ADDENDUM TO THE 2004 FINAL EIR

CITY OF VACAVILLE

RICE MCMURTRY ANNEXATION AND RESIDENTIAL DEVELOPMENT PROJECT

JANUARY 2014

LEAD AGENCY:

City of Vacaville
Community Development Department
650 Merchant Street
Vacaville, California 95688

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SECTION 1.0
INTRODUCTION

1.1 BACKGROUND

On April 27, 2004 the City of Vacaville certified a Final Environmental Impact Report (EIR) for the Rice-McMurtry Annexation and Residential Development Project (Rice-McMurtry Project). Due to interrelated infrastructure requirements, the 2004 Final EIR for the Rice-McMurtry Project covered three contiguous/adjacent development projects including the Cheyenne Residential Subdivision Project (Cheyenne Subdivision or Project), which at the time was referred to as the "Reynolds Ranch Residential Subdivision Project." The City found that, notwithstanding disclosure of the significant impacts and the accompanying mitigation within the EIR, pursuant to Section 15093 of the California Environmental Quality Act (CEQA) Guidelines the benefits of the project as revised outweigh the adverse impacts, and the Rice-McMurtry Project was approved in accordance with the provisions of CEQA.

The original proposal for the 150-acre Cheyenne Subdivision, as analyzed within the 2004 EIR, consisted of 221 single family lots of various sizes including 10,000 square feet (sf), 20,000 sf, and 1 acre lots. All interior streets were proposed to be private and to be owned and maintained by the Cheyenne Home Owner's Association, with the exception of Whispering Ridge Drive and Bent Tree Lane which were to be dedicated to the City as public roadways. Project implementation included improvements to the adjacent off-site McMurtry Lane and Browns Valley Road which serve the neighboring Knoll Creek, Rogers Ranch, and Rancho Rogelio projects, as well as the adjacent Vacaville Unified School District property, and the nearby Hill View project.

To date, 66 lots and homes in the Cheyenne Subdivision have been sold and are currently occupied, and 155 lots remain to be improved with single family detached homes. Additionally, since the Cheyenne Subdivision tentative and final subdivision maps were approved, the project applicant has completed the following public and private improvements:

- Construction of all public streets (Whispering Ridge Road, Bent Tree Lane) in the subdivision, including curb, gutter and sidewalk, and all utility infrastructure including water lines, wastewater lines, and storm drainage and interim drainage facilities;
- Construction of off-site public water and wastewater lines in Browns Valley Road;
- Construction of water lines in McMurtry Lane;
- Contribution of funding for design of, and acquisition of land for, the proposed Allison wastewater lift station;

- Construction of all private streets, including curb, gutter and sidewalk and all required utility infrastructure;
- Installation of private landscaping and fencing adjacent to common areas;
- Dedication of open space to the City; and
- Installation of fire maintenance road.

The development and improvements to date occurred in compliance with the existing Planned Development Permit (PDP) as amended by the Planning commission on March 1, 2005 and existing Development Agreement (DA) entered into by the City and applicant in May 2004. In 2008, the collapse of the housing market and the subsequent recession resulted in a severe reduction in the value of the all the properties in the Rice-McMurtry Area, making it infeasible for the property owners to continue to develop their respective properties consistent with the 2005 approvals. As a result, all development in the Rice-McMurtry Area was halted. As part of its current development application, the applicant is proposing modifications to the conditions of approval of the PDP and DA to make continued development of the property financially feasible, allow developers to complete development of the project site, and secure for the City the public benefits from development of the project site as contemplated in the 2005 approvals. These modifications, referred herein as "Proposed Modifications", are detailed in **Section 2.0** of this addendum and summarized below.

- Extend the term of the DA, which is set to expire in May 2014, for seven years from the date of approval of the amended DA;
- Allow additional house models to be offered in the Cheyenne Subdivision;
- Modify timing requirements to construct certain public road improvements and construction of certain interim improvements, due to short- and long-term decreases in anticipated traffic levels, rather than construction of ultimate improvements;
- Modify the requirements relating to the construction of the Zone 2 Water System and the Alison Lift Station;
- Modify obligations with respect to the Con Span Bridge proposed within the Rodgers Ranch Property; and
- Removal of a proposed storm water detention basin within the Cheyenne Subdivision. This detention basin has been determined to be unnecessary, because the Cheyenne project will be served by a larger detention basin to be installed on the neighboring Rancho Rogelio property. Use of the off-site detention basin on the Rancho Rogelio property was included as an option under the existing PDP.

1.2 PURPOSE OF THE ADDENDUM

As defined in CEQA Guidelines Section 15164, the purpose of an addendum to an EIR is to determine whether, after certification of an EIR, minor changes to a project require additional environmental review before further action can be taken by the lead agency. Section 15164(a) of the CEQA Guidelines states

that the lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the following conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
    - The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative

This Addendum to the 2004 Final EIR for the Rice-McMurtry Project (Addendum) supports the determination that the Proposed Modifications described in **Section 3.0** do not meet these conditions. Therefore, no subsequent or supplemental EIR is necessary pursuant to Section 15162 of the CEQA Guidelines, and an addendum is the proper vehicle to document these facts and conclusions. Pursuant to Section 15164 of the CEQA Guidelines, it is intended that this Addendum, together with the 2004 Final EIR and the entire record supporting that EIR, will be used by the decision makers in their consideration of the Proposed Modifications to the PDP and DA.

1.3 ORGANIZATION OF ADDENDUM

The purpose of this Addendum is to describe the proposed modifications to the PDP and DA and provide sufficient evidence to support the decision not to prepare a subsequent or supplemental EIR. The scope of this Addendum is limited to the environmental topics analyzed in the 2004 Final EIR. An addendum need not analyze or reanalyze alternatives to the proposed project.

This addendum is organized into the following sections:

- Section 1.0 – Introduction
- Section 2.0 – Description of Proposed Modifications
- Section 3.0 – Environmental Setting, Impacts, and Mitigation Measures
- Section 4.0 – CEQA Considerations
- Section 5.0 – Addendum Preparation
- Section 6.0 – Addendum Acronyms
- Section 7.0 – Addendum References

1.4 INCORPORATION BY REFERENCE

As discussed in Section 1.7 of the 2004 Final EIR, Section 15150 of the State CEQA *Guidelines* allows incorporation by reference of "…all or portions of another document which is a matter of public record or is generally available to the public." In addition to the applicable documents listed in Section 1.7 of the 2004 Final EIR, this Addendum incorporates by reference the portions of the 2006 Mitigated Negative Declaration (MND) for the Rancho Rogelio Subdivision (City of Vacaville, 2006) that relate to the proposed regional detention basin. This includes the description of the environmental setting of the Rancho Rogelio project site and discussion of impacts and mitigation measures applicable to the construction and operation of the regional detention basin. All documents are available for public review and inspection at the City of Vacaville, 650 Merchant Street, Vacaville, California.

SECTION 2.0
DESCRIPTION OF PROPOSED MODIFICATIONS

2.1 INTRODUCTION

This section presents a description of the proposed modifications to the conditions of the existing Planned Development Permit (PDP) and existing Development Agreement (DA) (Proposed Modifications). The project location is presented in **Section 2.2** and project objectives are provided in **Section 2.3**. An overview of the Proposed Modifications is presented in **Section 2.3**. Section and agency approvals are listed in **Section 2.4**.

2.2 PROJECT LOCATION

The project area covered by the 2004 Final EIR is referred to as the Rice-McMurtry area in this Addendum. The Rice-McMurtry area is located immediately west of Browns Valley Road within the northern most portion of the City of Vacaville. This location corresponds to an unsectioned area within Township 6N, Range 1W of the "Allendale, California" U.S. Geological Survey (USGS) 7.5 minute topographic quadrangle. The Rice-McMurtry area consists of four sub-areas: (1) Cheyenne Subdivision (previously referred to as Reynolds Ranch), (2) Rogers Ranch Subdivision, (3) Knoll Creek Subdivision, and (4) City of Vacaville Open Space, also known as Caligiuri Park and Preserve (Figure 2-2 of Volume I of the 2004 Final EIR). The specific project covered by this Addendum is the Cheyenne Subdivision. The area subject to the PDP and DA as shown in Figure 3-1 of Volume I of the 2004 Final EIR has not changed with the exception that certain areas have been developed consistent with the existing PDP and DA.

2.3 PROJECT OBJECTIVES

The project objectives are described in Section 3.4 of Volume I of the 2004 Final EIR and remain unchanged with the Proposed Modifications.

2.4 OVERVIEW OF PROPOSED AMENDMENTS TO PLANNED DEVELOPMENT PERMIT AND DEVELOPMENT AGREEMENT

As described in **Section 1.1**, the applicant is proposing modifications to the conditions of the existing PDP and DA. These Proposed Modifications relate primarily to extending the term of the DA for seven years from the date of approval of the proposed Amended DA and to modifying the timing and/or funding

mechanisms of certain off-site improvements as described below. No modifications to the land use designations, zoning, annexation boundaries, development, residential densities, or utilities described in Section 3.0 of the 2004 Final EIR are proposed.

