substantial adverse effect on a scenic vista.**

The proposed project would have a significant environmental impact if it would result in a substantial adverse effect on a scenic vista. Views from the site are limited due to the site's flat topography and, as a result, far-field views are generally obscured by existing vegetation and structures. The proposed project would not be located on the streets or parks recognized as affording the best views of those resources. As described above, scenic resources, such as the ridgelines of the Vaca Mountains and English Hills, are located outside the City limits. Thus, there are no high-quality visual resources located near the project site. Although the proposed project would change immediate views within the neighborhood and project site, the major components of City-identified vistas, both near-field and mid-to-far-field, would remain. As a result, the project would result in a less than significant impact to scenic vistas.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to aesthetics as noted on page 4.4-7 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AES-3	**The project would not, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality.**

The proposed project includes residential and commercial land uses on the former golf course site. Views from existing residential units that currently have rear or side views of the golf course will be altered by the Project. The primary changes to the visual character of the site would be the removal of trees, addition of new buildings, streets and other urban development, a new palette of colors, and new soft and hardscapes. In addition, the proposed project would remove the deteriorating former golf course structures, roadways, fairways, and ponds. In order to avoid the potential for visual impacts, the Project has been designed to retain an open space buffer around

all of the existing residential units as shown in Figure 3-3, Land Use Plan in the DEIR. As a result, the project would result in a less than significant impact with respect to the visual character or quality of the site and its surroundings.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to aesthetics as noted on page 4.4-8 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AES-4	**The project would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.**

The project site is composed of vacant land and the former golf course; however, as described above, the project site is surrounded by various commercial uses including retail buildings and several auto dealerships, as well as residential uses. Buildout of the proposed project would alter and intensify land uses and their related lighting sources throughout the project site by introducing new buildings, new outdoor/recreational facilities, street signage, and streetlights associated with the additional residences, as well as the nonresidential development.

The proposed project would be in compliance with Section 14.09.127.110 (Light and Glare) of the City's Municipal Code, which states the following:

A) Lighting shall be shielded and directed so as not to create a hazard or nuisance to other properties or impact traffic on adjacent streets.

B) Exterior lighting should be installed to identify building entrances and to promote on-site safety or security.

C) Parking lot lighting shall comply with the standards of the Off-Street Parking and Loading Design Guidelines, including, but not limited to, the following:

1. Exterior lighting shall be a minimum of one foot candle and a maximum of six foot candles;

2. A photometric plan demonstrating compliance with these lighting standards and a site plan showing the location and design of exterior lighting fixtures shall be required as a condition of project approval:

a) The lighting plan shall be subject to the approval of the Director;

b) The requirement for a photometric plan may be waived if the Director determines that the plan is not necessary to demonstrate compliance with the lighting standards;

3. Flickering or flashing lights shall not be permitted;

4. A reduction in the minimum lighting or an exception to the maximum lighting standard requirement may be granted by the Director if the applicant or developer can demonstrate to the satisfaction of the Director that the minimum lighting is unnecessary or that additional lighting is needed.

This would ensure new lighting sources are not only energy efficient, but regulated based on light power and brightness, shielding, and sensor-control standards. Overall, development in accordance with the Proposed Project would introduce new sources of light and glare. However, the surrounding community is highly urbanized and built out; new light and glare associated with the proposed project would be typical of the surrounding area and would not increase light or glare levels beyond what is expected for an urban community. Therefore, impacts for project-generated lighting and glare would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to aesthetics as noted on page 4.4-9 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AES-5	**The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to aesthetics.**

Aesthetic impacts are localized to the project area and its immediate surroundings. Given that the project area is highly urbanized and the surrounding areas are almost entirely built out, implementation of the proposed project and any other future cumulative development that would be accommodated under the City's General Plan would likely not negatively impact the visual character of the project area or its surroundings. As with development of the proposed project, all future cumulative development projects under the City's General Plan would be required to adhere to development standards related to aesthetics, as outlined in the City's Municipal Code. Therefore, the proposed project's contribution to cumulative visual character and quality impacts is considered less than significant.

In addition, due to the light and glare from existing residential, commercial, office, and institutional uses in the project area, the proposed project is not anticipated to add significant new sources of nighttime light and glare. Any new residential or nonresidential development near the project site would add new lighting sources, but would be primarily surrounded by other, existing uses with similar lighting sources. Therefore, light and glare impacts of future cumulative development projects would not combine with those of the proposed project to adversely impact existing or planned sensitive receptors. The proposed project's contribution to cumulative light and glare impacts is considered less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to aesthetics. Accordingly, no changes or alterations to the proposed project were

required to avoid or substantially lessen any significant environmental impacts under those thresholds.

2. Agriculture and Forestry Resources

AG-6	**The proposed project would not result in cumulative impacts with respect to agricultural and forestry resources.**

As noted above, the project site would not conflict with existing zoning or cause rezoning of forestland or farmland. The proposed project is located in primarily developed area and is surrounded by commercial and residential uses. Existing timberland within the city is primarily located in the northern and southwestern portion of the city. Since the proposed project is proposed on a site without zoning for forestland or farmland and is primarily surrounded by developed commercial and residential uses, the project's contribution to cumulative impacts related to agriculture and forest resources would be less than cumulatively considerable.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to agriculture and forestry resources as noted on page 4.5-7 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

3. Air Quality

AIR-4	**The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.**

The type of facilities that are considered to have objectionable odors include wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., autobody shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. The proposed project does not include any of these uses.

Construction activities could also generate odors from construction equipment, such as diesel exhaust, and from VOCs from architectural coatings and paving activities. However, these odors would be temporary and confined to the immediate vicinity of the construction equipment. They are not expected to affect a substantial number of people. Therefore, impacts related to objectionable operational and construction-related odors would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to air quality as noted on page 4.6-17 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

AIR-5	**The proposed project would not result in cumulative impacts to air quality.**

Because the proposed project does not exceed the single-source significant thresholds, it would not be considered cumulatively significant. Additionally, the air district has not adopted a cumulative single-source threshold of significance and does not require a cumulative source analysis unless the single-source thresholds are exceeded. The air district's thresholds do not cover TACs from mobile sources.

Since the single-source threshold is exceeded at limited on-site receptor locations, and because the air district does not provide cumulative impact thresholds, the Bay Area Air Quality Management District's (BAAQMD) cumulative source thresholds for cancer risk and health index, which is a cumulative cancer risk threshold of 100 per million, are referenced. The highest cumulative cancer risk would range from 16.9 at the planned apartment building located at the north end of the project site along Leisure Town Road to 16.0 in one million at the apartment building planned nearest I-80. The cumulative risk at each location is the sum of the single-source risk. The BAAQMD cumulative cancer risk threshold of 100 per million would not be exceeded. Further the calculated cumulative hazard index of about 0.211 would not exceed the cumulative BAAQMD hazard index threshold of 10.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to air quality as noted on page 4.6-18 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

4. Biological Resources

BIO-4	**The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.**

The purpose of Chapter 14.09.131, Supplemental Standards, Tree Preservation, of the Vacaville Municipal Code is to control the preservation and removal of trees on private and public property to promote public health, safety, and general welfare of citizens. Chapter 14.09.131 states that prior to removing or destroying any tree, on public or private property, an application must be submitted to the City before a tree removal permit can be issued. The application must include, but is not limited to, a map indicating the number, species, size, and location of affected tree(s); and a brief statement indicating the reason or justification for removal of the tree(s). The project applicant would be required to comply with the City's tree removal ordinance, and therefore, impacts would be less than significant.

The proposed project includes an amendment to the language in General Plan Policy COS-P1.12 to utilize the specific analysis and mitigation included in this EIR as the basis for avoidance, minimization, and mitigation of impacts to biological resources. The amended policy language would read as follows:

Policy COS-P1.12	Until the Solano Habitat Conservation Plan (HCP) is adopted, comply with all of the Avoidance, Minimization, and Mitigation Measures listed in the Draft Solano HCP (see Appendix A for a list of the Avoidance and Minimization Measures that are applicable to Vacaville), unless the project is an infill project, or potential project impacts are otherwise evaluated in an Environmental Impact Report. ~~In addition, require that development projects provide copies of required permits, or verifiable statements that permits are not required, from the California Department of Fish and Wildlife (2081 Individual Take Permit) and US Fish and Wildlife Service (Section 7 Take Authorization) prior to receiving grading permits or other approvals that would permit land disturbing activities and conversion of habitats or impacts to protected species. In cases where environmental review indicates that such permits may not be required, the Community Development Director may establish time limits of not less than 45 days from the submission of an adequate request for concurrence response from an agency. If the agency has not responded, or requested a time extension of no more than 90 days to complete their assessment, within the established time frame, applicable grading permits or other authorizations may be provided, subject to other City requirements and review.~~ However, the City's issuance of grading permits or other authorizations does not absolve the applicant's obligations to comply with all other State and federal laws and regulations.

Finding. The proposed project is an infill project whose impacts are being evaluated in an Environmental Impact Report. As such, it would have a less than significant direct, indirect, and cumulative impact relating to local policies or ordinances protecting biological resources as noted on page 4.7-33 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

5. Cultural Resources

CULT-1	**The project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.**

The project site currently contains the former Green Tree Golf Course, closed in 2016. According to Historical Evaluation, the project site does not contain cultural resources. The project site contains facilities from the previous golf course and is identified as a modest example of post-war course design but does not meet the criteria for listing in the National Register or the California Register.

The project site is not eligible as a historic resource for the purposes of CEQA because it does not have historically important associations with events or trends of development at the local, state, or national level, nor does the course have a direct association with a historically important individual. Therefore, the impact would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to cultural resources as noted on page 4.8-9 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

CULT-4 The proposed project would not result in cumulative impacts with respect to cultural resources.

Cumulative cultural resource impacts would occur when a series of actions leads to the loss of a substantial type of site, building, or resource. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such resources on a project-by-project basis could constitute a significant cumulative effect. This is most obvious in historic districts, where destruction or alteration of a percentage of the contributing elements may lead to a loss of integrity for the district overall. For example, changes to the setting or atmosphere of an area by adding modern structures on all sides of a historically significant building, thus altering the aesthetics of the streetscape, would create a significant impact. Destruction or relocation of historic buildings would also significantly impact the setting.

The project site is not located within a historic district, nor are there significant historic structures or known subsurface cultural resources on the project site. Additionally, there is no have evidence of unique archaeological resources was found at the project site Mitigation Measures CULT-1, CULT-2, CULT-3, and CULT-4 would ensure that, in the event that unknown cultural resources are discovered during project construction, work is stopped and proper procedures are followed. With these mitigation measures, the project would not contribute to any cumulative loss or damage to cultural resources.

Other development in the vicinity of the project site would have the same potential as the proposed project to unearth previously undiscovered resources during construction. These projects would be expected to avoid impacts to cultural resources through similar procedures to protect potential unearthing or disturbing significant resources. In addition, adherence to existing federal, State, and local regulations and policies as cumulative development projects are implemented would help to protect any as-yet-undiscovered cultural resources in the city.

These measures would ensure that the project would not contribute to any potential cumulative impacts. Therefore, in combination with past, present, and reasonably foreseeable projects, the project would result in a less than significant cumulative impact with respect to all cultural resources.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to cultural resources as noted on page 4.8-12 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

6. Energy

ENE-1	**The project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.**

Short-Term Construction Impacts

Construction of the proposed project would create temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use.

Electrical Energy

Electricity use during construction would vary during different phases of construction: the majority of construction equipment during grading would be gas- or diesel-powered, and the later construction phases would require electricity-powered equipment for interior construction and architectural coatings. Overall, the use of electricity would be temporary during construction and would fluctuate according to the phase of construction. Additionally, it is anticipated that electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Electrical equipment would draw energy from the grid that follows the state requirements for renewable energy. The equipment itself is commercially available and subject to energy requirements of the state and federal government. Because the electrical construction equipment is commercially available, and the power grid must comply with state renewable energy requirements, construction activities would not result in wasteful or unnecessary electricity demands, and impacts would be less than significant.

Natural Gas Energy

It is not anticipated that construction equipment used for the proposed project would be powered by natural gas, and no natural gas demand is anticipated during construction. Therefore, there would be no impact related to natural gas consumption during construction.

Transportation Energy

Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. It is anticipated that off-road construction equipment, such as those used during grading (e.g., graders, bulldozers, backhoes, trenching equipment, pickup trucks), would be gas- or diesel-powered. In addition, all the use of construction-equipment would cease upon completion of project construction. Therefore, impacts related to transportation energy use

during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Furthermore, to limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize nonessential idling of construction equipment during construction, in accordance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9.

Because it is in the contractor's economic interest to minimize fuel and maintenance costs, is anticipated that the construction equipment would be well maintained and meet the appropriate tier ratings per CALGreen or EPA emissions standards, so that adequate energy efficiency level is achieved. Construction trips would not result in unnecessary use of energy since the project area is served by I-80 which would provide the most direct route from various areas of the region. Electrical energy would be available for use during construction from existing power lines and connections. Therefore, energy use during construction of the proposed project would not be considered inefficient, wasteful, or unnecessary. Impact would be less than significant.

Long-Term Operational Impacts

Operation of the proposed project would create additional demands for electricity and natural gas compared to existing conditions and would result in increased transportation energy use. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

Electrical Energy

The proposed electricity consumption for the proposed project would be increased compared to existing conditions. According to the System California Energy Commission (2021), in 2019, total electricity consumption in Solano County was about 3,226,597,752 kWh. Electricity demand from the proposed project, would total approximately 9,701,000 kWh/year, which would represent approximately 0.03 percent of total 2019 Solano County electricity consumption. However, several emissions/energy reduction measures included in the Building Energy Efficiency Standards are directed at reducing electricity consumption. These measures include cool roofs on all non-residential buildings to reduce building cooling needs, Energy Star appliances in all non-residential buildings, programmable thermostats in residential units, and landscape trees in all non-residential parking lots to achieve 50 percent shading of parking areas within 10 years. As the proposed project would be consistent with the requirements of the Building Energy Efficiency Standards and CALGreen in place at the time of construction, it would not result in wasteful or unnecessary electricity demands. Therefore, operation of the proposed project would result in less than significant impacts with respect to electricity usage.

Natural Gas Energy

The proposed natural gas consumption for the proposed project would be increased compared to existing conditions. According to the CEC's Gas Consumption Database, in 2019, total natural gas consumption in Solano County was 236,122,955 therms (California Energy Commission 2022). Natural gas demand from the proposed project, would total about 20,527,470 BTU/year (205,275

therms/year) which would represent approximately 0.08 percent of Solano County's 2019 natural gas demand. However, the proposed project prohibits natural gas use in all residential units. Consequently, this will reduce natural gas demand by approximately 197,200 BTU/year, or 89 percent. As the proposed project would be built to meet the Building Energy Efficiency Standards, it would not result in wasteful or unnecessary natural gas demands. Therefore, operation of the proposed project would result in less than significant impacts with respect to natural gas usage.

Transportation Energy

The proposed project would consume energy at build-out from the use of motor vehicles. The efficiency of motor vehicles in use, such as the average miles per gallon for motor vehicles involved with the proposed project, are unknown. Therefore, estimates of transportation energy use is assessed based on the overall vehicle miles traveled (VMT) generated by the project. As described in Appendix 4.19-2, annual project VMT is projected at 32,676,963 miles. However, since the proposed project would involve development of commercial and residential uses, its implementation would provide more opportunities for employment of residents in the city and opportunities to reside within an urbanized area with nearby amenities and public transit options. Furthermore, the proposed project includes a number of design features and proposed measures that would result in reduced VMT and reduced fuel consumption. Therefore, it is expected that operation-related fuel usage associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than similar development projects. Therefore, impacts to transportation energy would be less than significant with respect to operational impacts.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to energy resources as noted on page 4.9-11 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

ENE-2	**The project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.**

The state's electricity grid is transitioning to renewable energy under California's Renewable Portfolio Standard Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The RPS goals have been updated since adoption of SB 1078 in 2002. In general, California has RPS requirements of 40 percent by 2024 (SB 350), 50 by 2026 (SB 100), 60 percent by 2030 (SB 100), and 100 percent by 2045 (SB 100). SB 100 also establishes RPS requirements for publicly owned utilities that consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers such as PG&E, whose compliance with RPS requirements would contribute to the State objective of transitioning to renewable energy. The residential and commercial development as part of the proposed project would comply with the current and future iterations of the Building Energy Efficiency Standards and CALGreen. The City enforces the California Building Standards Code through the development review process. That enforcement is the primary mechanism through which the project will be required to implement state and locally mandated energy

efficiency/conservation measures that are within the control of the applicant and the City. Further, the proposed project includes a range of energy saving/efficiency measures as discussed in Chapter 4.8 of this document.

The City of Vacaville does not have its own renewable energy plan; however, the City does encourage the use of renewable energy via solar panels, recycling, etc. Future development would be subject to Title 24, Part 6, which sets standards that improve energy efficiency of newly constructed buildings. Additionally, all contractors and waste haulers are required to comply with the Countywide Integrated Waste Management Plan, which requires minimum diversion of 50 percent of waste project materials from disposal. The proposed project includes the GHG reduction measures from the ECAS that are applicable to the project, thus ensuring project consistency with the GHG reduction measures contained in the City's primary plan for reducing GHG emissions. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to energy resources as noted on page 4.9-12 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

ENE-3	**The proposed project would not result in cumulative impacts to energy.**

The areas considered for cumulative impacts to electricity and natural gas supplies are the service area of PG&E. Other projects would generate increased electricity and natural gas demands, requiring their own separate CEQA analysis. However, all projects within the PG&E service area would be required to comply with the Building Energy Efficiency Standards and CALGreen, which would minimize wasteful energy consumption. Therefore, cumulative impacts would be less than significant, and projects impacts would not be cumulatively considerable.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to energy resources as noted on page 4.9-12 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

7. Geology and Soils and Mineral Resources

GEO-2	**The project would not result in substantial soil erosion or the loss of topsoil.**

Project development could result in an increase in impervious surfaces. This in turn could result in an increase in stormwater runoff, higher peak discharges to drainage channels, the potential to cause erosion or siltation in drainage swales and streams, and potential loss of topsoil. Increases in tributary flows can exacerbate creek bank erosion or cause destabilizing channel incision.

Project activities such as grading, trenching, paving, tree and plant removal, and other soil disturbances can increase the potential for soil erosion on-site. The Vacaville General Plan includes the Safety Element which discusses goals and policies affecting soils including those established to minimize soil erosion, sedimentation, and topsoil removal by regulating development, excavation, grading, fillings, and land clearing activities.

As described in further detail in Chapter 4.10, *Hydrology and Water Quality*, of this Draft EIR, the proposed project would be required to implement construction phase best management practices (BMPs) as well as post-construction site design, source control, and treatment control measures in accordance with permit requirements. The proposed project would also be required by the State Water Resources Control Board to develop and implement a Stormwater Pollution Prevention Plan to control discharges from construction sites.

Runoff generated by the proposed project would be collected in a storm drain and detention basin that meets the requirements of the Municipal Regional Stormwater NPDES Permit. The storm drain for the development would empty into the proposed drainage features. Furthermore, implementation of all site-specific designs stipulated in the geotechnical report and compliance with the Municipal Regional Stormwater NPDES Permit would minimize runoff generated by the proposed project. As a result, operation of the proposed project would not result in substantial soil erosion or the loss of topsoil, and impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to geology and soils and mineral resources as noted on page 4.10-12 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

GEO-3	**The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.**

Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. As described under impact discussion GEO-1, project development would not exacerbate liquefaction hazards. With the implementation of the geotechnical report's recommendations, impacts related to ground lurching and lateral spreading would be less than significant.

As described under impact discussion GEO-1, the project site and surroundings are nearly level and are not subject to landslides. The field exploration conducted for the project geotechnical report encountered approximately ½ foot to 3 feet of fill material. The fill material was primarily clay with some locations containing sand and pea sized gravel, likely from previous sand bunker in the golf course. The major cause of ground subsidence is the excessive withdrawal of groundwater. Project construction would not result in the permanent lowering of groundwater. Therefore, project development would not exacerbate subsidence hazards and the impact would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to geology and soils and mineral resources as noted on page 4.10-13 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

GEO-5	**The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.**

The proposed project would not require the use of septic tanks or alternative wastewater disposal systems. The project would be connected to and discharged into the existing public sanitary sewer system for the City of Vacaville, which is serviced by the Easterly Valley Wastewater Treatment Plant. As such, implementation of the proposed project at sites where soils might otherwise not be capable of supporting the use of septic tanks or alternative wastewater disposal system would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to geology and soils and mineral resources as noted on page 4.10-14 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

GEO-7	**The proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less-than-significant cumulative impacts with respect to geology and soils.**

Geology, soils, and paleontological impacts are site specific and generally do not combine to result in cumulative impacts. Additionally, CEQA is concerned with whether project implementation exacerbates existing hazards on-site. Similar to the proposed project, future cumulative development projects would be required to comply with applicable State and local building regulations, including the CBC and the City of Vacaville Municipal Code. Site-specific geologic hazards would be addressed in each project's design and adherence to applicable regulations and building standards. Therefore, no significant cumulative impact would occur. The impact is less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to geology and soils and mineral resources as noted on page 4.10-15 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

8. Greenhouse Gas Emissions

GHG-2	**The project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.**

The City of Vacaville Energy Conservation and Action Strategy is a qualified climate action plan pursuant to CEQA Guidelines 15183.5(b) that functions as the applicable plan for reducing GHGs. The applicant has included GHG reduction strategies from the City of Vacaville Energy Conservation and Action Strategy that are applicable to the proposed project as applicant-proposed GHG reduction measures in Mitigation Measure GHG-1. Therefore, the proposed project would not conflict with the applicable measures included in the GHG reduction plan. Impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to greenhouse gas emissions as noted on page 4.11-21 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

9. Land Use and Planning

LU-1	**The project would not physically divide an established community.**

The existing community character of the project site consists of former golf course improvements and unimproved land surrounded by residential neighborhoods, commercial establishments, and agricultural lands. The proposed project would result in the development of two neighborhoods – the north of Sequoia neighborhood and the south of Sequoia neighborhood. The two proposed neighborhoods would include residential development at a variety of densities, with a wide range of housing types, including active-adult detached single-family and workforce-oriented housing; commercial retail including neighborhood serving uses; public parks; trails and open space; circulation improvements, and infrastructure facilities. Higher density residential, commercial retail, and a family-oriented park are the primary uses planned north of Sequoia Drive. Detached, single-family senior residential development and another park are the primary proposed uses south of Sequoia Drive. The proposed project would include 1,149 dwelling units; including 950 units of higher density housing types located north of Sequoia and 199 units of detached, single-family senior housing located south of Sequoia. In addition to the proposed residential and commercial uses, the proposed project includes a range of amenities, such as parks, a trail network, open space, and infrastructure features including an expanded sewer pump station site, two water well sites, and storm water detention facilities.

The residential, commercial, recreation, and open space uses of the proposed project would be compatible with and similar to the surrounding land uses. The trail network would improve connections with the surrounding neighborhood. Therefore, the proposed land use plan would

not physically divide an established community and impacts related to division of established communities would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to land use and planning as noted on page 4.12-17 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

LU-2	**The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.**

The project site has existing General Plan land use designations of Commercial Highway (CH) and Private Recreation (PR). The Commercial Highway designation adjoins interstate highways and includes specialty retailing, restaurants, hotels/motels, and commercial recreation and entertainment, designed to attract primarily visitor business and shopping. The Private Recreation designation includes country clubs, free-standing golf courses, recreational vehicle (RV) parks, riding stables, campgrounds, and theme parks. The project site is zoned General Commercial and Recreation Commercial.

The project site would require a General Plan Amendment to amend the existing land use designations from Commercial Highway and Private Recreation to Residential Low Density, Residential Low Medium Density, Residential Medium Density, Residential Medium High Density, Residential High Density, Public Park, Public Open Space, Public, and General Commercial, as well as a General Plan Amendment to Policy COS-P1.12.

Additionally, the proposed project would require a rezoning approval to ensure that zoning is consistent with the proposed land uses. The Project site would be rezoned to Residential Low (RL), Residential Low Medium (RLM), Residential Medium (RM), Residential Medium High (RMH), Residential High (RH), General Commercial (CG), Community Facilities (CF), and Open Space (OS) from General Commercial (CG) and Recreation Commercial (CR).

Buildout of the proposed project would include approximately 1,149 dwelling units in both the north and south of Sequoia areas. The north of Sequoia area would include approximately 950 units of higher density housing types which would generate approximately 2,565 residents, and the south of Sequoia project would include 199 units of detached, single- family senior housing which would generate approximately 398 residents. A review of the Proposed Project's consistency with applicable plans and policies is provided here.

The proposed project includes a vesting tentative subdivision map approval to divide the north of Sequoia neighborhood into a series of large lot residential blocks, commercial blocks, a park, and associated infrastructure (e.g. detention basins and a sewer pump station site). One or more future small-lot subdivisions would be required to further define the residential neighborhoods and internal streets.

The proposed project would also require a subdivision approval for the south of Sequoia neighborhood. This neighborhood would be subdivided into 199 residential lots and additional parcels containing infrastructure (e.g. detention ponds and a water well site) and park uses.

An analysis of the proposed project's consistency with the applicable goals and policies of the City of Vacaville General Plan is provided in Table 4.12-2, *Vacaville General Plan Consistency Analysis* of the DEIR. This analysis summarizes additional documentation and evidence detailed in the draft Greentree Specific Plan. Therefore, implementation of the Proposed Project would result in less-than-significant impacts relating to land use.

Based on the above, the project would be consistent with the applicable General plan policies. Therefore, the would be less than significant due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to land use and planning as noted on page 4.12-22 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

LU-3	**The proposed project would not result in cumulative impacts with respect to land use and planning.**

A cumulative impact would be considered significant if, taken together with past, present and reasonably foreseeable projects in the identified area, would conflict with applicable land use plans, policies, or regulations. As discussed above, the proposed project would not conflict with any applicable land use plans, policies, or regulations. In addition, the proposed project would not physically divide an existing community, nor would the proposed project conflict with an adopted conservation plan. Therefore, the proposed project would not contribute to a cumulative land use and planning impact and the impact would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to land use and planning as noted on page 4.12-23 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

10. Hazards and Hazardous Materials

HAZ-1	**The project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.**

Project Construction

The proposed project would involve construction activities that could result in the transport, use, and disposal of hazardous materials such as gasoline fuels, asphalt, lubricants, toxic solvents, pesticides, and herbicides. The transport, use, storage, and disposal of these materials would

comply with existing regulations established by several agencies including the Department of Toxic Substances Control, the US Environmental Protection Agency (EPA), the US Department of Transportation, and the Occupational Safety and Health Administration. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials during construction would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for hazardous materials releases.

Project Operation

Landscaping within the commercial component would be maintained without synthetic herbicides or pesticides, and on-site pest management would employ certified Integrated Pest Management companies. However, operation of the proposed mixed-use development would involve the use of small amounts of other hazardous materials, such as cleansers and paints for cleaning and maintenance purposes. However, the proposed land use is not associated with uses that use, generate, store, or transport large quantities of hazardous materials, which generally include manufacturing, industrial, medical (e.g., hospital), and similar uses.

Additionally, the use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including the Solano County Department of Resource Management, Environmental Health Services Division, EPA, Caltrans, and the California Division of Occupational Safety and Health. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for hazardous materials releases.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hazards and hazardous materials as noted on page 4.13-14 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HAZ-2	**The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.**

Use of hazardous materials during construction could potentially include fuels, lubricants, greases, and coatings. Use of hazardous materials after construction could potentially include cleaning solvents, fertilizers, pesticides, and other materials used in the regular maintenance and operation of the proposed uses. An accidental release of any of these materials could pose a health hazard to the public.

Existing laws, regulations, policies, and procedures that would serve to prevent a release of hazardous materials include applicable federal, State, and local laws and regulations described in Section 4.9.1.1, Regulatory Framework, of this chapter, and the Stormwater Pollution Prevention Plan and best management practices required for the proposed project (see Chapter 4.10,

Hydrology and Water Quality of the DEIR, for additional detail). Compliance with these existing laws, regulations, policies, and procedures would help to ensure that future development activities would not create a significant hazard to the public. Therefore, the impact would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hazards and hazardous materials as noted on page 4.13-15 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HAZ-3	**The project would not emit hazardous emissions or handle hazardous materials, substances or waste within ¼-mile of an existing or proposed school.**

There are no schools within 0.25 miles of the proposed project. When completed, the new mixed-use development would involve the use of small amounts of hazardous materials, such as cleansers, paints, fertilizers, and pesticides for cleaning and maintenance purposes. The proposed land use is not associated with the use, generation, storage, or transport of large quantities of hazardous or acutely hazardous materials; such uses generally include manufacturing, industrial, medical (e.g., hospital), and similar uses. Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school, and the impact would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hazards and hazardous materials as noted on page 4.13-15 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HAZ-5	**The project would not, for a project located within an airport land use plan, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area.**

The site is located within an airport master plan area for Nut Tree Airport, roughly 1.1 miles northwest of the project site. The project site is mostly within Compatibility Zone F (i.e. Other Airport Environs) for Nut Tree Airport and does not represent a safety hazard for future residents or workers in the project area. There are no other public use airports within two miles of the project site (Governor's Office of Emergency Services, 2019). Likewise, there are no private airstrips within or near the project site (AirNav 2021). The NorthBay VacaValley Hospital, approximately 0.9 miles southwest of the site, operates a helipad. In addition, the distance from the Nut Tree Airport and NorthBay VacaValley Hospital would be sufficient to ensure that the

project's residents and employees would not be exposed to excessive airport- and helipad-related noise. Therefore, the impact would be *less than significant*.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hazards and hazardous materials as noted on page 4.13-17 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HAZ-6	**The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

The proposed project would result in a significant impact if it would involve physical improvements that would impede emergency response to the project site or the immediate vicinity, or if it would otherwise interfere with emergency evacuation plans.

The proposed project would be required to comply with the provisions of the 2019 CFC and the 2019 CBC, which would ensure that building and life safety measures are incorporated into the proposed project and would facilitate implementation of emergency response plans. Future development plans would include fire and emergency access through all phases of construction and operation. During construction, the project would be required to comply with all applicable provisions of the CFC to ensure fire safety during the construction phase. The project plans have been developed to be consistent with requirements for the provision of fire sprinklers, fire department access, fire hydrants, and water supply for fire protection.