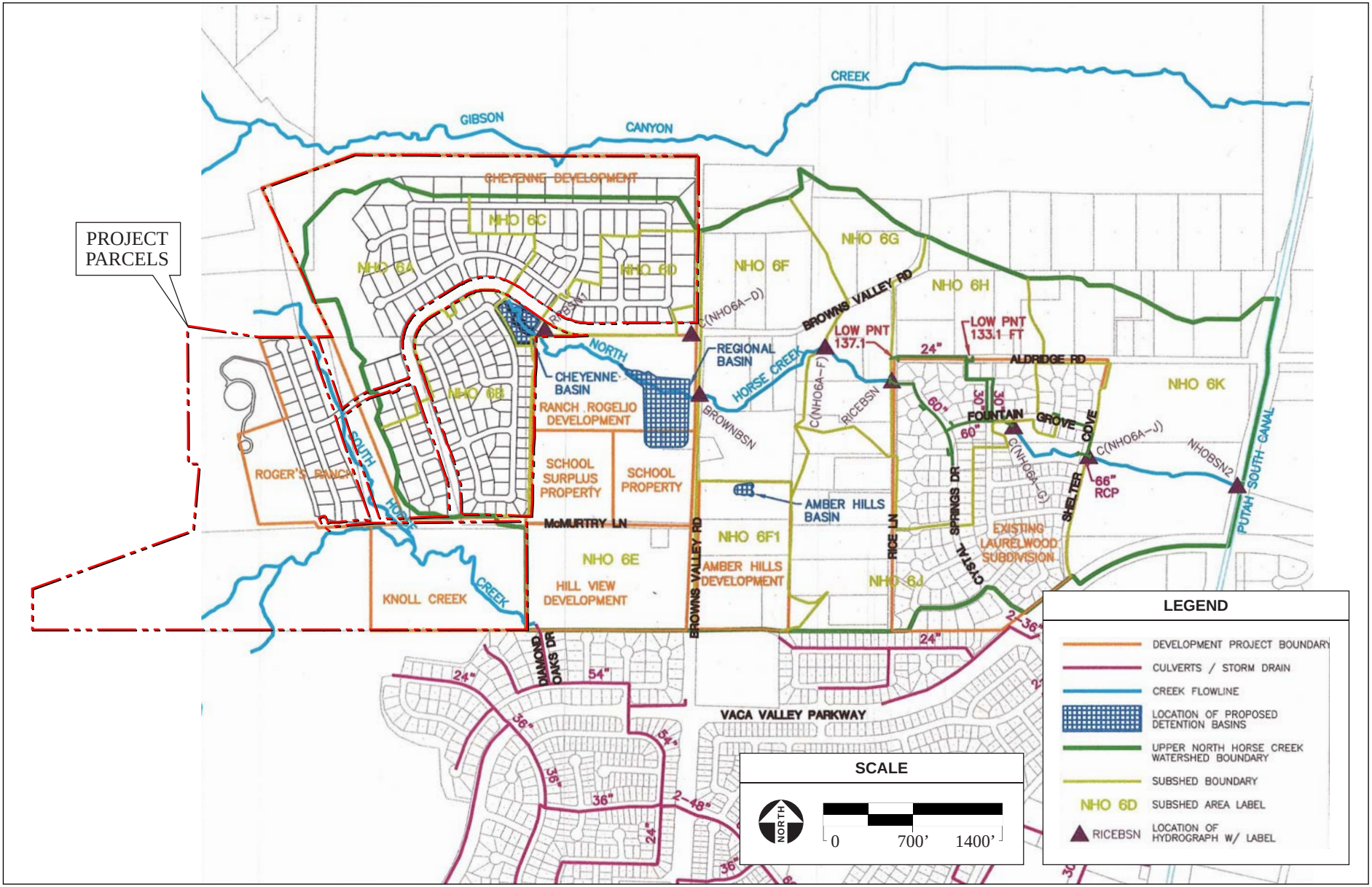
PROPOSED MODIFICATION REGARDING USE OF THE REGIONAL DETENTION BASIN

The existing approvals require that each subdivision within the Rice-McMurtry Project detain its respective increase in storm water flows onsite. As described in Section 3.5.3 of the 2004 Final EIR, the existing design for the Cheyenne Subdivision included a detention pond that would collect, detain, and convey most of the Project's post-development stormwater flows to the east into the existing stormwater course (see Figure 3-4 of the 2004 Final EIR). Due to limitations imposed by USACE environmental permitting, the detention basin would not be sized to provide sufficient storage to maintain pre-development run-off levels. As a result, the project applicant proposes that it contribute its fair share of construction costs to the regional detention basin proposed to be constructed within the Rancho Rogelio subdivision located just south of the project site (**Figure 1**). The regional basin has been sized to accommodate the anticipated storm water flows from the Cheyenne Subdivision. Potential environmental impacts resulting from the construction and operation of the regional stormwater detention basin were evaluated in the 2006 Mitigated Negative Declaration for the Rancho Rogelio Subdivision (2006 MND; City of Vacaville, 2006), which as described in **Section 1.4** has been incorporated by reference into this Addendum.

PROPOSED MODIFICATIONS TO THE TIMEING OF IMPROVEMENTS

BROWNS VALLEY ROAD

The existing approvals require Browns Valley Road to be widened between Vaca Valley Parkway and Shelton Lane; however, current development projections for the area have substantially reduced the anticipated traffic levels in the foreseeable future. As a result, expected near-term traffic levels no longer justify the immediate construction of an arterial roadway. Consequently, the applicant proposes to delay the widening of Browns Valley Road until subsequent development projects are proposed that would require construction of the ultimate improvements to maintain City thresholds for acceptable LOS. Specifically, the applicant proposes that the present structural section be preserved, and a deep overlay section be constructed to bring the road to a collector level Traffic Index (T.I.), with a completed width of 32 feet (all widening to be improved on the west side). As required by the existing DA, the City will establish a benefit assessment district consisting of the Cheyenne, Rogers Ranch, Knoll Creek, Rancho Rogelio, Amber Hills and Hill View subdivisions, as well as the Vacaville Unified School District, to fund the construction, and the applicant would contribute its proportionate share of the costs for such improvements as determined through the benefit assessment district process.



SOURCE: West Yost & Associates, 9/25/2006; AES, 2014

Figure 1
Proposed Drainage Plan

SHELTON LANE

Shelton Lane is currently a two-lane rural residential collector street connecting the unincorporated Solano County properties to the north to the City-maintained portion of Shelton Lane and to Browns Valley Road. Under the existing approvals, the applicant is required to reconstruct Shelton Lane along the frontage of the Cheyenne Subdivision, which requires the dedication of the applicant's property and acquisition of right of way from third party property owners to the east, in the unincorporated County. The applicant proposes that it instead prepare and submit civil plans and profile drawings to correct the existing deficient road conditions and deposit with the City sufficient funds to complete the necessary improvements, allowing the City to construct the improvements at such time as the City determines it is appropriate.

PROPOSED MODIFICATIONS TO THE FUNDING MECHANISMS FOR IMPROVEMENTS

MCMURTRY LANE

The existing approvals require each subdivision within the Rice-McMurtry Project with frontage on McMurtry Lane to construct the improvements on its portion of the road. The project applicant has already constructed a partial pavement section from the intersection of Whispering Ridge Road to Browns Valley Road, including a portion of McMurtry Lane that does not front the Cheyenne Subdivision (McMurtry Lane provides secondary access to the Cheyenne subdivision). Similar to Browns Valley Road, the applicant proposes that the width of 28 feet and present structural section be preserved and a deep overlay section be constructed such that the total pavement section meet the standard for a collector level T.I. Because this improvement would benefit all the projects within the area, the applicant requests that it also be included in the benefit assessment district to be formed by the City pursuant to the existing DA. The applicant would repair any existing pavement failures and contribute its proportionate fair share of the costs as determined through the benefit assessment district process.

ZONE 2 WATER TANK

The existing approvals require the utilization of both the Zone 1 and Zone 2 water systems. Since a Zone 2 water system did not exist at the time of the existing approvals, the DA requires that the developers of the Cheyenne, Knoll Creek, and Rogers Ranch subdivisions acquire or dedicate land, develop civil plans, and construct a new Zone 2 water system including a pump station and a .55 million-gallon water storage tank. This requirement was recommended in the 2004 Final EIR as Mitigation Measure 5.11-4(A). The applicant has already acquired the property for the Zone 2 tank, prepared civil engineering designs, and dedicated the necessary easements. The applicant proposes that the City cooperate to update design and value-engineer the .55 million-gallon tank and facilities, in order to service the lots in the Zone 2 area.

ALLISON LIFT PUMP STATION

The existing DA requires the developer of the Cheyenne Subdivision to acquire the necessary land and pay for the civil engineering designs of the proposed Allison Lift Pump station, and to construct the proposed facilities and dedicate them to the City. This requirement was recommended in the 2004 Final EIR as Mitigation Measure 5.11-1(A) (2). To date, the applicant has acquired the land and dedicated it to the City, and paid for the designs of the facilities. However, because these facilities are intended to benefit other properties in the area, the applicant requests that 1) these facilities be included in the benefit district which the City will form pursuant to the existing DA (and the proposed Amended DA); 2) the City construct the lift station; and 3) the applicant be reimbursed for costs that it has already incurred in excess of its fair share for these facilities.

2.5 REGULATORY REQUIREMENTS, PERMITS, AND APPROVALS

The Proposed Modifications would not require any additional approvals beyond adoption of the amended PDA and DA.

SECTION 3.0

ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

3.1 INTRODUCTION

This section is organized by environmental topics corresponding to those discussed in Section 5.0 of Volume I of the 2004 Final EIR: Land Use Consistency, Traffic and Circulation, Air Quality, Noise, Biological Resources, Hydrology and Water Quality, Cultural Resources, Geology and Soils, Public Services, and Utilities. Within each topic subsection, a brief summary of the Environmental Setting is provided to the extent necessary to allow analysis of the Proposed Modifications followed by Impacts and Mitigation Discussions. The Impacts discussion summarizes each impact identified for the previous project in the 2004 Final EIR in italics, followed by a comparison with the impact that would result from the Proposed Modifications. The mitigation discussion provides a brief summary of any updates/changes to the mitigation measures identified in the 2004 Final EIR if warranted by the Proposed Modifications. Page numbers in parentheses indicate the location of information in Volume I of the 2004 Final EIR.

3.2 LAND USE CONSISTENCY

SETTING

ON SITE USES

Since the approval of the Rice-McMurtry Project in April 2004, the project area has been annexed into the City of Vacaville and the City has approved the land use designations and zoning described in Section 3.5.1 of Volume I of the 2004 Final EIR (see Figure 5.2-4 and 5.2-5 of Volume I of the 2004 Final EIR).

As described in **Section 1.1**, to date, 66 lots and homes in the Cheyenne Subdivision have been sold and are currently occupied by third party purchasers. As of the date of this Addendum, 155 lots remain to be improved with single family detached homes. Additionally, since the Cheyenne Subdivision tentative and final subdivision maps were approved, the project applicant has completed several public and private improvements outlined in the original PDP and DA.

VICINITY USES

Current land uses in the vicinity of the Cheyenne Subdivision are consistent with those described in Section 5.2.2 of Volume I of the 2004 Final EIR. Adjoining land to the north and west of the Cheyenne Subdivision are currently used for rural residential development, cattle grazing, and undeveloped land.

The area east of the Cheyenne Subdivision has rural residential development, while the area south of the Cheyenne Subdivision contains several residential subdivisions and public open space. The Rancho Rogelio Subdivision, approved by the City in 2006, is located immediately south of the Cheyenne Subdivision. As approved, the Rancho Rogelio Subdivision will include the construction of 40 single-family residential lots and a 4.72-acre regional stormwater detention basin capable of retaining 16.1-acre feet of stormwater runoff. The regional stormwater detention basin was sized to accommodate the anticipated stormwater flows from the Cheyenne Subdivision.

IMPACTS AND MITIGATION MEASURES

LAND USE COMPATIBILITY (IMPACT 5.2-1 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that surrounding residential and open space land uses are typically compatible with the proposed residential land uses of the Rice-McMurtry Project. Additionally, although the Rice-McMurtry Project has the potential to result in various environmental impacts, land use conflicts associated with these impacts are considered minor and would not result in long term compatibility issues that cause significant human health concerns. Therefore, the Rice-McMurtry Project would result in a less than significant compatibility impact. No mitigation was determined to be necessary (pp 5.2-16).

The Proposed Modifications would not involve any change in land use from what was previously approved in the existing DA and PDP and, therefore, would not result in new significant land use compatibility impacts that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CONSISTENCY WITH THE SOLANO COUNTY GENERAL PLAN (IMPACT 5.2-2 OF 2004 FINAL EIR)

As stated within the 2004 Final EIR, once approved, the Rice-McMurtry area and associated development would not be subject to the County General Plan or zoning ordinance. All land use control would be assigned to the City of Vacaville. However, the 2004 Final EIR went on to conclude that the Rice-McMurtry Project would not conflict with Chapter 2: Planning Framework (Community Buffers section), Chapter 3: Agricultural and Open Space Land Use (Conflicting Land Uses section), or Chapter 5: Residential Land Use (Residential Land Use Proposals section) since the proposed development would not eliminate "essential" agricultural lands. Additionally, the Rice-McMurtry Project would be considered consistent with Policy 10 of this Chapter since a majority of affected residents are in favor of the annexation. Therefore, the Rice-McMurtry Project would result in a less than significant impact. No mitigation was determined to be necessary (pp 5.2-17).

As described in the 2004 Final EIR, now that the Rice-McMurtry area has been annexed into the City of Vacaville it is no longer subject to the Solano County General Plan. Therefore, implementation of the Proposed Modifications would not result in new significant impacts associated with consistency with the Solano County General Plan that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CONSISTENCY WITH THE LAFCO ANNEXATION STANDARDS (IMPACT 5.2-3 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the Rice-McMurtry Project would be considered consistent with the Solano Local Agency Formation Commission (LAFCo) Standards and, therefore, the Rice-McMurtry Project would result in a less than significant impact. No mitigation was determined to be necessary (pp 5.2-18).

As described in the 2004 Final EIR, now that the Rice-McMurtry area has been annexed into the City of Vacaville it is no longer subject to the LAFCo Annexation Standards. Therefore, implementation of the Proposed Modifications would not result in new significant impacts associated with LAFCo Annexation Standards that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CONSISTENCY WITH THE CITY OF VACAVILLE GENERAL PLAN (IMPACT 5.2-4 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the Rice-McMurtry Project was generally consistent with the City of Vacaville General Plan, with the exception of the City's Land Use Element Residential Area policies. The Rice-McMurtry Project was considered partially inconsistent with the City's Land Use Element Residential Area policies because the Rice-McMurtry Project would not include a mix of 80 percent single family and 20 percent moderate density units. Mitigation measures to reduce the potential significant impact to a less-than-significant level are provided in the EIR (pp. 5.2-20).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP. As described in **Section 2.0**, Browns Valley Road, McMurtry Lane, and Shelton Lane would ultimately be built to meet General Plan Standards at such time as the City determines it is appropriate. Therefore, these Proposed Modifications would not result in an increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

The 2006 MND concluded that the development of the regional detention basin within the Rancho Rogelio Subdivision is consistent with the City of Vacaville General Plan land use designation of Estate Residential and, as designed and conditioned, would implement the General Plan Land Use designation and the development guidelines established for the Rice McMurtry area. Therefore, with the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, proposed use of the regional stormwater drainage facility would not result in a substantial increase in the severity of significant impacts associated with the General Plan previously identified in the 2004 Final EIR.

CONSISTENCY WITH THE COMPREHENSIVE ANNEXATION PLAN (IMPACT 5.2-5 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the Rice-McMurtry Project is consistent with the Comprehensive Annexation Plan and, therefore, the Rice-McMurtry Project would result in a less than significant impact. No mitigation was determined to be necessary (pp 5.2-18).

Now that the Rice-McMurtry area has been annexed into the City of Vacaville, it is no longer subject to the City's Comprehensive Annexation Plan. Therefore, implementation of the Proposed Modifications would not result in new significant impacts associated with the City's Comprehensive Annexation Plan that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.3 TRAFFIC AND CIRCULATION

SETTING

No significant changes to the transportation circulation system that would serve the project have occurred since the 2004 EIR. Local access to the Rice-McMurtry area continues to be provided primarily via Browns Valley Road and McMurtry Lane. Interstate 80 (1-80), Interstate 505 (1-505), Vaca Valley Parkway, and Browns Valley Road provide regional access.

EXISTING TRANSPORTATION FACILITIES

The 2004 Final EIR assessed the impacts of the Rice-McMurtry Project to the existing roadway network. A Traffic Impact Analysis (TIA) was conducted and included as Appendix C of Volume I of the 2004 Final EIR. The study roadway network consisted of the following intersections:

1. Vaca Valley Parkway/Crocker Drive/East Monte Vista Avenue
2. Browns Valley Road/Wrentham Drive
3. Browns Valley Parkway/Allison Drive
4. Allison Drive/East Monte Vista Avenue
5. Browns Valley Parkway/East Monte Vista Avenue
6. Allison Drive/l-80 EB Off-Ramp/Nut Tree Parkway
7. Vaca Valley Parkway/l-505 NB Ramps
8. Leisure Town Road/1-80 EB Ramps
9. Leisure Town Road/1-80 WB Ramps
10. Browns Valley Road/Shelton·Lane 3 5
11. Browns Valley Road/McMurtry Lane 3
12. Browns Valley Road/Vaca Valley Parkway 4
13. Vaca Valley Parkway/l-505 SB Ramps

EXISTING TRAFFIC CONDITIONS

Traffic conditions were assessed following the guidelines established by the City and traffic impacts were evaluated using intersection level of service (LOS) calculations for the evening (4:00 to 6:00 PM) peak hour. The City traffic model was used to forecast PM peak hour turning movements at the study intersections. The results of the intersection LOS calculations indicated the following intersections operated under unacceptable conditions (operating conditions did not meet general plan requirements) prior to the addition of traffic generated by the Rice McMurtry Project:

1. Vaca Valley Parkway/Crocker Drive/East Monte Vista Avenue
2. Browns Valley Road/Wrentham Drive
3. Allison Drive/East Monte Vista Avenue
4. Browns Valley Parkway/East Monte Vista Avenue
5. Allison Drive/1-80 EB Ramp/Nut Tree Parkway
6. Leisure Town Road/1-80 EB Ramps
7. Leisure Town Road/1-80 WB Ramps

Intersection operations were assessed in 2010-2011 throughout the City for the *Vacaville General Plan and ECAS Draft EIR* (October 2013) (General Plan EIR). The October 2013 General Plan EIR traffic impact assessment indicates that operations have improved to acceptable conditions at the above study intersection since the 2004 Final EIR, with the exception of Allison Drive/East Monte Vista Avenue. The improvement in roadway operations is attributable to the reduced growth associated within the economic downturn and roadway improvements constructed since the completion of the 2004 Final EIR. Consistent with the 2004 Final EIR, no mitigation has been identified for the Allison Drive/East Monte Vista Avenue intersections. The results of the 2010-2011 intersection operations assessment indicate that current conditions are consistent with those anticipated in the 2004 Final EIR.

CUMULATIVE TRAFFIC CONDITIONS

The 2004 Final EIR assessed the cumulative environment by assessing the impact of project-generated traffic on the local roadway network under the General Plan 2025 planning horizon. The 2004 EIR identified that the following study roadway intersections would operate under unacceptable conditions under year 2025 conditions prior to the addition of traffic generated by the Rice-McMurtry Project:

1. Allison Drive/East Monte Vista Parkway
2. Browns Valley Parkway/East Monte Vista Avenue
3. Allison Drive/l-80 EB Off-Ramp/Nut Tree Parkway
4. Leisure Town Road/I-80 Eastbound Off-Ramp

The October 2013 General Plan EIR indicates that intersection operations are generally improved compared to the 2025 projections utilized in the 2004 Final EIR. These improved operations are directly related to a lower baseline traffic projection compared to those utilized in the 2004 Final EIR.

IMPACTS AND MITIGATION MEASURES

EXISTING PLUS APPROVED PLUS PROJECT AND CUMULATIVE INTERSECTION (IMPACTS 5.3-1 AND 5.3-2 OF 2004 FINAL EIR)

The 2004 Final EIR determined that the addition of traffic associated with the operation of the Rice-McMurtry project would result in near-term significant impacts to the Leisure Town Road/1-80 eastbound and westbound (WB) ramps and Leisure Town Road/ 1-80 WB Ramps and the Allison Drive/I-80 EB Off-Ramp/Nut Tree Parkway intersection during year 2025 conditions. Mitigation measures to reduce the potential significant impacts to a less-than-significant level were provided in the EIR (pp. 5.3-17).

The Proposed Modifications would not alter the number of units being develop as described in the 2004 Final EIR. Accordingly, these Proposed Modifications would not result in the generation of additional vehicle traffic beyond what was previously assessed in the 2004 Final EIR and associated TIA. As described above, the October 2013 General Plan EIR traffic impact assessment indicates that operations have improved at the study area intersections since the 2004 Final EIR. Implementation of the Proposed Modifications to the PDP and DA would not result in an increase in the severity of the significant near-term or cumulative impacts to the study roadway network previously identified in the 2004 Final EIR. No additional mitigation is warranted.

The Proposed Modifications include delay of the timing of the implementation of roadway improvements to Browns Valley Road and Shelton Lane. The study intersections along these roadways were found to operate at an acceptable LOS during the near-term and cumulative year 2025 conditions in the 2004 EIR. In addition, the Proposed Modification to develop Browns Valley Road at a collector status is consistent with the recommended future improvements identified in the General Plan. No future improvements were identified for Shelton Lane in the General Plan. Therefore, no mitigation measures were recommended for either Browns Valley Road or Shelton Lane. Accordingly, the delay in the implementation of the ultimate improvements to Browns Valley Road and Shelton Lane would not increase the severity of significant impacts identified in the 2004 Final EIR, nor would the modifications result in new significant impacts that were not addressed in the 2004 Final EIR if a timing mechanism for the ultimate improvements to the two roadways are incorporated into the Proposed Modifications.

LOCAL CIRCULATION IMPACTS (IMPACT 5.3-3 OF 2004 FINAL EIR)

The 2004 Final EIR determined that the addition of a fourth approach to an existing "T" intersection within 60 feet of an existing residential driveway and the potential for impediment of traffic flow of Browns Valley Road from traffic entering the project would significantly impact local circulation

patterns. Mitigation measures to reduce the potential significant impacts to a less-than-significant level were provided in the EIR (pp. 5.3-20).