As discussed in Section 4.9.1.1 of the DEIR, Solano County has prepared an EOP that identifies and allocates resources in response to emergencies—from preparation through recovery. The EOP identifies the County's emergency planning, organizational, and response policies and procedures and how they would be coordinated with emergency responses from other levels of government. The proposed project would construct a mixed-use development and would not involve physical components that would interfere with the ability of the City, County, and emergency response service providers to access the site and implement emergency response activities within the project site or vicinity.

Compliance with applicable laws and regulations regarding emergency preparedness as well as General Plan policies would ensure that the proposed project would not interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hazards and hazardous materials as noted on page 4.13-17 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HAZ-7	**The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.**

The project site is in an urbanized area of Vacaville and surrounded by developed lands. The proposed project is not in a fire hazard severity zone and, therefore, would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires (refer to Figure 4.13-1 and Figure 4.13-2 in the DEIR).

The proposed project would be required to comply with the 2019 CFC and 2019 CBC, including installation of sprinklers, proper protection systems such as fire extinguishing systems and alarms, fire hydrants, water fire flow requirements, and access points to accommodate fire equipment. Compliance with existing codes and the project site's location outside of fire hazard areas would ensure that impacts related to wildland fires, either direct or indirect, would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hazards and hazardous materials as noted on page 4.13-18 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HAZ-8	**The proposed project would result in less-than-significant cumulative impacts with respect to hazards and hazardous materials.**

The area considered for cumulative impacts is Solano County, which is the service area for the Solano County Department of Resource Management, Environmental Health Services Division, the affected CUPA. The population of Solano County is forecast to increase to 510,660 people by 2040. Other development projects throughout the county would use, store, transport, and dispose of increased amounts of hazardous materials, and thus could pose substantial risks to the public and the environment. However, the use, storage, transport, and disposal of hazardous materials by other projects would conform with regulations of multiple agencies described in Section 4.9.1.1.

The proposed project is not within 0.25 miles of any schools and would not handle large quantities of hazardous or acutely hazardous waste; therefore, the proposed project would not contribute to a cumulative impact associated with schools.

Furthermore, the proposed project area is within 2 miles of a private airstrip and would not have a significant impact on the Nut Tree Airport or NorthBay VacaValley Hospital helipad; therefore, the proposed project would not contribute to a cumulative impact associated with a public or private airport.

Cumulatively, projects have the potential to interfere with an adopted emergency response plan or emergency evacuation plan; however, this project along with all other future development would be required to comply with the provisions of the local, State, and federal regulations for

emergency response plans and emergency evacuation plans. Compliance with these regulations would ensure potential cumulative impacts would be less than significant.

Cumulative projects have the potential to increase development in areas of high fire susceptibility; however, the project site is not in a fire hazard severity zone. Therefore, the proposed project would not contribute to hazards related to wildland fires. The project's contribution to potential cumulative impacts would not be considerable.

Cumulative impacts would be less than significant after compliance with regulations, and project impacts would not be cumulatively considerable.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hazards and hazardous materials as noted on page 4.13-19 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

11. Hydrology and Water Quality

HYD-1	**The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.**

Urban runoff from storms or nuisance flows (runoff during dry periods) from development projects can carry pollutants to receiving waters. Runoff can contain pollutants such as oil, fertilizers, pesticides, trash, soil, and animal waste. This runoff can flow directly into local streams or lakes or into storm drains and continue through pipes until it is released untreated into a local waterway and eventually the ocean. Untreated stormwater runoff degrades water quality in surface waters and groundwater and can affect drinking water, human health, and plant and animal habitats.

Construction Activities

Clearing, grading, excavation, and construction activities associated with the proposed project may impact water quality due to sheet erosion of exposed soils and subsequent deposition of particulates in local drainages. Grading activities lead to exposed areas of loose soil and sediment stockpiles that are susceptible to uncontrolled sheet flow. Although erosion occurs naturally in the environment, primarily from weather by water and wind action, improperly managed construction activities can lead to substantially accelerated rates of erosion that are considered detrimental to the environment.

As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control direct stormwater discharges. The NPDES program regulates industrial pollutant discharges, which include construction activities. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements.

Section 14.26.020.040, Discharges in Violation of Industrial or Construction Activity NPDES Storm Water Discharge Permit, of the Vacaville Municipal Code states that any person subject to a construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit.

Requirements for waste discharges potentially affecting stormwater from construction sites of one acre or more are set forth in the SWRCB's Construction General Permit, Order No. 2012-0006-DWQ, issued in 2012. The project site is larger than one acre and would be subject to requirements of the Construction General Permit. Projects obtain coverage under the Construction General Permit by filing a Notice of Intent with SWRCB prior to grading activities, and preparing and implementing a Storm Water Pollution Prevention Plan (SWPPP) during construction. The primary objective of the SWPPP is to identify, construct, implement, and maintain BMPs to reduce or eliminate pollutants in stormwater discharges and authorized non-stormwater discharges from the project site, and to contain hazardous materials. BMPs categories include, but are not limited to erosion control and wind erosion control, sediment control, and tracking control. Examples of BMPs include, but are not limited to, the use of jute bales, covering of soil, retaining walls, minimizing disturbed areas, diverting stormwater, etc. Implementation and monitoring required under the SWPPP would control and reduce short-term intermittent impacts to water quality from construction activities to less than significant levels.

Operational Activities

The primary constituents of concern during the operational phase would be solids, oils, and grease from parking areas and driveways that could be carried offsite. The proposed drainage features would continue to route stormwater to Horse Creek, Ulatis Creek, and Old Ulatis Creek, including off-site runoff and the anticipated increased quantity of runoff from the project site. The proposed drainage patterns would serve two purposes, reducing the total infrastructure distance required to drain stormwater runoff, and reducing existing flooding hazards that occur because of low slopes and existing infrastructure across the project site. As a result, the relative proportion of stormwater volume released into Horse Creek will increase compared with Old Ulatis Creek, but stormwater detention would be designed such that peak flows would not increase in any of the three receiving waters. Figure 4.14-2, *Proposed Drainage Patterns and New Detention Basins,* in the DEIR shows the proposed detention basin locations and drainage patterns. Important proposed drainage features include the use of multi-function stormwater basins, which will play a key role in managing runoff water quality and quantity. Stormwater basins will be integrated with park and open space areas using naturalized contouring and landscaping where appropriate. Stormwater basins would be designed as "dry" basins to minimize vector control (e.g., mosquito) concerns. Given the elevation constrains at the project site and the proposed size of the detention basins, ponding in the detention basins would be managed with a central low-flow channel with a minimum slope of 0.35 percent, and a basin cross-slope to keep low-flows in the low-flow channel. On-site water quality would be managed using a combination of both bioretention/detention basins where elevation constraints permit, and local bioretention features such as bioswales or rain gardens, where necessary.

The primary goal of water-quality sensitive design is to limit the amount of Directly Connected Impervious Areas (DCIAs) within the development envelope. Limiting DCIAs promotes infiltration, increases times of concentration within drainage areas, and reduces runoff volumes. Additionally, less impervious area generally leads to increased amounts of space that can be dedicated to landscaping and open space uses that limit the introduction of pollutants to the environment and can filter out pollutants that already have been mobilized.

Site Design BMPs

Specific site design features that would be included to the maximum extent practicable include the following:

- **Reduced Street Widths.** The project proposes to use the minimum street widths compatible with safety of the residents and in conformance with the requirements of the City of Vacaville. Average street widths would be on the order of 30 feet, markedly less than average widths in other locations. The proposed street width is less than City standard, which requires street widths of 36 feet.
- **Home Design**. Homes would utilize designs that have a number of positive aspects with respect to stormwater management. Notably, the designs would minimize impervious area for a given interior floor space and would use disconnected downspouts to direct roof runoff to the vegetated areas.
- **Open Space.** The proposed project includes a considerable amount of vegetated buffer areas and other public area (parks, plazas, gardens, etc.) which would remain as open space.

Source Control BMPs

The source control program would incorporate a number of strategies:

- **Education and Outreach.** The City of Vacaville has several outreach strategies designed to engage residents in the need to control non-point source pollution. One proven tactic in this regard is the marking of storm drain inlets and collection points to indicate that runoff can directly impact receiving waters. At this site, such markings may be along the lines of "Drains to Delta" Drains to Waterways."
- **Landscaping.** All landscaping would incorporate plant species appropriate for the site soils and climate. Per the Specific Plan, the proposed project would utilize drip irrigation to the maximum extent practicable.
- **Trash Storage Areas.** All trash storage areas in commercial areas would be covered to prevent run-on and contained to prevent off-site transport of pollutants and trash.
- **Regular Street Sweeping.** Regular street sweeping can have a significant impact on the control of such constituents of concern as trash and debris, particulates, and heavy metals. The City of Vacaville coordinates a regular street sweeping program that would include the project area.

Treatment Control Elements

Treatment controls are generally considered necessary as a final element in water-quality protection even when the use of approved site planning and source control BMPs is maximized. Pollutants typically found in urban runoff include heavy metals (i.e., copper, lead, zinc, cadmium, mercury), oils and greases, nutrients (nitrogen and phosphorus), household and lawn-care chemicals (insecticides, herbicides, fungicides, and rodenticides), and coliform bacteria.

Ultimately, BMPs must comply with the requirements of the Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit (Order No. 2013-0001 DWQ, effective July 1, 2013). The site design measures of the MS4 Permit are generally more stringent than past requirements in that Permitees must design facilities to evapotranspire, infiltrate, harvest/use, and biotreat storm water. The clayey soils and low infiltration rates of the project site make infiltration generally infeasible. Rainwater may be harvested and used for irrigation, but the demand for domestic uses far exceeds the supply. For these reasons, bioretention basins are proposed as the primary treatment mechanism. Provisions of the MS4 Permit will require the basin floors to include an 18-inch layer of select soil mix suitable to maintain infiltration rates of up to 5 inches per hour, underlain by a gravel sub-drain layer. Underdrains will be installed near the top of the gravel layer to facilitate percolation through the bioretention medium and to prevent long-duration ponding.

Preliminary sizes for bioretention basins were estimated with a combustion flow and volume design basis. The generalized sizing approach of multiplying the effective impervious area by a factor of 0.04 is a strictly flow-based method and does not consider the volume of runoff that is treated by infiltrating during the respective design storm (having an intensity of 0.2 inches/hour). This approach ignores the passive storage volumes that is available in the bioretention facility, and that is available to accommodate short periods of peak intensity. An alternative sizing convention uses a combination of flow and volume-based approaches which consider: (1) the volumes of runoff infiltrating through the bioretention facility over the course of the design storm, and (2) the volume of runoff held in the bioretention facility during the design event. This approach results in basin floor areas equal to roughly three percent of the effective impervious area, and sometimes less.

The required bioretention areas are summarized in Table 4.14-3, *Water Quality Treatment Bioretention Area,* of the DERI for only the project area being developed, not including the pre-existing developments which drain through the project site, see Figure 4.14-3, *Post-Project Sub-Watersheds,* in the DEIR for reference. Under the assumption above, a total of 2.9 acres of the project area must be dedicated to bioretention facilities. This requirement can be met using a combination of distributed "rain gardens" or bioswales in green streets and strips, and biofiltration soils designed for infiltration built into the bottoms of the multi-function stormwater basins also designed for peak flow detention. The use of infiltration in addition to biofiltration in the southern portion of the project site may be advantageous as soil type B has higher infiltration potential compared to soil type C, which covers most of the project site.

In general, projects must control pollutants, pollutant loads, and runoff volumes from the project site by minimizing the impervious surface area and controlling runoff through infiltration,

bioretention, or rainfall harvest and use. Project must incorporate BMPs in accordance with the requirements of the municipal NPDES permit. The project would comply with water quality standards, and impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hydrology and water quality as noted on page 4.14-15 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HYD-2	**The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.**

The majority of the project site has hydrologic soil group (HSG) C soils composed of sandy clay loam that have low infiltration rates when thoroughly wetted. High rates of ET combined with low infiltration potential suggest that historically, the Green Tree Golf Course was likely not a significant source of groundwater recharge for the Tehama Formation. Any percolation of rainfall on the project site may recharge the shallow aquifers located in the younger alluvium; this would most likely occur in the southern portion of the project site were HSG B soils are located. An increase in the amount of impervious cover would not likely impact the total water supply available in the younger alluvium, especially with a reduction in pumping from this aquifer as a result of the proposed project. The source water for the proposed project would likely be supplied by the City of Vacaville from the Tehama Formation. This would place a new water demand upon the source aquifer of the City water supply but would cease groundwater withdrawals from the younger water-bearing alluvium layer.

The post-project water use for landscaping assumes modern and efficient irrigation practices gained from new irrigation equipment. Irrigation systems at the golf course were last installed in the early 2000s and were likely to be a relatively efficient system designed to optimize water use. However, the main transport of water across the golf course was through the inter-connected pond system, which resulted in significant water losses from evapotranspiration from the surface of the ponds at a rate of approximately 30 acre-feet per year, as well as some infiltration into the shallow subsurface. Under the previous land use of a golf course, approximately 556 to 578 acre-feet per year of water was used over the past 20 years for irrigation, whereas it is estimated that the proposed project would use an estimated 400 acre-feet of water each year.

It is important to note that existing golf course irrigation water was extracted from shallower groundwater in younger alluvial deposits, whereas all water used in the post-project development would be drawn from City groundwater supplies extracted from the Tehama Formation. Therefore, water use for the proposed project would increase the amount of water the City would need to supply from that source. However, the City of Vacaville is required to plan for increases in water demand from population increases as part of the UWMP and Groundwater Sustainability Plan (GSP). Additionally, the higher permeability of soils in the southern region of the project site (type B soils) have the potential to be used in conjunction with stormwater basins to offset for

reductions in shallow alluvial aquifer recharge by focusing managed recharge efforts. Most of the proposed open space, including 4.5 acres of public park, is planned for the area south of Sequoia Drive where the type B soils within the project area are located, which will help maintain existing infiltration into the shallow alluvial aquifer. The three proposed bioretention basins south of Sequoia Drive are also located in the Type B soil area which would help maintain infiltration. Therefore, impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hydrology and water quality as noted on page 4.14-18 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HYD-3	**The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows.**

Erosion and Siltation

The proposed project would involve site improvements that require grading, excavation, and soil exposure during construction, with the potential for erosion or siltation to occur. If not controlled, the transport of these materials to local waterways could temporarily increase suspended sediment concentrations and release pollutants attached to sediment particles. To minimize this impact, the proposed project would be required to comply with the requirements in the State's General Construction Permit, including preparation of an NOI and SWPPP prior to the start of construction activities. The SWPPP would describe the BMPs to be implemented during the project's construction activities.

For the operation phase, the project applicant prepared a WQMP in accordance with the Central Valley RWQCB. The WQMP includes BMPs sized in accordance with the requirements of the MS4 to adequately treat runoff onsite. Collectively, implementation of the BMPs outlined in the SWPPP and the WQMP would address the anticipated and expected erosion and siltation impacts during construction and operational phases of the proposed project. Therefore, the proposed project would not result in substantial erosion or siltation on- or offsite, and impacts would be less than significant.

Proposed Drainage

Both Ulatis Creek and Horse Creek are FEMA regulated floodways and are heavily engineered channels. The channels have been straightened and lined with erosion control measures where

necessary. Old Ulatis Creek originates at the project site and joins Horse Creek approximately 2 miles downstream of Leisure Town Road. The channel has been straightened, but otherwise largely unengineered; the channel banks have been colonized by local vegetation, including young trees, shrubs, and grasses. The estimated channel capacity of Old Ulatis Creek downstream of Leisure Town Road is approximately 110 cubic feet per second (cfs).

The proposed project would redirect a portion of the project site's runoff that previously drained to Old Ulatis Creek via the existing pond system to Horse Creek.

Table 4.14-5, *Pre-Project and Proposed Post-Project Drainage Areas,* summarizes the proposed changes in drainage area for each of the project receiving waters. Currently, only an estimated 32 percent of the drainage area (project area and contributing off-site drainage area) drains to Horse Creek and 44 percent to Old Ulatis Creek. Under the proposed stormwater drainage patterns, 41 percent of the total drainage area would drain to Horse Creek and 36 percent would drain to Old Ulatis Creek. This serves multiple purposes, including but not limited to:

- Decreasing the effects of hydromodification on Old Ulatis Creek, which is not as heavily managed as Horse Creek; and
- Increasing runoff into Horse Creek may offset overall increases in runoff by releasing more stormwater prior to the peak discharge, which can lag rainfall in the relatively large watershed.

The total primary drainage area that drains to Ulatis Creek would not change under the proposed project.

The proposed project would increase total runoff with development of the project site, but stormwater basins would be designed and built so that neither the 10- or 100-year flood events increase the peak discharges in either Horse Creek or Old Ulatis Creek, compared to pre-project peak discharges. As Table 4.14-5 above shows an increase in drainage area for Horse Creek, the post peak discharge will remain below pre peak discharge levels. The stormwater basins would also be designed to comply with 2-year hydromodification requirements.

Flood Flows

The lower-lying areas along the project site adjacent to Horse Creek have been mapped by FEMA as Special Flood Hazard Areas, Zones AE and A, commonly referred to as "100-year floodplains." The currently effective Flood Insurance Study included detailed hydraulic analyses of flood conditions for the northwest side of I-80, whereas areas subject to inundation in a 100-year flood in the project site were determined using approximate methods, which is another common FEMA practice. The approximated hazard areas within the project boundary are defined as Zone A, which may have been estimated under the assumption that I-80 could be overtopped during a 100-year flood. The extent of the 100-year floodplain suggests that all other reaches of Horse Creek downstream of the project site do not overtop their banks during 100-year flood events.

The project does not allow encroachments into the designed Zone A floodplain area in the northwestern portion of the project site. The current Zone A area is proposed to be raised and the Conditional and Final Letters of Map Revisions (CLOMR and LOMR) process followed to redefine

those limits. The proposed project grading plans would be designed to reduce flood risk to any housing facilities built within the designated floodplain. Floodplain impacts would be reduced through the implementation of the comprehensive stormwater management strategy, and post-project floodplains extents and water surface elevations would be reviewed and documented through CLOMR and LOMR processed through FEMA. Therefore, impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hydrology and water quality as noted on page 4.14-21 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HYD-4	**The project would not be in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.**

Impacts as a result of potential floods would be less than significant, as indicated above. The project site is not in an area subject to seiches, mudflows, or tsunamis due to the absence of any nearby bodies of water and mud/debris channels. As shown in Figure SAF-7 of the City of Vacaville General Plan, the project site is not within a dam inundation area. Furthermore, the project site will not be in a flood hazard area as noted by the CLOMR and LOMR processes. In addition, the project site is not in the vicinity of any levees or waterbody which could cause a tsunami. Therefore, the proposed project would not be exposed to seiches, mudflows, or tsunami hazards, and impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hydrology and water quality as noted on page 4.14-21 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HYD-5	**The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.**

As indicated in Impact 4.10-1, the proposed project would implement BMPs to ensure that the proposed project has a less than significant impact on surface and ground water quality. These measures also ensure that the proposed project would not obstruct or conflict with the implementation of applicable plans. Additionally, the proposed project would not conflict with the Vacaville UWMP or with the Solano Subbasin GSP. The proposed project would comply with water quality requirements set forth in the Statewide General Construction Permit, the NPDES, and the Section 14.26, Urban Storm Water Quality Management and Discharge Control, of the Vacaville Municipal Code. Therefore, impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hydrology and water quality as noted on page 4.14-21 of the Draft EIR.

Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

HYD-6	**Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to hydrology and water quality.**

Construction and operation of the proposed project as well as future projects in the City, could result in increased flows that would eventually discharge into waterways. Other projects would comply with their respective SWPPP and regulations for water quality standards established by the UWMP and the City. Although areas around the project site are built out, new projects in the area, both individually and cumulatively, could potentially increase the volume of stormwater runoff and contribute to pollutant loading in the storm drain system with eventual discharge to waterways. However, as with the proposed project, future projects in the City would be required to comply with drainage and grading regulations and ordinances, such as with water quality requirements set forth in the Statewide General Permit, the NPDES, and the City of Vacaville Code Section 14.26, Urban Storm Water Quality Management and Discharge Control. New projects would also be required to comply with the City's standard conditions of approval, regulations, ordinances regarding water quality, the Porter-Cologne Act, and NPDES permitting requirements. In consideration of preceding factors, cumulative water impacts would be rendered less than cumulatively considerable.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to hydrology and water quality as noted on page 4.14-22 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

12. Noise

NOI-2	**The project would not result in generation of excessive groundborne vibration or groundborne noise levels.**

Construction Vibration

The dominant sources of man-made vibration are blasting, pile driving, pavement breaking, demolition, diesel locomotives, and rail-car coupling. None of these activities are anticipated to occur with construction or operation of the proposed project. Vibration from construction activities could be detected at the closest sensitive land uses, especially during movements by heavy equipment or loaded trucks and during some paving activities. Typical vibration levels at distances of 25 feet, 100 feet, and 300 feet are summarized in Table 4.15-9 in the DEIR. These levels would not be expected to exceed any significant threshold levels for annoyance or damage, as provided in Table 4.15-3 and Table 4.15-4 of the DEIR.

Vibration levels could at times be barely perceptible to distinctly perceptible (as described above in Table 4.15-3 of the DEIR) at existing sensitive receptors during periods of construction

activities. However, vibration levels associated with construction activities would not be expected to result in any structural damage (as described in Table 4.15-4 of the DEIR) to existing residences and buildings in proximity to construction activities.

After full project build out, it is not expected that ongoing operational activities will result in any vibration impacts at nearby sensitive uses. Activities involved in trash bin collection could result in minor on-site vibrations as the bin is placed back onto the ground. Such vibrations would not be expected to be felt at the closest off-site sensitive uses. Additional mitigation is not required.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to noise as noted on page 4.15-23 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

13. Parks and Recreation

PRK-1	**The project would not increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated.**

Buildout of the proposed project would include approximately 1,149 dwelling units. The north of Sequoia project would include approximately 950 units of higher density housing types which would generate approximately 2,565 residents, and the south of Sequoia project would include 199 units of detached, single-family senior housing which would generate approximately 398 residents.

The City's General Plan requires that new residential projects provide park land at a ratio of 4.5 acres per 1,000 residents. The proposed project would generate approximately 2,963 new residents. Thus, in accordance with the General Plan's Parks and Recreation element, the proposed project would be required to provide the equivalent of 13.3 acres of park land, including 5.3 acres of on-site neighborhood park, 5.0 acres of community park, and 2.9 acres of regional park.

The proposed project includes park and recreation features that in aggregate, exceed the City's park land requirement for neighborhood park facilities. The proposed project would include an aggregate total of 10.5 acres of park land between the 6-acre neighborhood park and an additional 4.5-acre park within the proposed age restricted senior community. The proposed neighborhood park north of Sequoia Drive and the proposed smaller neighborhood park south of Sequoia Drive have been designed to serve the needs of the neighborhoods in which they are located. The parks would be accessible by all future residents of the project and by residents of surrounding neighborhoods through multiple modes of transportation. The proposed Development Agreement will address the financing, timing, and maintenance of park improvements within the project.

The project would also create a demand for additional parkland (2.8 acres over and above the 10.5 acres provided by the development). The development would construct 10.5 acres of new neighborhood parkland, and also pay remaining Park Impact Fees for community-wide and region park facilities to be developed elsewhere by the City.

Although the proposed project could otherwise potentially increase the use of existing neighborhood, community, and regional parks or other recreational facilities, due to the increase of population, it proposes to would include two new neighborhood park facilities to satisfy its own demand for local neighborhood parks, as well as pay Park Development Impact Fees to fund the development of new community and regional park facilities located elsewhere within the City. Thus, the proposed project would not be anticipated to physically deteriorate existing facilities near the project site or elsewhere within the city. Therefore, impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to parks and recreation as noted on page 4.16-7 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

PRK-2	**The project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.**

As analyzed in Impact PRK-1, the proposed project would generate approximately 2,963 new residents. Thus, the proposed project would be required to provide the equivalent of 13.3 total acres of park land, including 5.3 acres of on-site neighborhood park, 5.0 acres of community park and 2.9 acres of regional park.

The proposed project would include 10.5 acres of neighborhood park land plus an extensive network of public trails within dedicated public open space connecting throughout the project and to the adjoining neighborhood to the west. The north of Sequoia project area would include a 6-acre park along the western side of Yellowstone Drive in the center of the overall project site, which would be designed to include a range of active and passive recreation amenities, including playfields, ball courts, and play areas. Adjoining Detention Basin 2 is designed to incorporate a public trail around its perimeter which connects to the park and to Sequoia Drive to facilitate access from the neighborhood to the west. Parking to serve this Greentree North Neighborhood Park is to be provided along the entire adjoining frontages of Yellowstone Drive and Street H. The park would be accessible via pedestrian and bicycle paths on Yellowstone Avenue, Sequoia Drive, Street H, and trails that connect to residential areas north and south of Sequoia Drive, and to the commercial area. This neighborhood park would also serve residents south of Sequoia Drive and would be available for functions and programs to support the broader surrounding community. The preliminary park masterplan for this neighborhood park is included in the Greentree Specific Plan's Parks, Open Space, and Trail Plan Chapter 6.

The south of Sequoia project area would include a 4.5-acre neighborhood park, which has been designed to meet the needs of seniors both within Greentree and in the adjoining senior

neighborhood to the west. This southern park would be accessible from White Sands Drive and proposed Court E, with public sidewalk and off-street public trails providing accessibility within Greentree and to the adjoining existing neighborhood. The public trails will extend through the park and adjoining public open space areas, including along the perimeter of detention basins 4, 5 and 6, as shown in Mobility Chapter 5 of the Greentree Specific Plan. Amenities would include bocce ball and/or pickle ball courts, a small off-leash facility, a small local-serving amphitheater, and picnic and BBQ/picnic areas. The preliminary master plan for this park is included in Chapter 6 of the Greentree Specific Plan.

The open space network within Greentree totals approximately 42.4 total acres, including publicly accessible trails, and detention basins with perimeter trails. The trail system would link the area north of Sequoia with the area south of Sequoia, and connect to the adjoining neighborhood to the west. The open space area is considered to be "accessible" as described in the General Plan in that it will remain undeveloped as an aesthetic resource and would be available for public access via the trail system. The open space corridors would function to buffer existing homes from new planned residential development.

The trails network would be linked to pedestrian/bicycle facilities to be integrated into Street D, which would provide connectivity to Sequoia Drive and on to Yellowstone Drive and residential and commercial areas north of Sequoia Drive. Additionally, trails would be implemented in the north of Sequoia Drive neighborhood. Trails through the neighborhood park/detention area would connect it to Sequoia Drive, Yellowstone Drive, Street H, Grand Canyon Drive, and to residential and commercial areas to the north and west.

The proposed new parks, trails, and open space would benefit new residents of the proposed project as well as residents surrounding the project area. In addition, the proposed project would include park and recreation features that in aggregate, exceed the City's minimum neighborhood park land requirement, based on the number of residents within Greentree. Environmental impacts associated with the construction and operation of new recreational facilities and amenities, such as noise associated with park operations, are analyzed throughout the topical sections of Chapter 4, Environmental Analysis, of the DEIR. However, the development of recreational facilities and amenities in the project site would not result in additional significant impacts to the environment. Therefore, implementation of the proposed project would create less than significant impacts relating to the provision of new and/or expanded recreational facilities.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to parks and recreation as noted on page 4.16-8 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

PRK-3	**The proposed project would not result in cumulative impacts with respect to parks and recreation.**

The geographic context for the analysis of cumulative recreation impacts includes the City of Vacaville. The proposed project, in combination with other proposed, approved, and reasonably foreseeable development in the City, would contribute to a cumulative increase in the demand for parks and recreational facilities. The City ensures that adequate developed parkland and associated facilities are provided to City residents in accordance with the established minimum standard of 4.5 acres of developed parkland per 1,000 residents as part of the development review process. Funding from park development impact fees, developer contributions, landscape and lighting funds, and other sources such as property taxes and grants, may provide sufficient resources for the design, construction, and maintenance of new parks and associated facilities needed to accommodate future growth within the City. Therefore, this impact would be less than significant. The proposed Project would provide adequate developed parkland for future residents and comply with the City's requirements. Therefore, the proposed Project's contribution to this impact would be less than cumulatively considerable.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to parks and recreation as noted on page 4.16-9 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

14. Population and Housing

POP-1	**The project would not induce substantial unplanned population growth or growth for which inadequate planning has occurred, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).**

Development of the proposed project would include 1,149 dwelling units, which would generate approximately 2,963 new residents. The north of Sequoia project would include approximately 950 units of higher density housing types which would generate approximately 2,565 residents, and the south of Sequoia project would include 199 units of detached, single-family senior housing, which would generate approximately 398 residents. In accordance with Policy LU-P3.1 of the Land Use Element, the City assumes the following maximum development projections for the year 2035 for the lands located within the Urban Growth Boundary, which includes the project site:

- Residential: 7,340 units
- Commercial: 880,000 square feet (67 acres)
- Office: 1.06 million square feet (81 acres)
- Industrial: 1.49 million square feet (86 acres)

As such, the population growth that would be induced by the proposed project would be consistent with the anticipated population growth in the City's General Plan. Therefore, impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to population and housing as noted on page 4.17-8 of the Draft EIR. Accordingly,

no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

POP-3	**The proposed project would not result in cumulative impacts with respect to population and housing.**

This section analyzes potential impacts to population and housing that could occur from a combination of the project and other reasonably foreseeable projects in the surrounding area. The geographic scope of this analysis is taken as the City of Vacaville. A cumulative impact would be considered significant if the proposed project, taken together with past, present, and reasonably foreseeable projects in Vacaville, would result in the displacement of either people or housing units. Impacts resulting from the displacement of both people and housing necessitating the construction of replacement housing elsewhere are site-specific and are assessed on a site-by-site basis. The significance of the impacts would depend largely on what, if any, existing housing and residents occur on or near the sites

Similar to the proposed project, the determination for the displacement of a substantial number of people and housing would be made on a case-by-case basis and, if necessary, the applicants of the related projects would be required to comply with the City's General Plan. Future applicants may also be required to provide relocation assistance to rental households displaced as a result of conversion projects. Thus, given that the proposed project's impacts regarding the displacement of housing and people are less than significant, the proposed project would not combine with other projects to induce further growth or displace people or housing, the proposed project's contribution to this impact would not be cumulatively considerable. Therefore, cumulative impacts to population and housing would be less than significant and no mitigation measures are required.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to population and housing as noted on page 4.17-9 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

15. Public Services

PS-1	**The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: i) fire protection; ii) police protection; iii) schools, iv) libraries; and v) other public facilities.**

Fire Protection

A significant environmental impact could result if implementation of the proposed project would increase demand for fire protection services to the extent that the construction of new or physically altered fire protection facilities would be needed.