The Proposed Modifications would not alter the approach to the intersection of Browns Valley Road and Shelton Lane. The TIA conducted for the 2004 EIR assumed the existing lane configuration of Browns Valley Road and Shelton Lane, and did not assume that the facilities would be upgraded to their General Plan classifications. Therefore, the delay in timing of the proposed improvements to these roadways as a result of the Proposed Modifications would not alter the conditions under which the impact was analyzed in the 2004 Final EIR. With the incorporation of mitigation recommended within the 2004 Final EIR, implementation of the Proposed Modifications would not result in the increase in the severity of significant impacts identified in the 2004 Final EIR, nor would the modifications result in new significant impacts that were not addressed in the 2004 Final EIR. No additional mitigation is warranted.

LOCAL CIRCULATION IMPACTS FROM PROJECT CONSTRUCTION (IMPACT 5.3-4 OF 2004 FINAL EIR)

The 2004 Final EIR determined that the trenching of underground utilities within the existing Browns Valley Road right-of-way, street improvements from City Limits to Shelton Lane, and street improvements on Browns Valley Road that do not meet current City Standards would significantly impact local circulation patterns during project construction. A mitigation measures to reduce the potential significant impacts to a less-than-significant level was provided in the EIR (pp. 5.3-20).

As discussed in Section 1.1, utility installations, including those within the existing Browns Valley Road right of way, have been completed and therefore the requested modifications would not increase the severity of the impacts identified within the 2004 Final EIR or result in the identification of new significant impacts not assessed in the 2004 Final EIR relating to their installation. The PDP and DA incorporate requirements to develop project roadways in accordance with City Standards and therefore the Proposed Modifications in the timing of development would not result in an increase in the severity of impacts identified in the 2004 Final EIR, nor would the modifications result in new significant impacts that were not addressed in the 2004 Final EIR. No additional mitigation is warranted.

MITIGATION

The City should require the Modified DA to include timing mechanisms for the ultimate build out of Browns Valley Road and Shelton Lane. Incorporation of this timing mechanism would ensure implementation of the Proposed Modifications would not increase the severity of impacts identified in the 2004 Final EIR, nor would the modifications result in new significant impacts that were not addressed in the 2004 Final EIR.

3.4 AIR QUALITY

SETTING

The Rice-McMurtry area is located within the Sacramento Valley Air Basin (SVAB). The SVAB continues to be designated "nonattainment" for state and national ozone standards and for the state PM_{10} standard (Air Resources Board, 2012). The project area is in "attainment" or unclassified with respect to all other state and federal ambient air quality standards. The 2004 Final EIR identified ozone, CO, and PM_{10} as the major pollutants of concern in the project area. Since NO_2 emissions are primarily a concern as an ozone precursor, NO_2 was evaluated for its contribution to elevated ozone concentrations. No substantial changes have occurred in air quality attainment or emission sources since the certification of the 2004 Final EIR.

As described in the 2004 Final EIR, schools, hospitals, convalescent homes, residential areas, and recreational uses are considered to be relatively sensitive to poor air quality. Besides the residences constructed in accordance with the existing DA and PDP, no substantial changes have occurred regarding sensitive receptors since the certification of the 2004 Final EIR.

IMPACTS AND MITIGATION MEASURES

GENERATION OF CONSTRUCTION–RELATED EMISSIONS (IMPACT 5.4-1 OF 2004 FINAL EIR)

The 2004 Final EIR determined that construction of the Rice-McMurtry Project would have a potentially significant impact on regional air quality. Mitigation measures to reduce the potential significant impacts to a less-than-significant level were provided in the EIR (pp. 5.4-15).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in any additional construction beyond what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant air quality impacts during construction previously identified in the 2004 Final EIR.

The 2006 MND concluded that, with the implementation of suggested mitigation measures, the development of the regional stormwater drainage facility would have a less-than-significant effect on regional air quality. Therefore, with the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, proposed use of the regional stormwater drainage facility would not result in new significant impacts to air quality or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

GENERATION OF OPERATIONS-RELATED EMISSIONS (IMPACT 5.4-2 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that operation of the Rice-McMurtry Project would result in an exceedance of the YSAQMD's threshold for ROG emissions. Mitigation measures to reduce the potential significant impacts to a less-than-significant level were provided in the EIR (pp. 5.4-20).

The Proposed Modifications would not result in any operation emissions beyond what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of air quality impacts during operation previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE GENERATION OF CARBON MONOXIDE EMISSIONS (IMPACT 5.4-3 OF 2004 FINAL EIR)

The CO analysis completed in support of the 2004 Final EIR found that even at the most impacted intersections, CO concentrations would be less than the state and federal 1-hour and 8-hour ambient standards at the closest sensitive receptors. Since the screening analysis was conducted for the worst case intersection, and because that analysis found that there would be no CO impacts, additional screening analyses were not conducted. Consequently, the 2004 Final EIR concluded that the Rice-McMurtry Project would cause less-than-significant impact and is not cumulatively considerable. No mitigation was determined to be necessary (pp. 5.4-20).

The Proposed Modifications would not result in an increase in vehicle trip generation during operation beyond what was previously approved in the existing DA and PDP and, therefore, would not result in new significant impacts regarding CO emissions that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

GENERATION OF OTHER CRITERIA POLLUTANTS (IMPACT 5.4-4 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the Rice-McMurtry Project would have lead emissions which are considered negligible and, therefore, the Rice-McMurtry Project would result in a less-than-significant impact. No mitigation was determined to be necessary (pp 5.4-22).

The Proposed Modifications would not result in any increase in lead emissions beyond what was previously approved in the existing DA and PDP and, therefore, would not result in new significant air quality impacts associated with lead emissions that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

GENERATION OF OPERATIONS-RELATED ODORS (IMPACT 5.4-5 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the construction and operation of the Rice-McMurtry Project would result in a less-than-significant impact related to odors. No mitigation was determined to be necessary (pp 5.4-22).

The Proposed Modifications would not result in any increase in odors beyond what was previously approved in the existing DA and PDP and, therefore, would not result in new significant odor impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.5 NOISE

SETTING

As discussed in the 2004 Final EIR, existing noise environment is considered quiet with the primary source of ambient noise being traffic on local streets, particularly along the eastern border where Browns Valley Road intersects with either McMurtry Lane or Shelton Lane. Besides construction completed in accordance with the existing DA and PDP, no substantial changes have occurred in the noise environment since the certification of the 2004 Final EIR.

The project area underlies the eastbound downwind pattern for air traffic operating at Travis Air Force Base (AFB), so experiences occasional overflights by C-5 and other aircraft. The 2002 noise contour map prepared for Travis AFB indicates that the Rice-McMurtry area continues to be outside the 60 dB CNEL contour, so noise from Travis AFB operations would not be considered substantial in that context (Solano County, 2002). Similar to the 1995 Air Installation Compatible Use Zone (AICUZ) map referenced in the 2004 Final EIR. The 2002 noise contour map does not show the location of the 55 dB Community Noise Equivalent Level (CNEL) contour.

The Nut Tree Airport is also located nearby, and noise contours were prepared for that airport in 1993 as part of the Airport Master Plan. The noise contour map for future operations (2011) shows that the Rice-McMurtry area is located outside the 55 dB CNEL contour, so noise from Nut Tree Airport operations would not be considered substantial in that context. No new noise contour maps have been produced for the Nut Tree Airport since the certification of the 2004 Final EIR.

As described in the 2004 Final EIR, residential areas, hospitals, and nursing homes are considered to be noise sensitive areas. Besides the residences constructed in accordance with the existing DA and PDP, no substantial changes have occurred regarding sensitive receptors since the certification of the 2004 Final EIR.

IMPACTS AND MITIGATION MEASURES

CONSTRUCTION NOISE LEVELS (IMPACT 5.5-1 OF 2004 FINAL EIR)

The 2004 Final EIR determined that the construction of the Rice-McMurtry Project would result in a potentially significant impact regarding noise. Mitigation measures to reduce the potential significant impacts to a less-than-significant level were provided in the EIR (pp. 5.5-16).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in any additional construction beyond what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant construction noise impacts previously identified in the 2004 Final EIR.

The 2006 MND concluded that the development of the regional stormwater drainage facility would have a less-than-significant effect on noise levels. Therefore, with the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry Project, construction of the regional stormwater drainage facility would not result in new significant impacts to ambient noise levels or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

NOISE LEVELS FROM ON SITE ACTIVITIES (IMPACT 5.5-2 OF 2004 FINAL EIR)

The 2004 Final EIR determined that the operation of the Rice-McMurtry Project would result in a less-than-significant impact regarding noise. No mitigation was determined to be necessary (pp 5.5-17).

The Proposed Modifications would not result in any operational noise beyond what was previously approved in the existing DA and PDP and, therefore, would not result in new significant noise impacts that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

EXISTING AND CUMULATIVE TRAFFIC NOISE LEVELS (IMPACT 5.5-3 OF 2004 FINAL EIR)

The 2004 Final EIR determined that the operation of the Rice-McMurtry Project would result in a potentially significant cumulative impact regarding noise. Mitigation measures to reduce the potential significant impacts to a less-than-significant level were provided in the EIR (pp. 5.5-17).

The Proposed Modifications would not result in any operation noise beyond what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

NUT TREE AIRPORT NOISE LEVELS (IMPACT 5.5-4 OF 2004 FINAL EIR)

The 2004 Final EIR determined that noise from individual aircraft operations at the Nut Tree Airport is not expected to be substantial; therefore the noise associated with Nut Tree Airport operations is expected to result in a less-than-significant impact. No mitigation was determined to be necessary (pp 5.5-20).

The Proposed Modifications would not result in any increase in sensitive receptors beyond what was previously approved in the existing DA and PDP and, therefore, would not result in new significant impacts from Nut Tree Airport noise levels that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

TRAVIS AIR FORCE BASE NOISE LEVELS (IMPACT 5.5-5 OF 2004 FINAL EIR)

The 2004 Final EIR determined that noise from individual aircraft operations at the Travis Air Force Base is not expected to be substantial; therefore the noise associated with Travis Air Force Base operations is expected to result in a less-than-significant impact. No mitigation was determined to be necessary (pp 5.5-20).

The Proposed Modifications would not result in any increase in sensitive receptors beyond what was previously approved in the existing DA and PDP and, therefore, would not result in new significant impacts from Travis AFB noise levels that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.6 BIOLOGICAL RESOURCES

SETTING

Besides construction completed in accordance with the existing DA and PDP, no substantial changes have occurred to the biological resources setting since the approval of the Final EIR in 2004. As described in the 2004 Final EIR, and confirmed through the review of recent aerial imagery, the vegetation community types characterized are as follows: annual grassland; orchard /rowcrop; oak savannah; and urbanized. The water resources present in the study area are intermittent and ephemeral streams and swales, a seep, and a seasonal pond. As described in **Section 1.1**, since the Cheyenne Subdivision tentative and final subdivision maps were approved, the project applicant has completed 66 homes and other public and private improvements in accordance with the existing DA and PDP, including storm drainage and interim drainage facilities.

Although no special-status species have been observed during field surveys, the analysis completed for the 2004 Final EIR determined that the following six species have a medium or high potential to occur on site: Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*); Swainson's hawk (*Buteo swainsoni*); burrowing owl (*Athene cunicularia hypugaea*); mountain plover (*Charadrius montanus*); white-tailed kite (*Elanus leucurus*); and small-footed myotis bat (*Myotis ciliolabrum*). Updated lists of regionally occurring special-status plant and animal species were compiled based upon a review of pertinent literature, reconnaissance-level site assessments, informal consultation with the U.S. Fish and Wildlife Service, and the results of a CNDDB query of all reported occurrences of special-status species within the "Sacramento West, California" USGS 7.5 minute topographic quadrangle map and the surrounding 8 quadrangle maps. Based on the review of updated species lists and aerial imagery, it was determined that no new state or federally listed species have been identified within the five-mile radius of the project site that were not included in the analysis conducted for the 2004 Final EIR.

A Final Administrative Draft of the HCP was released in August of 2012 and is currently undergoing revisions. The Solano County Water Agency anticipates that the final version of the HCP will be

completed and made available to the public during late spring or summer of 2014 (Solano County Water Agency, 2014).

IMPACTS AND MITIGATION MEASURES

SPECIAL STATUS SPECIES (IMPACT 5.6-1 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project could result in detrimental impacts to special status species or degradation of their habitats. Species determined to have the potential to be impacted included the Valley elderberry longhorn beetle (Desmocerus californicus dimorphus); Swainson's hawk (Buteo swainsoni); burrowing owl (Athene cunicularia hypugaea); mountain plover (Charadrius montanus); white-tailed kite (Elanus leucurus); and small-footed myotis bat (Myotis ciliolabrum). Mitigation measures to reduce the potentially significant impacts to a less-than-significant level are provided in the EIR (pp. 5.6-20).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of impacts previously identified in the 2004 Final EIR.

The 2006 MND concluded that, with the implementation of suggested mitigation measures, the development of the regional stormwater drainage facility would have a less-than-significant effect on special status species and their habitats. Therefore, with the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, use of the regional stormwater drainage facility would not result in new significant impacts to special status species or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

NESTING BIRDS (IMPACT 5.6-2 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project could result in detrimental impacts to nesting habitat directly by tree removal and indirectly by noise, vibration, and other construction-related disturbance. Mitigation measures to reduce the potentially significant impacts to a less-than-significant level are provided in the EIR (pp. 5.6-22).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in new significant impacts to nesting birds or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR.

The 2006 MND concluded that, with the implementation of suggested mitigation measures, the development of the regional stormwater drainage facility would have a less-than-significant effect on nesting birds. Therefore, with the implementation of the measures included within the adopted mitigation

monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, proposed use of the regional stormwater drainage facility would not result in new significant impacts to nesting birds or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

WATERS OF THE UNITED STATES (IMPACT 5.6-3 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project could result in detrimental impacts to Waters of the United States by eliminating portions of North Horse Creek and the alteration of existing creek channels. Mitigation measures to reduce the potentially significant impacts to a less-than-significant level are provided in the EIR (pp. 5.6-23).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts to waters of the U.S. previously identified in the 2004 Final EIR.

The 2006 MND concluded that, with the implementation of suggested mitigation measures, the development of the regional stormwater drainage facility would have a less-than-significant effect on waters of the U.S. Therefore, with the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, the use of the regional stormwater drainage facility would not result in new significant impacts to waters of the U.S. or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

IMPACTS TO TREES (IMPACT 5.6-4 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project would result in detrimental impacts to trees directly by the removal of mature trees for grading activities and indirectly by potential root severing, root compaction, and limb removal resulting from grading and other construction activities. Mitigation measures to reduce the potential significant impacts to a less-than-significant level are provided in the EIR (pp. 5.6-25).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts previously identified in the 2004 Final EIR.

The 2006 MND concluded that there are no trees within the Rancho Rogelio project site that meet the City's criteria for preservation; therefore, the development of the regional stormwater drainage facility would have a less-than-significant effect on trees. With the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry Project, use of the regional

stormwater drainage facility would not result in new significant impacts to waters of the U.S. or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CONFLICTS WITH THE HCP/NCCP (IMPACT 5.6-5 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project could conflict with some of the proposed goals and conservation criteria of the Solano Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), which had not yet been adopted. Mitigation measures to reduce the potential significant impacts to a less-than-significant level are provided in the EIR (pp. 5.6-28).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in an increase in the potential for conflict previously identified in the 2004 Final EIR.

At the time the 2006 MND was adopted, the City was actively participating in the development of the Solano Multispecies HCP. As described in the 2006 MND, the agreement between the City and the Solano County Water Agency for water service stipulates that in the interim period before the HCP is adopted, no jurisdiction will approve a project with potential impact to federally listed species until clearance has been obtained from the affected federal agencies. As described above, the 2006 MND concluded that the BRA did not identify the presence or potential presence of any federally-listed species on the site. Because the 2006 MND and BRA concluded that no federally-listed species occur on the site, clearance was not required to be obtained from federal agencies for the development of the regional stormwater detention facility. Therefore, with the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, use of the regional stormwater drainage facility would not result in a substantial increase in the severity of conflicts with the HCP/NCCP previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE IMPACTS TO BIOLOGICAL RESOURCES (IMPACT 5.6-6 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project and other development projects in the General Plan sphere of influence would result in cumulative impacts to biological resources in Vacaville. Mitigation measures to reduce the cumulative impacts to biological resources are provided in the EIR (pp. 5.6-29); however, the cumulative impact of loss of open space and habitat is still considered significant and unavoidable.

The Proposed Modifications would have similar cumulative impacts to biological resources as analyzed in the 2004Final EIR, and therefore, would not result in an increase in the severity of cumulative impacts to biological resources. With the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, implementation of the Proposed Modifications would not result in new significant cumulative impacts to biological resources or

a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.7 DRAINAGE AND WATER QUALITY

SETTING

REGIONAL SURFACE WATER

No substantial changes have occurred in regards to regional surface water since the certification of the 2004 Final EIR. The Rice-McMurtry area is located in the upper northwestern area of the 150-square-mile Ulatis Creek Watershed. Mountains and flat alluvial valleys characterize the terrain of the Ulatis Creek Watershed. The Ulatis Creek Watershed is drained by a series of major stream courses that discharge into the Cache Slough and ultimately into the Sacramento River. The major stream courses, which drain to the Cache Slough, include Alamo Creek, Ulatis Creek, Horse Creek, Gibson Canyon Creek, Sweeny Creek, and McCune Creek. The Rice-McMurtry area lies within the Horse Creek watershed and the Gibson Canyon Creek watershed.

FLOODING

No substantial changes have occurred in regards to regional floodplains since the certification of the 2004 Final EIR. The Rice-McMurtry area continues to be identified by FEMA to be in Zone X, which is an area outside of the 100-year flood plain that has a 0.2 percent chance of annual flood (FEMA, 2009).

DRAINAGE

The major stream courses in the City of Vacaville, including those that drain the Rice-McMurtry area and vicinity, are generally in their natural state and alignment. During major storms such as a 10-year event, channel capacities may be exceeded, leading to localized flooding. Regional detention basins are located throughout the City to reduce the flow in creeks and prevent adverse impacts as a result of flooding. Currently, 17 regional detention basins exist within the City; 6 are proposed to be developed by the City; and 4 new detention basins, including the basin proposed to be used by the modified project, are proposed as part of upcoming development projects (City of Vacaville, 2013). New development projects are required to reduce post-development peak flow and runoff volume to at or below pre-project conditions (City of Vacaville, 2013).

In the Rice-McMurtry area, the existing conditions are the same was what was analyzed in the 2004 Final EIR, with the exception of the construction that has been completed in accordance with the existing DA and PDP.

As described in **Section 4.2,** the approved Rancho Rogelio Subdivision is located immediately south of the Rice-McMurtry area and includes the development of a 4.72-acre regional stormwater detention basin

capable of retaining 16.1-acre feet of stormwater runoff. The regional stormwater detention basin was sized to accommodate the anticipated stormwater flows from the Cheyenne Subdivision.

WATER QUALITY

Surface Water Quality

No substantial changes have occurred in regards to surface water quality since the certification of the 2004 Final EIR. Water quality within the watershed is primarily influenced by surrounding land uses. In the Rice-McMurtry area, the water quality is influenced by the sediment-laden runoff from the surrounding hills. Downstream of the Rice-McMurtry area, water quality in the existing watercourses is dominated by urban land uses. Possible constituents associated with urban land uses, and the surrounding hillsides include: sediment, heavy metals, petroleum hydrocarbons, fertilizers, and pesticides. Since the 2004 Final EIR, additional waterways downstream of the project site have been listed on the State Water Resources Control Board (SWRCB) 303(d) list of impaired waterways. Ulatis Creek has been listed for chlorpyrifos and diazinon. Suisun Slough has been listed for diazinon. Putah Creek has been listed for boron. And Delta Waterways (northwestern portions) have been listed for electrical conductivity (U.S. Environmental Protection Agency (USEPA), 2014 and SWRCB, 2010). Since the 2004 Final EIR, the Sacramento River has been delisted for diazinon.

Urban Runoff Quality

No substantial changes have occurred in regards to urban runoff quality since the certification of the 2004 Final EIR. During the seasonal dry period, pollutants contributed by vehicle exhaust, vehicle and tire wear, spills, and atmospheric fallout accumulates within the watershed. Precipitation during the early portion of the wet season displaces these pollutants into the storm water runoff that can result in elevated pollutant concentrations in the initial wet weather runoff. Urban runoff from the project site today is similar to what was analyzed in the 2004 Final EIR.