The proposed project would increase demand for fire protection services that would be accommodated by VFD. According to the VFD, the proposed project would not impact emergency response times (Vacaville 2021c). Currently, Fire Station 72 is located 2.7 miles from the project site and Fire Station 73 is located 2.3 miles from the project site.

The proposed project would be required to comply with State and local building and Fire Code Requirements and would be reviewed and inspected by VFD to ensure all requirements are met. The proposed project would also be required to comply with Division 14.20 of Vacaville's Land Use which sets forth the most recent CBC. The code includes standards for building and construction in the City, permit processes, and requirements for emergency access, hazardous material handling, and fire protection systems (including automatic sprinkler systems, fire extinguishers, and fire alarms).

In addition, the VFD implements a vigorous building inspection program to ensure compliance with applicable standards and regulations, including requirements for emergency access. The proposed project includes a 20-foot paved pathway/emergency vehicle access roadway ("EVA") with gates or other measures to preclude daily vehicular traffic in the south of Sequoia Drive area. The EVA would enable required fire department access between Courts A and E, with identification as an approved route for first-responders and emergency crews. Providing emergency access to the project site will allow the VFD to provide emergency response services successfully and efficiently to the project site.

An increase in the population will lead to more emergency calls and calls for service, which may increase the average response time from VFD without reciprocal additions to staff and equipment. For the proposed project, the developer impact fees levied by the city upon the developer would cover the additional cost of service necessitated by the proposed project.

Compliance with the CFC and local regulations, fair share payment of developer impact fees, and continuation of VFD planning processes, would ensure that the proposed project would have a less than significant impact on the need for additional future fire facilities.

Police Protection

A significant environmental impact could result if implementation of the proposed project would increase demand for police protection services to the extent that the construction of new or physically altered police protection facilities would be needed.

The proposed project would increase demand for police protection services that would need to be accommodated by VPD. However, according to the VPD, the proposed project would not impact emergency response time and would not require new police facilities (Vacaville 2021d).

As previously described, the proposed project includes access improvements to provide emergency accessibility. With implementation of new access roads, the proposed project would result in less than significant impacts related to police protection services.

Schools

Development of the proposed project would approximately 1,149 dwelling units, with approximately 950 units of higher density housing types located north of Sequoia and 199 units of detached, single- family senior housing located south of Sequoia. Due to the senior restrictions on the south sequoia neighborhood, it is assumed that the 199 units of senior housing would not generate students. The north of Sequoia project plans for 403 multi-family units and 547 single-family units. The student generation factor for multi-family attached units is 0.09 elementary school students per unit, 0.03 middle school students per unit, and 0.05 high school students per unit (VUSD 2015). Based on the generation factor, the proposed multi-family unit would generate approximately 36.27 elementary students, 12.09 middle school students, and 20.15 high school students. The student generation factor for single-family detached units is 0.28 elementary school per unit, 0.11 middle school students per unit, and 0.16 high school students per unit (VUSD 2015). The single-family detached unit would generate approximately 153.16 elementary students, 60.17 middle school students, and 87.52 high school students. Overall, the north of Sequoia high density units will generate a combined total of approximately 671 students. The proposed project would be required to pay school impact fees, pursuant to Senate Bill (SB) 50, to reduce impacts to the school system. The School Districts collect these fees at the time of issuance of building permits. The State legislature has found that funding program established by SB 50 constitutes "full and complete mitigation of the impacts" on the provision of adequate school facilities (GC 65995(h)). SB 50 sets forth a state school facilities construction program that includes restrictions on a local jurisdiction's ability to demand mitigation of a project's impacts on school facilities in excess of fees in Education Code 17620. Therefore, with the inclusion of the impact fees, impacts to school services would be less than significant.

Libraries and Other Public Facilities

Development under the proposed project would increase the number of residents and housing within Vacaville Planning Zone service area and would, therefore, represent an increase in demand on library services provided at the Vacaville Cultural Center Library and Vacaville Town Square Library.

The additional residential uses proposed for the project site would be expected to generate local tax revenues roughly proportional to needs generated by the project site's new residents. These tax revenues would aid the SCL in improving its library facilities and collections. Additionally, the proposed project would be required to pay library impact fees.

In accordance with required fees and local taxes, the proposed project would provide funding to support the additional residents generated from the project. Therefore, a less than significant impact would occur with respect to the need for new or physically altered library facilities.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to public services as noted on page 4.18-9 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

PS-2	**The proposed project, in combination with past, present and reasonably foreseeable projects, would not result in substantial adverse physical impacts associated with the provision of new or physically altered facilities or need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: i) fire protection; ii) police protection; iii) schools, iv) libraries; and v) other public facilities.**

The proposed project would generate a total of approximately 2,963 residents which is aligned with the projected growth within the Vacaville General Plan. The General Plan EIR determined that the impact would be less than significant for fire protection, police, protection, schools, and libraries. Because the proposed project is within the projected growth for the city, additional projects in the city would also be consistent with the projected growth. In addition, other cumulative projects in the city would also be required to pay developer impact fees. Therefore, the project's contribution to the cumulative impacts on public services would be less than considerable.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to public services as noted on page 4.18-10 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

16. Transportation

TRANS-1	**The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. This impact is less than significant.**

This section assesses whether the proposed project is consistent with applicable regional and local transportation programs, plans, ordinances and policies that were summarized in section 4.16.1.1 (Regulatory Framework) of chapter 4.19 of the DEIR. The land use plan as summarized in the proposed Specific Plan is shown on Figure 4.19-3 of the DEIR. As proposed, most of the project site would be developed with a mix of residential uses, with multi-family housing north of Sequoia Drive, and single-family senior housing south of Sequoia Drive. In addition, commercial retail development is proposed north of Sequoia Drive that would provide neighborhood-serving commercial uses to serve existing and future residents living south of I-80, including new residents that would reside within the proposed project.

The proposed street network plan is shown on Figure 4.19-4 of the DEIR, including both existing and proposed future public streets. Proposed bicycle and pedestrian facilities are shown on Figure 4.19-5 in the DEIR and would include bicycle lanes and pedestrian paths consistent with General Plan policies, while also providing "complete streets" consistent with regional goals described in Plan Bay Area 2050.

- Proposed private streets north of Sequoia Drive, as shown on Figure 4.19-6 of the DEIR, would provide a "grid-like backbone" that would help to reduce the block size with the multi-family residential development area, consistent with General Plan Policy TR-P8.7 that require new roadway networks to be designed as a grid pattern to reduce circuitous travel patterns and improve access and circulation for all modes.
- The project incorporates the planned provision of a Class I multi-use path along Leisure Town Road adjacent to the project site as part of the city's bikeway network, also consistent with the Solano Countywide Bicycle Plan.
- The proposed Specific Plan emphasizes street connectivity and accessibility for multiple modes of transportation, with a proposed street network that will accommodate transit access, consistent with General Plan Policy TR-P8.4 that requires that new development applications design roadway networks to accommodate transit vehicles and facilitate efficient transit routes.
- Proposed future streets include several new "backbone streets":
    - Village Way is proposed to connect Leisure Town Road and Orange Drive. It is envisioned to function as a "main street" for the planned commercial district and as an anchor for pedestrian and commercial activity. Village Way would provide two automobile lanes with parking on both sides, bicycle lanes on both sides that are separated from parking by two-foot buffers, landscaping on both sides, and wide sidewalks on both sides.
    - Yellowstone Drive is proposed to be extended to connect Sequoia Drive on the south with Village Way on the north, including an extension for secondary access and utility connections into residential Subarea R7. Yellowstone Drive would provide two automobile lanes with on-street parking on one side, bicycle lanes that are separated from travel lanes/parking by a buffer, and sidewalks on both sides. Traffic calming bulb-out features are proposed at the Yellowstone Drive/Street H intersection, consistent with General Plan Policy TR-P7.3 that requires consideration of traffic calming measures to lower vehicle speeds and enhance mobility for pedestrians and bicyclists. In addition, a roundabout is proposed at the Yellowstone Drive/Sequoia Road intersection.
    - Streets H and G would connect Yellowstone Drive and Village Way. Streets H and G would provide two shared travel lanes for automobile and bicycle travel, with sidewalks and on-street automobile parking on both sides.
- Class II bicycle lanes and enhanced sidewalks would also be provided along Sequoia Drive between Yellowstone Drive and Leisure Town Road, consistent with General Plan Policy TR-P8.6 requires that new development applications design roadway networks to accommodate on-street bicycle lanes where practical.

- Pedestrian trails (i.e., separated walking paths) would be provided throughout the "South of Sequoia" and "North of Sequoia" development areas with connections to proposed roadways and parks.

As described above, the proposed project would not conflict with adopted programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, including the Vacaville General Plan, Plan Bay Area 2050, and Countywide transportation plans for Solano County.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to transportation as noted on page 4.19-13 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

TRANS-3	**The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). This impact is less than significant and no mitigation is required.**

The proposed project will be developed with street configurations that would comply with applicable design standards which may include City of Vacaville design standards as well as other applicable standards for the design of complete streets such as the Complete Streets. The City of Vacaville General Plan contains policies on the safe design of the roadway system that would discourage the creation of geometric hazards when applied to future roadway improvements. Development of the proposed street network will be reviewed as part of the City's project approval process, and would be required to comply with applicable safety standards and regulations, as would construction management measures.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to transportation as noted on page 4.19-22 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

TRANS-4	**The project would not result in inadequate emergency access. This impact is less than significant and no mitigation is required.**

As proposed, a 20-foot paved pathway/emergency vehicle access roadway ("EVA") with gates or other measures to preclude daily vehicular traffic is planned in the south of Sequoia Drive area. It would extend through the planned senior-oriented neighborhood park south of White Sands Drive and through the open space north of White Sands Drive to enable required fire department access between Courts A and E, with identification as an approved route for first-responders and emergency crews. The route would be accessible to pedestrians and bicyclists and would provide enhanced non-vehicular public access to the senior-oriented park.

In addition, future development will be reviewed as part of the City's project approval process, and would be required to comply with existing regulations related to design features and emergency access. The City would implement the programs that require the City's coordination with local emergency response providers. Adherence to the State and City requirements combined with compliance the City's regulations will ensure that the proposed project would provide adequate emergency access.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to transportation as noted on page 4.19-22 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

17. Tribal Cultural Resources

TCR-2	**The proposed project would not, in combination with past, present, and reasonably foreseeable projects, result in significant cumulative impacts to tribal cultural resources.**

Cumulative impacts from projects in the City and surrounding areas have the potential to negatively affect tribal cultural resources. However, like the proposed project, future projects would be required to comply with AB 52 and PRC Section 21083.2(i), which addresses accidental discoveries of archaeological sites and resources, including tribal cultural resources. As discussed previously, no tribal cultural resources have been identified on the project site or within the immediate vicinity. As discussed in Chapter 4.5, *Cultural Resources*, the proposed project would comply with federal and State laws protecting cultural resources. Implementation of Mitigation Measures CULT-2 and CULT-3 provided in Chapter 4.5, *Cultural Resources,* and Mitigation Measure TCR-1 would ensure that archaeological, cultural resources, and tribal cultural resources if discovered on the project site, are protected, and that discovered human remains, including those associated with native American tribes are handled appropriately. Thus, given that the proposed project would have a less than significant impact on tribal cultural resources with mitigation, the proposed project's contribution to impacts on tribal cultural resources would not be considered cumulatively considerable. Therefore, cumulative impacts to tribal cultural resources would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to tribal cultural resources as noted on page 4.20-6 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

18. Utilities and Service Systems

UTIL-1	**Sewer and wastewater treatment systems are adequate to meet project requirements.**

Future development as a result of the proposed project would require the installation of new or expanded sewer laterals and mains in order to accommodate development on the project site.

Under existing conditions, the only gravity sewer exceedances are associated with the parallel sewers in Leisure Town Road between Ulatis Drive and Elmira Road (refer to Table 2 in Appendix 4.14-1 of the DEIR). Specifically, a marginal exceedance in those lines causes excessive upstream surcharging under modeled peak wet weather flow conditions and in the 30-inch diameter Leisure Town Road trunk sewer. The addition of the proposed project flows would slightly exacerbate the existing modeled exceedance.

For existing conditions, adding the proposed project flows is estimated to increase peak wet weather flows at the Leisure Town Road Lift Station from 5.39 million gallons per day (MGD) to 6.27 MGD (West Yost 2021). Based upon a recent pump curve analysis, the firm capacity of the station is estimated to be 4,500 gallons per minute (GPM) or 6.48 MGD. As a result, in the absence of any other new upstream flow inputs, the addition of the proposed project flows would not trigger any upsizing of pumps at the lift station.

Under buildout conditions, the addition of the flows from the Northern Area would slightly exacerbate non-excessive surcharge conditions (i.e., surcharging that does not come within 8 feet of the ground surface) in the 27-inch diameter Leisure Town Road trunk sewer north of the lift station (refer to Table 3 of Appendix 4.14-1 of the DEIR). The addition of the proposed project flows would slightly exacerbate excessive surcharging in the 30-inch diameter Leisure Town Road trunk sewer between Ulatis Creek and Ulatis Drive under modeled buildout flow conditions. However, the excessive surcharging would be eliminated by upsizing that line to 36-inch diameter (West Yost 2021). The existence of non-excessive surcharging would not typically trigger any system improvements but instead would place the facilities in question on a “watch-list” where those facilities would be monitored to confirm that the modeled results accurately reflect actual conditions.

The 30-inch diameter Leisure Town Road trunk sewer that runs from the outlet of the Leisure Town Road lift station twin force mains to Ulatis Drive has been modeled as being undersized for buildout development conditions. Accordingly, two different flow routing schemes are considered for the buildout flow conditions. The first assumption is that all flows from the Leisure Town Road lift station twin force mains would be directed into the 30-inch diameter trunk line, as is currently the case. The second downstream flow routing assumption is that flow from the Leisure Town Road lift station twin force mains would be split between the 30-inch diameter trunk sewer and a currently inactive parallel 18-inch line that connects to the existing 18-inch diameter sewer in Stonegate Drive and Fallen Leaf Drive.

If flow split downstream of Ulatis Creek is assumed, surcharging would be significantly reduced in the 30-inch diameter Leisure Town Road trunk sewer versus a no-split alternative, but excessive surcharging would still occur (see Table 4 of Appendix 4.14-1 of the DEIR). Moreover, the flow split would trigger excessive surcharging in the Fallen Leaf Drive sewer. Therefore, according to City standards, if buildout flows occur as modeled, an upsizing improvement on the 30-inch diameter Leisure Town Road trunk sewer would be necessary either with or without the addition of the proposed project flows.

The addition of the proposed project flows is estimated to increase peak wet weather flows from 11.3 MGD to 12.1 MGD at the Leisure Town Road lift station under buildout flow conditions, whereas the firm capacity of the station is estimated to be 6.48 MGD. As per the June 2021 Vaca Valley Parkway and Leisure Town Road Sewer Lift Station Improvements Project Preliminary Design Report (Lift Station Predesign Report), significant improvements would be needed to accommodate a future flow condition of 11.89 MGD.

It should be noted, however, that that analysis also assumed an additional major industrial flow input not otherwise specified in either the City's General Plan or the Northeast Sector Sewer Master Plan (NESSMP). As a result, the target flow rate of 11.89 MGD in that report compares closely with the 12.13 MGD buildout flow value. A review of the pump curve information presented in the Lift Station Predesign Report indicates that the assumed buildout configuration could accommodate up to approximately 9,400 GPM, or about 13.5 MGD. Therefore, the addition of the proposed project flows would not require further improvements beyond those specified in the Lift Station Predesign Report, provided that no significant flows beyond those identified in the City's General Plan and in the NESSMP are added.

Based on the analysis, for existing conditions, the only improvement that would be needed to support the proposed project would be the improvements on Leisure Town Road between Ulatis Drive and Elmira Road (DIF 38A). The existing facilities show marginally excessive surcharging under existing flow conditions, and planned improvements are currently in the design phase. For buildout conditions, the proposed project's payment of DIF fees would cover the following City planned projects which were identified in the City's Master Plan:

- Upsizing of the Leisure Town Road lift station pumps and motor controls, with associated electrical improvements and modification to the discharge piping valves, as well as wet well improvements, a new concrete masonry unit (CMU) building to accommodate the larger equipment, and acquisition of additional land to accommodate the building.
- The construction of the planned DIF 38A replacement sewer. The proposed project would not change the required size of the replacement sewer. The DIF 38A replacement is funded by development impact fees, so the share of cost attributable to the proposed project redevelopment would be covered by payment of applicable fees.

The following potential projects will remain as long-term watch projects as they were identified in the City's Master Plan. Therefore, these projects would be added and/or incorporated with a later DIF study that will fall within the horizon year timeframe, if necessary, and will be covered under the proposed project's payment of DIF fees.

- Upsizing of the 30-inch diameter Leisure Town Road trunk sewer between Ulatis Creek and Ulatis Drive
- Upsizing of the 27-inch diameter Leisure Town Road trunk sewer upstream of the Leisure Town Road lift station

The proportion of the proposed project flows relative to those in the 30-inch diameter trunk sewer downstream are summarized in Table 4.21-1 in the DEIR, *Average Dry Year Weather Flow, Leisure Town Road Lift Station and 30-inch Diameter Trunk Sewer.*

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on page 4.21-7 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

UTIL-2 The proposed project would not result in cumulative impacts with respect to sewer and wastewater treatment systems.

The area considered for cumulative impacts to wastewater facilities is the Easterly WWTP service area. Cumulative population increases and development within the service area would increase the overall regional demand for wastewater treatment service. By adhering to the wastewater treatment requirements established by the Central Valley Regional Water Quality Control Board (RWQCB) through the NPDES permit, wastewater from the project site that is processed through the Regional Collection System would meet established standards. As the wastewater from all development within the service area would be treated similarly under the NPDES, no cumulatively significant exceedance of RWQCB wastewater treatment requirements would occur. Further, as discussed in Impact UTIL-1, the proposed project would not change the City's planned projects included in the Master Plan. Therefore, there would be no new impact related to construction of new or upgraded sewer and wastewater treatment systems.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on page 4.21-7 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

UTIL-3 Water supply and delivery systems are adequate to meet project requirements. [Thresholds U-1 (part) and U-2]

Table 4.21-5, *Existing Water Demands Plus Project Water Demands,* in the DEIR summarizes the existing water demands including the estimated demand for the proposed project. The total water demand of the existing plus project conditions is 14.70 million gallons per day (MGD) or 16,470 acre-feet per year (afy) (NV5 2021). Table 4.21-6, *2040 Buildout Water Demands Plus Project Water Demands,* summarizes the estimated water demand at 2040 buildout including the proposed project. Overall, it is estimated that 19,516 afy will be required (NV5 2021).

Table 4.21-7, *Summary of Projected Available Water Supply Through 2040,* in the DEIR summarizes the projected available water supply for an average year, single dry-year, and multi-dry years from 2020 through 2040.

Summarized in Table 4.21-7, *Summary of Projected Available Water Supply Through 2040,* is the projected available water supply to serve the City's needs. To serve the estimated existing average day demand and the proposed project, an estimated 16,470 afy is required and is below the existing 25,721 afy of available annual water supply. Additionally, the projected water demand at

buildout, including the proposed project is estimated to be 19,516 afy, also below the available 33,850 afy in year 2040.

The City is implementing plans that include projects and programs to help ensure that the existing and planned water users within the City's service area have an adequate supply of water. The projected water demands summarized in Table 4.21-6 of the DEIR which includes the demand of 324,107 GPD or 363.05 afy for the proposed project are compared with the projected supplies within the City's service area summarized in Table 4.21-7 of the DEIR. Table 4.21-7 demonstrates there will be adequate water supplies to serve the proposed project development along with existing and other future planned uses under average year conditions.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on page 4.21-15 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

UTIL-4 The proposed project would not result in cumulative impacts with respect to water supply and delivery systems.

The area considered for cumulative impacts to water supply services is the City. Existing and future development within the City's service area would demand additional quantities of water. Increases in population, development, and intensity of uses would contribute to increases in the overall water demand. Water conservation and recycling measures would reduce the need for increased water supply.

The City will continue to rely on the plans and policies outlined in the UWMP to address water supply shortages and interruptions to meet water demands. As development occurs, each development will be required to assess its separate and cumulative effect on water supply and water treatment/delivery systems. The existing and future land use patterns/designations and demographic projects for the City's service area are taken into consideration during the development of water planning documents. As the City as established the current and future water supplies are sufficient to address normal, single dry year, and multiple dry year conditions, no cumulatively significant water supply or delivery impact would occur.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on page 4.21-17 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

UTIL-5 Existing and/or proposed storm drainage systems are adequate to serve the drainage requirements of the proposed project.

The project site is the former Greentree Golf Course; the proposed project would increase impervious surfaces onsite. Acreage has been dedicated to retention basins that are part of an

integrated stormwater management plan that has been designed to accommodate storm water flows from existing development west of the project site and from within the project site.

The proposed project would include storm water detention and biofiltration facilities to manage existing runoff through the project site and storm water that would be generated by new development. An approximately one-acre water well site on the north side of Street B at Leisure Town Road would be dedicated to the City. A biofiltration area on the south side of Street B will treat storm water before discharging into Old Ulatis Creek. The existing detention basin located south of Teton Drive between Yellowstone and White Sands would be removed and replaced with open space. Detention ponds are planned throughout the project site as part of the overall storm water management plan. Stormwater basins will be integrated with park and open space areas using naturalized contouring and landscaping where appropriate. Stormwater basins will be designed as "dry" basins to minimize vector control (e.g., mosquito) concerns. On-site water quality will be controlled using combination bioretention/detention basins where elevation constraints permit, and local bioretention features such as bioswales or rain gardens where necessary.

The pre-project pond system detention volume is summarized in Table 4.21-8, *Pre-Project Pond Detention Volume for 10-year and 100-year Events* of the DEIR. The reported detention volumes are only for water stored within the top bank of each pond and does not include overland flow, which is temporarily stored in a low point within the golf course boundary. Total detention volume within the ponds is 26.2 acre-feet for the 10-year event and 37 acre-feet for the 100-year event (Balance Hydrologics 2021).

The proposed post-project detention volumes are summarized in Table 4.21-9, *Post-Project Detention Volumes for 10- and 100-year Events* of the DEIR. Total required detention volume to achieve required peak flow attenuation is 46.4 acre-feet and 69.8 acre-feet for the 10-year and 100-year event, respectively. However, the current land plan includes accommodation for a total of 91.1 acre-feet of total detention, while still abiding by freeboard requirements.

Despite appreciable changes in the drainage patterns from Old Ulatis Creek to Horse Creek, the proposed detention and storm drain infrastructure is sufficient to comply with the required peak flow reductions for both the 10- and 100-year event, as shown in Table 4.21-10, *Pre- and Post-Project Peak Flow Comparison for the 10- and 100-year Events* in the DEIR; therefore, the proposed project complies with the City of Vacaville Engineering standards. Moreover, the size of the stormwater basins will allow for full compliance with the 2-year hydromodification requirement, outlined in SWRCB's MS4 permit, as land use details are further refined. Therefore, impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on page 4.21-21 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

UTIL-6	**The proposed project would not result in cumulative impacts with respect to storm drainage systems.**

Cumulative impacts are considered for the City of Vacaville. Other projects in city may increase the amount of impervious surfaces and, therefore, may increase flow rates and volumes of runoff entering storm drains in the region. Other projects would be required by MS4 permits to be sized and designed to ensure onsite retention of the volumes of runoff produced from a 24-hour, 85th percentile storm event, which is similar to a 2-year storm. Other impacts to storm drainage would be analyzed in separated CEQA processing for each cumulative project, and mitigation measures would be required as appropriate to minimize significant impacts. Consequently, the proposed project would not contribute to cumulative impacts with respect to storm drainage systems.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on page 4.21-22 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

UTIL-7	**The project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.**

The proposed project would increase solid waste disposal during both construction and operation. Table 4.21-11, *Proposed Project Estimated Solid Waste Disposal,* in the DEIR provides an estimate of the solid waste generated by the proposed project.

The proposed project would generate 10,886.2 pounds of solid waste per day (1,986.6 tons per year). The Recology Hay Road landfill would accept waste from the proposed project. The increase in solid waste generated from the proposed project would represent 0.23 percent of the maximum daily throughput. The increase in solid waste disposal would be accommodated by the landfill's remaining capacity.

Additionally, the proposed project would comply with solid waste disposal requirements, including requirements to divert solid waste from landfills through recycling. During construction, the proposed project would comply with CALGreen, which requires recycling and/or salvaging for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen Sections 4.408 and 5.408).

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on 4.21-26 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

UTIL-8	**The proposed project would not result in cumulative impacts with respect to solid waste.**

Cumulative impacts are considered for the County and the Recology Hay Road landfill. Cumulative projects would result in increased generation of solid waste that would need to be processed at the landfill. The Recology Hay Road landfill has a ceased operation date of January 1, 2077, a maximum permitted throughput of 2,400 tons per day, and a remaining capacity of 30,433,000 cubic yards. There is adequate landfill capacity to accommodate the existing and future projects in the City. Therefore, future development would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. No significant cumulative impact to landfill capacity would occur, and the proposed project would not contribute to a significant cumulative impact.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to utilities and service systems, as noted on page 4.21-26 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

19. Wildfire

WILD-2	**If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, the project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.**

The project site is located in a non-VHFHSZ and surrounded primarily by non-VHFHSZ. The agricultural fields located to the east of the project site is designated as LRA moderate fire hazard zone. Because the project site is previously developed, located in a developed area, and is not within or surrounded by VHFHSZ, the impact would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to wildfire threats, as noted on page 4.22-9 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

WILD-3	**If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, the project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.**

Project development would involve construction of infrastructure onsite to support the proposed project, including residential roads, and utility connections. Based on the analysis in Chapter 4.19,

Utilities and Service Systems, in the DEIR the proposed project would not result in the need for expanded utility infrastructure offsite other than roadway modifications to Sequoia Drive, and the addition of signal lights which would be constructed to City specifications, under City supervision, and would meet all City of Vacaville Municipal code requirements. All these improvements would occur in previously developed areas.

Power distribution to all residential components of the project would be all electric and would be underground. Power distribution to the site would be connections from nearby existing utility infrastructure.

As mentioned under WILD-1 and WILD-2, the project site is in is not located in an SRA or VHFHSZ. Infrastructure associated with the proposed project would be designed to comply with all applicable regulations relating to fire safety, including the CBC and the CFC. Compliance with these would ensure the proposed project is built safely and would reduce the risk of impacts to the environment. Impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to wildfire threats, as noted on page 4.22-9 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

WILD-4	**If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.**

As discussed above the project site is not located in a SRA or VHFHSZ and project development would not exacerbate wildfire risk on-site. After proposed grading and creation of building pads, development would not exacerbate post-fire slope instability.

During construction, the project would comply with National Pollution Discharge Elimination System (NPDES) best management practices to minimize erosion and control runoff including protecting stockpiles of construction materials from being transported from the site by wind or water, stabilizing construction entrances so as to inhibit sediments from being washed offsite, and slope stabilization.

The project site is essentially level and management of stormwater and erosion would help to prevent risk of downslope or downstream folding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Therefore, the project would not expose people or structures to significant risks related to these, and impacts would be less than significant.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to wildfire threats, as noted on page 4.22-10 of the Draft EIR. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

D. Issues Found to Have Significant Environmental Impacts that can be reduced to a Less Than Significant Level With Mitigation Incorporated

The following summary describes impacts of the proposed project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the Draft EIR, these impacts, from Chapter 5, would be considered less than significant.

1. Air Quality

AIR-3	The project would not expose sensitive receptors to substantial pollutant concentrations.

Off-Site Receptors

The proposed project would introduce new sources of TACs during construction that could affect nearby off-site sensitive receptors. Under operational conditions, project traffic could generate emissions that, in combination with existing emissions sources, could adversely affect off-site sensitive receptors.

Construction Health Risk to Off-Site Receptors

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. The primary community risk impact issue associated with construction emissions is cancer risk. The AQ/GHG modeling assessment identified construction emissions volumes using CalEEMod, downwind concentrations of diesel particulate matter were calculated using AERMOD, and the location of the Maximally Exposed Individual (MEI) was also determined.

Results of this assessment indicate that the construction MEI is located at a single-family residence in the Casa Grande Mobile Home Park adjacent to Leisure Town Road, east of the project boundary. The Health Risk Assessment (HRA) concluded that the maximum increased cancer risks as the MEI from all nine years of construction would be 6.04 per million (EMC Planning 2021). The non-cancer hazards from construction activities would be less than 0.01. Both values are below their respective thresholds of significance.

Operational Health Risk to Off-site Receptors

The AQ/GHG modeling assessment evaluated roadway TAC concentrations created by the traffic increase from the project at existing nearby single-family and multi-family residential sensitive receptors. Inputs from the traffic impacts were used as part of the analysis. The analysis involved modeling mobile source TAC emissions, roadway dispersion modeling, and cancer risk computations.

The analysis determined that the unmitigated maximum cancer risks would be approximately 6.6 per million and hazard risk would be approximately 0.03 (EMC Planning 2021). Both values are below their respective thresholds of significance.

Future On-Site Receptors

Under operational conditions, project traffic distributed onto existing roadways (TAC sources) could, in combination with existing TAC emissions sources, have the potential to adversely impact on-site sensitive receptors. The "Exposure of New Project Residents to Existing TAC Sources Memo" (Appendix C of Appendix 4.6-1) considers the effects of adding project traffic to existing single TAC sources (Interstate 80, Orange Drive, and Leisure Town Road), and consider the effect of adding project traffic to existing TAC sources that include the noted roadways plus two nearby stationary sources (Caliber Collison Center and Quik Stop). The analysis involved modeling mobile source TAC emissions, roadway dispersion modeling, and cancer risk computations.

Project Contribution to Single-Source TAC Impacts

Interstate 80 (I-80) is the most substantial existing single source of TACs that could affect future project residents. The planned residential units closest to I-80 would be apartments located at the north end of the project site in an area designated high-density residential. The air district's single-source cancer risk threshold of 10 per million could be exceeded at up to four of the apartment buildings planned closest to I-80 and Orange Drive. The worst-case cancer risk would be up to 12.9 per million at the apartment building nearest the highway. Two of the four buildings are completely within the threshold exceedance area and two are partially within the exceedance area. No other receptor within the project site would be exposed to cancer risks from single TAC sources that exceeds the single-source threshold. The air district's annual health index threshold of 1.0 or less would not be exceeded at any on-site receptor. Impacts would be potentially significant.

Mitigation Measures:

Mitigation Measure AIR-2: At the two apartment buildings that are completely within the area with 10 per million or greater cancer risk, the developer shall install and maintain air filtration systems of fresh air supply either on an individual unit-by-unit basis, with individual air intake and exhaust ducts ventilating each unit separately, or through a centralized building ventilation system. The ventilation system shall include a properly installed and operated ventilation system with filters having a Minimum Efficiency Report Value of 13, which is expected to achieve an 80 percent reduction. A reduction of 80 percent in DPM would reduce cancer risk from I-80 at the closest of the two apartment buildings (the most sensitive receptor location) from 12.9 to 3.1 in a million, well below the single-source threshold of 10 in a million.

Mitigation Measure AIR-3: At the two apartment buildings that are partially within the area with 10 per million or greater cancer risk, the developer shall locate the air intakes as far outside the area with 10 per million or greater risk from I-80 as possible.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.6-17 of the Draft EIR. These changes are identified in the form of the mitigation measures above. The City of Vacaville

hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding

Mitigation Measure AIR-1 requires the installation and maintenance of air filtration and ventilation systems that are expected to achieve an 80 percent reduction in DPM which would reduce cancer risk below the air district's single-source threshold. Mitigation Measure AIR-2 would require that the air intakes be located as far as possible away from 1-80 as possible which would help to implement MM AIR-1. These Mitigation Measures would reduce potential impacts to air quality to less than significant.

2. Biological Resources

BIO-1	**The project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plan, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.**

Special-Status Species

The likelihood of occurrence of listed, candidate, and other special-status plant and wildlife species on the project site is generally low. Table 4.7-1, *Special-Status Plant and Wildlife Species Documented or Potentially-Occurring in the Project Vicinity,* in the DEIR provides a summary of the listing status and habitat requirements of special-status species that have been documented in the greater project vicinity or for which there is potentially suitable habitat in the greater project vicinity. Table 4.7-1 also includes an assessment of the likelihood of occurrence of each of these species on the project site.

Special-Status Plants

There are 21 species of special-status plants that have been identified in the California Natural Diversity Database (CNDDB) search as shown in Table 4.7-1. Special-status plants generally occur in relatively undisturbed areas in vegetation communities such as vernal pools, marshes and swamps, chenopod scrub, seasonal wetlands, riparian scrub, and areas with unusual soils. In contrast, the ruderal grasslands on the project site have been disturbed by historical uses and periodic disking and/or mowing for weed abatement.

Focused special-status plant surveys were conducted on March 30 and 31, and April 16, 2021. Based on the results of the database searches, the disturbed condition of the habitat within the project site, and the results of the field surveys, pappose tarplant, dwarf downingia, Carquinez goldenbush, and legenere, bearded popcornflower, were the only species identified as having at least some potential, although unlikely, to occur within the project site. No high quality or even moderately suitable habitat for special-status plants were observed on the project site. Due to

intensive disturbance and associated lack of habitat, it is unlikely any special-status plants occur on the project site.

Mass grading the project site would involve removal of vegetation throughout most of the project site. The ruderal grassland, ponds, ditches, and seasonal wetlands could potentially support special-status plants. However, all of the habitats on the project site are highly disturbed and special-status plants were not detected. Therefore, impacts would be less than significant.

Special-Status Wildlife

The potential for intensive use of the project site by special-status wildlife species is also low. There were 14 special-status wildlife species that were recorded in the greater project vicinity in the CNDDB query: Swainson's hawk, tricolored blackbird (*Agelaius tricolor*), white-tailed kite (*Elanus leucurus*), burrowing owl, grasshopper sparrow (*Ammodramus savannum*), American badger (*Taxidea taxus*), California tiger salamander (*Ambystoma californiense*), foothill yellow-legged frog (*Rana boylii*), western pond turtle (*Emys marmorata*), Conservancy fairy shrimp (*Branchinecta conservatio*), vernal pool fairy shrimp (*Branchinecta lynchi)*, vernal pooltadpole shrimp (*Lepidurus packardi)*, Delta green ground beetle (*Elaphrus viridis),* and western bumble bee (*Bombus occiedntalis).* Giant garter snake (*Thamnophis gigas*), California red-legged frog (*Rana draytonii*), delta smelt (*Hypomesus transpacificus*), and valley elderberry longhorn beetle are not recorded in the CNDDB within the search area, but are on the USFWS IPaC Trust Report.

Agriculture and development in and adjacent to the project site have modified the natural habitats and associated potential to support special-status wildlife species. Of the wildlife species in Table 4.7-1, Swainson's hawk, burrowing owl, and white-tailed kite were observed on the project site. Although considered unlikely to occur, the blue elderberry shrubs on the project site provide suitable habitat for valley elderberry longhorn beetle and the perennial creeks just north and south of the project site provide suitable habitat for western pond turtle. Finally, the seasonal wetlands on the project site provide potentially suitable habitat for vernal pool fairy shrimp and vernal pool tadpole shrimp, although the occurrence of either species is very unlikely.

Swainson's hawk

The project site is within the nesting range of Swainson's hawks and there are several records of nesting Swainson's hawks in the CNDDB within 1 to 2 miles of the project site; the nearest occurrence is a nest along Old Ulatis Creek approximately 500 feet east of the project site that was active from 2000 to 2004. Disked ruderal grassland, such as that on the project site, provides lower quality Swainson's hawk foraging habitat. There are several large trees on the project site that are potentially suitable for nesting Swainson's hawk. A pair of Swainson's hawks was observed to be nesting in May 2021 in a eucalyptus tree just northwest of the intersection of Sequoia Drive and Leisure Town Road.

The seasonal aquatic habitats are dry during most years during much of the time Swainson's hawks are present on the project site. When dry, these habitats are primarily vegetated with grasses and support small mammals. There is a total of approximately 158.92 acres of Swainson's hawk foraging habitat on the project site. The project would result in the conversion of up to

158.92 acres of Swainson's hawk foraging habitat to developed uses and the removal of a known Swainson's hawk nest tree. Additionally, construction equipment could also result in direct impacts (i.e., take) of Swainson's hawks through removal of trees containing active nests or indirect impacts through construction disturbance resulting in the abandonment of eggs or young. As such, impacts would be potentially significant. However, Mitigation Measure BIO-1 and Mitigation Measure BIO-2 would reduce impacts to less than significant.

Burrowing Owl

The Migratory Bird Treaty Act (MBTA) and Fish and Game Code of California provide protections for burrowing owls year-round, as well as their nests during the nesting season (February 1 to August 31). There are several records of burrowing owls mapped in the CNDDB search area, including two pairs documented nesting in the north portion of the project site in 2005. Despite high levels of disturbance, the ruderal grasslands on the project site provide suitable foraging habitat for burrowing owl and ground squirrel burrows on the project site are suitable for nesting.

The approximately 15 acres of ruderal grassland on the project site to the north of the former golf course provides suitable habitat for burrowing owls. Two pairs of burrowing owls used this area for nesting during 2021. One pair of burrowing owls utilizes a burrow just south of Gilley Way and the second pair utilized a burrow about 5 feet from the edge of Orange Drive.

During the surveys completed in the fall of 2020 (after the nesting season), as many as nine adult and juvenile burrowing owls were observed in the ruderal grassland on the project site to the north of the former golf course. During the fall, a few of the owls were notably smaller, and are believed to have been young from the 2020 nesting season. Two of the larger owls presumed to be adults were banded.

There is a total of 158.92 acres of potential foraging habitat for burrowing owl on the project site. The project would result in the conversion of up to 158.92 acres of potential foraging habitat for burrowing owl to developed uses. Construction equipment could also result in direct impacts (i.e., take) of burrowing owls through destruction of occupied burrows or indirect impacts through abandonment of eggs or young. Therefore, impacts would be potentially significant. However, Mitigation Measure BIO-3 and Mitigation Measure BIO-4 would reduce impacts to less than significant.

White-Tailed Kite

White-tailed kite is a State of California Species of Concern, but is not a listed species at the state or federal level. The MBTA and Fish and Game Code protect white-tailed kite year-round, as well as their nests during nesting season; nesting for this species peaks from May to August. White-tailed kite may nest in large trees in the general project vicinity and may forage in habitats nearby. Nesting usually commences in the early-spring, concurrent with other resident Central Valley raptors, and most young fledge by early-July. The nearest occurrence of white-tailed kite in the CNDDB search area is approximately 1 mile northeast of the project site.

Despite high levels disturbance and urban location, the ruderal grasslands on the project site provide suitable foraging habitat for white-tailed kite and there are several large trees on the

project site that are potentially suitable for nesting. A pair of white-tailed kites attempted to nest in a large ornamental conifer just north of the intersection of White Sands Drive and Bighorn Court in 2021. There is a total of 158.92 acres of potential foraging habitat for white-tailed kite on the project site. The same habitats on the project site that are foraging for Swainson's hawk also provide potential foraging for white-tailed kite. Similarly, most of the large trees on the project site that are suitable for nesting Swainson's hawk are also suitable for nesting white-tailed kite. Impacts would be potentially significant. However, Mitigation Measure BIO-1 and Mitigation Measure BIO-5 would reduce impacts to less than significant.

Western Pond Turtle

The western pond turtle is a state species of concern, but is not a listed species at the state or federal level. Western pond turtles are associated with permanent or nearly permanent bodies of water with adequate basking sites such as logs, rocks, or open mid banks. Western pond turtles construct nests in sandy banks along slow-moving streams and ponds in the spring and the young usually hatch in 2 to 3 months. The nearest occurrence of this species in the CNDDB search area is a 2016 occurrence mapped in Horse Creek just north of the project site.

Horse Creek and Ulatis Creek, which are just north and south of the project site, respectively, are perennial streams that provide suitable habitat for western pond turtle. Although considered unlikely to occur on the project site, grading and other construction activities could result in direct impacts to western pond turtle. Therefore, impacts would be potentially significant. However, Mitigation Measure BIO-6 would reduce impacts to less than significant.

Valley Elderberry Longhorn Beetle

The valley elderberry longhorn beetle is listed as a federally threatened species and its host plant is the blue elderberry shrub. There are no occurrences of valley elderberry longhorn beetle recorded in the CNDDB search area and no evidence of the beetle was found in the recent surveys on the project site.

There are 16 blue elderberry shrubs in the understory of the urban woodland vegetation along the south edge of the project site. The driplines of all the blue elderberry shrubs are situated more than 20 feet from the proposed limits of disturbance in an area that will remain open space. No valley elderberry longhorn beetles or evidence of past occupancy by the species were observed in the stems of the shrubs.

Grading close to the blue elderberry shrubs could result in changes in drainage patterns or generation of dust, indirectly impacting valley elderberry longhorn beetles by a reduction in habitat suitability. The project is not expected to result in direct impacts to valley elderberry longhorn beetle because there is no evidence of this species being present on the project site and because the blue elderberry shrubs would be fully avoided and would remain in an undeveloped strip of Open Space along the south edge of the project site. Although valley elderberry longhorn beetles are very unlikely to be present, the removal or damage to an occupied blue elderberry shrub could result in the take of valley elderberry longhorn beetle. Therefore, impacts would be potentially significant. However, Mitigation Measure BIO-7 would reduce impacts to less than significant.

Vernal Pool Branchiopods

Conservancy fairy shrimp and vernal pool tadpole shrimp are listed as federally endangered species and vernal pool fairy shrimp is a federally threatened species. Although the seasonal wetlands on the project site are highly disturbed, they provide potentially suitable habitat for vernal pool fairy shrimp, Conservancy fairy shrimp, and vernal pool tadpole shrimp. Some of the golf course ponds and constructed ditches also provide marginal, yet potentially suitable habitat for these species. The nearest occurrence of vernal pool fairy shrimp and vernal pool tadpole shrimp in the CNDDB search area are approximately 0.5 mile northwest of the project site and approximately 1.5 miles southwest of the project site, respectively. The nearest occurrence of the Conservancy fairy shrimp in the CNDDB search area is approximately 6.5 miles southeast of the project site.

No federally listed large branchiopods were detected within the samples collected from the basins or soils from basins (during dry season). The aquatic habitats onsite could potentially support vernal pool fairy shrimp, Conservancy fairy shrimp, or vernal pool tadpole shrimp. However, these aquatic habitats provide poor quality habitat for federally listed large branchiopods and there is no evidence of these species being present on the project site. The potential for direct impacts to vernal pool fairy shrimp, Conservancy fairy shrimp, or vernal pool tadpole shrimp resulting from the fill of the seasonal wetlands is a potentially significant impact. However, Mitigation Measure BIO-8 would reduce impacts to less than significant.

Roosting Bats

Despite a lack of records in the CNDDB search area, trees within the project site provide potentially suitable roosting habitat for pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), both of which are CDFW Species of Special Concern. Common bats such as silver-haired bat (*Lasionycteris noctivagans*) and hoary bat (*Lasiurus cinereus*) may also use trees on the project site for roosting. Approximately 10 acres of land along the south edge of the project site including the remnant channels of Old Ulatis Creek that provide the highest quality habitat for roosting bats would be preserved in open space. The remainder of the project site would be converted to developed uses resulting in the removal of trees providing potential roosting habitat for bats. The removal of trees that could result in the destruction of an occupied bat roost is a potentially significant impact. However, Mitigation Measure BIO-9 would reduce impacts to less than significant.

American Badger

The American badger is considered a "Species of Special Concern by CDFW. Due to intensive disking, the grasslands on the project site provides low quality habitat for this species, which is also unlikely in such an urban setting. No American badger dens were observed on the project site. The nearest occurrence of this species in the CNDDB search area is approximately 1.5 miles west of the project site. The proposed project would result in the conversion of most of the project site to developed uses. Construction equipment could result in direct impacts (i.e, take) of American badgers through destruction of occupied dens or indirect impacts through

abandonment of young. Therefore, impacts would be potentially significant. However, Mitigation Measure BIO-10 would reduce impacts to less than significant.

Other Nesting Birds

The study area provides suitable nesting habitat for numerous birds protected by the Migratory Bird Treaty Act (MBTA) and Fish and Game Code of California (FGCC). The study area provides suitable foraging and nesting habitat for common birds such as mourning dove, northern mockingbird, scrubjay, and other songbirds. The trees, shrubs, and other vegetation in the study area also provide potential foraging and nesting habitat for a few special-status birds such as tricolored blackbird, northern harrier (*Circus cyaneus*), and loggerhead shrike (*Lanius ludovicianus*). A few species of birds such as geese, ducks, and killdeer may also nest on the ground in the study area.

With the exception of approximately 10 acres of open space along the south edge of the study area, the project will result in the conversion of the study area to developed uses and associated loss of potential foraging and nesting habitat of birds protected by the MBTA and GGCC. Therefore, the conversion of approximately 180 of potential foraging and nesting habitat of protected birds to developed uses would be potentially significant. However, Mitigation Measure BIO-11 would reduce impacts to less than significant.

Other Special-Status Species

The project site does not provide highly suitable habitat for any special-status plant or wildlife species. A few special-status birds may fly over the area on occasion, but would not be expected to nest in or adjacent to the project site. The small patches of willows and emergent vegetation on the project site could support nesting tricolored blackbirds. However, this species prefers to nest in expansive patches of emergent wetland vegetation and/or blackberry brambles close to open water. Potential impacts to other special-status species would be less than significant.

Mitigation Measures:

The following mitigation measures were included in the Draft EIR and the Final EIR and are applicable to the proposed project.

Mitigation Measure BIO-1

- Prior to grading, the applicant shall mitigate for the loss of Swainson's hawk foraging habitat by preserving similar or better habitat at an off-site location at a 1:1 ratio, consistent with CDFW's 1994 Staff Report regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California. The provision of compensatory mitigation may be accomplished through purchase of credits from an agency-approved mitigation bank such as the Burke Ranch Conservation Bank or the Elsie Gridley Mitigation Bank. Alternately, the mitigation could be fulfilled through the enhancement, management, and preservation of other off-site mitigation lands that are protected in-perpetuity by a conservation easement. The applicant shall

prepare and submit a plan of the proposed off-site mitigation to the City for approval. If the project is constructed in phases, the compensatory mitigation for impacted Swainson's hawk foraging habitat within each phase shall be provided prior to grading that phase.

Mitigation Measure BIO-2

- The applicant shall remove trees during the fall and winter, if feasible, to minimize the potential for take of nesting Swainson's hawks.
- A qualified biologist shall present an "Environmental Awareness Program" (EAP) that shall be implemented to educate the contractors and construction personnel of the sensitive habitats and species in the study area. The EAP shall include a presentation on the life history and legal status of potentially occurring special-status species, potential consequences of impacting special-status species, and distribution of informational packages to each worker. Swainson's hawk, white-tailed kite, burrowing owl, valley elderberry longhorn beetle, and western pond turtle will be the focal species of the EAP. The biologist shall present the program and allow time for questions and answers. The applicant shall provide translators, as needed, for workers that only speak other languages. Each worker shall sign a form acknowledging they attended the EAP.
- A pre-construction survey for nesting Swainson's hawks within 0.25 mile of the study area shall be conducted within 15 days prior to ground disturbance between March 1 and August 31. The surveys shall incorporate methodologies from CDFW's 1994 Staff Report regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California (CDFW 1994) and the Swainson's Hawk Technical Advisory Committee (SHTAC) survey guidelines (SHTAC 2000). A report describing the results of the survey shall be provided to the City. If no active nests are located, no further action to mitigate for this potential impact is required.
- If there is a lapse in project-related work of fifteen (15) days or longer during the nesting season, another focused survey shall be performed, and the results sent to the CDFW prior to resuming work.
- If active nests are found, a biologist experienced with raptor behavior shall prepare a take avoidance plan for review and approval by CDFW and the City. The plan shall include an analysis of the potential for nest abandonment or take of individuals and may include recommendations for construction setbacks and monitoring. Construction shall cease immediately if the biologist concludes potentially adverse effects to the Swainson's hawks are imminent. Construction shall not resume until the biologist prepares a modified take avoidance plan for review and approval by CDFW and the City, or until the nesting is no longer active.

Mitigation Measure BIO-3

- Prior to grading, the applicant shall mitigate for the loss of 158.92 acres of potential burrowing owl habitat and two active nests by preserving similar or better habitat at an off-site location at a 1:1 ratio. The applicant shall prepare and submit a plan of the proposed off-site mitigation to the City for approval. The provision of compensatory mitigation may be accomplished through purchase of credits from an agency-approved mitigation bank such as Burke Ranch Conservation Bank. Alternately, the mitigation could be fulfilled through the enhancement, management, and preservation of other off-site mitigation lands that are protected in-perpetuity by a conservation easement. The mitigation for loss of burrowing owl habitat may be accomplished concurrent with the Swainson's hawk off-site mitigation conditional on the mitigation area being compatible with burrowing owl conservation and actively managed to encourage establishment of a year-round burrowing owl population. If the project is constructed in phases, the compensatory mitigation for impacted burrowing owl habitat within each phase shall be provided prior to grading that phase.

Mitigation Measure BIO-4

- Within 14 days prior to the commencement of ground disturbance for any phase of the project, a qualified biologist shall conduct an initial preconstruction survey for burrowing owls within the construction limits and adjacent lands within 250 feet, as access and visibility allow. The surveys shall incorporate methodologies from CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012). A follow-up survey shall be conducted within 24 hours of the commencement of ground disturbing activities. A preconstruction survey report describing the results of the survey shall be provided to the City. If no burrowing owls or active burrows are located, no further action for this potential impact is required.
- If there is a lapse in construction of fourteen (14) days or longer during the nesting season, a qualified biologist shall conduct another preconstruction survey for burrowing owls and follow-up survey within 24 hours of the commencement ground disturbing activities focused survey shall be performed and the results sent to CDFW prior to resuming work.
- If burrowing owls or active burrows are documented in the study area during the non-breeding season (September 1 through January 31), an Environmentally Sensitive Area ("ESA") with a radius of 160 feet shall be established around the occupied burrow(s). The applicant shall prepare a passive relocation plan incorporating the methodologies of CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFG 2012) for submittal to the City and CDFW. The applicant shall implement passive relocation following approval by the City. The ESA shall remain in place until the City concurs the burrow is no longer active.
- If burrowing owls or active burrows are documented within 250 feet of the study area during the breeding season (February 1 through August 31), an ESA with a radius of

250 feet shall be established around the occupied burrow(s). The ESA shall remain in place throughout the breeding season, or until the City concurs the burrow is no longer active. Passive relocation may then proceed as described above.

Mitigation Measure BIO-5

- The applicant shall remove trees during the fall and winter, if feasible, to minimize the potential for take of nesting white-tailed kite.
- A pre-construction survey for nesting white-tailed kite within 500 feet of the study area shall be conducted within 15 days prior to ground disturbance between March 1 and August 31. A report describing the result of the survey shall be provided to the City. If no active nests are located, no further action is required.
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- If active nests are found, a biologist experienced with raptor behavior shall prepare a take avoidance plan for review and approval by CDFW and the City. The plan shall include an analysis of the potential for nest abandonment or take of individuals any may include recommendations for construction setbacks and monitoring. Construction shall cease immediately if the biologist concludes potentially adverse effects to the white-tailed kite are imminent. Construction shall not resume until the biologist prepares a modified take avoidance plan for review and approval by CDFW and the City, or until the nesting is no longer active.

Mitigation Measure BIO-6

- Pre-construction surveys for western pond turtle and their nests shall be conducted by a qualified biologist within 48 hours prior to onset of staging and construction activities and again if there is a lapse in activity longer than 2 weeks. This will involve a search for nests in grasslands within 300 feet of Horse Creek and Ulatis Creek. If nest sites are located, the applicant will notify the City and a 50-foot buffer area around the nest shall be staked and work will be delayed until hatching is complete and the young have left the nest site.
- Prior to the commencement of ground disturbing activities, an Environmentally Sensitive Area ("ESA") shall be established along the north edge of the study area adjacent to Horse Creek. An ESA shall also be established in the southwest corner of the study area near Ulatis Creek. A qualified biologist will oversee the ESA fencing. The ESAs will be delineated by silt fencing keyed below ground at least 4 inches. The ESA fencing shall be installed as close to the limits of grading as possible.
- If a western pond turtle is observed within the project area, it shall be left alone to move out of the area on its own.
- If a western pond turtle nest is observed within the project area, the nest shall be fenced off and avoided if possible. If avoidance is not possible, the project applicant and the biologist shall consult with CDFW to determine appropriate avoidance and minimization measures and then implement those measures.

Mitigation Measure BIO-7

- The project shall not involve the removal or damage to an occupied blue elderberry shrub that could result in the take of valley elderberry longhorn beetle.
- Prior to the commencement of ground disturbing activities within 100 feet of blue elderberry shrubs, an Environmentally Sensitive Area ("ESA") shall be established around the blue elderberry shrubs and a qualified biologist will oversee the ESA fencing. The ESAs will be delineated by orange safety fencing and will prevent disturbance to the blue elderberry shrubs by construction crews and equipment. The ESA fencing shall delineate the minimal "buffer zone" and shall be installed as close to the limits of grading as possible and at least 20 feet from the driplines of each of the shrubs.
- Signs shall be installed every 50 feet along the edge of the ESA stating: *"This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Federal Endangered Species Act. Violators are subject to prosecution, fines, and imprisonment."* Signs shall be easily read from a distance of 20 feet and shall remain in place for the duration of construction.
- Mass-grading along the south edge of the study area shall be scheduled between August 1 through February 28 when any valley elderberry longhorn beetle that may be present would be within the stems of the shrubs.
- Following completion of construction along the south edge of the study area, buffer zones of at least 20 feet around the blue elderberry shrubs shall be protected from adverse effects of the adjacent development project. The applicant shall prepare a plan outlining protective measures such as fencing and signage, as well as maintenance activities such as use of herbicides, fertilizers, or other chemicals, or weed abatement within the buffer zones. The plan shall be subject to City approval and shall be included in the final project plans.

Mitigation Measure BIO-8

- Prior to the commencement of ground disturbing activities within 250 feet of the seasonal wetlands, the applicant shall submit the large branchiopod dry-season and wet-season sampling reports to USFWS with a request for concurrence on negative findings. If USFWS provides concurrence on negative findings, no further action is needed.
- If USFWS does not readily concur on the negative findings, the applicant shall consult further with USFWS to determine if additional surveys are needed, such as a second year of wet-season surveys during a more normal rainfall year. If USFWS provides concurrence on negative findings following further surveys or consultation, no further action is needed. If USFWS does not provide concurrence on negative findings following the completion of wet-season surveys during a more normal rainfall year or

USFWS does not provide on-site evidence of presence within 6 months of the completion of wet-season surveys during a more normal rainfall year, no further action is needed.

- In the unlikely event vernal pool fairy shrimp, Conservancy fairy shrimp, or vernal pool tadpole shrimp are documented in the study area, or the applicant elects to assume species presence, the applicant shall consult with USFWS to obtain authorization for take. The applicant shall provide compensatory mitigation for impacted occupied habitat at a minimum ratio of 3:1 (i.e., 2:1 preservation and 1:1 creation).

Mitigation Measure BIO-9

- Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, and suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked and tree trimming or removal shall not proceed unless the following occurs: a) in trees with suitable habitat, presence of bats is presumed, or documented during the surveys described below, and removal using the two-step removal process detailed below occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist conducts night emergence surveys or completes a visual examination of roost features that establish absence of roosting bats.
- Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided; and 2) the second day the entire tree shall be removed.

Mitigation Measure BIO-10

- A qualified biologist shall conduct pre-construction surveys for American badgers and their dens within 14 days of the commencement of grading. If no American badgers or their dens are found, no further mitigation is required.
- If American badgers or their dens are detected during the pre-construction surveys, the qualified biologist shall prepare a take avoidance plan for submittal to the City and CDFW. The Plan shall prescribe measures to minimize the potential for take of American badgers, such as establishing temporary Environmentally Sensitive Areas ("ESAs") around occupied dens or relocating badgers. The applicant shall implement the take avoidance plan following approval by CDFW.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4-25 of the Draft EIR. These changes are identified in the form of the mitigation measures above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding

- Mitigation Measure BIO-1 requires that the applicant, prior to grading, mitigate for the loss of Swainson's hawk foraging habitat by preserving similar or better habitat at an off-site location at a 1:1 ratio, consistent with CDFW's 1994 Staff Report regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California. This would help to mitigate the loss of Swainson's hawk habitat and reduce adverse effects on the species.
- Mitigation Measure BIO-2 would require that the applicant only remove trees during the fall and winter, if feasible. Additionally, a qualified biologist must present an Environmental Awareness Program" (EAP) to the contractors and construction personnel of the sensitive habitats and species in the study area. This would inform those directly working on the project of the characteristics and importance of the at-risk species potentially present on the project site. Furthermore, this measure would require a pre-construction survey for nesting Swainson's hawks within 0.25 mile of the study area shall be conducted within 15 days prior to the commencement of construction. Another survey would be performed if there was a lapse for 15 days during the nesting season. If active nests are found, a biologist experienced with raptor behavior shall prepare a take avoidance plan for review and approval by CDFW and the City. These actions would help reduce impacts to Swaison's hawks and other sensitive species to less than significant.
- Mitigation Measure BIO-3 would require that prior to grading, the applicant preserve similar or better burrowing owl habitat at an off-site for location at a 1:1 ratio. This would help to mitigate the loss of potential burrowing owl habitat and reduce adverse effects on the species.
- Mitigation Measures BIO-4 requires that a qualified biologist conduct an initial preconstruction survey for burrowing owls within the construction limits and adjacent lands within 250 feet 14 days prior to the commencement of construction activities. If there is a lapse in construction of fourteen (14) days or longer during the nesting season, a qualified biologist shall conduct another preconstruction survey for burrowing owls and follow-up survey within 24 hours of the commencement of construction. If burrowing owls or active burrows are documented in the study area during the non-breeding season, an Environmentally Sensitive Area ("ESA") with a radius of 160 feet shall be established around the occupied burrow(s). The applicant shall prepare a passive relocation plan for submittal to the City and CDFW. If burrowing owls or active burrows are documented within 250 feet of the study area during the breeding season, an ESA

with a radius of 250 feet shall be established around the occupied burrow(s). The ESA shall remain in place throughout the breeding season, or until the City concurs the burrow is no longer active. This measure would reduce impacts to burrowing owls.