IMPACTS AND MITIGATION MEASURES

FLOODING HAZARD (IMPACT 5.7-1 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that development of the Rice-McMurtry Project would produce increased peak runoff flows from the project area which could exceed the capacity of downstream drainage facilities and increase the downstream flooding hazard resulting in a potentially significant impact. Mitigation measures to reduce the impact to a less-than-significant level are provided in the EIR (pp. 5.7-12).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in new significant impacts or a substantial increase

in the severity of significant impacts associated with flooding hazards previously identified in the 2004 Final EIR.

As described in the 2006 MND, a drainage study and detention storage evaluation report, Technical Memorandum No.2, was completed by West Yost &Associates on January 25, 2005 to determine the required detention storage that would be necessary to mitigate the increase in runoff resulting from development of the Cheyenne Subdivision and the build out of the areas west of Browns Valley Road. Without mitigation, the increase in peak flows resulting from development of the Cheyenne Subdivision project during the 10- and 100- year storm events would be about 60 and 70 cubic feet per second (cfs), respectively. The increase in peak flows resulting from build out of the areas west of Browns Valley Road would be about 100 cfs during the 10-year storm events and 130 cfs during the 100-year storm. The study concludes that in order to mitigate the increase in peak flow resulting from development west of Browns Valley Road, one of two options must be adopted:

1. Each project west of Browns Valley Road must provide detention storage sufficient to reduce post-development peak flows from each individual project to 90 percent of pre-development peak flows.
2. Construct a regional detention basin that would meet the mitigation requirement of all of the proposed development projects west of Brown Valley Road. The regional detention basin must have 18 acre-feet of detention storage, not including freeboard requirements.

As described in **Section 3.4**, due to limitations imposed by U.S. Army Corps of Engineers (USACE) environmental permitting, a detention basin was not able to be constructed onsite with sufficient capacity to limit post-development runoff to pre-development levels. As a result, the project applicant proposes that it contribute its fair share of construction costs to the regional detention basin proposed to be constructed within the Rancho Rogelio subdivision located just south of the Cheyenne Subdivision. At 16.1 acre feet, the regional detention basin was sized to accommodate the anticipated 10- and 100- year deign flows from the Cheyenne Subdivision and, therefore, fulfills the requirements of Mitigation Measure 5.7-1(B) of the 2004 Final EIR. With the development of the regional detention basin and implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, implementation of the Proposed Modifications would not result in new significant impacts or a substantial increase in the severity of significant impacts associated with flooding hazards previously identified in the 2004 Final EIR. No additional mitigation is warranted.

WATER QUALITY DEGRADATION (IMPACT 5.7-2 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that development of the Rice-McMurtry Project would potentially conflict with local water quality standards. The 2004 Final EIR concluded that the change in surface water runoff from the Rice-McMurtry Project would result in water quality degradation, which would be considered a potentially significant impact. Mitigation measures to reduce the impact to a less-than-significant level are provided in the EIR (pp. 5.7-16).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts associated with water quality previously identified in the 2004 Final EIR.

The 2006 MND concluded that the development of the regional stormwater drainage facility would have a less-than-significant effect on water quality. Therefore, with the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, proposed use of the regional stormwater drainage facility would not result in new significant impacts to water quality or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE FLOODING HAZARD (IMPACT 5.7-3 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project and other development projects in the General Plan sphere of influence would result in cumulative impacts to flooding hazard in Vacaville as a result of increased peak flow to creeks in the vicinity. Mitigation measures to reduce the cumulative impacts to flooding hazard are provided in the EIR (pp. 5.7-18).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the expansion of the project footprint previously approved in the existing DA and PDP and, therefore, would not result in new significant cumulative impacts or a substantial increase in the severity of significant cumulative impacts associated with flooding hazards previously identified in the 2004 Final EIR.

As described above, the 16.1-acre foot regional detention basin to be developed within the Rancho Rogelio Subdivision is sized to accommodate the anticipated 10- and 100- year deign flows from the Cheyenne Subdivision. In accordance with City standards, new developments would be required to be protected from 100-year storms and to provide facilities to accommodate localized runoff. As shown in **Figure 1**, a preliminary plan to expand the regional detention basin by approximately 11 acre feet, for a total capacity of 25 acre feet, has been proposed to accommodate all of the proposed development projects west of Brown Valley Road. The regional detention basin will be funded by the Rice McMurtry Assessment District. In addition, the developer is required to participate in the Browns Valley / Rice-McMurtry Reimbursement District, which is intended to help fund water, sewer, and storm drain and road improvements in the immediate vicinity.

With the development of the regional detention basin and implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, implementation of the Proposed Modification regarding stormwater drainage would not result in new significant cumulative impacts or a substantial increase in the severity of significant cumulative impacts associated with flooding hazards previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE WATER QUALITY DEGRADATION (IMPACT 5.7-4 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project and other development projects in the General Plan sphere of influence would result in cumulative impacts to water quality in Vacaville. Mitigation measures to reduce the cumulative impacts to flooding hazard are provided in the EIR (pp. 5.7-19).

The Proposed Modifications would have a similar impact to cumulative impacts on water quality as analyzed in the 2004 Final EIR. Therefore, with the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, implementation of the Proposed Modifications would not result in new significant cumulative impacts or a substantial increase in the severity of significant cumulative impacts associated with water quality previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.8 CULTURAL RESOURCES

SETTING

The existing setting for cultural resources, including the ethnographic context, historic context, and prehistoric resources for the Rice-McMurtry area were originally described and analyzed in the 2004 Final EIR. Besides construction completed in accordance with the existing DA and PDP, no significant changes to the Rice-McMurtry area have occurred since the 2004 Final EIR.

Since the adoption of the 2004 Final EIR, no new cultural resources or sites have been identified within the project site or in the vicinity of the site, including the proposed location of the regional detention basin. However, due to the prehistory and history of Vacaville, it is possible that undiscovered archaeological or historic resources could be disturbed by excavation during construction of the Rice-McMurtry Project and regional detention basin.

IMPACTS AND MITIGATION MEASURES

MCMURTRY CULTURAL SITE (IMPACT 5.8-1 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project could cause a potentially significant impact to the McMurtry Cultural Site resulting from maintenance activities causing future disturbance in the City Open Space parcel. Mitigation measures to reduce the potential significant impacts to a less-than-significant level are provided in the EIR (pp. 5.8-5).

The Proposed Modifications do not include any development within the City Open Space parcel; however, as described in the 2004 Final EIR, any future disturbance of the City Open Space parcel due to maintenance activities could cause a potentially significant impact. With the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project,

implementation of the Proposed Modifications would not result in an increase in the severity of significant impacts to the McMurtry Cultural Site previously identified in the 2004 Final EIR. No additional mitigation is warranted.

UNDISCOVERED ARCHAEOLOGICAL RESOURCES (IMPACT 5.8-2 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that, due to the complex history and prehistory of the area, it is possible that the development of the Rice-McMurtry Project could result in the disturbance of undiscovered archaeological or historical resources by excavation activities during construction. Mitigation measures to reduce the potential significant impacts to a less-than-significant level are provided in the EIR (pp. 5.8-6).

Ground disturbing activities and the overall extent of disturbed and developed areas within the Cheyenne Subdivision would be reduced under the Proposed Modifications; therefore, the potential for significant impacts to undiscovered archaeological resources within the Cheyenne Subdivision would be less than originally analyzed in the 2004 Final EIR.

The 2006 MND concluded that, with suggested mitigation measures incorporated, the development of the regional stormwater drainage facility would have a less-than-significant effect on cultural resources. Therefore, with the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, use of the regional stormwater drainage facility would not result in new significant impacts to undiscovered archaeological resources or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE CULTRAL RESOURCES IMPACTS (SECTION 6.3.6 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that, with the implementation of mitigation measures to reduce potential significant impacts to the McMurtry Cultural Site and undiscovered archaeological resources, the Rice-McMurtry Project would result in a less than significant cumulative impact to cultural resources and would not be cumulatively considerable (pp. 6-4).

With the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, the Proposed Modifications would not result in an increase in the severity of cumulatively considerable significant impacts to cultural resources previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.9 GEOLOGY AND SOILS

SETTING

Besides construction completed in accordance with the existing DA and PDP, no substantial changes have occurred in geology and soils since the certification of the 2004 Final EIR. As described in the 2004

Final EIR, the soils on the portions of the Rice-McMurtry area that are to be graded and developed consist primarily of clays, clay loam, and gravelly loam. Soils on the steep hills on the west side of the Rogers Ranch consist of loam, while soil on the south side of the Caligiuri Reserve area consists of cobbly clay loam. There are many shallow landslides on moderately steep and steep slopes within the Rice-McMurtry area, as well as at the locations of over-steepened slopes such as roadcuts and along the incised ephemeral stream. Although the Rice-McMurtry area does not lie in or adjacent to a designated Alquist-Priolo active fault zone area, the Rice-McMurtry area does lie within a Seismic Hazard Zone. Earthquakes have occurred in the past, and the potential exists in the future for significant seismic activity.

IMPACTS AND MITIGATION MEASURES

SLOPE FAILURE (IMPACT 5.9-1 OF 2004 FINAL EIR)

Because some of the proposed housing lots are situated on steep slopes, the 2004 Final EIR concluded that the development of the Rice-McMurtry Project could result in property damage or bodily injury from slope failure. Mitigation Measures to reduce the impacts to a less-than-significant level are provided in the 2004 Final EIR (pp.5.9-9).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the construction of any structures beyond those previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts previously identified in the 2004 Final EIR.

The 2006 MND concluded that the potential for the development of the regional stormwater drainage facility to expose people or structures to adverse effects regarding landslides is less than significant. Therefore, with the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, the use of the regional stormwater drainage facility would not result in new significant impacts regarding slope failure or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

SEISMIC ACTIVITY (IMPACT 5.9-2 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice-McMurtry Project could potentially expose people or structures to adverse effects from seismic risks. Mitigation Measures to reduce the impacts to a less-than-significant level are provided in the 2004 Final EIR (pp.5.9-10).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in the construction of any structures beyond those previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts previously identified in the 2004 Final EIR.

The 2006 MND concluded that the potential for the development of the regional stormwater drainage facility to expose people or structures to adverse effects regarding strong seismic activity is less than significant. Therefore, with the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, the use of the regional stormwater drainage facility would not result in new significant impacts regarding slope failure or a substantial increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CONFLICTS WITH ORDINANCES (IMPACT 5.9-3 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the Rice-McMurtry Project would conflict with Chapter 14.19.240 of the City's grading ordinance and Division 14.09 of the zoning ordinance (Title 14 of the Land Use & Development Code) because it would require the grading of slopes greater than 25 percent. Mitigation Measures to reduce the impacts to a less-than-significant level are provided in the 2004 Final EIR (pp.5.9-11).