- Mitigation Measure BIO-5 requires that a pre-construction survey for nesting white-tailed kites within 500 feet of the study area be conducted within 15 days prior to the commencement of construction. If nests are found a raptor biologist will prepare a take avoidance plan for review and approval by CDFW and the City. This measure would mitigate impacts to nesting white-tailed kites.
- Mitigation Measure BIO-6 requires that a pre-construction surveys for western pond turtle and their nests shall be conducted by a qualified biologist within 48 hours prior to onset of staging and construction activities and again if there is a lapse in activity longer than 2 weeks. Additionally, an Environmentally Sensitive Area ("ESA") shall be established along the north edge of the study area adjacent to Horse Creek. An ESA shall also be established in the southwest corner of the study area near Ulatis Creek. These measures would help reduce impacts to western pond turtles.
- Mitigation Measure BIO-7 requires that the project not remove or damage any occupied blue elderberry shrub that could result in the take of valley elderberry longhorn beetle. An Environmentally Sensitive Area ("ESA") would be established around the blue elderberry shrubs and a qualified biologist will oversee the ESA fencing. Additionally, mass-grading along the south edge of the study area shall be scheduled between August 1 through February 28 when any valley elderberry longhorn beetle that may be present would be within the stems of the shrubs. Following completion of construction along the south edge of the study area, buffer zones of at least 20 feet around the blue elderberry shrubs shall be protected from adverse effects of the adjacent development project. These measures would reduce impacts to the elderberry longhorn beetle.
- Mitigation Measure BIO-8 requires that, prior to the commencement of construction within 250 feet of the seasonal wetlands, the applicant submit the large branchiopod dry-season and wet-season sampling reports to USFWS with a request for concurrence on negative findings. If USFWS does not readily concur on the negative findings, the applicant shall consult further with USFWS to determine if additional surveys are needed, such as a second year of wet-season surveys during a more normal rainfall year. This would reduce impacts to vernal pool branchiopods.
- Mitigation Measure BIO-9 would require that a habitat assessment for bats be conducted 30 to 90 days prior to tree removal. It also requires that tree removal occur over two consecutive days under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal. These measures would reduce impacts to roosting bats.
- Mitigation Measures BIO-10 would require that a qualified biologist conduct pre-construction surveys for American badgers and their dens within 14 days of the commencement of grading. If American badgers or their dens are detected during the

pre-construction surveys, the qualified biologist shall prepare a take avoidance plan for submittal to the City and CDFW. This would reduce impacts to American badgers.

BIO-2	**The project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, or state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.**

Construction of the proposed project would involve the fill of the existing network of golf course ponds and ditches on the project site. The seasonal wetlands in the north part of the project would also be filled. The proposed project would not involve any work in the segments of remnant channels on the project site. The proposed project would also not involve any work in Horse Creek and Ulatis Creek. The potential for direct impacts to jurisdictional Waters of the U.S. or wetlands or Waters of the State would be a potentially significant impact of the proposed project. However, Mitigation Measure BIO-11 would reduce impacts to less than significant.

Mitigation Measure:

Mitigation Measure BIO-11

- The Aquatic Resources Delineation shall be submitted to the USACE for verification to firmly establish the boundaries and current jurisdictional status of the aquatic features on the project site. The verified Aquatic Resources Delineation shall be used to quantify the project impacts to aquatic resources. If the USACE verifies the golf course ponds, ditches, and seasonal wetlands are non-jurisdictional, no further interface with the USACE is needed.
- A permit from the USACE shall be secured prior to the placement of any fill material (e.g., culverts, fill dirt, rock) within jurisdictional Waters of the U.S. or wetlands. As a condition of the USACE permit, 401 Water Quality Certification shall also be secured from Regional Water Quality Control Board (RWQCB).
- Waste Discharge Requirements (WDRs) shall be secured from RWQCB prior to the placement of any material regulated by the Regional Board in Waters of the State.
- Prior to the commencement of ground disturbing activities, an Environmentally Sensitive Area ("ESA") shall be established along the north edge of the remnant channels in the study area and a qualified biologist will oversee the ESA fencing. The ESAs will be delineated by silt fencing and orange safety fencing and will prevent disturbance to potentially jurisdictional Waters of the U.S. by construction crews and equipment. The ESA fencing shall be installed as close to the limits of grading as

possible and outside the driplines of the trees and shrubs along the banks of the channels.

- The applicant shall comply with all conditions of any USACE permit(s) or WDRs including the provision of compensatory mitigation for impacts to regulated aquatic resources. The compensatory mitigation shall be at a minimum ratio of 1:1 and would be best accomplished through the purchase of credits from an agency approved mitigation bank.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4-30 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure BIO-11 requires that an Aquatic Resources Delineation be submitted to the USACE. Additionally, a permit from USACE must be obtained prior to the placement of any fill material within jurisdictional Waters of the U.S. or wetlands. This measure also requires that a Waste Discharge Requirements (WDRs) shall be secured from RWQCB, and that an Environmentally Sensitive Area ("ESA") be established along the north edge of the remnant channels in the study area. These measures would reduce impacts to biological resources to less than significant.

BIO-3	**The project would Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**

Riparian corridors are often utilized as movement corridors for species such as mule (black-tail) deer (*Odocoileus hemionus columbianus*), coyote, red fox (*Vulpes vulpes*), and bobcat (*Felis rufus*), as well as a variety of amphibians, reptiles, and fish. Other swaths of unusual or unique habitats such as ridges and valleys may also be used by wildlife as movement corridors.

The project site is primarily disturbed grassland with scattered trees and is surrounded by residential and commercial development, paved roads, and intensively cultivated agricultural lands. The body of the site would not serve as a wildlife corridor for terrestrial species. The remnant channels of Old Ulatis Creek may be used by mammals and other wildlife species for movement. Despite the levels of disturbance, the ruderal grasslands on the project site could provide foraging habitat and resting areas for migratory waterfowl; resident ducks and geese may also breed on the project site. However, there are no tidal wetlands or expansive freshwater marshes on the project site that would be used as nursery sites for breeding resident and migratory birds.

The project site provides suitable nesting habitat for numerous birds protected by the MBTA and Fish and Game Code of California (FGCC). The project site provides suitable foraging and nesting habitat for common birds such as mourning dove, northern mockingbird, scrubjay, and other songbirds. The trees, shrubs, and other vegetation on the project site also provide potential foraging and nesting habitat for a few special-status birds such as tricolored blackbird, northern harrier (*Circus cyaneus*), and loggerhead shrike (*Lanius ludovicianus*). A few species of bird such as geese, ducks, and killdeer may also nest on the ground on the project site.

Except for approximately 10 acres of open space along the south edge of the project site, the proposed project would result in the conversion of the project site to developed uses and associated loss of potential foraging and nesting habitat of birds protected by the MBTA. The conversion of approximately 180 acres of potential foraging and nesting habitat for protected birds to developed uses is a potentially significant impact. However, implementation of Mitigation Measure BIO-1 and Mitigation Measure BIO-12 would reduce impacts to less than significant.

Mitigation Measure:

Mitigation Measure BIO-12

- A qualified biologist shall present an "Environmental Awareness Program" (EAP) as described in Recommended Mitigation Measure BIO-2.
- The applicant shall remove vegetation during the fall and winter, if feasible, to minimize the potential for take of birds.
- A pre-construction survey for nesting birds on and within 100 feet of the project site shall be conducted within 15 days prior to the commencement of ground disturbance between March 1 and August 31. A report describing the result of the survey shall be provided to the City. If no active nests are located, no further action is required.
- If during the nesting season there is a lapse in project-related work for each respective phase of construction of fifteen (15) days or longer, another focused survey shall be performed and the results sent to CDFW prior to resuming work.
- If active nests are found, a biologist experienced with protected birds shall prepare a take avoidance plan for review and approval by CDFW and the City. The plan shall include an analysis of the potential for nest abandonment or take of individuals and may include recommendations for construction setbacks and monitoring. Construction shall cease immediately if the biologist concludes potentially adverse effects to protected birds or their nest are imminent. Construction shall not resume until the biologist prepares a modified take avoidance plan for review and approval by CDFW and the City, or until the nesting is no longer active.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4-32 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville

hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure BIO-12 requires that a pre-construction survey for nesting birds be completed 15 days prior to commencement of construction. Mitigation Measure BIO-2 requires a preconstruction survey for Swaison's hawks, the presentation of a "Environmental Awareness Program", and several other measures to prevent the take of Swaison's hawks on and near the project site. These measures would help to prevent the loss of habitat for migratory and native birds and reduce impacts to less than significant.

3. Cultural Resources

CULT-2	**The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

According to the Archaeological Investigation Report, no evidence of unique archaeological resources was found at the project site (EMC Planning Group 2019). Since the project site has been developed in the past, associated ground disturbing activities are likely to have already disturbed or resulted in the discovery of any archeological resources that may exist on the site. However, although no known archaeological resources or ethnographic sites have been recorded at the project site, ground-disturbing activities may result in unanticipated discoveries of cultural resources and could be damaged or destroyed by ground-disturbing construction activities (e.g., site preparation, grading, excavation, and trenching for utilities) associated with the proposed Project. Therefore, earth-disturbing activities conducted for the proposed project would have the potential to expose previously undiscovered subsurface archaeological resources. As such, the impact to archaeological resources is considered potentially significant.

Mitigation Measures:

Mitigation Measure CULT- 1: Prior to the issuance of grading permits for all phases of project development, the City shall confirm the applicant has required all construction crews to undergo adequate training for the identification of federal- or State-eligible cultural resources, cultural sensitivity training, and that the construction crews are aware of the potential for previously undiscovered archaeological resources on-site, of the laws protecting these resources and associated penalties, and of the procedures to follow should they discover cultural resources during project-related work.

Mitigation Measure CULT- 2: In the event that unanticipated discoveries of potentially sensitive cultural resources are encountered during construction activities, all activity should cease within 100 feet of the find until a qualified archaeologist, who meets federal criteria under 36 CFR 61, and a Tribal Monitor, and in consultation with the Tribe, can determine the significance of the find

and determine the appropriate mitigation. If the deposits are determined to not be significant by a qualified archaeologist, avoidance is not necessary. If the deposits are determined to be potentially significant by the qualified archaeologist, the resources shall be avoided if feasible. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the archaeologist, in coordination with the City, local tribes, and the CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan.

The data recovery plan shall include provisions for adequately recovering all scientifically consequential information from and about any discovered archaeological or paleontological materials and include recommendations for the treatment of these resources. In-place preservation of the archaeological or paleontological resources is the preferred manner of mitigating potential impacts, as it maintains the relationship between the resource and the archaeological or paleontological context. In-place preservation also reduces the potential for conflicts with the religious or cultural values of groups associated with the resource. Other mitigation options include, but are not limited to, the full or partial removal and curation of the resource.

The City shall confirm that the project applicant has retained a qualified archeologist for the preparation and implementation of the data recovery plan. The recovery plan shall be submitted to the project applicant, the City, and the Northwest Information Center. A data recovery plan shall not be required for resources that have been deemed by the Northwest Information Center as adequately recorded and recovered by studies already completed. Once the recovery plan is reviewed and approved by the City and any appropriate resource recovery completed, project construction activity within the area of the find may resume.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.8-10 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure CULT-1 requires that the applicant verify that the all construction crews to undergo adequate training for the identification of federal- or State-eligible cultural resources. Additionally, in the event that unanticipated discoveries of potentially sensitive cultural resources are encountered during construction activities, all activity should cease within 100 feet of the find until a qualified archaeologist can determine the significance of the find and determine the appropriate mitigation. These measures would help ensure that no substantial adverse changes occur to significant archaeological resources.

CULT-3	**The project would/would not disturb any human remains, including those interred outside of formal cemeteries.**

As described above, the project site does not contain cultural resources and no evidence of unique archaeological resources was found at the project site. However, human remains associated with pre-contact archaeological deposits could exist on the project site and could be encountered at the time potential future development occurs. The associated ground-disturbing activities, such as site grading and trenching for utilities, have the potential to disturb human remains interred outside of formal cemeteries. Therefore, potential impacts related to the discovery or disturbance of any human remains accidently unearthed during construction activities associated with the proposed Project would be considered potentially significant.

Mitigation Measures:

Mitigation Measure CULT-3: If archaeological resources are discovered during construction, then work should be halted within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. If the find is determined to be significant, then appropriate mitigation measures will be formulated and implemented.

Mitigation Measure CULT-4: If human remains are found during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Solano County is contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American, the coroner will contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission will identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98.

The landowner or their authorized representative will rebury the Native American human remains and associated grave goods, with appropriate dignity, on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify the MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.8-11 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville

hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure CUL-3 requires that if an archeological resource is discovered, work shall halt until an archeologist evaluates it. If human remains are found, Mitigation Measure CULT-4 requires that a coroner is contacted. If the remains are determined to be Native American, the Native American Heritage Commission will be contacted within 24 hours. These measures would help to reduce impacts to cultural resources to less than significant.

4. Geology and Soils

GEO-1	**The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; ii) Strong seismic ground shaking; iii) Seismic-related ground failure, including liquefaction; iv) Landslides, mudslides, or other similar hazards.**

Rupture of a Known Earthquake Fault

Project development would not create or exacerbate fault rupture because no development is proposed in the path of a known surface earthquake fault or Alquist-Priolo Earthquake Fault Zone. Impacts would be less than significant.

Strong Seismic Ground Shaking

During large earthquakes, strong ground shaking will be produced. An earthquake of moderate to high magnitude generated within the San Francisco Bay Region, similar to those that have occurred in the past, could cause considerable ground shaking at the site. To mitigate the shaking effects, all structures would be designed using, at a minimum, the latest California Building Code (CBC) requirements. Impacts would be less than significant.

Seismic-related Ground Failure

Soil liquefaction results from loss of strength during cyclic loading, such as during an earthquake. Soils most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands. Empirical evidence indicates that loose to medium-dense gravels, silty sands, low-plasticity silts, and some low-plasticity clays are also potentially liquefiable.

The preliminary liquefaction analysis results indicated intermittent layers of the clay and silty clay encountered on-site has potential for liquefaction (ENGEO 2019). However, based on the previously described depositional environment and the likely presence of the high plasticity basin

and Delta mud deposits, the hazard from liquefaction-induced settlement is considered low. Impacts would be less than significant.

Landslides, Mudslides, or Other Similar Hazards

Based on site topography, which is relatively flat, the risk of landslides and mudslides on the site is low (USGS 2021). The site is not currently mapped within a California Geologic Survey (CGS) Seismic Hazard Zone for landslides (CGS 2021).

Lateral spreading involves lateral ground movements caused by seismic shaking. These lateral ground movements are often associated with a weakening or failure of an embankment or soil mass overlying a layer of liquefied sands or weak soils. Ulatis Creek along the southeast edge of the site has an approximate embankment height of 5 feet. Horse Creek, an unlined channelized creek along the northern edge of the site has an approximate embankment height of 15 to 17 feet (ENGEO 2019). Additional analysis is recommended to determine the extent of the risk for lateral spreading on the project site, as part of the design-level analysis for site improvement and building plans. Therefore, impacts would be potentially significant.

Mitigation Measures:

Mitigation Measure GEO-1: All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical evaluations for the project site prepared by ENGEO, Inc., specifically the Preliminary Geotechnical Exploration for Greentree, Solano County, California dated June 6, 2019, and subsequent geotechnical reports prepared for this project. Specific recommendations in the geotechnical evaluations shall be incorporated into the final project plans and construction-level geotechnical report.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.10-11 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure GEO-1 requires that all grading operation and construction shall be conducted in conformance with the recommendations included in the Preliminary Geotechnical Exploration. Compliance with these recommendations would help reduce adverse impacts of geologic hazards.

GEO-4	**The project would be located on expansive soil, as defined by Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.**

The predominant soil type at the ground surface across all of the project site is expansive clay. Laboratory testing indicates the expansion potential of the clay soils vary from moderate to high shrink/swell potential. Therefore, development of the proposed project would have the potential to expose people to hazards associated with expansive soils and the impact would be potentially significant.

Mitigation Measures:

Mitigation Measure GEO-1: All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical evaluations for the project site prepared by ENGEO, Inc., specifically the Preliminary Geotechnical Exploration for Greentree, Solano County, California dated June 6, 2019, and subsequent geotechnical reports prepared for this project. Specific recommendations in the geotechnical evaluations shall be incorporated into the final project plans and construction-level geotechnical report.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.10-13 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure GEO-1 requires that all grading operation and construction shall be conducted in conformance with the recommendations included in the Preliminary Geotechnical Exploration. Compliance with these recommendations would help reduce adverse impacts of geologic hazards.

GEO-6 The project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Although paleontological resources have not been identified on the project site, the paleontological report identified the potential for occurrence of fossils within the Modesto Formation, which could occur in the shallow subsurface or at depths of 10 feet to over 20 feet (ENGEO 2021). Because the proposed project requires ground disturbing activities in the Modesto Foundation area, there could be fossils of potential scientific significance and other unique geologic features. Therefore, ground-disturbing construction associated with development permitted under the proposed project could cause damage to, or destruction of, paleontological resources or unique geologic features. Therefore, impacts related to paleontological resources would be potentially significant.

Mitigation Measures:

Mitigation Measure GEO-2: In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted.

The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery, as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the City of Vacaville for review and approval prior to implementation.

Any paleontological materials encountered during project excavation shall be salvaged and treated as described by SVP (2010). This treatment shall include preparation, identification, determination of significance, and curation into a public museum. Should sediments be discovered during monitoring that may yield microvertebrate fossils, sediment samples should be wet screened (either on- or off-site) to recover a representative sample of the microvertebrates present per SVP standard procedures.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.10-14 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure GEO-6 requires that, in the event of fossils are discovered during construction, excavations within 50 feet of the find will be halted. A paleontologist would be contacted to evaluate and document the discovery and proceed with the necessary measures to ensure the preservation of the resource. Compliance with these measures would reduce impacts to paleontological resources to less than significant.

5. Hazards and Hazardous Materials

HAZ-4	**The project would be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 but would not create a significant hazard to the public or the environment.**

The Phase I ESA included a search of standard federal, State, County, and City environmental records. The database records search found no properties surrounding the site that could represent a significant environmental concern. This includes sites with the potential to create a concern to the subject property related to vapor intrusion- a process by which chemicals in soil or groundwater- especially Volatile Organic Compounds (VOCs)- migrate to indoor air above a

contaminated site. Please refer to the Phase I ESA in Appendix 4.13-1 of the Draft EIR for further details regarding the regulatory records review.

The site is identified on the CA FID UST, UST, HIST UST, RCRA NonGen/NLR, HAZNET, HWTS, and SWEEPS UST databases for the historic use of one unused 550-gallon gasoline UST and the generation of waste oil and waste hydraulic fluid. The UST was removed from the site led by the Solano County Department of Resource Management, Environmental Health Services Division Certified Unified Program Agency (CUPA), with involvement by the City of Vacaville Fire Department. Based on the results from the additional Phase II investigation, there is no risk of vapor intrusion and therefore the project does not have the potential to create a hazard to the public or environment due to its location on a listed hazardous materials site.

As discussed in Section 4.9.1.2, Existing Conditions, of the DEIR the Phase I ESA identified three RECs on the project site. However, subsequent investigations showed that one of the RECs, residual pesticides in soil, did not pose a health risk; another, residual lead from the structures, was limited to a small area by the former clubhouse that is slated for excavation and disposal; and the last REC, the presence of a UST, subsequent investigations showed that there is no vapor intrusion risk from the historic feature. However, due to the presence of contamination, this is considered potentially significant.

The Phase II Supplemental ESA identified recommendations for proper handling and disposal of the soil surrounding the UST, which have been included in the Mitigation Measures below. Furthermore, the Phase I Supplemental ESA concluded that the project site was not found to be listed on any superfund or other lists compiled pursuant to Government Code Section 65962.5. Therefore, with inclusion of the below mitigation, impacts would be less than significant.

Mitigation Measures:

Mitigation Measure HAZ-1: As part of site the improvements, an estimated 20 cubic yards (28 tons) of soil must be excavated and disposed along the northern edge of the former maintenance yard building in a 10 foot by 15 foot by 2-foot excavation by a California Hazardous Waste licensed contractor, undersigned California Hazardous Waste manifests to accepting Class I landfill. Excavation activities should be observed and recorded by a California Professional Geologist and/or Professional Engineer certified in environmental remediation. Excavated soil must be placed within 20 cubic yard Visqueen lined roll-off bins and/or transport trucks. Similarly, excavated soil can be temporary stockpiled on site and placed on and covered with Visqueen.

Mitigation Measure HAZ-2: Confirmation soil samples must be collected from the excavation limits to determine if the lead impacted soil was removed from the site. Approximately 10 confirmation soil samples should be randomly collected from the excavation limits using clean laboratory supplied glass jars, which should be capped, labeled, and placed, within a pre-chilled ice chest for temporary storage. The confirmation soil samples should be delivered under chain-of-custody documentation to a State-Certified hazardous waste testing laboratory and analyzed for lead analysis using EPA Methods SW3550B/SW6020. If lead concentrations exceed 80 mg/Kg, then additional excavation must be conducted along with additional confirmation soil sampling as described above.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.13-16 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure HAZ-1 requires that approximately 20 cubic yards of soil be removed from the site. Mitigation Measure HAZ-2 requires that the soil be sampled after excavation to determine if the lead impacted soil was successfully removed from the site. These measures reduce impacts from hazardous materials to less than significant.

6. Noise

NOI-1	**Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.**

Construction Noise

Construction noise would occur at various locations within and near the project site through the buildout period. Existing sensitive receptors could be located as close as 100 feet from construction activities. Table 4.15-7 in the DEIR provides typical construction-related noise levels at distances of 100 feet, 200 feet, and 300 feet.

Construction noise is not considered to be a significant impact if construction is limited to daytime hours and construction equipment is adequately maintained and muffled. The City of Vacaville municipal code limits hours of construction activities (if occurring within 500 feet of an occupied residence) to between 7:00 a.m. and one-half hour after sunset with no activities permitted on Sundays and holidays. Extraordinary noise-producing activities (e.g., pile driving) are not anticipated. Construction noise impacts could result in annoyance or sleep disruption for nearby residents if nighttime operations were to occur or if equipment is not properly muffled or maintained.

Project buildout is expected to occur over a period of approximately ten years. As such, no one area of sensitive receptors would be subjected to prolonged exposure to construction noise, as a result of phased construction activities dispersed across the overall project area. However, noise impacts could occur if construction activities do not incorporate appropriate mitigation measures and best management practices. Compliance with the City's noise ordinance and implementation of BMPs and Mitigation Measures NOI-1 through NOI-5, would reduce impacts to less than significant.

Operational Noise

The noise analysis utilized the FHWA Traffic Noise Model to quantify expected project-related increases in traffic noise exposure along roadways in the project vicinity. The FHWA Model is a standard analytical method used by state and local agencies for roadway traffic noise prediction. The model is based on reference energy emission levels for automobiles, medium trucks (2 axles) and heavy trucks (3 or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA Model was developed to predict hourly L_{eq} values for free-flowing traffic conditions and is generally considered to be accurate within ±1.5 dB. To predict CNEL values, it is necessary to determine the hourly distribution of traffic (day/night split) for a typical day and adjust the traffic volume input data to yield an equivalent hourly traffic volume.

Average Daily Traffic (ADT) volumes were calculated based on traffic data provided by GHD. Traffic volumes were applied by WJVA to model existing conditions traffic noise exposure levels, existing plus project conditions traffic noise exposure levels, cumulative conditions traffic noise exposure levels, as well as to determine the project contribution to cumulative conditions. Posted vehicle speeds were documented by WJVA staff during the field visit. Truck percentages and the day/night distribution of traffic were estimated by WJVA, based upon previous studies conducted since project-specific data were not available from government sources.

Traffic noise exposure levels for specific scenarios were calculated based upon the FHWA Model and the above-described model inputs and assumptions. Project-related significant impacts would occur if an increase in traffic noise associated with the project would result in noise levels exceeding the City's applicable noise level standards at the location(s) of sensitive receptors.

There may be receptor locations at which traffic noise exposure levels already exceed the City's exterior noise level standards, prior to the addition of project-related traffic increases. In such situations, for the purpose of this analysis a significant impact was assumed to occur if traffic noise levels were to increase by 3 dB at sensitive receptor locations where noise levels already exceed the City's applicable noise level standards (without the project), as 3 dB generally represents the threshold of perception in change for the human ear.

The City's exterior noise level standard for residential land uses is 60 dB CNEL. Traffic noise was modeled at seventeen (17) receptor locations (R-1 through R-17). The seventeen modeled receptors are located at roadway setback distances representative of the sensitive receptors (residences) along each analyzed roadway segment. The receptor locations are described in the DEIR under issue statement NOI-1 of Chapter 14.15.3.

Table 4.15-8 in the DEIR provides existing and existing plus project traffic noise exposure levels at the seventeen analyzed receptor locations. The receptor locations are representative of existing residential land uses located along the analyzed roadway segments. Noise levels described in Table 4.15-8 do not consider any acoustical shielding that may be provided by existing sound walls, structures or topography, and should be considered a worst-case assessment of traffic noise exposure at the receptor locations.

Table 4.15-8 indicates that project-related traffic would not result in an exceedance of the City's noise level standards at any sensitive receptor location nor result in an increase of 3 dB at any sensitive receptor locations where noise levels already exceed the City's noise level standard without the implementation of the project.

Project buildout would occur over a period of approximately ten years, and as such project-related noise increases would not be realized for numerous years. While the exact buildout timeline is uncertain, the increases described in Table 4.15-8 would not occur immediately.

Project Noise Impacts from Operational On-Site Sources

The project would include approximately 19.8 acres of land uses identified as commercial, north of Sequoia Drive. A wide variety of noise sources can be associated with commercial land use designations. The closest existing sensitive receptors to proposed commercial uses are located at a distance of 500 feet or greater. Additionally, proposed residential buildings would be located between the existing sensitive receptors and the proposed commercial land uses. From the perspective of the City's noise standards, noise sources not associated with transportation sources are considered stationary noise sources. Typical examples of stationary noise sources associated with commercial land uses include:

- HVAC/Mechanical equipment
- Truck deliveries
- Loading Docks
- Compactors
- Parking lot activities (closing of car doors and trunks, stereos, alarms etc.)

Because of the distance between existing sensitive receptors to the project's proposed commercial land uses (500 feet or greater), noise levels associated with stationary noise sources would not be expected to exceed any City of Vacaville noise level standard or result in noise levels exceeding existing ambient noise levels at the locations of existing sensitive receptors.

Noise Impacts from Operational On-Site Sources

The project would include a variety commercial and retail uses near the northern portion of the project site. While the exact tenants/uses were not known at the time of the noise analysis, anticipated uses include a grocery store, drug store, drive-thru restaurant, and numerous smaller retails stores. The project would also include an amphitheater in the South Neighborhood with a masonry wall constructed to approximately 6-8 feet in finished height. The amphitheater would include electric power to provide for amplified speech and music.

A wide variety of noise sources can be associated with these land uses, and noise levels produced by such sources can also be highly variable and could potentially impact existing off-site sensitive receptors. Mitigation measures typically incorporated into project design include increased setback distances, sound walls, limited hours of operation, and noise source equipment enclosures, shielding, and screening measures.

Mechanical Equipment

It is assumed that roof-mounted heating, ventilation, and air conditioning (HVAC) units would be included on future commercial buildings. The HVAC requirements for the buildings would likely require the use of multiple packaged roof-top units. For the purpose of noise and aesthetics, roof-mounted HVAC units are typically shielded by means of a roof parapet. The noise analysis included reference noise level measurements at numerous commercial and retail buildings with roof-mounted HVAC units, and associated noise levels typically range between approximately 45-50 dB at a distance of 50 feet from the building façade.

The closest proposed new residential land uses to potential roof-mounted HVAC equipment at new commercial land uses could be located as close as 150 feet. Considering the standard rate of noise attenuation with increased distance from a point source (-6 dB/doubling of distance), noise levels associated with the operation of roof-mounted HVAC units would be approximately 35-40 dB at the closest sensitive receptor property line. Such levels would not exceed any City of Vacaville noise level standard or exceed existing (without project) ambient noise levels.

Truck Movements

At the time of the noise analysis, a specific truck access route (or routes) had not been designated. However, trucks would be expected to access future commercial retail uses for various deliveries. The precise locations, frequency and times of truck deliveries was not known.

The noise analysis included measurements of the noise levels produced by slowly moving trucks for a number of studies. Such truck movements would be expected to produce noise levels in the range of 65 to 70 dBA at 100 feet. The range in measured truck noise levels is due to differences in the size of trucks, their speed, and whether they have refrigeration units in operation during the pass-by.

The applicable noise standard for truck movements occurring at proposed commercial land uses would be a maximum daytime noise level of 70 dB and a maximum nighttime noise level of 65 dB. To avoid exceeding such maximum noise levels, truck movements occurring within the proposed commercial/retail land uses should maintain a minimum setback distance of approximately 100 feet during the daytime hours of 7:00 a.m. to 10:00 p.m. and a minimum setback distance of approximately 180 feet during the nighttime hours of 10:00 p.m. to 7:00 a.m. from outdoor activity areas of proposed nearby and adjacent multi-family residential developments.

Noise levels associated with truck movements could exceed the City's 70 dB L_{max} daytime noise level standard and 65 dB L_{max} nighttime noise level standard at the outdoor activity areas of proposed multi-family residential land uses if proper setback distances are not maintained. However, Mitigation Measure NOI-6 would reduce impacts to less than significant.

Loading Docks

The proposed commercial uses associated with the project would likely include loading docks at the larger retail establishments, particularly any grocery store development. A loading dock would

be located at the rear of such a grocery store, preferably adjacent to Orange Drive. The loading dock would be located at least 500 feet from any proposed residential sensitive receptor.

Based upon noise level measurements cited by the Noise Analysis, loading dock noise levels would be expected to be in the range of 44-62 dBA at a distance of 500 feet. Such levels would not exceed the City's daytime (70 dB) or nighttime (65 dB) maximum noise level standard.

If additional loading docks were included at other proposed commercial/retail uses, associated noise levels could potentially exceed the City's maximum nighttime noise level standard of 65 dB if they were to be located within 315 feet of a sensitive receptor and could potentially exceed the City's daytime noise level standard of 70 dB if they were to be located within 150 feet of a sensitive receptor.

Noise levels associated with loading dock activities could exceed the City's 70 dB L_{max} daytime noise level standard and 65 dB L_{max} nighttime noise level standard at the outdoor activity areas of proposed multi-family residential land uses if proper setback distances are not maintained or mitigation measures are provided. However, Mitigation Measure NOI-7 would reduce impacts to less than significant.

Parking Lot Activities

Noise due to traffic in parking lots is typically limited by low speeds and is not usually considered to be significant. Human activity in parking lots that can produce noise includes voices, stereo systems and the opening and closing of car doors and trunk lids. Such activities can occur at any time. The noise levels associated with these activities cannot be precisely defined due to variables such as the number of parking movements, time of day and other factors. It is typical for a passing car in a parking lot to produce a maximum noise level of 60 to 65 dBA at a distance of 50 feet, which is comparable to the level of a raised voice. Parking areas of proposed commercial uses would not be located closer than 50 from any proposed sensitive receptor, and noise levels associated with parking lot activities would not be expected to exceed any City of Vacaville noise level standards.

Drive Thru Retail

According to the Urban Design Illustrative Plan, the project could include a drive-thru retail store adjoining the Orange Drive frontage, located approximately 175 feet from proposed residential sensitive receptors. Noise levels associated with drive-thru retail are typically limited to vehicle movements and amplified speech associated with customers and employee interactions using the amplified menu board.

To assess potential project noise levels associated with drive-thru operations, the noise analysis utilized reference noise levels previously measured at a Wendy's drive-thru restaurant located in Visalia, California. Measurements were conducted during the early afternoon of July 11, 2011, between 12:45 p.m. and 1:45 p.m. using the previously-described noise monitoring equipment.

The microphone used by customers to order food and the loudspeaker used by employees to confirm orders are both integrated into a menu board that is located a few feet from the drive thru lane at the approximate height of a typical car window.

Reference noise measurements were obtained at a distance of approximately 40 feet from the menu board containing the microphone/loudspeaker system at an angle of about 45° toward the rear of the vehicle being served. This provided a worst-case exposure to sound from the loudspeaker system since the vehicle was not located directly between the loudspeaker and measurement location. Cars were lined up in the access lane during the noise measurement period indicating that the drive-through lane was operating at or near a peak level of activity.

Each ordering cycle was observed to take approximately 60 seconds including vehicle movements. A typical ordering cycle included 5-10 seconds of loudspeaker use with typical maximum noise levels in the range of 60-62 dBA at the 40 foot-reference location. Vehicles moving through the drive-thru lane produced noise levels in the range of 55-60 dBA at the same distance. Vehicles parked at the ordering position (between the menu board and measurement site) were observed to provide significant acoustic shielding during the ordering sequence. The effects of such shielding are reflected by the noise measurement data. Noise levels were measured to approximately 60 dB L_{eq} at the measurement site, and included noise from all sources, including the loudspeaker, vehicle movements and HVAC equipment.

At the location of the closest proposed residential sensitive receptors, noise levels associated with drive thru retail operations would be expected to produce noise levels of approximately 48-50 dB L_{max} and approximately 47 dB L_{eq}. While such noise levels could exceed the City's 45 dB L_{eq} nighttime noise level standard, reference to noise levels measured at ambient noise monitoring site L-2 indicated that existing ambient noise levels already exceed such noise levels, and would therefore not result in a noise impact.

Amphitheater

During events with amplified speech and music, the noise study estimates that noise levels associated with amplified speech and music (assuming the speaker is located on the stage in a south-facing orientation) would be in the range of approximately 40- 45 dB at the closest sensitive receptor locations to the northwest (Bighorn Court) and in the range of 43-48 dB at the closest proposed sensitive receptor locations to the east (Court E). Such noise levels would not be expected to exceed any City of Vacaville daytime noise level standards. Existing ambient noise levels measured in the vicinity of the proposed Greentree South Neighborhood Park (ambient noise monitoring site LT-5 provided in the original acoustical analysis) indicate that average daytime (7:00 a.m. to 10:00 p.m.) noise levels are approximately 50 dB Leq. Therefore (applying the above-described assumptions regarding speaker location and orientation), noise levels associated with amplified speech and music at the amphitheater location would not be expected to exceed existing ambient noise levels in the vicinity of existing and planned nearby sensitive receptor locations.

Mitigation Measures:

Mitigation Measure NOI-1

- All construction equipment shall be properly maintained and muffled to minimize noise generation at the source.

Mitigation Measure NOI-2

- Noise-producing equipment shall not be operating, running, or idling while not in immediate use by a construction contractor.

Mitigation Measure NOI-3

- All noise-producing construction equipment shall be located and operated, to the extent possible, at the greatest possible distance from noise-sensitive land uses.

Mitigation Measure NOI-4

- Locate construction staging areas, to the extent possible, at the greatest possible distances from any noise-sensitive land uses.

Mitigation Measure NOI-5

- Signs shall be posted at the construction site and near adjacent sensitive receptors displaying hours of construction activities and the contact phone number of a designated noise disturbance coordinator.

Mitigation Measure NOI-6

- Commercial/retail land uses proposed for the project should develop site-specific truck access routes in the vicinity of proposed sensitive receptors. All truck movements occurring within proposed commercial/retail areas should maintain a minimum setback of approximately 100 feet during daytime hours and approximately 180 feet during nighttime hours, from outdoor activity areas of proposed sensitive receptors.

Mitigation Measure NOI-7

- Loading docks located within 315 feet of a sensitive receptor could result in noise levels exceeding the City's daytime maximum noise level standard of 70 dB. Loading docks located within 150 feet of a sensitive receptor could result in noise levels exceeding the City's daytime maximum noise level standard of 65 dB. Any proposed loading docks should be located at the above-described minimum setback distances (depending on if daytime vs nighttime deliveries were expected) or incorporate sufficient mitigation measures (sound walls) to mitigate noise levels to below the City's noise level standards at sensitive receptor locations.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.15-21 of the

Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation Measure NOI-1 requires that all construction equipment shall be properly maintained and muffled to minimize noise generation at the source. Mitigation Measure NOI-2 requires that noise-producing equipment shall not be operating, running, or idling while not in immediate use by a construction contractor. Mitigation Measure NOI-3 requires that all noise-producing construction equipment shall be located and operated, to the extent possible, at the greatest possible distance from noise-sensitive land uses. Mitigation Measure NOI-4 the location of construction staging areas, to the extent possible, at the greatest possible distances from any noise-sensitive land uses. Mitigation Measure NOI-5 requires that signs shall be posted at the construction site and near adjacent sensitive receptors displaying hours of construction activities and the contact phone number of a designated noise disturbance coordinator. Mitigation Measure NOI-6 requires that commercial/retail land uses proposed for the project should develop site-specific truck access routes in the vicinity of proposed sensitive receptors. Mitigation Measure NOI-7 requires that any proposed loading docks be setback from sensitive receptors at a distance that would conform with the City's noise ordinance. These measures would mitigate noise levels received by sensitive receptors to less than significant.

7. Transportation

TRANS-2	**VMT attributable to the project would exceed applicable thresholds. Therefore, the project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). This impact is significant and unavoidable.**

VMT Assessment

The proposed Specific Plan includes measures intended to reduce VMT, including a mix of residential and commercial land uses. In addition, the proposed Specific Plan emphasizes street connectivity and accessibility for multiple modes of transportation, with a proposed street network that will accommodate transit access. The analysis within this section is based on the analysis and findings of the *VMT Analysis* memorandum prepared by GHD on November 10, 2021 that summarizes the findings of the VMT assessment of the proposed Greentree Development project based on the City's interim thresholds utilizing the City's most current travel demand model (January 2021). The VMT analysis memorandum is included in Appendix 4.19-2 of the DEIR and provides detailed data, including methodology, assumptions, and analysis results related to the VMT analysis. Per the City's VMT guidance, the analysis of Project VMT was conducted for the model base year 2015, and cumulative Build Out – Northeast conditions. Table 4.19-2 in the DEIR presents the trips, trip lengths, VMT, and VMT per unit results of the project for existing baseline (model year 2015) conditions. Table 4.19-3 in the DEIR presents the trips, trip lengths, VMT, and VMT per unit results of the project for cumulative build out-northeast conditions. As shown: the

proposed residential multi-family residential component of the project would exceed the VMT threshold under existing baseline conditions, while the proposed commercial development would exceed the VMT threshold under both existing baseline and cumulative conditions.

Impact TRANS-2.1 (Residential Multi-family VMT): The project's multi-family residential component would exceed the City's threshold for residential VMT per dwelling unit by 1.2 percent under existing baseline conditions with the project. *This threshold would not be exceeded under cumulative conditions with the project.*

Mitigation Measures:

Mitigation Measure TRANS-2.1 (Residential Multi-family VMT): The project applicant shall provide the following measures to increase rates of walking and bicycling, and improve access to transit, in order to reduce the rate of VMT attributable to the residential component of the project:

- Bicycle network improvements and land for off-street bike trails to promote a shift from vehicles to non-motorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled.
- Bicycle parking facilities at multi-family residential uses that exceeds minimum requirements in the California Green Building Standards Code (Tier 1/Tier 2).
- Pedestrian network improvements which promote a shift from vehicles to non-motorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled, including provision of a grid street network with smaller block sizes north of Sequoia Street.
- Traffic calming features (e.g., bulb-outs and other features at several major intersections, and narrower than standard vehicle travel lanes) to reduce vehicle speeds and improve pedestrian safety, with the goal of promoting pedestrian movement and connectivity.
- Bus stops/shelters and access improvements for CityCoach service.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.19-19 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation measures identified in TRANS-2.1 are measures anticipated to reduce VMT attributable to the proposed multi-family residential land uses by more than 1.2 percent based on CAPCOA data, reducing the rate of VMT to below the threshold of 49.7 miles per multi-family dwelling unit under existing plus project conditions. This impact is considered less than significant with mitigation under existing plus project conditions. (Under cumulative conditions with the project: this impact is less than significant with no mitigation required).

8. Tribal Cultural Resources

TCR-1 The proposed project would not cause a substantial adverse change in the significance of a Tribal Cultural Resource.

The proposed project would result in a substantial adverse change in the significance of a tribal cultural resources if it altered resources listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources or a resource determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. As discussed in Chapter 4.5, *Cultural Resources*, no sensitive resources eligible for listing in the California Register of Historical Resources, or in a local register of historical resources have been recorded within the project site or within a half-mile radius. Furthermore, as described in Chapter 3.0, Project Description, the project site was previously the location of a golf course and currently has existing structures on-site. These reflect prior grading and development on the project site which suggests a low possibility of unearthing tribal cultural resources on the project site.

The City began the consultation process under SB 18 and AB 52 by contacting the Native American Heritage Commission (NAHC) to inform them about the proposed project. In response, the NAHC completed a record search of Sacred Lands File (SLF) for the project location and the results were negative. Pursuant to AB 52, the NAHC provided a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the proposed project. With the list of tribes, the City contacted local tribal representatives by letter, inviting them to initiate consultation. The purpose of the letter was to inform nearby tribes of the project. A response was received from the Yocha Dehe Wintun Nation on October 18, 2021; the Tribe stated that there are no known cultural resources near the project site, but if any cultural resources are found onsite, the Tribe requests tribal collaboration with an archaeologist.

In addition to the contact letters and the negative NAHC record search, the federal, State, and City historic registers do not indicate any site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe designated on the project site. However, it remains possible that a currently unknown tribal cultural resource could be encountered during construction activities. Without mitigation measures, unearthing tribal cultural resources could result in a significant impact. Therefore, the impact would be potentially significant without the implementation of mitigation measures. Mitigation Measures CULT-2 and CULT-3 provided in Chapter 4.5 of this EIR, *Cultural Resources*, would apply, which include procedures to follow if a tribal cultural resource is unearthed on the project site.

Mitigation Measures:

Mitigation Measure TCR-1: If human remains are found during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Solano County is contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American, the coroner will contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission will identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98.

The landowner or their authorized representative will rebury the Native American human remains and associated grave goods, with appropriate dignity, on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify the MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified on page 4.20-5 of the Draft EIR. These changes are identified in the form of the mitigation measure above. The City of Vacaville hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Rationale for Finding:

Mitigation TRI-1 describes the procedure that would be implemented in the event of finding human remains during construction. MM TRI-1 requires that the coroner investigating the remains will contact the Native American Heritage Commission within 24 hours, if the remains or determined to be Native American. Compliance with these measures would minimize impacts to tribal cultural resources to less than significant.

E. Issues Found to Have Significant and Unavoidable Significant Impacts that Cannot Be Mitigated to Below the Level of Significance

The following summary describes the unavoidable adverse impacts of the proposed project where either mitigation measures were found to be infeasible, or the mitigation measures are under the control of another lead agency. The following impacts would remain significant and unavoidable:

1. Air Quality

AIR-1	**The project would conflict with or obstruct implementation of the applicable air quality plan.**

The Greentree Specific Plan project requires a general plan amendment to change from Commercial Recreation and Highway Commercial to designations facilitating development of a mixed-use residential and local serving retail project, including 199 single-family senior housing units south of Sequoia Drive and 950 workforce housing units with maximum densities of between 11 and 24 units per acre north of Sequoia Drive. As proposed, the entire residential component of the project would be all-electric (no natural gas). In addition, the project includes an extensive public trail network and a series of complete streets with widened, tree-lined sidewalks and protected bicycle lanes interconnecting the housing, recreation, and retail components. These amenities of the project serve to moderate and reduce vehicle travel, and to promote pedestrian and bicycle travel. Further, the project is an infill project situated within one-half mile of the City's growing biomanufacturing and high-technology manufacturing center, located directly across I-80 from the project site. The higher density workforce housing and local serving retail components of the project are expected to be accessible to and supportive of employment growth in this area of Vacaville, thereby ultimately reducing vehicle miles traveled from home to work, a major contributor to air emissions.

A consistency determination with the air quality management plan (AQMP) plays an important role in local agency review by linking local planning and individual projects to the AQMP. It fulfills the CEQA goal of informing decision makers of the environmental effects of the proposed project under consideration early enough to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to the clean air goals in the AQMP.

Growth projections form the foundation for the emissions inventory of the AQMP. The housing and population generated under the proposed project would be within the City's growth projections for the year 2035 as determined by the City's General Plan. As indicated below in Table 4.6-1, *Construction Criteria Air Pollutant Emissions,* projected construction emissions would not exceed Air District thresholds. While the proposed project would not exceed growth assumptions for the city, Table 4.6-2, *Unmitigated Operational Criteria Air Pollutant Emissions*, in the DEIR illustrates operational impacts would exceed significant thresholds. Specifically, annual ROG emissions are estimated to exceed the threshold, making this impact significant.

Mitigation Measures

No mitigation measures are available.

Finding:

Changes or alterations have been required in, or incorporated into, the project that lessen the significant environmental effect as identified on page 4.6-9 of the Draft EIR. Features of and improvements proposed under the Project would contribute to minimizing air pollutant emissions. In addition, mitigation measures applied for Impact AIR-2 would also further reduce the project's regional operational and construction phase criteria air pollutant emissions to the extent feasible. However, these measures would not reduce the operational emissions of ROG's below the AQMP threshold, therefore this impact is significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

AIR-2	**The project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard.**

Construction

Construction activities are temporary impacts that, depending on the size and type of project, commonly occur in limited time periods. Construction emissions have the potential to significantly impact local air quality. Construction emissions include mobile source exhaust emissions, emissions generated during the application of asphalt paving material and architectural coatings, as well as emissions of fugitive dust during demolition and grading.

The proposed project would include a construction emissions control plan as part of its stormwater pollution prevention plan to avoid or minimize emissions from construction activities. Measures in the plan would minimize dust generation and emissions from construction equipment as appropriate. The plan would include measures such as watering all exposed areas, not allowing the idling of diesel-fueled engines for more than two minutes, and powering portable equipment by electricity if available instead of diesel (EMC Planning 2021).

Construction emissions were modeled for the total construction period (2023-2031). The emissions volume was calculated based on the assumption that the measures in the construction control plan that would be incorporated into the proposed project and on an assumption that Tier 4 engines would be used in all construction equipment. Tier 4 refers to the latest emission milestone established by the US Environmental Protection Agency and CARB applicable to new engines found in off-road equipment, including construction equipment and that the construction control plan measures are incorporated into the proposed project.

Table 4.6-1, *Construction Criteria Air Pollutant Emissions,* in chapter 4.6 of the DEIR summarizes criteria air pollutant emissions and compares them against the air district thresholds. As shown in Table 4.6-1, the construction criteria air emissions would not exceed air district thresholds of significance. Therefore, construction impacts would be less than significant.

Operation

The majority of adverse impacts on air quality come from the long-term operations of a project. Table 4.6-2, *Unmitigated Operational Criteria Air Pollutant Emissions,* in the DEIR shows the annual emissions and the average daily emissions of ROG, NO_x, total PM_{10} (i.e., direct emissions and fugitive road dust), and total $PM_{2.5}$ during operation of the proposed project, and compares the emissions with the applicable air district thresholds.

The proposed project is estimated to have annual and daily emissions below air district thresholds for each pollutant except for annual ROG emissions. Annual ROG emissions are estimated to exceed the 10 tons per year threshold by 3.69 tons per year. A majority of the ROG emissions (8.92 tons, or 65 percent) are associated with area sources such as architectural coatings and consumer products. ROG emissions from consumer products (i.e., solvents used in cleaning supplies, kitchen aerosols, cosmetics, and toiletries) make up most of the area source emissions (6.72 tons, approximately 75 percent). The CalEEMod ROG emissions factor for consumer products is based on statewide emissions data and statewide total building area. While CARB's Consumer Products Regulatory Program has established tighter emissions limits on several types of products over the years, the emissions reductions are almost offset by increases in population and product usage. Therefore, adjustments to the consumer products emissions factor would not be significant enough to achieve the reductions needed.

Applicant-Proposed Emission Reduction Measures

The proposed project would include onsite emissions reduction measures such as improved connectivity and traffic calming. Emissions from several of the measures can be quantified using CalEEMod, while several cannot. Table 4.6-3, *Operational Criteria Air Pollutant and DPM Emissions with Implementation of Applicant-Proposed Measures,* in the DEIR shows the resulting reductions in emissions volumes.

With reductions from applicant-proposed measures, the volume of operational criteria air pollutants is reduced. However, the ROG emissions volume of 12.54 tons per year would exceed the air district's threshold of 10 tons per year. This impact would, therefore, be significant.

Mitigation Measure:

Mitigation Measure AIR-1:

Following are the quantified applicant-sponsored mitigation measures for the project:

- Pedestrian network improvements which promote a shift from vehicles to nonmotorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled.
- Traffic calming features (e.g., bulb-outs and other features at several major intersections, and narrower than standard vehicle travel lanes) to reduce vehicle speeds and improve pedestrian safety, with the goal of promoting pedestrian movement.
- For businesses with 15 or more employees, transit subsidies of a minimum of 50 percent of the average daily transit cost for a minimum of 50 percent of the employees (ECAS measure).
- For businesses with 15 or more employees, employee parking "cash out" for a minimum of 50 percent of the employees (ECAS measure).
- For businesses with 15 or more employees, employee parking "cash out" for a minimum of 50 percent of the employees (ECAS measure).
- No woodstoves or natural gas hearths.
- Prohibition on use of natural gas in all residential units.
- Water efficient landscaping.

Following are the non-quantified applicant-sponsored mitigation measures for the project:

1. Construction phase control measures to reduce particulate (PM10) dust. Applicable measures include:

    - Prior to issuance of a grading permit, the project sponsor shall prepare a Dust Control Plan for review and approval by the City which shall incorporate all of the elements listed below.
    - All grading, trenching, and other phases of construction involving earthwork shall be monitored on a daily basis by a Qualified SWPPP Practitioner (QSP) who shall direct implementation of the approved Dust Control Plan, including supplemental watering, covering of material piles, use of wind breaks, hydroseeding, and other measures (in addition to those listed below) as necessary to minimize fugitive particulate dust leaving the site. Implementation of this measure by the QSP shall specifically take into consideration the following factors: (1) Proximity of daily grading operations to adjoining residential uses; (2) Type of work scheduled (grading, trenching, etc.); (3) The total area of exposed soil; (4) Prevailing wind direction and forecasted wind speed based on NOAA or other local daily source as identified in the Dust Control Plan; (5) The moisture content of the soil (based on recent rains, overcast days, sunny days, hot days, etc.); and (6) Hours of work scheduled.
    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered as directed by the QSP, including such watering and use of binding agents as determined necessary by the QSP to control dust after hours and on weekends and holidays when work is stopped.
    - All haul trucks transporting soil, sand, or other loose material shall be covered
    - Material stockpiles shall be separated from the site boundary adjoining residential uses to the extent practical, and covered when not in use as directed by the QSP.
    - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers as directed by the QSP. Dry power sweeping is prohibited.
    - All vehicle speeds on unpaved roads shall be limited to 15 mph.
    - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
    - Post a publicly visible sign with the telephone number of the QSP and person to contact at the Lead Agency regarding dust complaints. The QSP shall respond and take corrective action within 24 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
    - All excavation, grading, and/or demolition activities shall be suspended as directed by the QSP when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries.

- Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors, as directed by the QSP based on specific observed conditions. Wind breaks should have at maximum fifty percent air porosity.
- Apply non-toxic binders (e.g., latex acrylic copolymer) to disturbed areas after cut and fill operations and hydroseed area to establish a vegetative ground cover.
- Construction activities shall be phased to reduce the area of disturbed surfaces at any one time.
- Avoid tracking of visible soil material on to public roadways by treating site accesses to a distance of 100 feet from public paved roads with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.
- All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved public roadways; the QSP shall monitor compliance and enforcement of this requirement.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Inactive storage piles shall be covered.

2. Construction phase equipment exhaust control measures that reduce NOx and PM emissions, but also have the co-benefit of reducing GHG emissions. Applicable control measures include: Tier 4 engines for construction phase equipment exhaust control measures as specified under #9 below, minimizing construction equipment idling time, and using grid-supplied electricity to power both stationary and portable construction equipment.

3. Bicycle network improvements for off-street bike trails to promote a shift from vehicles to nonmotorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled.

4. Bicycle parking facilities at non-residential uses that exceeds minimum requirements in the California Green Building Standards Code (Tier 1/Tier 2).

5. Bicycle parking facilities at multi-family residential uses that exceeds minimum requirements in the California Green Building Standards Code (Tier 1/Tier 2).

6. Electric vehicle support infrastructure that exceeds minimum requirements in the California Green Building Standards Code. This includes level 2 charging stations at each single-family home (Tier 1), charging stations at 15 percent of parking spaces within multi-family residential development (Tier 1), charging stations at 15 percent of commercial building parking spaces (Tier 1), and designated parking spaces for fuel efficient vehicles (Tier 1).

7. Bus stops/shelters to be constructed as deemed necessary by City Coach through required consultations between developers of individual projects and City Coach.

8. Energy demand reduction measures that include:

    - Cool roofs on all non-residential buildings to reduce building cooling needs;
    - Electrical outlets on all exterior walls of residential units to promote using electric landscape equipment;
    - Energy Star appliances in all non-residential buildings;
    - Programmable thermostats in residential units; and
    - Landscape trees in all non-residential parking lots to achieve 50 percent shading of parking areas within 10 years.

9. Construction phase equipment exhaust control measures that reduce NOx and PM emissions, but also have the co-benefit of reducing GHG emissions. Applicable control measures include:

    - All diesel construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 final emission standards for PM (PM10 and PM2.5), if feasible, otherwise: (i) If Tier 4 Final equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 4 Interim or Tier 3 engines with particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; (ii) The construction contractor shall demonstrate to the City of Vacaville that Tier 4 Interim equipment is not available if Tier 3 equipment is used; and (iii) Use alternatively fueled equipment with lower NOx emissions that meet the NOx and PM reduction requirements above.

10. Diesel engines, whether for off-road equipment or on-road vehicles, shall not be left idling for more than two minutes, except as provided in exceptions to the applicable state regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of idling limit.

11. Provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment, such as generators, concrete/industrial saws, welders, and air compressors.

12. Portable equipment shall be powered by electricity if available, instead of diesel generators. If grid electricity is not available, batteries or fuel cell systems for backup power shall be considered before using fossil-fueled generators.

By design, the project inherently includes criteria air pollutant and GHG emissions reduction features. The project is intentionally planned with a mix of land uses. Such projects generally generate fewer vehicle trips and fewer vehicle miles traveled than those which do not include a mix of uses. Additionally, the infill location of the project site will result in reduced vehicle trip lengths relative to greenfield development on a site located at the edge of the city that must be annexed to the city. The mixed-use benefit of the project is not included here as an applicant-proposed measure to avoid double counting the reduction benefit. That benefit is largely captured in assumptions about reduced vehicle trip volume that are used to model air and GHG emissions.

The proposed project would also, by design, reduce energy demand for water management by providing on-site recycled water infrastructure to supply recycled irrigation water to the two proposed parks. This would occur once a recycled water supply becomes available through the City's planned recycled water project. However, since the recycled water supply is not yet certain, the GHG reduction benefit has conservatively not been assumed.

Finding:

The implementation of the proposed quantifiable and non-quantifiable mitigation measures would reduce criteria air pollutant emissions from construction and operation-related activities to the extent feasible. However, these measures would not reduce operational emissions of ROG's below the applicable threshold and therefore this impact is significant and unavoidable, as shown on page 4.6-12 of the Draft EIR. As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

2. Greenhouse Gas Emissions

GHG-1	**The project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.**

Construction Activities

Construction emissions were modeled at 12,244 MT CO_2e for the total construction period between 2023 and 2031. These are the emissions from construction equipment, vendor and hauling truck trips, and worker trips. The emissions volume was calculated based on an assumption that Tier 4 engines would be used in all construction equipment. Tier 4 refers to the latest emission milestone established by the US EPA and CARB applicable to new engines found in off-road equipment, including construction equipment.

Neither the City nor the air district have adopted a threshold of significance for construction GHG emissions. In such cases, it is common practice for CEQA impact analysis purposes to amortize the total construction emissions over a 30-year period to derive an annual construction emissions

volume. The annual volume is then added to the annual operational emissions volume to account for the construction emissions component. At a total of 12,244 MT CO_2e, annual construction emissions would be approximately 408 MT CO_2e per year over 30 years.

Operational Activities

The CalEEMod model, along with the project vehicle trip generation rates, was used to estimate daily emissions associated with the proposed project's operational activities at buildout in 2032. Annual operational GHG emissions are projected at 15,076 MT CO_2e in 2032.

Annual GHG Emissions

The projected annual project GHG emissions are the sum of the annual operational emissions and the annual amortized construction emissions. Table 4.11-3, *Annual Project GHG Emissions,* in the DEIR summarizes the total GHG emissions during construction and operational activities.

The proposed project would include onsite emissions reduction measures, such as improved connectivity and traffic calming. CalEEMod was used to evaluate the GHG emissions reductions that would accrue from implementing the applicable measures. Table 4.11-4, *Annual Operational GHG Emissions with Implementation of Applicant-Proposed Measures,* in the DEIR shows the emissions reduction volume from the measures and the reduced total project emissions volume.

The proposed project, by design, inherently includes a major GHG reduction feature. The proposed project has intentionally been designed to include a range of land uses, including local serving commercial uses. Projects containing a mix of uses generally generate fewer vehicle trips and fewer vehicle miles traveled than those that do not. Additionally, the infill location of the project site will result in reduced vehicle trip lengths relative to a site that must be annexed and results in expanding the city limits. The mixed-use character of the proposed project was not included here as an applicant-proposed measure to avoid double counting the reduction benefit.

Further, the project site is located directly across I-80 from the City's California Biomanufacturing Center, a major existing and future employment center. This locational feature of the proposed project would serve to reduce vehicle miles traveled for future residents by placing housing of varying densities and product types very near an employment center.

Project Service Population

The project service population is the sum of the new population and employment it would generate. The proposed project includes buildout population and employment projections. These are summarized in Table 4.11-5, *Projected Project Service Population* in the DEIR.

Table 4.11-6, *Project GHG Emissions Impact Summary,* in the DEIR shows the composite set of GHG variables. With reductions from applicant-proposed measures, the proposed project rate of GHG emissions of 3.74 MT CO_2e/SP exceeds the threshold of significance of 3.48 MT CO_2e/SP by 0.26 MT CO_2e/SP. This equates to about 943 MT CO_2e per year. Therefore, the proposed project would have a significant impact from generating GHG emissions.

Mitigation Measure:

Mitigation Measure GHG-1: Applicant proposed mitigation measures include:

a. Pedestrian network improvements which promote a shift from vehicles to nonmotorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled.
b. Traffic calming features (e.g., bulb-outs and other features at several major intersections, and narrower than standard vehicle travel lanes) to reduce vehicle speeds and improve pedestrian safety, with the goal of promoting pedestrian movement.
c. For businesses with 15 or more employees, transit subsidies of a minimum of 50 percent of the average daily transit cost for a minimum of 50 percent of the employees (ECAS measure).
d. For businesses with 15 or more employees, employee parking "cash out" for a minimum of 50 percent of the employees (ECAS measure).
e. No woodstoves or natural gas hearths.
f. Prohibition on use of natural gas in all residential units.
g. Water efficient landscaping.
h. Construction phase control measures as established in Section 4.6, Measure AIR-1 shown as numbers 1-2 and 9-12.
i. VMT reduction strategies and electric vehicle support infrastructure as established in Section 4.6 Measure AIR-1, shown as numbers 3-7.
j. Energy demand reduction measures as established in Section 4.6, Measure AIR-1, shown as number 8.

Finding:

Incorporation the applicant-proposed mitigation measures would encourage and accommodate use of alternative-fueled vehicles, nonmotorized transportation, and transit and ensure that mobile-source GHG emissions from the proposed project are minimized. These measures also address and reduce construction-related emissions and emissions from operational energy usage. Although the emissions per service population would decrease from implementation of the proposed mitigation measures, it would still exceed the City's forecast year 2035 efficiency target of 3.48 $MTCO_2e$/SP by 0.26 MT CO2e/SP. Therefore, this impact would be significant and unavoidable, as shown on page 4.11-18 of the Draft EIR. As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

GHG-3	**The proposed project would result in cumulative greenhouse gas emissions impacts.**

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, Impact 4.8-1 is not a project-specific impact, but the proposed project's contribution to a cumulative impact. Implementation of the proposed project would exceed emissions per service population thresholds. Therefore, project-related GHG emissions and their contribution to global climate change would be cumulatively considerable, and GHG impacts would be significant and unavoidable.