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in any additional grading beyond what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts previously identified in the 2004 Final EIR.

The 2006 MND concluded that the development of the regional stormwater drainage facility would not conflict with any applicable land use plan, policy, or regulation. Therefore, with the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, the use of the regional stormwater drainage facility would not result in an increase in the severity of significant impacts previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE GEOLOGY AND SOILS IMPACTS (SECTION 6.3.7 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that because the Rice-McMurtry Project is designed to comply with the City of Vacaville's Land Use and Development Code Division 14.19 Grading Ordinance and the development or grading shall be geologically stable and safe as documented through geologic and soils engineering analysis to the satisfaction of the City Engineer and the Building Official (section 14.09.101.100), the Rice-McMurtry Project would result in a less-than-significant cumulative impact and is not cumulatively considerable (pp. 6-4).

With the implementation of the measures included within the adopted mitigation monitoring programs for the Rice-McMurtry and Rancho Rogelio Projects, the Proposed Modifications would not result in an increase in the severity of cumulatively considerable significant impacts in regards to geology and soils previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.10 PUBLIC SERVICES

SETTING

FIRE PROTECTION SERVICES

No substantial changes have occurred in fire protection services since the certification of the 2004 Final EIR. The City of Vacaville Fire Department (VFD) provides fire protection services and emergency medical services to the City and unincorporated Solano County surrounding the City. The VFD is organized into two divisions: the Operations Division and the Support Services Division. The Operations Division is responsible for fire fighting, emergency rescue and medical response, and hazardous materials response. VFD currently has 73 employees, of which 65 are firefighters and emergency response personnel.

VFD provides these services through four fully-staffed fire stations that are located strategically throughout the City. The following stations are staffed 24-hours a day, 7-days a week (staffing numbers):

- Station 71 – 111 South Orchard Avenue (6 personnel)
- Station 72 – 2001 Ulatis Drive (5 personnel)
- Station 73 – 650 Eubanks Court (3 personnel)
- Station 74 – 1850 Alamo Drive (5 personnel)

LAW ENFORCEMENT

No substantial changes have occurred to City of Vacaville police protection services since the certification of the February 2004 Final EIR. The City of Vacaville Police Department (VPD) provides law enforcement services within the City through three divisions: Administrative Services Division, Investigative Services Divisions, and the Field Operations Division. VPD operates out of a central station located at 660 Merchant Street; however, there is also a Family Resource Center located at 312 Cernon Street, Suite D and four Youth Services Offices located at the Vacaville High School, Will C. Wood High School, Vaca Pena Middle School, and Willis Jepson Middle School. VPD has 103 sworn law enforcement officers and 58 full-time civilian employees.

PUBLIC SCHOOLS

No substantial changes have occurred in the Vacaville Unified School District (VUSD) since the certification of the February 2004 Final EIR. The Rice-McMurtry Project is located within the VUSD service area. School facilities operated by VUSD include twelve elementary schools (K-6), four middle schools, and six high schools.

RECREATION

No substantial changes have occurred to the facilities maintained by the City of Vacaville Parks and Recreation Department since the certification of the February 2004 Final EIR. The City of Vacaville owned and maintains 7 community parks, 25 neighborhood parks, and 1 regional park. Additionally, 20 Open Space areas are located within the City (City of Vacaville, 2013).

IMPACTS AND MITIGATION MEASURES

PUBLIC SAFETY – EXISTING & CUMULATIVE (IMPACT 5.10-1 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the development of the Rice McMurtry Project would result in an increase for police and fire services and would be considered a potentially significant impact. Mitigation measures to reduce the impact to a less-than-significant level are provided in the EIR (pp. 5.10-9).

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts to police and fire services previously identified in the 2004 Final EIR. No additional mitigation is warranted.

SCHOOLS – EXISTING & CUMULATIVE (IMPACT 5.10-2 OF 2004 FINAL EIR)

Development of the Rice-McMurtry Project is anticipated to increase the number of students in the VUSD by approximately 218. The 2004 Final EIR concluded that the additional students from the Rice-McMurtry Project would result in a potentially significant impact. A mitigation measure included in the Final EIR, providing school mitigation fees to the VUSD, would reduce the impact to a less-than-significant level (pp. 5.10-10).

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in the severity of significant impacts to schools previously identified in the 2004 Final EIR. No additional mitigation is warranted.

PARKS AND RECREATION – EXISTING AND CUMULATIVE (IMPACT 5.10-3 OF 2004 FINAL EIR)

The Rice-McMurtry Project includes the development of a trail system providing access to existing City of Vacaville Open Space. The 2004 Final EIR concluded that the trail included within the Rice-McMurtry Project would result in a beneficial effect on the surrounding community and no negative impacts would occur.). No mitigation was determined to be necessary (pp 5.10-10).

The Proposed Modifications do not propose the removal of the multi-use trail and, therefore, would not result in an increase in the severity of significant impacts to parks and recreation previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.11 UTILITIES

SETTING

WASTEWATER

As described in the 2004 Final EIR, the project site, prior to initial development, was located within an area planned for sewer service via the City of Vacaville wastewater collection and treatment system. The project site is currently connected the City collection and treatment system. Onsite and offsite improvements, undertaken during initial development constructed as part of the Rice-McMurtry Project; included an internal network of 12-inch sewer mains buried underneath the residential road system and off-site ties into the existing City sewer system at the Glen Eagle Ranch subdivision sewer main and the Laurel Wood subdivision main. Wastewater generated within the project site and the surrounding City is treated at the Easterly Wastewater Treatment Plant (WWTP). The average dry weather flow (ADWF) capacity specified in the discharge permit for the EWWTP is defined in the NPDES permit as the average daily flow over three consecutive dry weather months (e.g., July, August, and September). There is no permit limit for the annual average flow, so the ADWF is used to define plant capacity. EWWTP flows are reported monthly. A 2004 expansion increased the ADWF capacity of the EWWTP to 15 million gallons per day (MGD) in response to growth projections of the City's 1990 General Plan. Current flows to the EWWTP are approximately 10 MGD (City of Vacaville, 2013b). The plant is presently being upgraded to provide tertiary level treatment by 2015.

WATER SUPPLY

The City water system consists of surface water treatment facilities, groundwater wells, pump stations, storage reservoirs, and distribution infrastructure. The City water system receives its water supply from several sources, including Lake Berryessa reservoir (U.S. Bureau of Reclamation Solano Project), State Water Project water from the North Bay Regional (NBR) water treatment plant (WTP), and groundwater from local city wells. The project site is currently connected to the City water supply distribution system. Onsite and offsite improvements, undertaken during initial development constructed as part of the Rice-McMurtry Project; included an internal network of 12-inch water mains buried underneath the residential road system and a public 12-inch pipeline within Browns Valley Road.

IMPACTS AND MITIGATION MEASURES

WASTE WATER COLLECTION SYSTEM FLOWS (IMPACT 5.11-1 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that anticipated wastewater from the Rice-McMurtry Project would result in a potentially significant impact to the existing wastewater collection system conveying wastewater from the project site to the terminus of existing infrastructure and ultimately the Easterly Wastewater Treatment Plant (EWWTP). Mitigation measures included in the Final EIR providing funding for off-site wastewater collection system improvements and funding mechanisms to construct these improvements would reduce the impact to a less-than-significant level (pp. 5.11-18).

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in estimated wastewater flows from those included within the 2004 Final EIR. Proposed off-site downstream wastewater collection system improvements documented as Phase I Improvements, including in the 2004 Final EIR as mitigation, have been constructed pursuant to the existing PDP and DA, with the exception of the proposed improvements to the Allison Parkway Lift Station. The Proposed Modifications postpone the construction of improvements to the Allison Parkway Lift Station until warranted by surrounding approved projects and establishes a fair share payment program with the City through the creation of a Benefit District. To date, as included in the existing PDP and DA, the applicant has acquired the land and dedicated it to the City, and paid for the designs of the lift station improvements.

No environmental impacts would occur with the approval of the Proposed Modifications as the creation of a Benefit District is proposed under 2004 Final EIR Mitigation Measure 5-11-1 (c). With the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, implementation of the Proposed Modifications would not result in new significant impacts or a substantial increase in the severity of significant impacts to wastewater collection systems previously identified in the 2004 Final EIR. No additional mitigation is warranted.

WASTEWATER TREATMENT PLANT FLOWS (IMPACT 5.11-2 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that anticipated wastewater from the Rice-McMurtry Project would result in a less than significant impact to treatment capacities at the EWWTP. No mitigation was determined to be necessary (pp. 5.11-23).

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in estimated wastewater flows from those included within the 2004 Final EIR. Therefore, as described in the 2004 Final EIR, buildout of the Rice-McMurtry Project would increase the ADWF to EWWTP by approximately 0.11 MGD. As described above, the EWWTP currently has a permitted treatment capacity of 15 MGD ADWF and current flows to the EWWTP are approximately 10 MGD ADWF. Therefore, the expanded EWWTP has an available ADWF capacity of 5 MGD which, as assumed in the 2004 Final EIR, is adequate to accommodate the increase in wastewater flows generated by the Rice-McMurtry Project and a less-than significant impact would occur. Implementation of the Proposed Modifications would not result in new significant impacts to the EWWTP that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

WATER SUPPLY DEMAND (IMPACT 5.11-3 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the City has adequate capacity to meet the increased water demand; however, supplying water to the project site would necessitate system improvements and is therefore

considered to be a potentially significant impact. Mitigation measures included in the 2004 Final EIR would reduce the impact to a less-than-significant level (pp. 5.11-24).

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in estimated water demands from those included within the 2004 Final EIR. Implementation of the Proposed Modifications would not result in new significant impacts to water supply that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

WATER PRESSURE DEMANDS (IMPACT 5.11-4 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that the Rice-McMurtry Project would result in a potentially significant impact due to inadequate pressure at a portion of the development area, as a number of development pads within the Rice-McMurtry Project are proposed above the 222 feet in elevation, above the maximum water pressure service range. Mitigation measures included in the Final EIR provided funding for the development of a separate upper pressure zone to provide adequate pressure to portions of the Rice-McMurtry Project would reduce the impact to a less-than-significant level (pp. 5.11-28).

The proposed off-site water supply connections included in the 2004 Final EIR as mitigation have been constructed pursuant to the existing PDP and DA for building pads below a 222 foot elevation. The Proposed Modifications include the postponement of the construction of the upper Zone 2 water system until a fair share payment program with the City through the creation of a Benefit District is established. To date, as included in the existing PDP and DA, the applicant has acquired the land, prepared civil engineering designs, and dedicated the land to the City.