Mitigation Measures

There are no feasible mitigation measures.

Finding:

Incorporation the applicant-proposed mitigation measures described under impact GHG-1 would encourage and accommodate use of alternative-fueled vehicles, nonmotorized transportation, and transit and ensure that mobile-source GHG emissions from the proposed project are minimized. These measures also address and reduce construction-related emissions and emissions from operational energy usage. Although the emissions per service population would decrease from implementation of the proposed mitigation measures, implementation of the proposed project would still exceed the thresholds. Therefore, this impact's contribution to global climate change would be cumulatively considerable and impacts would be significant and unavoidable, as shown on page 4.11-22 of the Draft EIR. As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

3. **Transportation**

TRANS-2	**VMT attributable to the project would exceed applicable thresholds. Therefore, the project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). This impact is significant and unavoidable.**

VMT Assessment

The proposed Specific Plan includes measures intended to reduce VMT, including a mix of residential and commercial land uses. In addition, the proposed Specific Plan emphasizes street connectivity and accessibility for multiple modes of transportation, with a proposed street network that will accommodate transit access. The analysis within this section is based on the analysis and findings of the *VMT Analysis* memorandum prepared by GHD on November 10, 2021 that summarizes the findings of the VMT assessment of the proposed Greentree Development project based on the City's interim thresholds utilizing the City's most current travel demand model

(January 2021). The VMT analysis memorandum is included in Appendix 4.19-2 of the DEIR and provides detailed data, including methodology, assumptions, and analysis results related to the VMT analysis. Per the City's VMT guidance, the analysis of Project VMT was conducted for the model base year 2015, and cumulative Build Out – Northeast conditions. Table 4.19-2 in the DEIR presents the trips, trip lengths, VMT, and VMT per unit results of the project for existing baseline (model year 2015) conditions. Table 4.19-3 in the DEIR presents the trips, trip lengths, VMT, and VMT per unit results of the project for cumulative build out-northeast conditions. As shown: the proposed residential multi-family residential component of the project would exceed the VMT threshold under existing baseline conditions, while the proposed commercial development would exceed the VMT threshold under both existing baseline and cumulative conditions.

Impact TRANS-2.2 (Commercial VMT): The project's shopping center/retail component would exceed the City's threshold for retail VMT per KSF by 20.5 percent under existing conditions with the project, and by 9.5 percent under the cumulative build out-northeast conditions with the project.

Mitigation Measures

The applicant considered a multitude of potential on-site reduction measures based largely on reference to multiple resources, the most widely recognized of which is Quantifying Greenhouse Gas Mitigation Measures, California Air Pollution Control Officers Association (CAPCOA), 2010. The applicant also reviewed other recent CEQA documents for similar projects in the region and consulted with City staff regarding other measures that could be considered, several of which have been included. Lastly, the applicant reviewed the City's adopted Energy Conservation and Action Strategy (City of Vacaville 2021) (ECAS) to identify applicable VMT reduction measures that should be incorporated into the project. The measures represent applicable, feasible actions that are within the applicant's control, and consequently, can be enforced by the City through conditions of approval. Developers of individual future projects within the specific plan boundary would be required to implement the measures that are applicable to their respective projects.

Mitigation Measure TRANS-2.2 (Commercial VMT): The project applicant shall ensure provision of the following measures to reduce VMT attributable to the commercial portion of the project:

- Transportation demand management (TDM) measures to reduce employee VMT, to include:
    - For businesses with 15 or more employees, transit subsidies of a minimum of 50 percent of the average daily transit cost for a minimum of 50 percent of the employees (ECAS measure).
    - For businesses with 15 or more employees, employee parking "cash out" for a minimum of 50 percent of the employees (ECAS measure).
- Bicycle network improvements and land for off-street bike trails to which promote a shift from vehicles to non-motorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled.
- Bicycle parking facilities at non-residential uses that exceeds minimum requirements in the California Green Building Standards Code (Tier 1/Tier 2).

- Pedestrian network improvements which promote a shift from vehicles to non-motorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled, including provision of a grid street network with smaller block sizes north of Sequoia Street.
- Traffic calming features (e.g., bulb-outs and other features at several major intersections, and narrower than standard vehicle travel lanes) to reduce vehicle speeds and improve pedestrian safety, with the goal of promoting pedestrian movement and connectivity.
- Bus stops/shelters and access improvements for CityCoach service.

Finding:

The mitigation measures identified in TRANS-2.2 are measures proven to reduce VMT, especially when implemented in conjunction with one another. The mitigation measures mentioned address Greentree Specific Plan mobility goals with connectivity and accessibility for multiple modes of transportation on key internal roadways consistent with the concept for complete streets. The roadway types support vehicle, pedestrian, and bicycle use, and will accommodate transit access, and each has been designed to prioritize specific travel modes. These features are crucial for several reasons. First, they promote relationships between neighbors by creating social interaction. Second, they provide opportunities for physical movement and improved health. Third, by providing an alternative to vehicle travel, air and greenhouse gas emissions are reduced. While adopting these mitigation measures can potentially reduce dependency on automobiles there is still a high variation in the range of potential VMT reductions that could be accomplished. With the largest reductions generally occurring when reducing employment VMT (attributable to "work trips" to and from places of employment) it is less effective in reducing VMT attributable to retail land uses in which most VMT would be generated by customers. Quantifying the effectiveness of the VMT reduction strategies cannot be calculated at this time because of the uncertainty, particularly with regard to VMT attributable to retail land uses, given the large share of trips generated by customers. The Greentree Specific Plan's mobility plan focuses on connectivity and accessibility for multiple modes of transportation on key internal roadways consistent with the concept for complete streets. New and existing streets are also designed to include amenities that best support adjacent land and that give the streets their own character. Several street classifications have been developed as a hierarchy that intuitively connects users to desired experiences and destinations. Streets constructed to the standards for each classification work together and are interconnected. The roadway types support vehicle, pedestrian, and bicycle use, and will accommodate transit access, and each has been designed to prioritize specific travel modes. Pedestrian, bicycle and trail connectivity is a foundational design element of the proposed project. These features are crucial for several reasons. First, they promote relationships between neighbors by creating social interaction. Second, they provide opportunities for physical movement and improved health. Third, by providing an alternative to vehicle travel, air and greenhouse gas emissions are reduced – a goal that is at the vanguard of current and forward-thinking land use and mobility planning. Despite these project design features, the modeling of VMT shown in chapter 4.19-3 shows that the project would exceed the defined threshold. Therefore, this impact is considered significant and unavoidable as shown on page 4.19-19 of the Draft EIR.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

TRANS-5	**VMT attributable to commercial portions of the proposed development would exceed applicable thresholds under cumulative conditions. This impact is significant and unavoidable.**

Cumulative VMT impacts are incorporated into the analysis of Impact TRANS-2 and shown on Table 4.19-3, which found that cumulative VMT impacts attributable to the proposed residential land uses would be less than significant because they do not exceed the City's threshold for residential VMT per dwelling unit under cumulative build out-northeast conditions. Cumulative VMT impacts attributable to the proposed commercial land uses with Mitigation TRANS-2.2 were identified as significant and unavoidable because this land use would exceed the City's threshold for retail VMT per KSF under existing conditions and cumulative build out-northeast conditions.

Mitigation Measures

The project is an infill site which adjoins an established residential neighborhood (to the west) and a growing employment center (on the north side of Interstate 80). It contains several measures to minimize VMT, including placement of higher density residential uses in close proximity of local commercial services, incorporation of complete streets, and pedestrian walkways and bicycle/pedestrian trails connecting the commercial area with the entire project as well as the adjoining neighborhood, and access to public transportation. No further mitigation is feasible.

Finding:

Despite the project's project design features and mitigation measure TRANS-2.2, the modeling of VMT shown in chapter 4.19-3 shows that the project would exceed the defined threshold for commercial VMT. Therefore, this impact is considered significant and unavoidable as shown on page 4.19-22 of the Draft EIR. As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

IV. ALTERNATIVES TO THE PROPOSED PROJECT

An EIR must briefly describe the rational for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are feasible, and therefore, merit in-depth consideration, and which ones are infeasible.

A. Alternatives Considered and Rejected During the Scoping/Project Planning Process

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the Draft EIR.

1. Alternative Location

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that can avoid or substantially lessening any significant environmental effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines § 15126[5][B][1]). Key factors in evaluating the feasibility of potential offsite locations for EIR project alternatives include:

- If it is in the same jurisdiction.
- Whether development as proposed would require a General Plan Amendment.
- Whether the project applicant could reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent) (CEQA Guidelines Section 15126.3[f][1]).

The project applicant does not own or control other comparably sized and located property within the City. While there are other comparably sized sites within the city located east of Leisure Town Road, these sites consist of greenfield annexation sites. Furthermore, these sites are currently agricultural land with an Urban Reserve land use designation. As the City has the 1185.4-acre Greentree site available for infill, the process for converting Urban Reserve lands would be infeasible as it would fail Subsection B of Vacaville Municipal Code Section 14.04.038.020, Process for Converting Urban Reserve Lands. Consequently, there are no other areas within the city that are comparable in size, or that are not already approved for development.

While the project requires the approval of a General Plan Amendment and Zone Change, the intent of the zone change is to enable residential development at a variety of densities, with a wide range of housing types, including active-adult detached single-family and workforce-oriented housing; as well as commercial including neighborhood serving uses; public parks; trails and open space; circulation improvements, and infrastructure facilities.

In general, any development of the size and type proposed by the project would have similar impacts on aesthetics, air quality, energy, geology and soils, greenhouse gas emissions, land use and planning, noise, population and housing, recreation, transportation, utilities and service systems, and wildfire. Depending on the location and whether the site is a greenfield, it could have more severe impacts related to agriculture and forestry resources, biological resources, cultural resources, and tribal cultural resources. With the exception of air quality, greenhouse gas emissions, and transportation impacts, under the proposed project, the above impacts were found to be less than significant or less than significant with mitigation incorporated. A development with similar size and type of uses would create similar air quality and greenhouse gas emissions impacts if placed elsewhere in the city. The City has determined that there is no alternative project site that could meet the objectives of the proposed project and reduce significant impacts of the project as proposed.

2. Reduced Residential Density Alternative

A reduced density alternative would result in fewer residences, which would theoretically reduce traffic and thereby reduce impacts identified for the project, such as air quality and greenhouse gas (GHG) emissions. However, such an alternative would conflict with CEQA Guidelines Section 15041(c), which states that for a project that includes housing development, a Lead or Responsible Agency shall not reduce the proposed number of housing units as an alternative to lessen a particular significant effect on the environment if that agency determines that there is another feasible alternative that would provide a comparable lessening of the significant effect. Further, such an alternative would not achieve or would only partially achieve project objectives of providing for residential land uses at higher densities.

A reduced residential density alternative would not be consistent with regional planning that requires accommodation of regional housing needs. By restricting residential development, the environmental impact of the projected growth would increase development pressure elsewhere in the region. As a reduced development density conflicts with CEQA Guidelines Section 15041(c) and regional plans, would relocate impacts outside of the city, and would not meet the project objectives, this alternative was not evaluated in the EIR.

B. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Based on the criteria listed above, the following alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the project but may avoid or substantially lessen any of the significant effects of the project. These alternatives are analyzed in detail in this section:

- No Project Alternative - This alternative is required by state law and considers the continued use of the project consistent with the existing zoning regulations
- Reduced Commercial Development Alternative

An EIR must identify an "environmentally superior" alternative and if the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the proposed project and determined to be environmentally superior, neutral, or inferior.

1. No Project Alternative

The No Project Alternative is required to discuss the existing conditions at the time the notice of preparation is published and evaluate what would reasonably be expected to occur in the foreseeable future if the proposed project is not approved (CEQA Guidelines, Section 15126.6(e)). Pursuant to CEQA, this alternative is also based on current plans and consistent with available infrastructure and community services. Whereas the existing commercial and commercial recreation zoning would accommodate potential future uses permitted or conditionally permitted in these zoning districts, it is conservatively assumed for purposes of this analysis that under the No Project Alternative the proposed project would not be approved, and no additional development would occur as proposed. The project site would remain as a closed golf course with adjoining undeveloped lands north of Gilley Way, and residential and commercial development would not occur.

The No Project Alternative would avoid impacts to agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils and mineral resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, parks and recreation, transportation, tribal cultural resources, and utilities and service systems. This alternative would not meet any of the project objectives.

Finding:

This Alternative is rejected as infeasible because it would not meet any of the project objectives. Under this alternative the site would continue to exist as an unused golf course and not provide a variety of housing types at a range of price points that would help to meet the City's housing needs nor provide a viable, high quality commercial retail/service commercial center. Therefore, this Alternative is eliminated from further consideration.

2. Reduced Commercial Development Alternative

The Reduced Commercial Development Alternative would reduce the commercial building footprint by 15 percent from 299,345 square feet to 255,000 square feet. Under this alternative, the rezone, General Plan Amendment, and Green Tree Park Policy Plan Amendment would still be required similar to the proposed project.

The Reduced Commercial Development Alternative would result in less impacts related to air quality, energy, GHG emissions, noise, and transportation. This alternative would result in similar impacts related to agriculture and forestry resources, biological resources, cultural resources,

geology and soils and mineral resources, hazards and hazardous materials, land use and planning, population and housing, public services, recreation, tribal cultural resources, utilities and service systems, and wildfire. However, this alternative would result in fewer neighborhood serving uses as commercial retail space would be reduced compared to the proposed project. It would also reduce revenues to pay for public services, and would conflict with the basic objectives of the proposed project by reducing the ability to accommodate local retail and service needs. This reduction in services for local residents may lead to increased VMT, would reduce an important source of revenue to help pay for the extensive public infrastructure required for the balance of the project, and could therefore preclude implementation of the proposed project.

Finding:

This Alternative would reduce the commercial building footprint by 15 percent from 299,345 square feet to 255,000 square feet. The Alternative would not, however, eliminate the significant and unavoidable impacts to air quality, greenhouse gas emissions and transportation that were identified in discussion of the proposed project. This alternative would also result in fewer neighborhood serving uses as commercial retail space would be reduced compared to the proposed project. It would additionally reduce revenues to pay for public services, and would conflict with the basic objectives of the proposed project by reducing the ability to accommodate local retail and service needs. This reduction in services for local residents may lead to increased VMT, would reduce an important source of revenue to help pay for the extensive public infrastructure required for the balance of the project, and could therefore preclude implementation of the proposed project. This Alternative is eliminated from further consideration.

V. FINDINGS ON RESPONSES TO COMMENTS ON THE DRAFT EIR AND REVISIONS TO THE FINAL EIR

The Final EIR contains response to comments, revisions, clarifications, and corrections to the Draft EIR. The focus of the response to comments is on the disposition of significant environmental issues as raised in the comments, as specified by State CEQA Guidelines Section 15088(b). The City provided written responses to each comment made by a public agency, as set forth in Section 2 of the Final EIR, pursuant to State CEQA Guidelines Section 15088(b).

City staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the Draft EIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the CEQA Guidelines.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (State CEQA Guidelines § 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (State CEQA Guidelines § 15093 [b]). The agency's statement is referred to as a Statement of Overriding Considerations.

The following provides a description of the project's significant and unavoidable adverse impacts and the justification for adopting a statement of overriding considerations.

A. Significant and Unavoidable Impacts

Although most potential project impacts have been substantially avoided or mitigated, as described above, there remains six project impacts for which complete mitigation is not feasible. The Draft EIR identified the following significant and unavoidable impacts of the proposed project, which would continue to be applicable upon implementation of the proposed project:

Air Quality

- AIR-1 The project would conflict with or obstruct implementation of the applicable air quality plan.
- AIR-2 The project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard.

Greenhouse Gas Emissions

- GHG-1 The project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- GHG-3 The proposed project would result in cumulative greenhouse gas emissions impacts.

Transportation

- TRANS-2 The project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).
- TRANS-4 The project would contribute to cumulative impacts related vehicle miles traveled (VMT).

B. Project Benefits in Support of the Statement of Overriding Considerations

The following section describes the benefits of the proposed project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the project acceptable even though the Final EIR has indicated that there will six significant project impacts that cannot be fully mitigated. Accordingly, this Statement of Overriding Considerations regarding potentially significant adverse environmental impacts resulting from the proposed project, as set forth below, has been prepared. Pursuant to CEQA Guidelines §15093(c), the Statement of Overriding Considerations will be included in the record of the project approval and will also be included in the record of the project approval and will also be noted in the Notice of Determination. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the proposed project.

Having reduced the potential effects of the proposed project through all feasible design features and mitigation measures, and balancing the benefits of the proposed project against its unavoidable adverse impacts on air quality, greenhouse gas emissions and VMT's, the City finds that the following legal requirements and benefits of the proposed project individually and collectively outweigh the potentially significant unavoidable adverse impacts for the following reasons:

1. Implements the Objectives Established for the Proposed Project

The project aims to provide new opportunities for housing that suit a range of needs including workforce housing, senior housing, and "missing middle" housing. It also aims to provide commercial/retail services and recreational opportunities to residents of the development and surrounding communities while promoting non-motorized connectivity within and around the project. The proposed project would include approximately 1,149 dwelling units, with approximately 950 units of higher density housing types located north of Sequoia and 199 units of detached, single- family senior housing located south of Sequoia. Commercial building capacity for north of Sequoia is estimated at up to 299,345 square feet. The project would also include the dedication of approximately 6.0 acres north of Sequoia as a neighborhood park, 4.5 acres south of Sequoia to function as a second smaller park, and 19.8 acres to function as public trail corridor/open space (excluding detention basins). The project also includes strategies that would incentive pedestrian, bicycle, and transit travel, including bicycle and pedestrian network improvements, the provision of bicycle facilities, and the addition of bus stops. These project features implement the project's objectives.

2. Provides Residential and Employment Opportunities

The proposed project would provide approximately 1,149 dwelling units, with approximately 950 units of higher density housing types located north of Sequoia and 199 units of detached, single-family senior housing located south of Sequoia. This development is expected to house approximately 2,565 people and would help the City to meet its RHNA of 1,862 housing units. Additionally, the project would provide 299,345 square feet of commercial space to serve residents

of the new development and the surrounding communities. This land use would also generate employment opportunities for City.

3. Provides Recreational Opportunities

The proposed project includes a 6-acre park in the North of Sequoia Drive section of the project, a 4.5 acre in the south of Sequoia neighborhood, and approximately 42.4 acres of public open space including 20.3 acres of publicly accessible trails and open space. These public trails would extend around the perimeter of several of the detention and water quality basins and would additionally link the area north of Sequoia with the area south of Sequoia, providing multiple points of connection to the existing neighborhood to the west. These amenities are intended to serve the residents of the proposed development as well as provide recreational opportunities for other residents of the City.

4. Implements City of Vacaville General Plan Policies

The project helps to implement a number of the City's Land Use, Housing, Transportation, Conservation and Open Space, Parks and Recreation, Safety, Elements goals and policies. These goals and policies include providing high quality housing in a range of residential densities and types; providing a balanced, multimodal transportation network that meets the needs of all users; and developing and maintaining a high-quality public park system that provides varied recreational opportunities for city residents, workers, and visitors; among 58 additional goals and policies. The project consists of a design that provides a variety of housing types, commercial and recreational opportunities, and safe, efficient connection between the uses in the community and outside of the community.

5. Incorporation of Sustainable Project Design Features

The proposed project would incorporate sustainable project design features that target sustainable site development, implement energy efficient building designs, reduce water demand, reduce traffic trips, and improve indoor environmental quality. These include but are not limited to the following:

- Non-vehicular circulation features to fully integrate the proposed project with the adjacent neighborhoods. The connectivity network would create convenient non-vehicular access to parks, open space, and new commercial retail destinations; and reduce vehicle trips and vehicle miles traveled, thereby reducing greenhouse gas emissions and criteria air pollutants.

- Strategies to encourage the use alternative modes of transportation employees of businesses including transit subsidies of a minimum of 50 percent of the average daily transit cost for a minimum of 50 percent of the employees for businesses with 15 or more employees and employee parking "cash out" for a minimum of 50 percent of the employees for businesses with 15 or more employees.

- Bicycle parking facilities at non-residential and multi-family residential uses that exceeds minimum requirements in the California Green Building Standards Code.
- Electric vehicle support infrastructure that exceeds minimum requirements in the California Green Building Standards Code. This includes level 2 charging stations at each single-family home (Tier 1), changing stations at 15 percent of parking spaces within multi-family residential development (Tier 1), charging stations at 15 percent of commercial building parking spaces (Tier 1), and designated parking spaces for fuel efficient vehicles (Tier 1).
- Cool roofs on all non-residential buildings to reduce building cooling needs;
- Electrical outlets on all exterior walls of residential units to promote using electric landscape equipment;
- Energy Star appliances in all non-residential buildings;
- Programmable thermostats in residential units; and
- Landscape trees in all non-residential parking lots to achieve 50 percent shading of parking areas within 10 years.
- Bus stops/shelters and access improvements for CityCoach service.
- Water efficient landscaping.

C. Conclusion

The City Council of Vacaville has balanced the project's benefits against the significant unavoidable impacts. The City Council finds that the proposed project's benefits, which aim to meet the goals and policies of the City of Vacaville General Plan, individually outweigh the project's significant unavoidable impacts, and these impacts, therefore, are considered acceptable in the light of the project's benefits. The City Council finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the project notwithstanding the project's significant unavoidable impact.

EXHIBIT B TO RESOLUTION 2022-104

August 2022 | **Mitigation Monitoring and Reporting Program**
State Clearinghouse No. 2019049003

The Greentree Project

City of Vacaville

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PLACEWORKS

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1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a record of monitoring mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR). The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and the City of Vacaville Monitoring Requirements. Section 21081.6 states:

> (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
>
> (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
>
> (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

1.2 EIR SUMMARY

1.2.1 PROJECT LOCATION

The proposed project is located at 999 Leisure Town Road, situated to the east of Interstate 80 (I-80) in the city of Vacaville, Solano County, California. The project site is in the northeastern portion of the city, located approximately 2.7 miles northeast of Downtown Vacaville, approximately 10.5 miles north of the city of Fairfield, and approximately 7.5 southwest of the city of Dixon. The project site is bounded by Leisure Town Road to the east; Orange Drive to the north and northwest; Sequoia Drive, and Yellowstone Drive to the west; and Green Tree Drive to the southwest.

1. Introduction

1.2.2 PROJECT SUMMARY

The Greentree Development Group, Inc. (project applicant) is requesting adoption of the proposed project, which would result in the development of two neighborhoods – the north of Sequoia neighborhood and the south of Sequoia neighborhood. This distinction is made due to the differing character of development proposed within each area and the supporting uses, infrastructure, and facilities needed to support each development. The project site is roughly bisected by Sequoia Drive into a northern portion and a southern portion. The north of Sequoia neighborhood includes higher density residential land uses, commercial development, regional serving commercial sites, and park and recreational facilities. The south of Sequoia neighborhood includes a single-family active adult (senior) residential community and provides open space, and park and recreational amenities.

The proposed project has incorporated site plan refinements that have been made over time based on input from City of Vacaville (City) planning, engineering, utility, parks, and economic development staff; discussions with several neighborhood groups and their representatives; analysis of market demands and projected development needs; updated hydrology, utility, biological resource, engineering, related technical information developed by the applicant team; and input from the Vacaville City Council. Recommendations for use types, use relationships, circulation patterns and roadway designs, residential densities and product types, commercial end use types and parcel size needs, and recreation resources have been considered through this process.

1.3 ENVIRONMENTAL IMPACTS

1.3.1 Impacts Considered Less Than Significant

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that would not be significantly impacted by the proposed project and therefore have no mitigation measures to monitor. Impacts to the following were found to be less than significant:

- Aesthetics
- Agriculture and Forestry Resources
- Energy
- Hydrology and Water Quality
- Land Use and Planning
- Population and Housing
- Public Services
- Parks and Recreation
- Utilities and Service Systems
- Wildfire

1.3.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that could be reduced, avoided, or substantially lessened through the implementation of the 2016 EIR mitigation measures, as shown in Chapter 8, *Impacts Found Not to be Significant,* of this DEIR.

- Biological Resources
- Cultural Resources
- Geology and Soils and Mineral Resources
- Hazards and Hazardous Materials
- Noise
- Tribal Cultural Resources

1.3.3 Unavoidable Significant Adverse Impacts

The following impacts would remain significant and unavoidable after implementation of the required mitigation, as identified in the DEIR:

- Air Quality
- Greenhouse Gas Emissions
- Transportation

2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM

As the lead agency, the City is responsible for the review of all monitoring reports, enforcement actions and document disposition. The City will rely on information provided by individual monitors (e.g., CEQA consultant, etc.) as accurate and up to date, and will field check mitigation measure status, as required.

2.2 MITIGATION MONITORING TEAM

The mitigation monitoring team, consisting of the designated Project Manager and Technical Consultants (CEQA consultant, etc.) are responsible for monitoring implementation and compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is in-field monitoring and compliance report preparation. Implementation disputes are brought to the Project Manager/City Planning Director.

2.2.1 Monitoring Team

The following summarizes key positions in the MMRP and their respective functions:

- **Project Manager**: Responsible for coordination of mitigation monitoring team, technical consultants, report preparation, and overall program administration and document/report clearinghouse. The overall Project Manager is the Planning Director who may delegate responsibilities as required to efficiently monitor the project mitigation measures.
- **Construction Contractor**: Responsible for coordination of mitigation monitoring team; technical consultants; report preparation; and implementation the monitoring program, including overall program administration, document/report clearinghouse, and first phase of dispute resolution.
- **Technical Consultants**: Responsible for monitoring in respective areas of expertise (CEQA consultant, project engineer, noise analyst/specialist). Report directly to the Project Manager.

2.2.2 Recognized Experts

The use of recognized experts on the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts assess compliance with required mitigation measures, and recognized experts from responsible agencies consult with the Project Manager regarding disputes.

2.3 ARBITRATION RESOLUTION

If the mitigation monitor determines that a mitigation measure, in the opinion of the monitor, has not been implemented or has not been implemented correctly, the problem will be brought before the Project Manager for resolution. The decision of the Project Manager is final unless appealed to the City's Planning Director. The Project Manager will have the authority to issue stop-work order until the dispute is resolved.

2.4 ENFORCEMENT

Public agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, or in some cases, notice of violation for tax purposes.

3. Mitigation Monitoring Requirements

3.1 PRE-MITIGATION MEETING

A pre-monitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and mitigation monitoring committee responsibilities. Committee rules are established, the entire mitigation monitoring program is presented, and any misunderstandings are resolved.

3.2 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1, *Mitigation Monitoring Requirements*. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures. These mitigation measures are also contained in the Conditions of Approval matrix for the Project.

3.3 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g. hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the Project Manager.

3.4 DATA BASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared utilizing Microsoft Word software on IBM-compatible PCs.

3.5 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.6 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the City of Vacaville Fire Department.

3. Mitigation Monitoring Requirements

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Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
4.6 AIR QUALITY					
Mitigation Measure AIR-1	**Following are the quantified applicant-sponsored mitigation measures for the project:** • Pedestrian network improvements which promote a shift from vehicles to nonmotorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled. • Traffic calming features (e.g., bulb-outs and other features at several major intersections, and narrower than standard vehicle travel lanes) to reduce vehicle speeds and improve pedestrian safety, with the goal of promoting pedestrian movement. • For businesses with 15 or more employees, transit subsidies of a minimum of 50 percent of the average daily transit cost for a minimum of 50 percent of the employees (ECAS measure). • For businesses with 15 or more employees, employee parking "cash out" for a minimum of 50 percent of the employees (ECAS measure). • For businesses with 15 or more employees, employee parking "cash out" for a minimum of 50 percent of the employees (ECAS measure). • No woodstoves or natural gas hearths. • Prohibition on use of natural gas in all residential units. • Water efficient landscaping. **Following are the "non-quantified" applicant-sponsored mitigation measures shall be implemented:** 1. Construction phase control measures to reduce particulate (PM10) dust. Applicable measures include:	Project Applicant, Construction Contractor	As Specified Prior to the Issuance of Building Permits and During Construction	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• Prior to issuance of a grading permit, the project sponsor shall prepare a Dust Control Plan for review and approval by the City which shall incorporate all of the elements listed below. • All grading, trenching, and other phases of construction involving earthwork shall be monitored on a daily basis by a Qualified SWPPP Practitioner (QSP) who shall direct implementation of the approved Dust Control Plan, including supplemental watering, covering of material piles, use of wind breaks, hydroseeding, and other measures (in addition to those listed below) as necessary to minimize fugitive particulate dust leaving the site. Implementation of this measure by the QSP shall specifically take into consideration the following factors: (1) Proximity of daily grading operations to adjoining residential uses; (2) Type of work scheduled (grading, trenching, etc.); (3) The total area of exposed soil; (4) Prevailing wind direction and forecasted wind speed based on NOAA or other local daily source as identified in the Dust Control Plan; (5) The moisture content of the soil (based on recent rains, overcast days, sunny days, hot days, etc.); and (6) Hours of work scheduled. • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered as directed by the QSP, including such watering and use of binding agents as determined necessary by the QSP to control				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
dust after hours and on weekends and holidays when work is stopped. • All haul trucks transporting soil, sand, or other loose material shall be covered. • Material stockpiles shall be separated from the site boundary adjoining residential uses to the extent practical, and covered when not in use as directed by the QSP. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers as directed by the QSP at least one per day. Dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Post a publicly visible sign with the telephone number of the QSP and person to contact at the Lead Agency regarding dust complaints. The QSP shall respond and take corrective action within 24 24 hours. The Air District's phone number shall				

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
also be visible to ensure compliance with applicable regulations. • All excavation, grading, and/or demolition activities shall be suspended as directed by the QSP when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries. • Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors, as directed by the QSP based on specific observed conditions. Wind breaks should have at maximum fifty percent air porosity. • Apply non-toxic binders (e.g., latex acrylic copolymer) to disturbed areas after cut and fill operations and hydroseed area to establish a vegetative ground cover. • Construction activities shall be phased to reduce the area of disturbed surfaces at any one time. • Avoid tracking of visible soil material on to public roadways by treating site accesses to a distance of 100 feet from public paved roads with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. • All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
free of dirt prior to entering paved public roadways; the QSP shall monitor compliance and enforcement of this requirement. • Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent. • Inactive storage piles shall be covered. 2. Construction phase equipment exhaust control measures that reduce NOx and PM emissions, but also have the co-benefit of reducing GHG emissions include: Tier 4 engines for construction phase equipment exhaust control measures as specified under #9 below, minimizing construction equipment idling time, and using grid-supplied electricity to power both stationary and portable construction equipment. 3. Bicycle network improvements for off-street bike trails to promote a shift from vehicles to nonmotorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled. 4. Bicycle parking facilities at non-residential uses that exceeds minimum requirements in the California Green Building Standards Code (Tier 1/Tier 2).				