No environmental impacts would occur with the approval of the Proposed Modifications as the creation of a Benefit District would establish a fair share payment program to provide for previously analyzed off-site improvements, including the development of the new upper Zone 2 water system (2004 Final EIR Mitigation Measure 5.11-4). Pursuant to the Proposed Modifications, the issuance of building permits for the lots above elevation 222 remains contingent upon completion of the construction of the booster pump station, distribution system, and reservoir. With the implementation of the measures included within the adopted mitigation monitoring program for the Rice-McMurtry Project, implementation of the Proposed Modifications would not result in new significant impacts or a substantial increase in the severity of significant impacts to wastewater collection systems previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE WASTEWATER COLLECTION SYSTEM FLOWS (IMPACT 5.11-5 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that because a funding mechanism for the necessary collection system improvements with citywide benefit has been established, the cumulative increase in flows from the Rice-McMurtry Project is considered a less-than-significant impact. No mitigation was determined to be necessary.

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in estimated wastewater flows from those included within the 2004 Final EIR. Implementation of the Proposed Modifications would not result in new significant cumulative impacts to wastewater collection system that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted (pp. 5.11-35).

CUMULATIVE WASTEWATER TREATMENT PLANT FLOWS (IMPACT 5.11-6 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that because a the City collects development impact fees for the purpose of funding treatment plant improvements needed to accommodate cumulative growth and specific improvements are identified and scheduled by the City through periodic master planning and design activities, the cumulative increase in flows from the Rice-McMurtry Project is considered a less-than-significant impact. No mitigation was determined to be necessary (pp. 5.11-35).

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in estimated wastewater flows from those included within the 2004 Final EIR. Implementation of the Proposed Modifications would not result in new significant cumulative impacts to the Easterly WWTP that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE WATER DISTRIBUTION FACILITY DEMAND (IMPACT 5.11-7 OF 2004 FINAL EIR)

The 2004 Final EIR concluded that because funding mechanisms for water distribution system improvements with citywide benefit have been established, the generation of additional water demand and the need for improvements to the existing water distribution system as a result of the Rice-McMurtry Project is considered a less-than-significant impact. No mitigation was determined to be necessary. (pp. 5.11-36)

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in estimated water demand from those included within the 2004 Final EIR. Implementation of the Proposed Modifications would not result in new significant cumulative impacts to wastewater distribution facilities that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

CUMULATIVE WATER SUPPLY DEMAND (IMPACT 5.11-8 OF 2004 FINAL EIR)

The water supply assessment conducted by the City of Vacaville (SB610 Water Supply Assessment Report) concluded that there is sufficient water supply from the existing sources to meet the increased

water demand from the Rice-McMurtry Project under a variety of delivery conditions; therefore, this is considered a less-than-significant impact. No mitigation was determined to be necessary (pp. 5.11-36).

The Proposed Modifications would not result in a change in the number of residential units or housing densities from what was previously approved in the existing DA and PDP and, therefore, would not result in an increase in estimated water demand from those included within the 2004 Final EIR. Implementation of the Proposed Modifications would not result in new significant cumulative impacts to water supply that were not previously identified in the 2004 Final EIR. No additional mitigation is warranted.

3.12 ADDITIONAL CEQA IMPACTS

Since the certification of the 2004 Final EIR, the CEQA guidelines have been revised to incorporate two additional environmental resources to be considered during the environmental review process. These resources have been incorporated into the environmental review checklist included as Appendix G of the most recent version of the CEQA Guidelines. Forestry resources have been incorporated into the environmental review of agricultural resources and a new section of the environmental checklist was developed to address greenhouse gas emissions (GHGs). As stated in Section 5.6 of Volume I of the Final EIR, the Rice-McMurtry project site encompasses annual grasslands, orchards/ rowcrops, oak savannah, and urbanized areas. Accordingly, implementation of the Proposed Modifications would not result in the alteration of forested lands to non-forested lands and therefore would not result in new significant impacts not identified in the 2004 Final EIR. Additionally, while GHG emissions would result from the construction and operation of the Cheyenne Subdivision, the Proposed Modifications would not result in an increase in construction activities or increase in emissions sources compared to those assessed in the 2004 Final EIR. Therefore, GHG emissions would remain consistent with the 2004 project description and no new significant impacts would result from the implementation of the Proposed Modifications. No additional mitigation is warranted.

SECTION 4.0
OTHER CEQA CONSIDERATIONS

4.1 INTRODUCTION

The following discussions address the cumulative impacts, growth inducing impacts, unavoidable adverse impacts, and effects not found to be significant for the proposed Rice McMurtry project. See **Section 3.0, Environmental Setting, Impacts, and Mitigation Measures** for detailed discussions of these impacts by issue area.

4.2 CUMULATIVE

The cumulative setting in the 2004 Final EIR was based on development anticipated under the City of Vacaville 1990 General Plan (as amended through November 1999) and Comprehensive Annexation Plan 2001-2015 (adopted October 2001), as well as the development of the McMurtry Reservoir and Laurel Woods Subdivision Project which were proposed at the time. Since the approval of the Rice-McMurtry Project, the McMurtry Reservoir and Laurel Woods Subdivision projects have been completed. As described in **Sections 1.0** and **2.0**, the collapse of the housing market and subsequent recession resulted in a substantial reduction in the anticipated level of development in the City of Vacaville and the surrounding areas. However, growth that has occurred has been consistent with the General Plan and no new conditions have occurred since certification of the 2004 Final EIR that would require an update of the cumulative setting.

As described in **Section 3.0**, the Proposed Modifications would not result in a substantial increase in the severity of cumulative impacts previously identified in the 2004 Final EIR.

4.3 GROWTH INDUCING EFFECTS

The Proposed Modifications related to modifying the timing and/or funding mechanism of road and utility improvements would not result in any direct or indirect growth inducement beyond what was previously approved in the existing PDP and DA and, therefore, would not result in new significant indirect effects or a substantial increase in the severity of effects associated with growth inducement previously identified in the 2004 Final EIR. The regional detention basin proposed within Rancho Rogelio Subdivision is intended to relieve localized and downstream flooding related to existing and approved projects in the vicinity, including the Cheyenne Subdivision and therefore would not result in any indirect growth inducement.

4.4 UNAVOIDABLE ADVERSE IMPACTS

As described in **Section 3.0**, the Proposed Modifications would not result in any new significant and unavoidable adverse impacts beyond those previously identified in the 2004 Final EIR.

4.5 EFFECTS FOUND NOT TO BE SIGNIFICANT

As required by CEQA, the 2004 Final EIR and Addendum focus on expected significant or potentially significant environmental effects (*CEQA Guidelines Section* 15143). An Initial Study was prepared for the Rice-McMurtry Project to identify issues to be evaluated in the EIR. Issues that were identified within the Initial Study as being less than significant were not evaluated in the EIR. Some of the impacts analyzed in the 2004 Final EIR were considered to be less than significant, requiring no mitigation. Other impacts, (i.e., those which are considered to be potentially significant or significant) were reduced to a level that is less than significant with the implementation of the proposed mitigation measures.

As described in **Section 3.0**, the Proposed Modifications would not result in increasing the severity of impacts previously identified in the 2004 Final EIR as less than significant and no new mitigation is warranted as a result of the requested modifications to the PDP and DA.

SECTION 5.0
CONCLUSIONS

5.1 CONCLUSIONS

An Addendum to the Final EIR prepared for the Rice-McMurtry Annexation and Residential Development Project is the appropriate form of environmental documentation for addressing the modifications to the existing Planned Development Permit (PDP) as amended by the Planning commission on March 1, 2005 and existing Development Agreement (DA) entered into by the City and applicant in May 2004. A Subsequent EIR pursuant to CEQA Guidelines, Section 15162 is not being prepared for the following reasons:

a. The Proposed Modifications identified in this Addendum would not result in new significant impacts or an increase in the severity of environmental impacts described in the 2004 Final EIR, with implementation of mitigation identified in the 2004 Final EIR and in this Addendum. This determination is based on the information contained in **Section 3.0** of this Addendum, which analyzes modifications to the project and in the existing setting and information that has become available since certification of the Final EIR in 2004, described in **Section 2.0** of this Addendum;

b. Circumstances under which the project would be undertaken have not resulted in substantial changes that would require major revisions of the 2004 Final EIR. This determination is based on the information contained in **Section 3.0** of this Addendum, which analyzes modifications to the project and in the existing setting and information that has become available since the certification of the Final EIR in 2004, described in **Section 2.0** of this Addendum. The analysis in **Section 3.0** identifies that many of the assumptions supporting the conclusions relating to the significance of impacts identified in the 2004 Final EIR, have been confirmed by the passage of time; and

c. No new findings of substantial importance indicate that new significant environmental impacts would be created, the severity of the environmental impacts previously identified would increase, or that mitigation measures found to be infeasible for implementation in the Final EIR certified in 2004 would now be feasible.

SECTION 6.0
ADDENDUM PREPARATION

6.1 CITY OF VACAVILLE

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6.2 CONSULTANTS

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SECTION 7.0
ADDENDUM ACRONYMS

ADWF	Average dry weather flow
AFB	Air Force Base
AICUZ	Air Installation Compatible Use Zone
ANSI	American National Standards Institute
AP	Alquist-Priolo Earthquake Fault Zones Act
APN	Assessor's Parcel Number
CAP	Comprehensive Annexation Plan
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFP	California Fully Protected Species
CFS	Cubic feet per second
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CWA	Clean Water Act
DA	Development Agreement
Db	Decibel
EIR	Environmental Impact Report
EWWTP	Easterly Wastewater Treatment Plant
FEMA	Federal Emergency Management Agency
GHG	Greenhouse Gas
HCP/NCCP	Solano Habitat Conservation Plan/Natural Community Conservation Plan
LAFCo	Solano local Agency Formation Commission
LOS	Level of Service
MGD	million gallons per day
MND	Mitigated Negative Declaration
NBR	North Bay Regional
PDP	Planned Development Permit
PM_{10}	particulate matter less than 10 microns in diameter
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
ROG	reactive organic gases
Sf	Square-feet
SO_2	Sulfur Dioxide
SVAB	Sacramento Valley Air Basin
SWRCB	State Water Resources Control Board
T.I.	Traffic Index
TIA	Traffic Impact Analysis
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service

USGS	U.S. Geological Survey
VFD	City of Vacaville Fire Department
VPD	City of Vacaville Police Department
VUSD	Vacaville Unified School District
WB	Westbound
WTP	Water treatment plant
WWTP	Wastewater Treatment Plant
YSAQMD	Yolo-Solano Air Quality Management District's

SECTION 8.0
ADDENDUM REFERENCES

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