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
5. Bicycle parking facilities at multi-family residential uses that exceeds minimum requirements in the California Green Building Standards Code (Tier 1/Tier 2).				
6. Electric vehicle support infrastructure that exceeds minimum requirements in the California Green Building Standards Code. This includes level 2 charging stations at each single-family home (Tier 1), charging stations at 15 percent of parking spaces within multi-family residential development (Tier 1), charging stations at 15 percent of commercial building parking spaces (Tier 1), and designated parking spaces for fuel efficient vehicles (Tier 1).				
7. Bus stops/shelters to be constructed as deemed necessary by City Coach through required consultations between developers of individual projects and City Coach.				
8. Energy demand reduction measures that include:				
• Cool roofs on all non-residential buildings to reduce building cooling needs;				
• Electrical outlets on all exterior walls of residential units to promote using electric landscape equipment;				
• Energy Star appliances in all non-residential buildings;				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• Programmable thermostats in residential units; and • Landscape trees in all non-residential parking lots to achieve 50 percent shading of parking areas within 10 years. 9. Construction phase equipment exhaust control measures that reduce NOx and PM emissions, but also have the co-benefit of reducing GHG emissions. Applicable control measures include: • All diesel construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 final emission standards for PM (PM10 and PM2.5), if feasible, otherwise: (i) If Tier 4 Final equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 4 Interim or Tier 3 engines with particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; (ii) The construction contractor shall demonstrate to the City of Vacaville that Tier 4 Interim equipment is not available if Tier 3 equipment is used; and (iii) Use alternatively fueled equipment with lower NOx emissions that meet the NOx and PM reduction requirements above.				

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	10. Diesel engines, whether for off-road equipment or on-road vehicles, shall not be left idling for more than two minutes, except as provided in exceptions to the applicable state regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of idling limit. 11. Provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment, such as generators, concrete/industrial saws, welders, and air compressors. 12. Portable equipment shall be powered by electricity if available, instead of diesel generators. If grid electricity is not available, batteries or fuel cell systems for backup power shall be considered before using fossil-fueled generators.				
Mitigation Measure AIR-2	At the two apartment buildings that are completely within the area with 10 per million or greater cancer risk, the developer shall install and maintain air filtration systems of fresh air supply either on an individual unit-by-unit basis, with individual air intake and exhaust ducts ventilating each unit separately, or through a centralized building ventilation system. The ventilation system shall include a properly installed and operated ventilation	Project Applicant, Construction Contractor	Prior to the Issuance of Building and Occupancy Permits	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	system with filters having a Minimum Efficiency Report Value of 13, which is expected to achieve an 80 percent reduction. A reduction of 80 percent in DPM would reduce cancer risk from I-80 at the closest of the two apartment buildings (the most sensitive receptor location) from 12.9 to 3.1 in a million, well below the single-source threshold of 10 in a million.				
Mitigation Measure AIR-3	At the two apartment buildings that are partially within the area with 10 per million or greater cancer risk, the developer shall locate the air intakes as far outside the area with 10 per million or greater risk from I-80 as possible.	Project Applicant, Construction Contractor	Prior to the Issuance of Building Permits	City of Vacaville Community Development Department	
4.7 BIOLOGICAL RESOURCES					
Mitigation Measure BIO-1	Prior to grading, the applicant shall mitigate for the loss of Swainson's hawk foraging habitat by preserving similar or better habitat at an off-site location at a 1:1 ratio, consistent with CDFW's 1994 Staff Report regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California. The provision of compensatory mitigation may be accomplished through purchase of credits from an agency-approved mitigation bank such as the Burke Ranch Conservation Bank or the Elsie Gridley Mitigation Bank. Alternately, the mitigation could be fulfilled through the enhancement, management, and preservation of other off-site mitigation lands that are protected in-perpetuity by a conservation easement. The applicant shall prepare and submit a plan of the proposed off-site mitigation to the City for approval. If the project is constructed in phases, the compensatory mitigation for impacted Swainson's hawk foraging habitat within each phase shall be provided prior to grading that phase.	Project Applicant	Prior to Issuance of Grading Permits for any individual phase of work	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Mitigation Measure BIO-2 • The applicant shall remove trees during the fall and winter, if feasible, to minimize the potential for take of nesting Swainson's hawks. • A qualified biologist shall present an "Environmental Awareness Program" (EAP) that shall be implemented to educate the contractors and construction personnel of the sensitive habitats and species in the study area. The EAP shall include a presentation on the life history and legal status of potentially occurring special-status species, potential consequences of impacting special-status species, and distribution of informational packages to each worker. Swainson's hawk, white-tailed kite, burrowing owl, valley elderberry longhorn beetle, and western pond turtle will be the focal species of the EAP. The biologist shall present the program and allow time for questions and answers. The applicant shall provide translators, as needed, for workers that only speak other languages. Each worker shall sign a form acknowledging they attended the EAP. • A pre-construction survey for nesting Swainson's hawks within 0.25 mile of the study area shall be conducted within 15 days prior to the commencement of ground disturbing activities between March 1 and August 31. The surveys shall incorporate methodologies from CDFW's 1994 Staff Report regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central	Project Applicant, Qualified Biologist	Prior to Grading or Construction Activities for any individual phase of work Prior to the Ground Disturbing Activities 15 days prior to the Commencement of Ground Disturbing Activities Between March 1 and August 31	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	Valley of California (CDFW 1994) and the Swainson's Hawk Technical Advisory Committee (SHTAC) survey guidelines (SHTAC 2000). A report describing the results of the survey shall be provided to the City. If no active nests are located, no further action to mitigate for this potential impact is required. • If there is a lapse in project-related work of fifteen (15) days or longer during the nesting season, another focused survey shall be performed, and the results sent to the CDFW prior to resuming work. • If active nests are found, a biologist experienced with raptor behavior shall prepare a take avoidance plan for review and approval by CDFW and the City. The plan shall include an analysis of the potential for nest abandonment or take of individuals and may include recommendations for construction setbacks and monitoring. Construction shall cease immediately if the biologist concludes potentially adverse effects to the Swainson's hawks are imminent. Construction shall not resume until the biologist prepares a modified take avoidance plan for review and approval by CDFW and the City, or until the nesting is no longer active.		Prior to the Recommencement of Ground Disturbing Construction Activities after a 15-Day Lapse in Activity Prior to the Start of Ground Disturbing Activities if Active Nests are Found		
Mitigation Measure BIO-3	• Prior to grading, the applicant shall mitigate for the loss of 158.92 acres of potential burrowing owl habitat and two active nests by preserving similar or better habitat at an off-site location at a 1:1 ratio. The applicant shall prepare and submit a plan of the	Project Applicant	Prior to issuance of grading permits for any individual phase of work	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	proposed off-site mitigation to the City for approval. The provision of compensatory mitigation may be accomplished through purchase of credits from an agency-approved mitigation bank such as Burke Ranch Conservation Bank. Alternately, the mitigation could be fulfilled through the enhancement, management, and preservation of other off-site mitigation lands that are protected in-perpetuity by a conservation easement. The mitigation for loss of burrowing owl habitat may be accomplished concurrent with the Swainson's hawk off-site mitigation conditional on the mitigation area being compatible with burrowing owl conservation and actively managed to encourage establishment of a year-round burrowing owl population. If the project is constructed in phases, the compensatory mitigation for impacted burrowing owl habitat within each phase shall be provided prior to grading that phase.				
Mitigation Measure BIO-4	• Within 14 days prior to the commencement of ground disturbing activities of any phase of the project, a qualified biologist shall conduct an initial preconstruction survey for burrowing owls within the construction limits and adjacent lands within 250 feet, as access and visibility allow. The surveys shall incorporate methodologies from CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012). A follow-up survey shall be conducted within 24 hours of the commencement of ground disturbing activities. A preconstruction survey report describing the results of the survey shall be provided to the City. If no	Project Applicant, Qualified Biologist	Within 14 days Prior to the Commencement of Ground Disturbing Activities; 24 Hours Prior to the Commencement of Ground Disturbing Activities	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
burrowing owls or active burrows are located, no further action for this potential impact is required.		After a 14-day Lapse in Ground Disturbing Construction During Nesting Season; 24 Hours Prior to Recommencement of Construction Activities During Nesting Season		
• If there is a lapse in construction of fourteen (14) days or longer during the nesting season, a qualified biologist shall conduct another preconstruction survey for burrowing owls and follow-up survey within 24 hours of the commencement of construction focused survey shall be performed and the results sent to CDFW prior to resuming work.				
• If burrowing owls or active burrows are documented in the study area during the non-breeding season (September 1 through January 31), an Environmentally Sensitive Area ("ESA") with a radius of 160 feet shall be established around the occupied burrow(s). The applicant shall prepare a passive relocation plan incorporating the methodologies of CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for submittal to the City and CDFW. The applicant shall implement passive relocation following approval by the City. The ESA shall remain in place until the City concurs the burrow is no longer active.		Prior to Commencement of Ground Disturbing Activities from September 1 through January 31		
• If burrowing owls or active burrows are documented within 250 feet of the study area during the breeding season (February 1 through August 31), an ESA with a radius of 250 feet shall be established around the occupied burrow(s). The ESA shall remain in place throughout the breeding season, or until the City		Prior to Commencement of Ground Disturbing Activities from February 1 through August 31		

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	concurs the burrow is no longer active. Passive relocation may then proceed as described above.				
Mitigation Measure BIO-5	• The applicant shall remove trees during the fall and winter, if feasible, to minimize the potential for take of nesting white-tailed kite.	Project Applicant, Qualified Biologist	During Construction Activities	City of Vacaville Community Development Department	
	• A pre-construction survey for nesting white-tailed within 500 feet of the study area shall be conducted within 15 days prior to the commencement of ground disturbing activities between March 1 and August 31. A report describing the result of the survey shall be provided to the City. If no active nests are located, no further action is required.		15 days Prior to the Commencement of Ground Disturbing Activities Between March 1 and August 31		
	• If there is a lapse in project-related work of fifteen (15) days or longer during the nesting season, another focused survey shall be performed, and the results sent to CDFW prior to resuming work.		Prior to the Recommencement of Construction After a Lapse of 15 days during Nesting Season		
	• If active nests are found, a biologist experienced with raptor behavior shall prepare a take avoidance plan for review and approval by CDFW and the City. The plan shall include an analysis of the potential for nest abandonment or take of individuals any may include recommendations for construction setbacks and monitoring. Construction shall cease immediately if the biologist concludes potentially adverse effects to the white-tailed kite are imminent. Construction shall not resume until the biologist prepares a modified take avoidance plan for review and approval by		Prior to the Commencement of Ground Disturbing Activities if active nests are found		

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	CDFW and the City, or until the nesting is no longer active.				
Mitigation Measure BIO-6	• Pre-construction surveys for western pond turtle and their nests shall be conducted by a qualified biologist within 48 hours prior to onset of staging and construction activities and again if there is a lapse in activity longer than 2 weeks. This will involve a search for nests in grasslands within 300 feet of Horse Creek and Ulatis Creek. If nest sites are located, the applicant will notify the City and a 50-foot buffer area around the nest shall be staked and work will be delayed until hatching is complete and the young have left the nest site.	Project Applicant, Qualified Biologist	Within 48 hours Prior to Onset of staging and Ground Disturbing Construction Activities; Prior to Construction After a Lapse of 2 weeks	City of Vacaville Community Development Department	
	• Prior to the commencement of grading, an Environmentally Sensitive Area ("ESA") shall be established along the north edge of the study area adjacent to Horse Creek. An ESA shall also be established in the southwest corner of the study area near Ulatis Creek. A qualified biologist will oversee the ESA fencing. The ESAs will be delineated by silt fencing keyed below ground at least 4 inches. The ESA fencing shall be installed as close to the limits of grading as possible.		Prior to the Commencement of Ground Disturbing Activities		
	• If a western pond turtle is observed within the project area, it shall be left alone to move out of the area on its own.		During Construction Activities if a western pond turtle is observed in the project area		

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Mitigation Measure BIO-7	• The project shall not involve the removal or damage to an occupied blue elderberry shrub that could result in the take of valley elderberry longhorn beetle.	Project Applicant, Qualified Biologist	During All Phases of Project construction	City of Vacaville Community Development Department	
	• Prior to the commencement of ground disturbing activities within 100 feet of blue elderberry shrubs, an Environmentally Sensitive Area ("ESA") shall be established around the blue elderberry shrubs and a qualified biologist will oversee the ESA fencing. The ESAs will be delineated by orange safety fencing and will prevent disturbance to the blue elderberry shrubs by construction crews and equipment. The ESA fencing shall delineate the minimal "buffer zone" and shall be installed as close to the limits of grading as possible and at least 20 feet from the driplines of each of the shrubs.		Prior to the Commencement of Ground Disturbing Activities		
	• Signs shall be installed every 50 feet along the edge of the ESA stating: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Federal Endangered Species Act. Violators are subject to prosecution, fines, and imprisonment." Signs shall be easily read from a distance of 20 feet and shall remain in place for the duration of construction.		After the Establishment of the ESA and Prior to the Commencement of Ground Disturbing Activities		
	• Mass-grading along the south edge of the study area shall be scheduled between August 1 through February 28 when any valley elderberry longhorn		Between August 1 Through February 28		

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	beetle that may be present would be within the stems of the shrubs. • Following completion of construction along the south edge of the study area, buffer zones of at least 20 feet around the blue elderberry shrubs shall be protected from adverse effects of the adjacent development project. The applicant shall prepare a plan outlining protective measures such as fencing and signage, as well as maintenance activities such as use of herbicides, fertilizers, or other chemicals, or weed abatement within the buffer zones. The plan shall be subject to City approval and shall be included in the final project plans.		Following the Completion of Construction on the South Edge of the ESA; Prior to Approval of Final Project Plans		
Mitigation Measure BIO-8	• Prior to the commencement of ground disturbing activities within 250 feet of the seasonal wetlands, the applicant shall submit the large branchiopod dry-season and wet-season sampling reports to USFWS with a request for concurrence on negative findings. If USFWS provides concurrence on negative findings, no further action is needed. • If USFWS does not readily concur on the negative findings, the applicant shall consult further with USFWS to determine if additional surveys are needed, such as a second year of wet-season surveys during a more normal rainfall year. If USFWS provides concurrence on negative findings following further surveys or consultation, no further action is needed. If USFWS does not provide concurrence on negative findings following the completion of wet-season	Project Applicant	Prior to the Commencement of Ground Disturbing Activities	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	surveys during a more normal rainfall year or USFWS does not provide on-site evidence of presence within 6 months of the completion of wet-season surveys during a more normal rainfall year, no further action is needed. • In the unlikely event vernal pool fairy shrimp, Conservancy fairy shrimp, or vernal pool tadpole shrimp are documented in the study area, or the applicant elects to assume species presence, the applicant shall consult with USFWS to obtain authorization for take. The applicant shall provide compensatory mitigation for impacted occupied habitat at a minimum ratio of 3:1 (i.e., 2:1 preservation and 1:1 preservation).				
Mitigation Measure BIO-9	• Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, and suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked and tree trimming or removal shall not proceed unless the following occurs: a) in trees with suitable habitat, presence of bats is presumed, or documented during the surveys described below, and removal using the two-step removal process detailed below occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through	Project Applicant, Qualified Biologist	Within 30 to 90 days Prior to Any Tree Removal if it Occurs from April to August and prior to any tree removal.	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	October 15, or b) after a qualified biologist conducts night emergence surveys or completes a visual examination of roost features that establish absence of roosting bats. • Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided; and 2) the second day the entire tree shall be removed.				
Mitigation Measure BIO-10	• A qualified biologist shall conduct pre-construction surveys for American badgers and their dens within 14 days of the commencement of grading. If no American badgers or their dens are found, no further mitigation is required. • If American badgers or their dens are detected during the pre-construction surveys, the qualified biologist shall prepare a take avoidance plan for submittal to the City and CDFW. The Plan shall prescribe measures to minimize the potential for take of American badgers, such as establishing temporary Environmentally Sensitive Areas ("ESAs") around occupied dens or relocating badgers. The applicant shall implement the take avoidance plan following approval by CDFW.	Project Applicant, Qualified Biologist	Within 14 days prior to the Commencement of any Individual Phase of Grading	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Mitigation Measure BIO-11	• The Aquatic Resources Delineation shall be submitted to the USACE for verification to firmly establish the boundaries and current jurisdictional status of the aquatic features on the project site. The verified Aquatic Resources Delineation shall be used to quantify the project impacts to aquatic resources. If the USACE verifies the golf course ponds, ditches, and seasonal wetlands are non-jurisdictional, no further interface with the USACE is needed.	Project Applicant, Qualified Biologist	Prior to the Commencement of Ground Disturbing Activities	City of Vacaville Community Development Department	
	• A permit from the USACE shall be secured prior to the placement of any fill material (e.g., culverts, fill dirt, rock) within jurisdictional Waters of the U.S. or wetlands. As a condition of the USACE permit, 401 Water Quality Certification shall also be secured from Regional Water Quality Control Board (RWQCB).		Prior to the Placement of Any Fill Material Within Jurisdictional Waters of the U.S. or wetlands		
	• Waste Discharge Requirements (WDRs) shall be secured from RWQCB prior to the placement of any material regulated by the Regional Board in Waters of the State.		Prior to the Placement of Any Fill Material Regulated by the Regional Board in Waters of the State		
	• Prior to the commencement of ground disturbing activities, an Environmentally Sensitive Area ("ESA") shall be established along the north edge of the remnant channels in the study area and a qualified biologist will oversee the ESA fencing. The ESAs will be delineated by silt fencing and orange safety fencing and will prevent disturbance to potentially		Prior to the Commencement of Ground Disturbing Activities		

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	jurisdictional Waters of the U.S. by construction crews and equipment. The ESA fencing shall be installed as close to the limits of grading as possible and outside the driplines of the trees and shrubs along the banks of the channels. • The applicant shall comply with all conditions of any USACE permit(s) or WDRs including the provision of compensatory mitigation for impacts to regulated aquatic resources. The compensatory mitigation shall be at a minimum ratio of 1:1 and would be best accomplished through the purchase of credits from an agency approved mitigation bank.		Prior to Occupancy		
Mitigation Measure BIO-12	• A qualified biologist shall present an "Environmental Awareness Program" (EAP) as described in Recommended Mitigation Measure BIO-2. • The applicant shall remove vegetation during the fall and winter, if feasible, to minimize the potential for take of birds. • A pre-construction survey for nesting birds on and within 100 feet of the project site shall be conducted within 15 days prior to the commencement of ground disturbing activities between March 1 and August 31. A report describing the result of the survey shall be provided to the City. If no active nests are located, no further action is required. • If during the nesting season there is a lapse in project-related work for each respective phase of	Project Applicant, Qualified Biologist	Prior to the Commencement of Ground Disturbing Activities During Construction Within 15 days Prior to the Commencement of Ground Disturbing Activities between March 1 and August 31. Prior to the Recommencement of	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	construction of fifteen (15) days or longer, another focused survey shall be performed and the results sent to CDFW prior to resuming work.		Ground Disturbing Construction Activities after a Lapse of 15 days		
	• If active nests are found, a biologist experienced with protected birds shall prepare a take avoidance plan for review and approval by CDFW and the City. The plan shall include an analysis of the potential for nest abandonment or take of individuals and may include recommendations for construction setbacks and monitoring. Construction shall cease immediately if the biologist concludes potentially adverse effects to protected birds or their nest are imminent. Construction shall not resume until the biologist prepares a modified take avoidance plan for review and approval by CDFW and the City, or until the nesting is no longer active.		Prior to the Start of Ground Disturbing Activities if Active Nests are Found		
4.8 CULTURAL RESOURCES					
Mitigation Measure CULT-1	Prior to the issuance of grading permits for all phases of project development, the City shall confirm the applicant has required all construction crews to undergo adequate training for the identification of federal- or State-eligible cultural resources, cultural sensitivity training, and that the construction crews are aware of the potential for previously undiscovered archaeological resources on-site, of the laws protecting these resources and associated	Project Applicant	Prior to Issuance of Grading Permits for Each Phase of the Project	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	penalties, and of the procedures to follow should they discover cultural resources during project-related work.				
Mitigation Measure CULT-2	In the event that unanticipated discoveries of potentially sensitive cultural resources are encountered during construction activities, all activity should cease within 100 feet of the find until a qualified archaeologist, who meets federal criteria under 36 CFR 61, and a Tribal Monitor, and in consultation with the Tribe, can determine the significance of the find and determine the appropriate mitigation. If the deposits are determined to not be significant by a qualified archaeologist, avoidance is not necessary. If the deposits are determined to be potentially significant by the qualified archaeologist, the resources shall be avoided if feasible. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the archaeologist, in coordination with the City, local tribes, and the CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan. The data recovery plan shall include provisions for adequately recovering all scientifically consequential information from and about any discovered archaeological or paleontological materials and include recommendations for the treatment of these resources. In-place preservation of the archaeological or paleontological resources is the preferred manner of mitigating potential impacts, as it maintains the relationship between the resource and the archaeological or paleontological context. In-place preservation also reduces the potential for conflicts with the religious or cultural values of groups associated with the resource. Other mitigation options include, but are not	Project Applicant	During Ground Disturbing Activities	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	limited to, the full or partial removal and curation of the resource. The City shall confirm that the project applicant has retained a qualified archeologist for the preparation and implementation of the data recovery plan. The recovery plan shall be submitted to the project applicant, the City, and the Northwest Information Center. A data recovery plan shall not be required for resources that have been deemed by the Northwest Information Center as adequately recorded and recovered by studies already completed. Once the recovery plan is reviewed and approved by the City and any appropriate resource recovery completed, project construction activity within the area of the find may resume.				
Mitigation Measure CULT-3	If archaeological resources are discovered during construction, then work should be halted within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. If the find is determined to be significant, then appropriate mitigation measures will be formulated and implemented.	Project Applicant	During Ground Disturbing Activities, if Subsurface Archaeological/Cultural Resources are Discovered	City of Vacaville Community Development Department	
Mitigation Measure CULT-4	If human remains are found during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Solano County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner will contact the Native American Heritage Commission within 24 hours. The Native	Project Applicant	If Human Remains are Encountered	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	American Heritage Commission will identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or their authorized representative will rebury the Native American human remains and associated grave goods, with appropriate dignity, on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify the MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."				
4.10 GEOLOGY AND SOILS					
Mitigation Measure GEO-1	All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical evaluations for the project site prepared by ENGEO, Inc., specifically the Preliminary Geotechnical Exploration for Greentree, Solano County, California dated June 6, 2019, and subsequent geotechnical reports prepared for this project. Specific recommendations in the geotechnical evaluations shall be incorporated into the	Project Applicant	During Project Grading and Construction	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	final project plans and construction-level geotechnical report.				
Mitigation Measure GEO-2	In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery, as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the City of Vacaville for review and approval prior to implementation. Any paleontological materials encountered during project excavation shall be salvaged and treated as described by SVP (2010). This treatment shall include preparation, identification, determination of significance, and curation into a public museum. Should sediments be discovered during monitoring that may yield microvertebrate fossils, sediment samples should be wet screened (either on- or off-site) to recover a representative sample of the microvertebrates present per SVP standard procedures.	Qualified Paleontologist	If Paleontological Resources are Discovered During Construction	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
4.11 GREENHOUSE GAS EMISSIONS					
Mitigation Measure GHG-1	Applicant proposed mitigation measures include: a. Pedestrian network improvements which promote a shift from vehicles to nonmotorized modes of transportation, thereby reducing vehicle trips and vehicle miles traveled. b. Traffic calming features (e.g., bulb-outs and other features at several major intersections, and narrower than standard vehicle travel lanes) to reduce vehicle speeds and improve pedestrian safety, with the goal of promoting pedestrian movement. c. For businesses with 15 or more employees, transit subsidies of a minimum of 50 percent of the average daily transit cost for a minimum of 50 percent of the employees (ECAS measure). d. For businesses with 15 or more employees, employee parking "cash out" for a minimum of 50 percent of the employees (ECAS measure). e. No woodstoves or natural gas hearths. f. Prohibition on use of natural gas in all residential units. g. Water efficient landscaping. h. Construction phase control measures as established in Section 4.6, Measure AIR-1 shown as numbers 1-2 and 9-12.	Project Applicant	a.- d., i.-j. Prior to Occupancy e. Throughout Lifetime of Project f. – h. During Construction	City of Vacaville Community Development Department, City of Vacaville Public Works Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	i. VMT reduction strategies and electric vehicle support infrastructure as established in Section 4.6 Measure AIR-1, shown as numbers 3-7. j. Energy demand reduction measures as established in Section 4.6, Measure AIR-1, shown as number 8.				
4.13 HAZARDS AND HAZARDOUS MATERIALS					
Mitigation Measures HAZ-1	As part of site the improvements, an estimated 20 cubic yards (28 tons) of soil must be excavated and disposed along the northern edge of the former maintenance yard building in a 10 foot by 15 foot by 2-foot excavation by a California Hazardous Waste licensed contractor, undersigned California Hazardous Waste manifests to accepting Class I landfill. Excavation activities should be observed and recorded by a California Professional Geologist and/or Professional Engineer certified in environmental remediation. Excavated soil must be placed within 20 cubic yard Visqueen lined roll-off bins and/or transport trucks. Similarly, excavated soil can be temporary stockpiled on site and placed on and covered with Visqueen.	Construction Contractor, Project Applicant	During Excavation Activities	City of Vacaville Community Development Department	
Mitigation Measures HAZ-2	Confirmation soil samples must be collected from the excavation limits to determine if the lead impacted soil was removed from the site. Approximately 10 confirmation soil samples should be randomly collected from the excavation limits using clean laboratory supplied glass jars, which should be capped, labeled, and placed, within a pre-chilled ice chest for temporary storage. The confirmation soil samples should be delivered under chain-of-custody	Construction Contractor, Project Applicant	During Excavation Activities	City of Vacaville Community Development Department	

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	documentation to a State-Certified hazardous waste testing laboratory and analyzed for lead analysis using EPA Methods SW3550B/SW6020. If lead concentrations exceed 80 mg/Kg, then additional excavation must be conducted along with additional confirmation soil sampling as described above.				
4.15 NOISE					
Mitigation Measure NOI-1	All construction equipment shall be properly maintained and muffled to minimize noise generation at the source.	Construction Contractor	During Construction	City of Vacaville Community Development Department	
Mitigation Measure NOI-2	Noise-producing equipment shall not be operating, running, or idling while not in immediate use by a construction contractor.	Construction Contractor	During Construction	City of Vacaville Community Development Department	
Mitigation Measure NOI-3	All noise-producing construction equipment shall be located and operated, to the extent possible, at the greatest possible distance from noise-sensitive land uses.	Construction Contractor	During Construction	City of Vacaville Community Development Department	
Mitigation Measure NOI-4	Locate construction staging areas, to the extent possible, at the greatest possible distances from any noise-sensitive land uses.	Construction Contractor	During Construction	City of Vacaville Community Development Department	
Mitigation Measure NOI-5	Signs shall be posted at the construction site and near adjacent sensitive receptors displaying hours of construction activities and the contact phone number of a designated noise disturbance coordinator.	Construction Contractor	Prior to the Commencement of Ground Disturbing Activities	City of Vacaville Community Development Department	
Mitigation Measure NOI-6	Commercial/retail land uses proposed for the project should develop site-specific truck access routes in the vicinity of proposed sensitive receptors. All truck movements occurring within proposed commercial/retail areas should maintain a minimum setback of	Project Applicant	Prior to Occupancy	City of Vacaville Community Development Department	

3. Mitigation Monitoring Requirements

Table 3-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	approximately 100 feet during daytime hours and approximately 180 feet during nighttime hours, from outdoor activity areas of proposed sensitive receptors.				
Mitigation Measure NOI-7	Loading docks located within 315 feet of a sensitive receptor could result in noise levels exceeding the City's nighttime maximum noise level standard of 70 dB. Loading docks located within 150 feet of a sensitive receptor could result in noise levels exceeding the City's daytime maximum noise level standard of 65 dB. Any proposed loading docks should be located at the above-described minimum setback distances (depending on if daytime vs nighttime deliveries were expected) or incorporate sufficient mitigation measures (sound walls) to mitigate noise levels to below the City's noise level standards at sensitive receptor locations.	Project Applicant	Prior to Occupancy	City of Vacaville Community Development Department	
4.19 TRANSPORTATION					
See Mitigation Measures Required in AIR-1 and GHG-1					
4.20 TRIBAL CULTURAL RESOURCES					
Mitigation Measure TRC-1	If human remains are found during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Solano County is	Project Applicant, Solano County Coroner, Tribal Representative(s)	During Ground Disturbing Activities	City of Vacaville Planning Department	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner will contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission will identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or their authorized representative will rebury the Native American human remains and associated grave goods, with appropriate dignity, on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify the MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.				

4. Mitigation Monitoring Reports

Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report (ICR) is prepared to document the implementation of mitigation measures on a phased basis, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

4.3 ARBITRATION/ENFORCEMENT REPORT

The Arbitration/Enforcement Report (AER) is prepared to document the outcome of arbitration committee review and becomes a portion of the ICR.

4.4 COMMUNITY INVOLVEMENT

Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the arbitration committee by the general public.

THE GREENTREE PROJECT

DRAFT AND FINAL EIR

Due to large file size, the Greentree Draft and Final EIR documents are available at the following link:

https://bit.ly/thegreentreeproject

EIR RESOLUTION - EXHIBIT C - DRAFT AND FINAL EIR LINKS

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